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THE ESTABLISHMENT OF PROTECTORATE  
ADMINISTRATION IN SENEGAL, 1890-1904

by

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TO many people, it seems strange that the Senegalese hinterland, which appears to have played no significant part in the history of Senegal before 1945, should emerge after the War to dictate the political tune in the colony.<sup>1</sup> The general misconception about the former position of the rural districts is caused by the pre-eminence enjoyed by the *quatre communes* as the economic, social and political centres of gravity. But these urban centres were not a true reflection of Senegal. Dakar, which had by the beginning of the twentieth century emerged as the most important of them, was an artificial creation. To understand post-war political developments in Senegal, one must go beyond merely citing the political acumen and leadership of Leopold Sedar Senghor, and examine the hitherto obscure history of the Senegalese interior. The purpose of this paper, therefore, is to provide an introduction to that history by discussing the origins of the system of administration established for the area between 1890 and 1904.

In 1890, "Senegal and Dependencies"<sup>2</sup> consisted of the "direct administration territories", namely the *quatre communes* and suburbs, the annexed province of Walo, the military posts and trading stations on the rivers and along the coast from St. Louis to the coastal area of modern Guinea, known as the *rivières du sud*; the territories of Bundu, Baol, Sine-Salum, Cayor, most of the Futa-Toro principalities, and Jolof, which had been brought under French "protection" between 1860 and 1890; and some parts of the Soudan, known as the *Haut-Sénégal*. Bossea, the last part of Futa-Toro to be subdued, was occupied by French forces in 1891, but the Casamance was not effectively "pacified" until after 1900. By 1904 the period of French territorial expansion in Senegal had virtually come to an end.<sup>3</sup>

According to French colonial policy, a "direct administration territory" was an area usually administered exactly like any similar administrative unit in

<sup>1</sup> The date of the emergence of the hinterland is usually put at 1951, when Senghor's party won the local elections to the French National Assembly. It must be noted, however, that Senghor, who incarnated this development, began to make his mark in the colony's politics as early as 1946.

<sup>2</sup> See map 1.

<sup>3</sup> H. O. Idowu: "The Conseil General in Senegal, 1879-1920" (unpublished Ph.D. Thesis, University of Ibadan, June 1966), pp. 318-320.

metropolitan France. The *quatre communes*, with their elective institutions and their status-conscious inhabitants, who were regarded in law as French citizens entitled in theory to the same rights and privileges as their counterparts in France, were the best known of the assimilated administrative units in Senegal. For a long time only the *quatre communes* were administered like an integral part of France; the rest of the direct-administration territories remained in practice assimilated to the other parts of Senegal which were designated *pays de protectorat*.

It is not intended here to reopen the controversy about the authenticity of the "treaties of protection" signed between the European powers and the African rulers. With reference to Senegal, the relevant fact is that the French first adopted the policy of protection in preference to that of annexation primarily because, like other European powers, they were in a hurry to establish exclusive rights to African territories and had neither the time nor the resources to introduce the system of direct administration which annexation implied and which constituted a cardinal feature of the French policy of assimilation.

The system of protectorate administration, which is sometimes regarded as the equivalent of indirect rule,<sup>1</sup> was one of the features of the French policy of association. The policy of assimilation and the policy of "indirect rule" differ. Under the former, all French citizens were considered to be equal before the law, entitled to protection by the French justice, and to equal opportunities for education, employment, etc., and could elect their fellow citizens to protect their interests through the various elective institutions. Under the latter, however, the inhabitants of the protected territories were not so privileged; they were subject to arbitrary rule and rough justice administered not only by the French administrators but also by the African chiefs, official agents of the French administration. They had no elective assemblies, and all powers were vested in the *commandant de cercle*.<sup>2</sup>

By 1890, the French were faced with the task of deciding which of the two systems should be introduced in the non-commune areas in Senegal. The local administration decided to effect indirect rule not only in the territories under French protection, but also in some of the direct administration districts. Apart from the government's desire to honour the treaties of protection it had signed with the native rulers, there were other reasons for this decision. In the first place, the nature of politics in the *quatre communes* since the 1870s had exacerbated rather than reduced the local administration's traditional hostility to elective institutions. Secondly, the slow and rather imperceptible progress of assimilation in nineteenth century Senegal had created disillusionment in the

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<sup>1</sup> The term "indirect rule" has been used here for convenience and to distinguish it from "direct administration" which operated under assimilation policy. It has little or nothing in common with "indirect rule" which operated in British colonies, and must not be confused with it. It was "indirect" to the extent that the protectorates were not governed like the assimilated territories. And, as explained in the article, the district officers were the be-all and end-all in the protectorates, while the "chiefs" were no more than official agents of execution.

<sup>2</sup> H. O. Idowu, *op. cit.*, pp. 327-330.

administration, causing them to write off the Senegalese as a people incapable of being assimilated. Lastly, a crisis, which occurred in the colony between 1888 and 1890, alarmed the governors, and induced them to seek a solution in a system of administration which, they thought, would enable them to control the trend of events in the hinterland more effectively.

The principal groups in the *quatre communes* were the Africans, the mulattoes, and the French. Though sometimes divided by racial antagonism, these groups often collaborated with each other and were linked by marriage and other kinship ties. From the politico-economic point of view, the French and the mulattoes were the most important groups. The colony's economy was under the control of commercial houses based in Bordeaux, whose branches in Senegal were under the directorship of Frenchmen and mulattoes who came to play an important part in the economic and political life of the colony.

The French constituted a very mobile population. Their *raison d'être* was economic exploitation of the colony; politics was no more than a diversion, and they seldom allowed any extraneous matters to interfere with their economic pursuits. As for the mulattoes, they were a stable group; though they might feel nostalgic for *la France, toujours belle, toujours généreuse*, they regarded themselves as Senegalese and Senegal as their own country. Very conscious of their economic and social status, they were very much at home in politics and regarded it as an important instrument for bolstering up their privileged position in society. The Senegalese as a single group constituted the largest number of voters, but they were no more than pawns in the French-mulatto political chess-board, and did not play any substantial part in the local situation until the advent of Blaise Diagne.<sup>1</sup>

There were no political parties as such, but primarily electoral organizations; politics revolved around leading local personages. The usual forum for political activities was the elective institutions—the municipal councils, the *conseil général*, and deputyship.

The municipal councils and the deputy represented the *quatre communes*, but the *conseil général* had a wider area of jurisdiction. According to the decree of 4 February 1879 by which it was established,<sup>2</sup> the council had two major types of power: legislative and deliberative. While it could take definitive and self-executory decisions only in the communes, its power to deliberate and to vote taxes covered the whole colony, although only the communes were represented in the assembly.<sup>3</sup> The areas in which the council could exercise its various powers were delimited because France was firmly entrenched only in the communes while elsewhere in the colony her influence was tenuous.<sup>4</sup>

What the local administration abhorred most in the local politics were these institutions, the periodic elections, and the politicians. The administration had always been opposed to liberal institutions, which they regarded as

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<sup>1</sup> *Ibid.*, pp. 83-97.

<sup>2</sup> *B.A.S.*, 1879, pp. 129-151.

<sup>3</sup> Articles 33-36.

<sup>4</sup> Idowu, *op. cit.*, p. 74.

dangerous organizations capable of challenging their authority. This hostility explains in part why, in spite of the inhabitants' agitation for political rights and the occasional willingness of the metropolitan government to make concessions, no durable representative assemblies were created in Senegal until after 1870. Municipal councils were set up in 1872 only in the face of the governor's opposition, and for a long time they did not enjoy his blessing. Governor Brière de l'Isle gave conditions under which he would support the creation of a *conseil général*, and during the period 1879 (when the assembly was set up), and 1881 (when he was recalled) relations between him and the council were anything but cordial. Administrative opposition to the assembly reached its climax between 1902 and 1920, when the governors vainly tried to get it abolished by the Colonial Ministry.<sup>1</sup> The institutions were an object of hate not only because they reflected the traditional conflict in France between the executive and the legislative authorities, but also because they were doing their work well—criticizing the administration and thus playing a discordant tune in an environment where the governor expected harmony and unison, and wished his to be the only voice heard.

The politicians were regarded with suspicion and fear by the local administration. Noted for manipulating elections, they sometimes exercised greater influence in the colony than the governors. Elections in Senegal were held under electoral regulations similar to those in operation in France. However, these regulations were themselves not perfect, and the politicians usually interpreted them to suit their interests. During the annual revision of the electoral register, the mayor of the commune, who was also chairman of the electoral commission, invariably used his strategic position to ensure that the majority of registered voters were his supporters. The clause allowing illiterate persons to register through identification by two witnesses was used to recruit *en masse* the floating population from outside the *quatre communes*. Votes were bought by the highest bidders. Elections often led to violence, especially in St. Louis where the municipal council was dissolved in 1889 for electoral corruption, and where a state of emergency was almost proclaimed in 1897 following election disturbances. They sometimes provoked latent racial conflict, and it was not unusual to hear mulattoes and Senegalese shouting at election time, *à bas les français, à l'eau les blancs, le Sénégal aux Sénégalais*.<sup>2</sup>

Many politicians were influential personalities, and some were said to be capable of making and unmaking governors. As merchants, they were in regular and frequent contact with the inhabitants of the *quatre communes* and the hinterland, and some of them were related to local rulers. They created for themselves a large clientele who were invariably indebted to them and over whom they exercised considerable influence. It was not surprising, therefore, that the governor should ask for their advice and mediation during government's conflicts with these rulers. Weakened by the inadequacy of military and adminis-

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<sup>1</sup> *Ibid.*, pp. 43-70, 314-315, 357-369.

<sup>2</sup> *Cf. Ibid.*, pp. 108-142.

trative personnel, unable to pursue a coherent policy because of too frequent changes in the governorship, the administration found itself handicapped and had to lean on the support of the local potentates, many of whom were also members of the *conseil général*.<sup>1</sup> Governor de Lamothe expressed the dilemma of his predecessors very succinctly in 1891:

The natives were no longer corresponding with the governor nor with their district officers; they were no longer obeying orders from government officials; rather they used to address themselves only to the various members of the local assembly and certain influential persons in St. Louis, to whose opinions and watchwords, alone, they used to conform.<sup>2</sup>

Thus, local politicians and their institutions were discredited by the administration, and the governor decided that the best way to prevent the hinterland from being contaminated was to keep it far away from the disrupting effects of the politicians and the unedifying influence of the *quatre communes*.

Assimilation was consciously and consistently applied in the French colonies between 1870 and 1890. In Senegal, the political and constitutional aspect of it was given a fillip with the grant of elective institutions in the 1870s. However, the French seldom judged the success or failure of assimilation merely by the existence of such institutions among the colonials. They were primarily interested in the extent to which a colonized people was culturally assimilated, since this was the most subtle aspect of imperialism, involving the complete rejection of one's own civilization and the acceptance of a foreign one. The perfect Senegalese *assimilé* would be very literate in French, he would be a non-muslim, and he would be a *toubab à peau noire*<sup>3</sup>—criteria which were difficult to obtain in Senegal or any other colony whose inhabitants were proud of and strongly attached to the values of their cultural heritage.

The French language was an important key for opening the door to French civilization, and literacy in it was often equated with cultural assimilation. Frenchmen believed that the day when everybody was able to speak French, French civilization would have made considerable headway in Senegal, and the colony would have become a veritable extension of France.<sup>4</sup> Administrators and teachers constantly urged Senegalese to study French, and were disappointed by the lack of response. They were chagrined that Senegalese pupils usually reverted to Wolof after school hours, and the pupils' parents were castigated for encouraging this habit.<sup>5</sup> Obviously, ability to read, write, and speak a foreign language cannot be an indication of thorough assimilation.

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<sup>1</sup> Cf. *Ibid.*, pp. 308-311.

<sup>2</sup> Governor to Under-Secretary of State, No. 340 of 6 April 1891, 2B 78, AAOF.

<sup>3</sup> A common expression in Senegal. *Toubab* is a Wolof word meaning "white man".

<sup>4</sup> Cf. C.G., record of proceedings, 11 December 1888, p. 8.

<sup>5</sup> Cf. *Moniteur du Sénégal*, 1884, pp. 285-287.

The French attitude to Islam differed with each governor and varying circumstances.<sup>1</sup> While Louis Faidherbe was tolerant in his attitude to the religion, Governor Vallon regarded it as an implacable enemy of the French.<sup>2</sup> For a long time, Islam was considered by Faidherbe's successors an insurmountable obstacle to the penetration of French civilization, for in spite of the French presence, the Senegalese remained polygamous muslims, governed not by the French codes but by the Koran.

From the 1870s on, the French began discounting the Senegalese as a people impervious to French civilization. In 1875, Governor Valière stated that the Senegalese could never be assimilated, that Senegal was not a colony but was and would for ever remain a mere *comptoir*, a trading post.<sup>3</sup> In 1890, governor Clement Thomas stated that assimilation would never succeed in Senegal.<sup>4</sup> By 1890, the local administration concluded that if assimilation had made no perceptible headway in the *quatre communes*, which had been subjected to French influence for over half a century and were regarded as a showpiece of French achievement in West Africa, it could hardly succeed in the hinterland where French influence was negligible. Therefore, they argued, the system of direct administration could not work in the interior, and a less sophisticated system must be applied.

The immediate factor, however, which induced the governor to demand protectorate administration for the Senegalese hinterland was the emigration crisis of 1888-1890.<sup>5</sup>

Toward the end of 1888, some Tukolor of the direct administration districts in Futa-Toro began to emigrate from Senegal. By the following year, the movement had spread to the suburbs of St. Louis, involving this time not only millet-growing Tukolor but also cattle-rearing Peuls and groundnut-producing Wolofs. Frightened by the possible economic and social consequences of this movement, Governor Clement Thomas tried to dissuade the emigrants from leaving, and asked the Ministry to help in alleviating their grievances permanently by changing the direct system of administration operating in the area.<sup>6</sup>

The emigrants' bitterest grievance arose from the interference of French justice with their traditional way of life, an interference which had begun in the early 1880s, during the period of conscientious assimilation. The Minister for the Marine and the Colonies had announced in 1882 that the assimilationist

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1 Cf. Alphonse Gouilly: *L'Islam dans l'Afrique Occidentale Française* (Paris, 1952), pp. 247-266; Idowu, pp. 390-391; Donald Cruise O'Brien: "Towards an 'Islamic Policy' in French West Africa, 1854-1914", *J.A.H.*, VII, 2 (1967), pp. 303-316.

2 Governor's Hand-over Note, 12 November 1882, 13 G 37, AAOF.

3 Governor to Minister, No. 299 of 22 May 1875, 2B 40, AAOF.

4 Governor to Under-Secretary of State, No. 129 of 16 January 1890, S & D., IX, 7, ANSOM.

5 On the emigration crisis, cf. G. Ganier: "Maures et Toucouleurs sur les deux rives Sénégal: La Misison de Victor Ballot auprès de Sidi Ely roi des Maures Braknas, février-juin 1884", *Bulleting de l'IFAN*, Series B, Vol. XXX, No. 1, January 1968, pp. 182-226.

6 Governor to Under-Secretary of State, Nos. 306 of 7 February and 2042 of 18 December 1889, 2B 77, AAOF.

policy which had led to the establishment of elective institutions in the colony must be pursued beyond the communes.<sup>1</sup> This meant that the direct administration territories and other parts which had hitherto been administered indirectly were to be governed like the communes. To this effect a new decree provided for a Bureau of Native Affairs, which became, between 1882 and 1889, the agency by which the system of direct rule was to be introduced into the area.

The passing of this decree created disaffection among the inhabitants. They thought they were being discriminated against by the French courts, to whom the regulation had given the opportunity to implement the 1848 decree abolishing slavery, and so they complained that the emancipation measures unlawfully deprived them of their property.<sup>2</sup>

The problem created by the implementation of the 1848 decree reveals the apparent contradiction between the principle of emancipation and its application. According to the decree, any slave who set foot on French soil automatically became free.<sup>3</sup> By "French soil" was meant the direct administration territories, including the communes. Elsewhere slavery was seldom interfered with and no slaves were liberated. From time to time there were allegations that even in those areas where it was illegal, slavery was tolerated by the French administrators. However, from the late 1870s, French public opinion began to condemn the existence of this institution in the colonies, and in 1881 Senegal's *conseil général* took up the condemnation by unanimously passing a resolution demanding strict application of the 1848 decree.<sup>4</sup> Its call was enthusiastically answered by the judiciary in Senegal from 1882 to 1889.

In reporting these events, Clement Thomas suggested that the only way to effectively end the emigration movement was to abolish the system of direct administration and substitute protectorate administration, to which Senegal was better suited. The Governor's plan was approved by the Ministry in December 1889.<sup>5</sup> By the *arrêté* (order-in-council) of 15 January 1890,<sup>6</sup> Walo and Dimar, in Futa-Toro, were disannexed and placed under French protection, but the *quatre communes*, the military and telegraph posts, and the railway stations were retained under direct administration.<sup>7</sup> Apart from the inhabitants of the territories already under French "protection", over 60,000 people in the northern half of Senegal were brought under protectorate régime,<sup>8</sup> while no changes were considered necessary for the south.<sup>9</sup>

Governor de Lamothe set out to carry his predecessor's ideas to their logical conclusion, by demanding not only the creation of mixed and rural communes in the towns and villages retained by the 1890 *arrêté* under direct administration

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<sup>1</sup> *B.A.S.*, 1882, pp. 227-231.

<sup>2</sup> Governor to Under-Secretary of State, No. 2042 of 18 December 1889, 2B 77, AAOF.

<sup>3</sup> K 12, AAOF.

<sup>4</sup> C.G., record of proceedings, 6 April 1881, pp. 110-111.

<sup>5</sup> Under-Secretary of State to Governor, No. F99 of 14 December 1889, 1B 179, AAOF.

<sup>6</sup> *B.A.S.*, 1890, p. 22

<sup>7</sup> These included Matam, Saldé, Podor, Aéré, Dagana, Richard—Toll, Sor, and Gandiole, towns and villages considered necessary for effective control of the hinterland.

<sup>8</sup> S. & D., VII, 16, ANSOM.

<sup>9</sup> Governor to Under-Secretary of State, No. 2042 of 18 December 1889, 2B 77, AAOF.



but also the establishment of a protectorate administrative framework based on a budget separate from and completely independent of the annual budget voted by the *conseil général*. He also wished to disannex some of the direct administration territories in the southern half of the colony.

Presenting the draft reform for the Ministry's approval, de Lamothe argued that although some parts of the direct administration territories had developed, their interests had been neglected and the *quatre communes* continued to be the only privileged parts of Senegal. They needed projects which would further their development, but these could not be carried out as long as local funds remained under the firm control of the *conseil général* who could not see beyond the confines of the *quatre communes*. The only effective way of accelerating the progress of the area was to set up mixed and rural communes with budgets completely independent of the *conseil général's* control and financed by the areas of jurisdiction covered by the new communes. If the experiment succeeded, the new communes might ultimately be transformed into *communes de plein exercice*. But until such a stage was reached, under no circumstances were the proposed communes to be elective, for it would be a tragedy to extend to these areas the electoral principle which had been the cause of much upheaval in the *quatre communes*.<sup>1</sup>

De Lamothe was guided by similar ideas in recommending protectorate administration for the rest of the colony. The primary aim of the protectorate system, he expatiated, was to extend to the protected peoples the benefits of French civilization. They were to be assimilated to French culture within a system which respected their native ways and customs. For 300 years France had failed to play her role of protector, now it was high time she started to discharge her duty. She must see to the rapid evolution of the Senegalese hinterland, which a self-centred *conseil général* had hitherto neglected or forgotten, by launching development projects in the protectorates.

Funds to provide for such projects would never be forthcoming if they were dependent on the rare generosity of the *conseil général*, a critical assembly notorious for its strict control of the credits required by the administration for territories outside the direct administration area. The influence of the *conseil général* pervaded the communes and the direct administration territories; it would be a great tragedy if it should be allowed to contaminate the protected territories as well. The only way to prevent this was to ensure that the council no longer retained its control over the revenues furnished by the interior. The council should have no say in the affairs of the protectorates, and the administration alone should be given a free hand to do what 300 years of French presence had neglected to do: promote the penetration of French civilization into the Senegalese hinterland. A budget completely separate from the *conseil général's* budget must be established to cater for the interests of protectorate Senegal.<sup>2</sup>

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<sup>1</sup> Governor to Under-Secretary of State, No. 239 of 6 March 1891, 2B 78, AAOF.

<sup>2</sup> Governor to Under-Secretary of State, No. 340 of 6 April 1891, *Ibid*.

The Ministry was impressed by the proposed reforms, but it questioned the means by which they were to be attained. While supporting the principle of establishing a protectorate régime and approving, with slight modifications, the commune project, it doubted the wisdom of excluding the *conseil général* from any voice in the administration of the protectorates. It was opposed to the idea of several separate budgets in one single colony, namely the budget voted by the *conseil général*, that for the mixed and rural communes, and the proposed provincial budgets for the protectorate territories. In giving its approval, therefore, the Ministry directed that the proposed protectorate budgets should form a part of the council's budget, but they should be inserted in the obligatory expenses section of it.<sup>1</sup> De Lamothe agreed with these modifications and the decree of 13 December 1891<sup>2</sup> was issued.

This decree authorized the governor to establish in the direct administration territories mixed and *native* communes administered by municipal commissions, each to be composed of a colonial administrator (chairman) and five to nine notables. The commissions for the mixed communes were to have deliberative powers, while those for the native communes had only advisory powers. With regard to the financial organization of the protectorates, the governor could decide which provinces were capable of having a provincial budget. A maximum of one-fourth of the revenues furnished by each province to its own budget was to be transferred into a central pool and used for maintaining services or carrying out projects of common interest to the protectorates as a whole, while the remaining three-fourths were to be used within the particular province. These provincial contributions, called *contingents*, were to constitute a "special annex budget" attached to the obligatory expenditure section of the budget of the *conseil général*, and the total sum of the special annex budget was to be fixed each year by the governor.

To complete this series of reforms, de Lamothe prepared an *arrêté* disannexing some parts of the direct administration territories in the southern part of the colony. Presenting the draft *arrêté* to his administrative council, the governor argued that these areas were not represented in the *conseil général* and that the latter had performed no useful service there. The areas lacked good administration, lawlessness was the order of the day, and only under a protectorate régime could they develop satisfactorily.<sup>3</sup> The territories thus affected included Nianing, the suburbs of Rufisque, Diander, Pout, Thiès, Joal, and the suburbs of Dakar. Over 28,000 people were to be transferred from direct administration to indirect rule.<sup>4</sup>

The arguments adduced by Clement Thomas and de Lamothe in support of their demand for the establishment of protectorate administration sounded plausible, but the governors' motives were questionable. There were several ways of solving the emigration problem: one solution was that offered by the

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<sup>1</sup> Minutes of meeting of *conseil supérieur des colonies*, 20 November 1891, 1B 192, AAOF.

<sup>2</sup> *B.A.S.*, 1891, 500.

<sup>3</sup> 3E 53, C.P., record of proceedings, 13 December 1892, A.G.S.

<sup>4</sup> S. & D., VII, 16, ANSOM.

1890 *arrêté* and another was to return to the status quo in the disannexed area by confining the jurisdiction of the French courts to the *quatre communes*. Clement Thomas himself thought of the second alternative,<sup>1</sup> but he rejected it largely because of the administration's opposition to the representative assemblies and, in particular, the *conseil général*.

De Lamothe inherited his predecessors' prejudice against the *conseil général*, and made it his main target. The Ministry, therefore, suspected his motives and insisted on the council retaining at least a formal control over the protectorate budgets in order to prevent him from setting up a "political budget" which might become a powerful weapon in his hands. The government wanted to prevent the administration from establishing a "black treasury", a dark coffer into whose contents the council's searchlight of scrutiny could not penetrate.<sup>2</sup> However, no sooner had he received approval than he cast aside the Ministry's objections and put into effect his original project, viz., the establishment of a protectorate régime and financial organization completely out of bounds to the *conseil général*. Arguing that the annex budget was attached to the council's budget solely for official accounting purposes, he ruled that the annex budget was not subject to the council's deliberations.<sup>3</sup> Thus, the protectorate régime and financial organization were born in suspicion and distrust.

Some of the criticisms levelled against the council were valid. However, by 1890, Senegal was already changing, and the role of the assembly was required to change with it. The expansion of the council's influence beyond the *quatre communes* and into the interior was clear evidence of the need for this change. The council's important activities were statutorily limited to the *quatre communes* primarily because it was there that French rule was most effectively established. But French rule was being effectively established in the other parts of Senegal also, and it became necessary to modify this limitation. The question was whether or not the council, which had hitherto ruled with the administration a tiny part of Senegal, should now also participate in administering a bigger colony. The governors would not hear of it, for to them, the council was the symbol of the French policy of assimilation which they detested, and they were determined that the policy should not extend beyond the *quatre communes*.

The 1891 decree was a potentially benevolent measure. Used wisely it could have helped to promote rapid economic, social, and political evolution of the Senegalese hinterland which was far less developed than the direct administration territories. But by depriving the *conseil général* participation in the administration of the protectorates through the annex budget, the administration was about to impose on the protected inhabitants of the hinterland an oppressive system of government sheltered from criticism.

At this juncture, it may be useful to review the geographical extent of "Senegal and Dependencies" from 1890 to 1892. By the late 1880s the territorial dependencies were being transformed into separate colonies, because

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<sup>1</sup> Governor to Minister, No. 306 of 7 February 1889, 2B 77, AAOF.

<sup>2</sup> Minutes of meeting of *conseil supérieur des colonies*, 20 November 1891, 1B 192, AAOF.

<sup>3</sup> 3E 53, C.P., record of proceedings, 21 January 1892, pp. 17-29.

of the difficulty in administering effectively from one centre the rapidly expanding West African empire. In December 1891, the *rivières du sud*, now known as French Guinea, became independent of Senegal, and by August 1892, *Haut Sénégal*, now designated French Soudan, had followed suit. By 1892, Senegal had been shorn of its dependencies and now consisted mainly of territory spreading from St. Louis eastward to the Falémé river area, and southward to the Casamance area.<sup>1</sup> The birth of the new colonies was confirmed by the decree of 16 June 1895,<sup>2</sup> which established a Federation of French West Africa comprising the colonies of Senegal, Guinea, Ivory Coast, and Soudan. And within Senegal itself, the size of the area which was regarded as the most "civilized" had been reduced by disannexation. It was not to be expected that the articulate elements would apathetically watch these events. While raising no serious objection to the creation of new communes,<sup>3</sup> they regarded the other reforms as an affront and were determined to prevent their implementation. The draft *arrêté* of 1892 was the immediate cause of their bitterness. The attack was spearheaded by the *conseil général* who became enraged on hearing of the measure.

It was a stormy debate, led by three of the most articulate members of the council: Jean Couchard, a Frenchman, Jean-Jacques Crespin, and Charles de Marguerie de Montfort, both mulattoes. De Montfort protested that the council's sphere of influence was being drastically reduced. The *rivières du sud* and the Soudan had been separated from Senegal without the council being accorded a say in their budgets; and now, the governor was creating for the remainder of Senegal a separate budget over which the council had no control. Crespin condemned the protectorate régime as a monstrosity, claiming that the inhabitants of the disannexed territories, who had hitherto enjoyed the benefits of a liberal administration, were now to be ruled by slave dealing, extortionate chiefs. He urged the council to vote against disannexation and for a return to liberty, sanity, and security of human life and property. Couchard stigmatized the disannexation *arrêtés* as illegal and unconstitutional. Part of the French land conquered by arms or acquired by treaties had been illegally disposed of, and constitutional principles had been trampled underfoot because French subjects had been transformed into foreigners. The council's prerogatives were being encroached upon, since French land was being dismembered without prior consultation with the assembly. At the end of the debate, the council passed two motions: one protesting to the Ministry against the 1890 and 1892 disannexation *arrêtés* and demanding their withdrawal, and the other protesting against the separation of the *rivières du sud* and Soudan from Senegal.<sup>4</sup>

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<sup>1</sup> Idowu, pp. 323-324.

<sup>2</sup> *B.A.S.*, 1895, p. 455; also C. W. Newbury; "The Formation of the Government General of French West Africa", *J.A.H.*, i, 1 (1960), pp. 111-128; and Idowu, pp. 324-327.

<sup>3</sup> Cf. C.G., record of proceedings, 18 December 1891, pp. 1-7.

<sup>4</sup> C.G., record of proceedings, 19 December 1892, pp. 77-96. Article 37 of decree of 4 February 1879 stipulated that the *conseil général* should be consulted before any changes could be made in the administrative units.

The seemingly liberal ideas conveyed in these speeches should not be over-emphasized, for although some of the critics were sincere, others were merely eager to protect their own interests. Many of the councillors feared that with indirect rule their influence would diminish in the disannexed territories, since these areas would come under the rule of native chiefs and French administrators who were intolerant of the privileges enjoyed by the *quatre communes*. Their commercial interests in the protectorate, also, might be subjected to the whims and caprices of the native chiefs. Furthermore, many merchants feared that the territorial separations from Senegal might lead to the establishment of customs duties in the new colonies which might discriminate against and ultimately ruin Senegalese (i.e. Bordeaux) commerce.

Seriously shaken by this violent attack on his projects, de Lamothe vainly asked the Ministry for instructions,<sup>1</sup> but no response was made because the governor had been forestalled by the deputy for Senegal who, at the council's request, had asked the Ministry to first determine the legality of the disannexation *arrêtés* before instructing the governor.<sup>2</sup> Meanwhile, to break the back of the council's opposition, de Lamothe decided to undermine its solidarity by bribing some of its most critical members.<sup>3</sup> In 1895, another *arrêté* was issued, grouping the whole of the direct administration territories, except the *quatre communes*, under the protectorate, thus strictly limiting all the assembly's jurisdiction to the communes.<sup>4</sup>

The council, however was not to be deterred. In 1894 it voted the sum of 10,000 fr. to provide a lawyer to defend its case before the *conseil d'état*.<sup>5</sup> It continued to call for the reannexation of the lost territories and the reattachment of the colonies of Guinea and Soudan. In the meantime, however, as the court's decision was being awaited, the council changed tactics and demanded that the annex budget, which the administration had hitherto refused to attach to the council's budget, should henceforth be submitted for the assembly's scrutiny. Councillor François Devès, who initiated the debate, contended that the purpose of the annex budget was to defray the expenses common to the protectorates and the direct administration territories. The council's budget still paid expenses incurred mainly by the protectorate, such as the salaries of district officers, and the council was supposed to subsidize these payments. He demanded, therefore, that the annex budget be submitted to the assembly.<sup>6</sup> The council, however, did not press the matter, because it was under the leadership of those elements whom de Lamothe had won over to his side.<sup>7</sup>

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<sup>1</sup> Governor to Minister, No. 65 of 5 January 1893, 2B 67, AAOF.

<sup>2</sup> S. & D., VII, 16 (c), ANSOM.

<sup>3</sup> To win and retain Couchard's support, De Lamothe made the protectorate chiefs pay the Councillor from 1894 to 1896 over 20,000 fr. p.a. (see Inspector Espeut to Minister, No. 7 of 28 January 1896, S. & D., XIX, 14(a), ANSOM; also *L'Afrique Occidentale*, No. 25 of 8 August 1897, JO.7679, BN).

<sup>4</sup> *Arrêté* of 11 May 1895.

<sup>5</sup> C.G., record of proceedings, 15 March 1894, p. 283. The *conseil d'état* was the highest administrative court in France.

<sup>6</sup> C.G., record of proceedings, 19 December 1896, pp. 233-239.

<sup>7</sup> Councillor Couchard and supporters.

The latter were defeated in the 1897 election<sup>1</sup> to the assembly and the new councillors decided to renew the agitation. Their leaders, Hyacinthe Devès and Francois Carpot, moved a motion calling on the administration to attach the annex budget to the council's budget. The annex budget, they contended, was the protectorate's contribution to the liquidation of the expenses common to Senegal. But the administration maintained that since the protectorate was not represented in the council, the councillors had no right to discuss its finances.<sup>2</sup>

The assembly's interpretation of the 1891 decree was faulty, inasmuch as the decree did not stipulate that the annex budget should defray the expenses common to the protectorate and the direct administration territories, but should cover only the expenses common to the protectorate territories. The fact is that the assembly was determined to take advantage of any opportunity it had and use any argument available to recover what it considered to be its lost prestige.

To counteract the effect of the council's new argument, the administrative council met and confirmed de Lamothe's interpretation of the annex budget clause, namely that the budget was attached to that of the *conseil général* purely for accounting purposes.<sup>3</sup> Faced with the governor's *fait accompli*, the Ministry modified the 1891 decree, so that a central budget, common to the protectorate provinces, was retained but was no longer to be annexed to the *conseil général's* budget<sup>4</sup>. Earlier in the year the council had lost its appeal to the *conseil d'état* against disannexation.<sup>5</sup> Thus, by 1898 Senegal had separated into two administrative and financial entities.

The *conseil général* then set out to consummate the separation. On noticing that it still provided part of the credits for the administration of the protectorates, the council unanimously adopted a motion stipulating that since there were two separate budgets in Senegal, no one budget should support the burdens of another.<sup>6</sup> The administration ignored the motion, but in 1899, when the credits were scheduled to be increased, the council refused to vote any increase and Councillor Hyacinthe Devès took this opportunity to blast the protectorate régime. The promises made by the 1891 decree to improve the condition of the protectorate peoples had not been honoured, he alleged, and the administration could not justify its claim to be their trustees. Indirect rule was not a benevolent administration but an oligarchy of extortionate chiefs. France, he pleaded, must adopt a direct policy and stop hiding behind unpopular puppets propped up with bayonets, who, when no longer serviceable, would be sent into exile.<sup>7</sup> As a result of these protests, by 1902 the council had ceased to contribute funds for the administration of the hinterland.

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<sup>1</sup> On the 1897 election to the *conseil général*, see Idowu, pp. 132-137.

<sup>2</sup> C.G., record of proceedings, 20 & 21 December 1897, pp. 227-237, 331-348.

<sup>3</sup> 3E 57, C.P., record of proceedings, 31 December 1897, p. 140.

<sup>4</sup> Decree of 27 March 1898, *B.A.S.*, 1898, p. 222.

<sup>5</sup> Decision *conseil d'état*, 18 March 1898, *B.A.S.*, pp. 148-150.

<sup>6</sup> C.G., record of proceedings, 19 December 1898, pp. 234-236.

<sup>7</sup> C.G., record of proceedings, 24 May 1899, pp. 113-136.

The protectorate régime was not abolished, however. A decree dated 13 February 1904 brought back under direct rule the direct administration territories disannexed in 1895 and other new centres, such as Kaolack and Fatick on the Sine-Saloum. The *quatre communes* had never ceased to be direct administration districts. The rest of Senegal not included in this new enumeration constituted the protectorate.<sup>1</sup> The administrative and financial division of Senegal was maintained by a decree dated 18 October 1904<sup>2</sup> which reorganized the French West African Federation. Article 1 described Senegal as a colony consisting of the direct administration territories and the protectorate territories. Article 8 separated the revenues and expenditures of one section from those of the other, so that Senegal had two main separate budgets, the one voted by the *conseil général*, the other fixed exclusively by the administration.

The form of government that emerged was as follows: the *pays de protectorat* were administered by a *conseil d'administration* based at St. Louis but composed exclusively of government officials. Each protectorate district was headed by a district officer who was responsible only to the governor, but who had as auxiliaries the native chiefs through whom he was theoretically expected to rule.

Justice was to be dispensed in two major ways: through the *indigénat* and through a more formalized procedure known as "native justice".<sup>3</sup> The *indigénat* was introduced not only to handle punishment for offences outside the existing penal regulations, but also to punish offences summarily and immediately, thus avoiding the slow and complicated processes of the regular courts. Inaugurated in the colony by the decree of 30 September 1887, which had been issued as a result of the governor's inability to take disciplinary measures against the inhabitants of a district near Rufisque, who had in 1885 rejected an unpopular chief imposed on them by the administration and refused to pay tax, the *indigénat* régime conferred on the district officer the power to inflict on non-French citizens, without trial, a maximum penalty of fifteen days imprisonment and 100 fr. fine.<sup>4</sup>

The foundation of "native justice" in the protectorate was the chiefs and the district officers. According to a draft decree approved by the governor-in-council in 1891, crimes committed in the protectorate by Europeans or assimilated citizens against Senegalese were to be judged by French courts situated in the *quatre communes*, while similar crimes or offences committed by Senegalese against Europeans or assimilated citizens had to be punished by the chiefs. Modified several times, the system was overhauled in 1903 by a decree which transformed the chiefs into mere auxiliaries with a purely advisory role, and concentrated the judicial powers in the hands of the district officers.<sup>5</sup>

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<sup>1</sup> *B.A.S.*, 1904, pp. 147-150. These included the suburbs of the communes; the railway stations; the posts of Richard-Toll, Dagana, Podor, Saldé, Matam, and Bakel, on the River Senegal; Kaolack and Fatick, on the Sine-Saloum; Sédhiu and Ziguinchor, in Casamance; Portudal, Nianing, and Joal, on the coast; Carabane and Foundiougne (See map. 2).

<sup>2</sup> *B.A.S.*, 1904, p. 663; also cf. Idowu, pp. 298-299, 326-327.

<sup>3</sup> In the *quatre communes*, French and muslim justice.

<sup>4</sup> Cf. Idowu, pp. 255-256.

<sup>5</sup> *Ibid.*, pp. 252-254.

From the point of view of assimilation policy, de Lamothe's reform was a reactionary measure in that it arrested the expanding territorial influence of the *conseil général*. The wisdom of conceding to the council the right to vote the taxes for all of Senegal might seem questionable, especially as the territories outside the communes were not represented in the assembly. But the aim sought at that time was fiscal unity. The stipulation was also a veiled promise that when the French were more solidly established in Senegal, the concrete powers, which the council was meanwhile exercising only in the communes, would become exercisable throughout the colony. The administration's theorizing should mislead no one: in spiting the council it in fact spited itself. As a result of the decree of 18 October 1904, which also deprived the colonies of the French West African Federation of about four-fifths of their revenues by allocating the major part of these revenues to the federal budget,<sup>1</sup> Senegal was financially crippled, and the *conseil général's* budget could no longer be balanced except with annual subsidies from the protectorate and federal budgets. Thus, it was exactly what the administration professedly wished to prevent from happening that did, in fact, happen. For a long time after 1904, the protectorate continued to help to liquidate the council's chronic deficits without being represented in the assembly, while the separation of the colony into two entities constituted for the administration a financial and administrative headache.<sup>2</sup>

The history of the protectorate of Senegal is yet to be written, but there is enough evidence<sup>3</sup> to show that, *vis-à-vis* direct administration, protectorate administration was an oppressive system of government. Of crucial importance was the local administration's approach, which precipitated a serious incident, the Podor Affair,<sup>4</sup> just a few months after the system was launched.

On 2 September 1890, Jeandet, the French district officer for the direct administration district of Podor, was assassinated by Bayidi Katié, a young Senegalese from the protectorate territory of Toro. Katié had been humiliated by Jeandet for refusing to be conscripted into the contingents being raised by the French to attack Abdul Boubakar, the formidable King of Bossea, who had been fighting French imperialism in Futa-Toro, and whose influence was so strong among the Tukolor of the Senegal River valley. After an enquiry,<sup>5</sup> which was a mockery of justice, a *prima facie* case was established for conspiracy, and Katié, along with two other Senegalese,<sup>6</sup> were publicly executed at Podor. Their bodies were thrown into the River Senegal and their heads displayed on stakes. They had been executed without trial by the orders of Louis Tautain, the Director of Political Affairs at Saint Louis, and under

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<sup>1</sup> *Ibid.*, pp. 298-299.

<sup>2</sup> On the protectorate and federal subsidies, *Ibid.*, pp. 302-305.

<sup>3</sup> The newspaper *L'Afrique Occidentale* (1896-1898) (JO. 7679, BN) is one of the rich sources of information on the goings-on in the protectorate.

<sup>4</sup> On this Affair, see "Sénégal" IV, 66 (a) & (b), 1890-1891, "Expansion Territoriale et Politique Indigène: Affaire Jeandet", ANSOM.

<sup>5</sup> It was conducted by one Captain Pineau, September 1890.

<sup>6</sup> Boubakar Sidirch, an ex-king of Toro who had been deposed by the French in 1887, and Mamadou Yoro, a prince of one of the ruling houses in Toro.



the supervision of Captain Pineau and Aubry Lecomte, the newly-appointed Podor district officer.

Two leading mulatto families in Senegal, noted for their unremitting opposition to the local administration and for espousing the cause of the Senegalese,<sup>1</sup> along with the widow of one of the executed men, charged Tautain and Lecomte for assassination on French territory. The two officials were docked in the St. Louis magistrate court on 17 September 1890.

The affair created a serious split within the administration: on the one side were the governor, Clement Thomas, Tautain, and Lecomte; on the other were Fawtier, the Director of Internal Affairs, and Ursleur, president of Senegal's appeal court and head of the judicial services. The issues raised were: What was the appropriate method of punishing a native who had murdered a French official? Did colonial administrators have the right to carry out capital punishment in direct administration territories without trial?

Defending their action, Clement Thomas and his junior officers argued that as French influence in Toro was tenuous, terrorism was necessary to instil in the Tukulor fear of French authority. Moreover, to charge to court the local administration at a time when one of its representatives was assassinated was to seriously undermine public security and to endanger the lives of other colonial administrators and Europeans in the Tukulor country, renowned for its bitter hostility to France. Finally, no court was competent to punish Jeandet's assassination, since *the crime was committed by strangers and not by French subjects, on a protected and not a direct administration territory.*<sup>2</sup>

The local judiciary, noted for asserting independence from the governor and for upholding the integrity of the bench, strongly condemned the executions. Podor, they argued, was a direct administration territory and only the civil or military justice could carry out capital punishment there. The punishment was meted out neither by military nor by civil justice; people were being executed arbitrarily, illegally, and without trial, as if justice no longer existed in Senegal and as if the Director of Political Affairs had all powers. If the Podor executions were to be condoned, there would be no guarantees for people living on French soil who were entitled to the protection offered by French law. Supporting the stand of the local judiciary, Senegal's deputy forecast dreary consequences if Senegalese were to continue to be treated in such a cavalier fashion and demanded a solution conforming to French law and justice.<sup>3</sup>

The governor urged Ursleur to withdraw the case from court, because it was scandalous that officials whose actions were covered by the governor's authority should be exposed to so much ridicule. Clement Thomas appealed to the home government. On 29 September 1890 Ursleur was recalled to France to explain his action, and two months later the governor's execution instructions were declared orders given *en raison de nécessité d'état* and hence constituting

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<sup>1</sup> The Crespin & Devès families.

<sup>2</sup> Italics mine.

<sup>3</sup> Deputy Vallon to Under-Secretary of State, No. 67 of 20 September 1890, "Senegal" IV, 66 (b), ANSOM.

an *acte de gouvernement*. The St. Louis court was declared incompetent to pass judgment thereon, and a week after, Tautain and Lecomte were declared no longer liable to prosecution. Meanwhile, Ursleur had been transferred to New Caledonia.

The Podor Affair marked the end of an era in Senegal and the beginning of a new one. It saw the apogee of the period of independence of the local judiciary which, imbued with the spirit of assimilation and attached to the value of French justice, had often tried to protect the rights of all persons living in the direct administration territories in Senegal. But with the departure of Ursleur, that period came to an end, and efforts began to be made to transform the judiciary into a subservient arm of the local administration.<sup>1</sup>

The local administration, which had no patience for the subtleties of direct administration, preferred indirect rule. In this respect, one should recall Clement Thomas' argument in justifying the Podor executions: the victims were foreigners, it was right to treat them as such; Toro, their territory of origin, was only a protectorate and its inhabitants were not entitled to protection of French justice. To avoid a repetition of the embarrassment caused by the Podor Affair, therefore, the administration was further resolved that the scope of assimilation would not extend beyond the *quatre communes*, but that the entire Senegalese hinterland should be placed under the exclusive jurisdiction of the executive authorities.

The establishment of protectorate administration in Senegal demonstrates the hollowness of the view that French colonial administrators were mere robots blindly carrying out government directives. It was physically impossible for Paris to closely and effectively control the activities of its representatives overseas especially of its strong-willed governors: Louis Faidherbe (1854-1865), Brière de l'Isle (1876-1881), de Lamothe (1890-1896), all of whom decisively influenced the course of events in the colony, usually at their own initiative and sometimes in the face of government displeasure. For a long time, Senegal's governors demonstrated a high degree of independence *vis-à-vis* their home government, often confronting the latter with unpleasant but usually irreversible *faits accomplis*.

This study underlines the difference in attitude between the local administration in Senegal and the metropolitan government on the question of policy. Students of French colonial policy tend to ascribe to the government the post-1890 tendency to limit areas within which the policy of assimilation was being pursued. The history of Senegal from 1870 does not justify this impression. While the metropole was intent on assimilating Senegal to France, the local administration remained opposed to liberalism. Thus Paris and St. Louis pulled in different directions: the one, assimilationist, willing to make concessions, the other, conservative and reactionary, determined to stem the tide of liberalism or even to take back concessions already made.<sup>2</sup>

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<sup>1</sup> *Ibid.*, C.P., record of proceedings, 20 & 22 November 1890.

<sup>2</sup> On the administration's abortive efforts to get the citizenship rights of the *quatre communes* Senegalese abolished, see Idowu, pp. 395-448.

The protectorate régime provided the articulate elements in Senegal with a target of attack and a rallying cry against the local administration. The mulattoes were the earliest antagonists, and when from 1914 the *quatre communes Sénégalaise* became the politically dominant group in the colony, they took over the task of agitating for liberal administration in the hinterland.

Because of its backwardness, the Senegalese hinterland probably required a different system of administration from that in the annexed territories. But by separating a people into a privileged and an unprivileged entity, the French were sowing the seeds of discord. Frustrated in their desire to enjoy the same privileges as their status-conscious counterparts in the direct administration territories and alienated by the arrogance of the latter, the hinterland Senegalese became bitterly hostile to them. It was this hostility that explains the rise to power of Leopold Sedar Senghor after 1945.

Many official reports confirm the criticism of the protectorate administration as an illiberal régime.<sup>1</sup> Senegal had by 1904 become the most important country in French West Africa, strategically, economically, and politically, and it was to retain this hegemony for a long time. Internally, however, it was a colony of administrative confusion, a chaos of disparate régimes: direct administration territory, protectorate; direct rule, deputyship, *conseil général*, *communes de plein exercice*, mixed communes; indirect rule; *conseil privé*,<sup>2</sup> *conseil d'administration*—two different administrative, judicial, financial and political systems resulting from the division of one territorial unit into two separate colonies.<sup>3</sup>

Partly as a result of the difficulties caused to the local administration by this confusion, and partly because of the incessant criticism of the protectorate régime by the articulate elements, an important reform was carried out in 1920, unifying the colony administratively, financially and politically, and establishing a *conseil colonial* with virtually the same powers as its predecessor, the *conseil général*, but with jurisdiction extending to the whole of the colony.<sup>4</sup> This reform did not, however, substantially change the nature of administration in the *pays de protectorat*. It was not until 1946 when the policy of assimilation came into operation for the first time throughout French tropical Africa, and when all inhabitants of these colonies became French citizens, that the oppressive aspects of protectorate rule began effectively to be removed.<sup>5</sup> Indeed the year 1946 was a very important landmark in the political evolution of French tropical Africa.

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<sup>1</sup> See in particular the official inspection reports, in S. & D., XIX, ANSOM.

<sup>2</sup> Designation of the administrative council when discussing affairs of the direct administration territories.

<sup>3</sup> Governor General to Minister, No. 771 of 10 June 1916, 4E10, AAOF.

<sup>4</sup> Decree of 4 December 1920, *J.O.S.*, 1921, pp. 62-67. Also Idowu, pp. 460-467.

<sup>5</sup> On the post-1945 reforms, see Kenneth Robinson: "The Public Law of Overseas France since the War" (Reprint Series, No. 1a, Oxford University Institute of Colonial Studies, 1951); and "Political Development in French West Africa" (Reprint Series, No. 13, Oxford University Institute of Colonial Studies, 1955).

### ABBREVIATIONS

- AAOF : Archives de l'Afrique Occidentale Française (Dakar).  
AGS : Archives du Gouvernement du Sénégal.  
ANSOM : Archives Nationales, Section Outre-Mer (Paris).  
B.N. : Bibliothèque Nationale (Paris).  
B.A.S. : Bulletin Administratif du Sénégal (Dakar).  
C.G. : Conseil Général.  
C.P. : Conseil Privé.  
J.A.H. : The Journal of African History.  
JOS. : Journal Officiel du Sénégal.  
S. & D. : Sénégal et Dépendances.



