

Primitive "States" and "Governments".

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May "states" and "forms of government" be spoken of in connection with primitive culture and primitive peoples?

It depends, of course, on the significance these definitions are given and — regarding the first mentioned — if the state is viewed from a juridical, sociological, ethical, economical or geographical point, or, which should be done, synthetically from all points at the same time, — and on what principal qualities we ascribe to this definition.¹⁾

All sociologists, whether they, as Lester F. Ward, Oppenheimer, Lilienfeld, belong to the school of Gumplovicz and Ratzehofer or have adhered to the theory of Herbert Spencer and his followers, agree that the origin of the political organisation of man goes very far back. But questions of interpretation arise when the question is more closely studied. A number of sociologists do not seem to make proper distinction between "states" and "communities", not even in the case of social organisation of primitive peoples. Others again avoid the definitions by characterizing society — like Steffen — as interhuman physical life. Thus Lenz and Steinmetz,²⁾ speaking of the political life of savage units, ascribe to them the rank of state. Shakespear³⁾ applies even the idea of state to the more or less primitive communities in Northern India. Schmidt and Koppers,⁴⁾ as well as Dr. Graebner go still farther in applying the term

1) Jellinsk, *Allg. Staatslehre*, 3. Ed., p. 173 sq; Spencer, *Princ. of Ethics*, ii, ch. xxiv; idem, *Descr. Sociology*, iv, p. 8 ff; idem, *Princ. of Sociology*, i, p. 427; Oppenheimer, *Der Staat*, paas.; Giddings, *Princ. of Sociology*, cp. ii:iv.

2) Lenz, *Skizzen aus Westafrika*, p. 273; Steinmetz, *Rechtsverh. eingeb. Völkern*, p. 367.

3) Shakespear, *The Lushei Kuki Clans*, p. 43.

4) Schmidt, Koppers, *Der Mensch aller Zeiten*, iii:i, p. 174.

of "state" even to social forms in the earliest culture of food-gatherers and hunters. Dr. Holsti, who has analyzed the problem of sovereignty in relation to political organisation, considers also small primitive units, even if they are very simple in construction and function to be states. The sovereignty, considered as the supreme duty of protecting political organisation, implies, according to Dr. Holsti, the supreme responsibility for the survival of men in their political organisation.⁵⁾ Dr. Holsti thus finds all the chief characteristics of a state in a rude political organisation.⁶⁾ Dahn speaks of *Geschlechter Staten* and *Hordenstaten* among the early Germans even as far back as in their wanderings from Asia to Europe.⁷⁾ Vaccaro regards *the clan* to be the origin of the state, which is true to a great extent, but he makes the sociological fault in considering the clan (and the state) to be older than the family.⁸⁾ In early Greek thought no marked difference was made between the "town-state" and the other states. According to Plato their origin is the same, and the most primitive State could consist of only four or five men.⁹⁾

On the other hand, there are sociologists, for instance Lowie¹⁰⁾ and Oppenheimer,¹¹⁾ who will avoid even the term political organisation for early culture and use this term only when referring to class-states, resulting from conquest and subjugation. Schuman in his great work on *International Politics*¹²⁾ does not ascribe the idea of state to primitive peoples and in general no other forms of government than "clash of clubs and spears", although he admits that international relations and wars doubtlessly antedated the emergence of civilized societies. But he does not ascribe to these peoples "no focus of authority", "no established claim to monopoly of coercive power", "no concept of citizenship or alliances".

Thus we have conceptions differing greatly from each other. Where is the true explanation to be found? It is difficult to discover a totally objective stipulation. The state and the organisation of state imply, in my opinion, that there is an organized union of individuals within a limited territory who, either because of common descent, or common nationality or because of a common

⁵⁾ Holsti, in *Proc. Intern. Relations* (Berkeley), vi, p. 119.

⁶⁾ idem, *Relation of War to the Origin of the State*, ch. ix, p. 273 sq.

⁷⁾ Dahn, *Bausteine*, i, pp. 446, 530; idem, *Die Germanen*, p. 420 sq.

⁸⁾ Vaccaro, *Les bases sociologiques du Droit*, pp. 204 sq, 450.

⁹⁾ Platon, *Opera omnia*, ii, 30.

¹⁰⁾ Lowie, *Primitive Society*, p. 358 sqq.

¹¹⁾ Oppenheimer, *op. cit.*, p. 1.

¹²⁾ Schuman, *Intern. Politics*, p. 3.

history, feel themselves to be united to each other through their customs, their laws and their institutions. We could, according to my opinion, seek the root of the state in primitive social unions. Even wandering peoples have certain traces of state and government or at least of governmentlike institutions: to hold the community together, to secure the welfare of members and safeguarding its food, and — no less important — guaranteeing peace within and without its borders. And already among wandering peoples — even if this may sound paradoxical — we find a certain suggestion of the territorial principle in as much as the boundaries of the wandering areas are strictly fixed.

The fact that savage peoples are not sedentary does not involve their constant moving from one place to another. The territories of many Australian wandering peoples vary from 4.000 to 10.000 square miles and there are from twenty to hundred members in the legal commune. The borders are so strictly determined that their violation may give cause of war. Among the Veddas, who are partly a wandering people, each clan has its own territory. Many of the partly resident Australian aborigines have territories of their own, and their division is recognised by all of them.¹³⁾ Among the Mafulu mountain people in New Guinea, the boundaries between the various communities are "perfectly known", mutually respected, etc.¹⁴⁾ According to von den Steinen the very low race of Central Brazil recognized rivers or other similar marks as frontiers between the various communities.¹⁵⁾

It seems to be more correct, however, to characterize primitive political organizations as societies and not as states. Herbert Spencer and the great number of his followers have based their theory of the origin of the state and the government on the assumption that primitive societies were formed mainly through wars and that the headship of the society, commonly beginning with the influence gained by warriors of greatest power and capacity becomes established where activity in war gives opportunity for his superiority to generate subordination.¹⁶⁾ Spencer thinks that subject to the same danger and joining to meet their danger, the members of the horde become, in the course of their cooperation, more bound

¹³⁾ Roth, *The Aborigines of Tasmania*, pp. 59,76; Seligman, *The Veddas*, p. 113.

¹⁴⁾ Williamson, *The Mafulu Mount. People*, p. 83. Conc. other peoples on New Guinea, cf. Seligman, *The Melanesians*, p. 467 cq; Krieger, *Neu Guinea*, pp. 87, 195.

¹⁵⁾ v. d. Steinen, *Unter d. Naturvölkern Zentral-Brasiliens*, pp. 213, 219, 330.

¹⁶⁾ Spencer, *Princ. of Sociology*, ii, p. 338, cf. i, p. 12, 545 sqq, 583; idem, *Princ. of Ethics*, ii, p. 202 sqq.

together.¹⁷⁾ Gumpłowicz affirms that human groups have, since the earliest times, been formed through the everlasting "natural process" of warfare, subjugation and conquest.¹⁸⁾ Steinmetz also believes that although the family was the earliest germ of society, the different societies were united through cooperation in war. Hence he concludes, that without aggressiveness no group beyond the limits of the smallest family bounds would ever have developed.¹⁹⁾ Lamprecht assumes that the origin of all human organization lies in the protective power of warlike men.²⁰⁾ Professor Bolinder has also a certain tendency to bring the origin of the state-life to the organization of defence.²¹⁾ But there are also other sociological points of view regarding the early society. In his great work *The Origin and Development of the Moral Ideas* Westermarck has exposed how the social organization of man and the spontaneous development of the state is intranscendently connected with man's altruistic sentiments. And a more recent ethnological research has shown that although wars, in historical time, have been able to contribute to the development of state, they have not at all on primitive stages played the part, which one has earlier been inclined to ascribe to them, and that the origin of primitive societies and governments very seldom is related to war. On lower stages the common feeling is strengthened by magic and religious causes, by mutual help in peacetime work, in short, by peaceful cooperation. And even if primitive morality is usually something which concerns only a limited circle of men, there are regulated international or let us more cautiously say, intertribal connections between the primitive tribes as well as between groups of tribes.²²⁾

There are scientists, who have denied the occurrence of all forms of government among peoples of low cultural stages. Such assertions should anyhow be received with the reserve due to all propositions containing broad negative generalizations as well as assertions of sociologists who have disclaimed the appearance of all forms of religion among certain peoples. It may now be considered as an established fact that even communities of the lowest primitive peoples in our days exhibit certain elements of administration. And one has to assume that savage peoples, already at a

17) idem, *Princ. of Sociology*, ii, s. 278.

18) Gumpłowicz, *Der Rassenkampf*, pp. 185, 193 sqq.

19) Steinmetz, *Die Soziologie des Krieges*, p. 23.

20) Lamprecht, *Deutsche Geschichte*, i, p. 91.

21) Bolinder, *Naturfolkens kultur*, p. 18.

22) Numelin, *Den gröna grenen*, ch. iv, v.

fairly low stage in their struggle for life, have preferred a certain organization to a total lack of it. Regulations seem to be one of the very life necessities of societies. The basic foundation of government has surely been the securing of food, of coordination, of peace and order. And as soon as there are any associations at all there must be some form of authority. The fundamental authority undoubtedly lies in the custom and in the public opinion, but the regulation force needs agencies for its expression. As we, according to the unequivocal testimony of ethnology, have to seek the origin of society in the human marriage — in its various forms, — and in the family, we may assume that primitive political capacity, and the political insight, originally implied only an enlargement of the experiences of the leaders of family life. A single leader of a family obtained authority not because he was elected, but because he was stronger or more versed in the traditions of the society, in hunting and fishing or in the use of magic and religious rites. Therefore we apparently have to seek the most primitive forms of organization of community in the cooperation between families and groups of tribes, first in intratribal, and then in intertribal solidarity.

In speaking of primitive society a number of scientists operate rather loosely with terms such as *republics*, *democracies*, *monarchies*. Letourneau in a great number of books classifies certain tribes as republics, others as monarchists. Such comparisons seem to be constructed and hardly scientific. There is only a very superficial resemblance between the lack of government or the primitive tribal government and modern democratic republic. Equally wrong is the comparison between the more or less despotically governed societies of primitive peoples and, for instance, modern dictatorial states. In a primitive society so many other points appear — as we shall see — often of supernatural kind, so that every comparison becomes very unreliable.

Especially in popular literature the conception has prevailed a long time that savage peoples are governed by despotic and blood-thirsty savage leaders. But we shall be able to see that this conception is very little in accordance with the reality.

There are different types of government among primitive peoples, from embryonistic government and council-government up to one-man ruler under varying names such as chieftainship, headmanship, kingship, temporary and permanent, single or dual, hereditary or non-hereditary. In savage Africa alone a considerable range of governmental development may be found, varying from

the more primitive tribes to the kingdoms of Uganda, Dahomi, Ashanti and Benin, from primitive tribes who recognize no chief and still are in the patriarchal state, up to well-defined tribal institutions.

When we in the following go to study the primitive government it will be wise to start from the point that this institution has very little to do with government in our meaning.

There is no leadership in the true meaning of the word among peoples of the lowest stages of development. It is said of the ancient Tasmanians, for instance, that „the aborigines were without any chiefs, or any form of regular government”.²³⁾ The peaceful Veddas in Ceylon seem to have very rudimentary forms of government: they possess no social classes and have no chiefs or established government. In each group the most intelligent man rules the community by force of his character completed with the fact that he is a shaman. He wins a certain influence over his neighbors. To him in the first instance falls the task of dividing the honey of the rock-bees among the members of the clan.²⁴⁾ And he seems to be able to exercise a conciliating influence in certain boundary disputes and he is the spokesman in contact with strangers.²⁵⁾ The government among many aborigines in India seems also to be very rudimentary. Among the peaceful Todas political leadership is entirely lacking.²⁶⁾ The so-called lower Nagas have no chiefs, they appoint a spokesman who has “the reputation of superior wisdom, or perhaps more frequently the influence of wealth”.²⁷⁾ The Lushai are described as living in small consanguineous communities under a patriarch or headman.²⁸⁾ The same may be said of the backward tribes in north-eastern Asia and in the neighbouring arctic regions. When among the Chuckhi trouble arose between two different family-groups, men from both sides would assemble and the old men of each side elected two speakers.²⁹⁾ Among the Hyperborean there is no rule except a moral influence and authority of the oldest and wisest.³⁰⁾ In East Greenland, according to Nansen, the oldest man functions as head of the house, when he is a good hunter or has been one and has sons who are good hunters.³¹⁾ And, taking an African example of what I should like to call an embryo-government, the Bushman may be mentioned. Here the whole manner of life forbids a compact governmental organization. Perhaps one of the inhabitants on account of great renown is regarded as a “captain”, but this is merely nominal, because a real leadership does not appear. The only

²³⁾ Roth, *op. cit.*, p. 70.

²⁴⁾ Seligman, *The Veddas*, pp. 62, 86.

²⁵⁾ Sarasin, *Die Veddas auf Ceylon*, p. 486.

²⁶⁾ Spencer, *op. cit.*, i, p. 522.

²⁷⁾ Dalton, *Descr. Ethn. of Bengal*, p. 42.

²⁸⁾ Shakespear, in *Journ. Anthr. Inst.*, xxxix, p. 372.

²⁹⁾ Bogoras, *The Chukchee*, p. 662.

³⁰⁾ Ratzel, *Völkerkunde*, ii, p. 770.

³¹⁾ Nansen, *Eskimo Life*, p. 186.

uniting force seems to be the sentiment of sex, parenthood, or relationship. The various hordes keep at a distance from one another already on account of food-geographical causes. They have no chiefs in their temporary villages.³²⁾

Sir Henry Maine, proceeding from the classical peoples, considers that the primitive chieftainship has developed out of *patria potestas*, i. e. of the main family head.³³⁾ This may be true in many cases also as regards the primitive peoples but it cannot be ethnologically generalized. The derivation may have been a long one. The chieftainship seems to go back not only to a single but to several sources. It appears that before the real chieftainship the government lay in the hands of not one family head but many heads or — this may in certain cases coincide — with the elders of the tribe. These elders keep council among themselves, but none of them has any executive power over the tribe or nation. It is the council as such, which represents the executive power and which forms the tribal government. The oldest man of the tribe generally represents the council but this is not always the case. The fact that old men are as a rule well treated is due to their superior knowledge of the tribe's traditions and rites and that they consequently are more versed in magic. The magic strength of the human body is among primitive peoples considered to increase with age. According to a common primitive belief in South America, a man will appear after death as a revenger, for instance, in the shape of an animal and as such visit the survivors if he is not treated well during his lifetime.³⁴⁾ But the primitive peoples respect even experience acquired during a long life. And a council composed of the oldest and wisest must play an important part.

From the most embryonic government we consequently come to the tribal government when the subject of authority is taken over by a council of the clan or by a tribal council generally represented by the eldest men of the tribe. In spite of any definite organisation there exists a considerable control of custom among such primitive peoples.

The chieftainship, as also the authority of tribes, is generally only slightly developed among the inhabitants of Australia. Every tribe is generally divided into local groups composed of families,

³²⁾ Fritsch, *Die Eingeb. Südafrikas*, p. 44; cf. Dornan, in *Journ. Anthr. Inst.*, xlvii, p. 53.

³³⁾ Maine, *Anc. Law*, p. 138.

³⁴⁾ Karsten, *Naturfolkens samhällsliv*, p. 130 sq.

each of them ruled by the family head, and each clan is autonomous and manages its own affairs by means of a council. Tribal chieftains do not appear often but every local group has its headman whose authority, in most cases, is real vague, and depends largely on his personal qualities. He is assisted by a council of elders, which deals with internal and external affairs and the external relations and whose decision is the supreme authority, because the members are considered to possess a magical power. In Australia "seniority runs through the whole of the aboriginal system". It is maintained by the old men, who always retain some rite or ceremony, which is not made known to the juniors.³⁵⁾

When among the Wotjabaluk (residing at the Wimmera River and at Lake Albacutya in Australia) totem-meetings were called, their old men consulted together and decided what was to be done, announced their order to the people generally and were obeyed. At such meetings the eldest of the headmen present was also its head. To the council places the younger men were permitted to come but not allowed to join in the discussion.³⁶⁾ The Arunta local chiefs, called *alatunia*, call together the elder men to settle all the civil and criminal matters. Among some groups the *alatunia*, was at the same time the sole medicine-man; in other groups special men had charge of these duties.³⁷⁾ Among the Adelaides and Encounter Bays natives there is no chief; some influence is exercised by the old men and specially by those among them possessing superior physical strength and courage, as also "by those who practise charm".³⁸⁾ Taplin says of the Narrienyeri that a man may be elected chief "for his wisdom, moderation and good temper".³⁹⁾ The Dieris elected headman a man of persuasive eloquence, a skilful and a powerful medicine-man.⁴⁰⁾

³⁵⁾ Frazer, *Totemism and Exogamy*, i, pp. 283, 352 sqq; Dawson, *The Austr. Aborigines*, p. 5 sqq; Curr, *The Austr. Race*, i. p. 55 sqq; Howitt, *The Native Tribes S.-E. Australia*, pp. 276, 295 sqq, 302; Eyre, *Journ. Exp. Disc. Centr. Austr. 1840—41*, ii, p. 315; Gason, in Woods, *Nat. Tribes S. Austr.*, p. 262; Spencer, Gillen, *North. Tribes Centr. Austr.*, p. 20 sq; Fison, Howitt, *Kamilaroi and Kurnai*, p. 211 sqq; Smyth, *The Aborigines of Victoria*, i, p. 126 sq; Parker, *The Euahlayi Tribe*, p. 81.

³⁶⁾ Spencer, Gillen, *op. cit.*, p. 28, idem, *Native Tribes Centr. Austr.*, ii, p. 154.

³⁷⁾ idem, *Nat. Tribes*, i, pp. 10, 12, 16.

³⁸⁾ Wyatt, in Woods, *op. cit.*, p. 168.

³⁹⁾ Taplin, in *op. cit.*, p. 32.

⁴⁰⁾ Gason, in *op. cit.*, p. 263, cf. among the Theddara, Ngarigo, Wolgol, South Kamilaroi, Wiradjuri, Wakelbura tribes, Howitt, *op. cit.*, p. 302 sqq; among Yerokla, Yin, Kurnai, *op. cit.*, pp. 308, 317.

The government and administration of the aborigines in Oceania seem in many cases to be in the hands of a village assembly which meets at the village place.⁴¹⁾ Until they conquered other tribes, the government among the Maoris of New Zealand was arranged so that each tribe managed its own affairs.⁴²⁾ In Melanesia the government is represented by a group of old men, their power in many cases depending on the malignant power which the old men are believed to possess, while still more definite is the part taken by, for instance, the secret societies.⁴³⁾ In the Fiji the chief has but little power and as regards Polynesia we find, for instance, that Williamson calls Samoa "a family state" with graduated self-government. It is a domestic family household governed by one of its members, the village *fono*; all these households are united to village districts by councils formed of these *fonos*.⁴⁵⁾

Among many peoples in New Guinea each tribe has its nominal chief, but are ruled by a council of old men.⁴⁶⁾ In Kiwai the tribal authority is exercised by a number of men collectively, each of them being head of a certain group and forming together a sort of council.⁴⁷⁾ Among the Orokaiva Papuans there is "a recognized ascendancy of the old men".⁴⁸⁾ Seligman states that the Wagawaga and Tubetube in New Guinea have no proper tribal or clan chiefs; certain old rich men with knowledge of magic, were, however, recognized or important.⁴⁹⁾

Similar conditions seem to prevail among savage peoples in the Indian archipelago, as e. g. among certain tribes in Celebes, where the elders assembled occasionally at meetings, where questions concerning the common interests of several tribes were debated.⁵⁰⁾

Among the Negritos, like those of Sakai, each village has a functionary invested with full power, but complete equality exists between the inhabitants.⁵¹⁾

41) Lips, in Boas, *Gen. Anthr.*, p. 524; Lowie, *op. cit.*, p. 369 sqq.

42) Treager, i *Journ. Anthr. Inst.*, xix, pp. 99 sq, 106 sqq.

43) Rivers, *Soc. Organization*, p. 166 sq.

44) Thomson, *The Fijians*, p. 57 f.

45) Williamson, *The Social and Political System of Centr. Polynesia*, ii, pp. 18,36 sq, iii, p. 396 sqq, cf. i, pp. 46, 316, 370, 426.

46) Quatrefages, *Hommes Fossiles*, etc., pp. 190, 199.

47) Landtman, *The Origin of the Inequality*, etc., p. 310.

48) Williams, *The Orokaiva Society*, p. 104.

49) Seligman, *The Metanesians*, p. 469.

50) Zimmermann, *Die Inseln des Ind:n u. Stillen Meeres*, ii, p. 322.

51) Skeat and Blagden, *Pagan Races of the Malay Peninsula*, i, pp. 499, 503 sqq.

The Kubu of Sumatra seem to have a very rudimentary regulation system. The administration and jurisdiction is wielded by the elders of the party, who settle disputes and adjudge punishments.⁵²⁾ The Andamanese accord a certain preeminence to those who excel as hunters or fishermen, but they have no chiefs with appreciable power.⁵³⁾ If we then turn to the interior parts of Asia, we hear that the Kalmuks combine related families, each living in its own tent, into a larger group with an elder at the head. These groups are formed into clans, clans into tribes — all the way up; the ruler is an elder. On account of the old patriarchal traditions an unlimited despotism may be exercised by a tribal chief.⁵⁴⁾

Among the Yakut before the Russian regime all tribal questions, economical as well as juridical, were decided by a council of the elders.⁵⁵⁾

The Chuckhi too had no chiefs or authorities but old men as heads. Also among the Yukaghirs the old man was the shaman, the "strong man" and the first hunter with his group of inferior hunters, and the same was the case among the natural Gilyak, where the old men of the clan decided questions of cult and clan-ship. Among the Soyots, reindeernomads of the upper Yenesei, every tribe has a head, chosen for a term and removable by a united public opinion. He seems to be rather "despotic", but the only luxury he had was to "drink himself full every day".⁵⁶⁾ The heads of the Aleuts were old men, whalers and medicine-men, who had some influence.⁵⁷⁾

Among the tribes in Assam in India a council of elders administered the tribe, which is organized in exogamous subdivisions.⁵⁸⁾ In many tribal groups in Assam the headman is almost entirely without direct authority in secular matters, he is rather the religious head.⁵⁹⁾

Among the Todas the clan has leaders and an informative council of the chief members, who settle matters arising within the clan.⁶⁰⁾

We then turn to the African continent! With regard to South

⁵²⁾ Forbes, in *Journ. Anthr. Inst.*, xiv, p. 126; cf. xiii, p. 21.

⁵³⁾ Brown, *The Andaman Islanders*, p. 44; cf. Man, *The Nicobar Islanders*, p. 48 sq.

⁵⁴⁾ Czaplicka, *Aboriginal Sibiria*, p. 64.

⁵⁵⁾ Sumner, in *Journ. Anthr. Inst.*, xxxi, p. 70.

⁵⁶⁾ Czaplicka, *op. cit.*, pp. 34, 37 sq, 49 sq.

⁵⁷⁾ Reclus, *Primitive Folk*, p. 114.

⁵⁸⁾ Godden, in *Journ. Anthr. Inst.*, xxvi, p. 24, Hodson, *ibid.*, xxxvi, p. 93.

⁵⁹⁾ Hodson, *ibid.*, xxxvi, pp. 95, 98.

⁶⁰⁾ Rivers, *The Todas*, p. 550 sqq.

African law in general Whitfield remarks that the rule of the chiefs was by no means so irresponsible as it is generally believed to have been. Their will was to a large extent controlled by a council, so mighty and influential that no step of serious tribal importance was taken until the whole matter had been discussed by it at length. And the councillors were the direct representatives of the people's wishes and represented the opinion of the tribes, at least of certain tribal sections. The councillors were recognized as arbitrators in civil disputes.⁶¹⁾

The normal government among the Zulus is patriarchal, a tribe being only a large family of which the chief may be regarded as a father; *baba*, my father, is in fact one of the titles by which he is addressed. His relationship to the people is therefore more intimate than that of a mere governor; for, while they obey his commands, they seek his advice and in some cases obtain more substantial help.⁶²⁾ Where the bushman tribes have chiefs, they are dependent of the consent of the *amapakati*, the council of the emicients, in any decision in regard to questions of relationship between his own and other tribes; in questions of law regarding their own people the *amapakati* is only an advisor.⁶³⁾ In East Africa the elders of the place, the head of every family rules the people, who belong to him in accordance with the old customs and usages of the country, but they have no heads or leaders who could be honoured by the name of chief; some persons were respected for their wisdom or wealth, medicine-men gained a certain importance, smiths and hunters were dreaded on account of their peculiar supernatural powers.⁶⁴⁾ Lindblom states that a patriarchal form of government has prevailed among the Akamba from early times. The elder man has authority, questions of more general interest are dealt with by a local assembly of elders and there have never been any chiefs.⁶⁵⁾

Among the Atheraca in East Africa each district has an elder, who meets with the other elders on occasions to hear disputes and give judgement. These elders also perform priestly functions at sacrifice.⁶⁶⁾

⁶¹⁾ Whitfield, *South Afr. Native Law*, p. 2.

⁶²⁾ Shoeter, *The Kafirs of Natal*, p. 97 sq.

⁶³⁾ Holub, *7 Jahre in Südafrika*, i, p. 479; Schultze, *Aus Namaland*, etc., p. 321.

⁶⁴⁾ Dundas, in *Journ. Anthr. Inst.*, xlv, pp. 237 sqq, 248 sqq, 257 sqq.

⁶⁵⁾ Lindblom, *The Akamba*, p. 149 sq.

⁶⁶⁾ Mc Call Teal, quot. by Frazer, *Native Races Afr. (Anth. Anthr. i)*, p. 25; cf. Dundas, in *Journ. Anthr. Inst.*, xlv, p. 243.

Among the Bangala, who lacked paramount chiefs, the word of the head of the family is law.⁶⁷⁾ By the Dinka every village governs itself by means of the village elders. The real power is in the hands of old men with the best knowledge of the tribal customs and traditions.⁶⁸⁾ According to Merker the political development among the Masai is decided by a certain age-group of warriors, while Sir Harry Johnston characterizes the Masai states as "little republics", ruled by an oligarchy of the wealthy and powerful elders.⁶⁹⁾

Among the Nilotic Kavirondo various village heads constitute a council. The whole tribe is under a chief, but he has very little power.⁷⁰⁾

Also although among the woodland peoples in Comeroon the chief has a certain power there was good place for other organs.⁷¹⁾ The Congo pygmies have no settled government or hereditary chief. It is generally the hunting leader who is chief and law-giver for a time.⁷²⁾ Hartland states that among the Dinka in Western Sudan each village governs itself by means of the village elders and the chief is merely the leader in great raids.⁷³⁾ The tribal council plays an important part among the Ashanti.⁷⁴⁾ Concerning the North African peoples the Kabyles, for instance, seem to have simple form of government. Every little village has its *Djemâa* or national assembly, to which every adult man belongs. And in the hand of this assembly lies the political power.⁷⁵⁾

Also among certain Indian peoples, the tribal council seems to play an important part. The Guarani have usually no leader in time of peace. In war-time they follow the ablest warrior.⁷⁶⁾ The Omaha had a council of seven to manage their affairs. The Seven deliberated at length, a matter being passed round and round the circle until they reached a unanimous decision. The unity of decision was regarded as having a supernatural power and authority. Old men explained that the members of the council had been made chiefs of the Sacred Tribal Pipes, which were from the Great Spirit; hence when the

67) Weeks, *ibid.*, xxxix, p. 429 sq.

68) O'Sullivan, *ibid.*, xl, pp. 171, 177.

69) Merker, *Die Masai*, p. 164; Johnston, *The Kilima Njaro-Exp.*, p. 418.

70) Northcote, *i Journ. Anthr. Inst.*, iii, p. 59 sq.

71) Lips, in *op. cit.*, p. 160; Spannaus, *Züge aus der. pol. Org. afr. Völker, etc.*, p. 151.

72) Johnstone, *Uganda Prot.*, ii, p. 539.

73) Hartland, *i Journ. Anthr. Inst.*, xl, p. 171.

74) Rattray, *Ashanti Law, etc.*, p. 82.

75) Burckhardt, *Notes on the Bedouins, etc.*, pp. 56 sqq, 161.

76) Spix and v. Martius, *Travels in Brazil, etc.*, ii, p. 245.

chiefs had smoked and decided the matter, their decision was that of the Spirit. One of their most important functions was to make and maintain peace with other tribes.⁷⁷⁾

Doctor Birket-Smith tells me, that among most of the Eskimo tribes the older members are legitimate leaders who willingly follow their advisors. The Alaska Eskimos, according to Nelson, have no recognized chiefs, except such who have gained certain influence through wisdom, wealth or shamanism.⁷⁸⁾

Among the Aryan-speaking peoples the earliest forms of government were based on the organization of the family.⁷⁹⁾ The Iranians were organized on the patriarchal system, the head of the family being the chief.⁸⁰⁾

Even where there is a tribal or council government it happens that one man in the tribe elevates himself and takes the lead. With continued cultural development it may happen that a man, even outside the council, can elevate himself especially if he has shown great insight in religion and magic. And especially where the religious ritual becomes too complicated for the ordinary man to learn its details, and where there have been medicine-men or priests, who have made the ritual their business to the exclusion of all others, these medicine-men or priests will take a dominating position in the society. The same was the case when societies outgrew the simplest stages, specialists appeared, who concentrated upon the regulation of social affairs alone. And in the struggle for life it seems sometimes necessary to concentrate power and responsibility in one person. This happens especially by time of peril when a private man or chief — if there is one — is given power which he has not wielded before. But, especially, in the beginning of the chieftainship, the chiefs are only delegates of power, not original holders, and the power can easily be taken away from them by the controlling council of elders.

The chief is in the beginning often the oldest or anyhow an old man of the tribe, the guardian of the tradition and the code of custom, the preserver of peace within and without the borders, and the leader of the religious rituals. But other offices are soon combined with these: the leadership of hunting and fishing, pastoral migration, harvesting and trade, the last mentioned being spe-

⁷⁷⁾ Fletscher and La Flesche, in *Ann. Rep. Bur. Ethn.*, xxvii, p. 208 sqq.

⁷⁸⁾ Nelson, *ibid.*, xxvii, p. 304; Rink, *Tales and Traditions of the Eskimo*, pp. 24, 26.

⁷⁹⁾ Schrader, *Preh. Anthr. Aryan Peoples*, p. 393 sqq.

⁸⁰⁾ Geiger, *Ostiran. Kultur*, p. 432 sq.

cially important among many people. In districts where there is little rain, the capacity of "making rain" plays an important part. He who possesses this power will soon obtain a great influence. It is generally a combination of many qualifications, not only magic ones, which accords a chieftainship.

Regarding the chieftainship in Central Polynesia, the home of the "religious" chief, Williamson⁸¹⁾ enumerates the various tasks the ruler has to perform: religious, administrative, parliamentary, consulting, military, diplomatic, juridical and personal. The chief evidently unites in his person powers, which had before been diffused, and which later on, according to Williamson, became specified. But it can be regarded as a general rule that before the development of a permanent chieftainship the personal leadership of a tribe was of temporary nature.

An ethnological analysis will show that the chieftainship in the primitive world denotes something very different from its ordinary bearing. In many parts of the world the chieftainship is unaccompanied by the exertion of real authority or political functions, such as we associate with the government of "historical" peoples or with government of our days. As an example in general we may take Dr. Rivers' description of the chieftainship of the Eddystone Islanders in the Salomons. At the first sight the chieftainship seems to correspond with our conception of a chieftain, but a closer study shows a great difference. There are two persons called *bangara*, occupying a prominent position, which is transmitted to their children. And the question is whether these chiefs had anything to do with government in the sense in which we associate with the term. They held no courts, nor did they have any special position in connection with the administration of justice. Theirs was the principal voice in deciding when a head-hunting expedition should be organized, but they were no leaders of the expedition when it set out. It was only in connection with the more ceremonial or religious aspects of warfare that the chief was important and his main function seems to have been in the arrangement of feasts, which formed an important feature. Dr. Rivers says that he had heard of "a bad chief", which did not mean that the chief was known for injustice or cruelty, but because he gave but few feasts. And Dr. Rivers states that similar conditions appear in many places in Melanesia and Polynesia and also in primitive societies

⁸¹⁾ Williamson, *op. cit.*, iii, p. 99.

in other parts of the world.⁸²⁾ But it seems to me safer, however, not to generalize too much on account of local variations.

In some of the Pacific Islands "the chiefs" is generally an old man, „the oldest man of the oldest family.⁸³⁾ Among many tribes of New Guinea the authority of the chiefs seems to be dependent of the degree of physical strength and the spirit of initiative. But on the other hand among the New Guineans at Milne Bay and among the Tubetube there are even clan chiefs or heads of clans in some definitive sense. There were not even war chiefs, but merely leaders of individual warfaring parties. Among the Wagawaga again, there is no chieftain excepting certain men who are in charge of the distribution of food. Among Koita each clan has its head-man called *iduhu rohi*, who enjoys little real authority. The *iduhu rohi* is responsible for sharing out the food and for the feasts. He takes an important part in deciding when they shall be held. But in other matters old men have much more to say.⁸⁴⁾ According to Skeat and Blagden, among the Semang tribe of the Malay peninsula the office of chief medicine-man appears to be combined with that of the chief. The head-man of the Nagas is simply the *primus inter pares*, and that only for a time.⁸⁵⁾

Primitive Africa has often in scientific literature been characterized as the world of absolute rulers. If we take into consideration the extension of migration of peoples on the African continent, it is clear that the wars of conquest must have greatly influenced the formation of society and government. But anyhow a closer study of them does not give a picture of an absolute monarchy or chieftainship. On the contrary we find an African leadership with institutions forming a council of the tribes' elders, clubs of the aged. The political development in primitive Africa has certainly grown in many places, as will be seen further on, into a hereditary "monarchy" or chieftainship or even into a superior chieftainship, but the power of the leaders is almost everywhere controlled by other authorities. And also here the influence of the chief seems to depend on his personality and liberty, which means that it depends ultimately upon the public opinion of the tribe.

Some African examples will verify this statement. The Betchuans have

⁸²⁾ Rivers, *Soc. Org.*, p. 161.

⁸³⁾ Finsch, *Ethn. Erf. aus Südsee*, iii, p. 304.

⁸⁴⁾ Seligman, *The Melanesians*, p. 342 sqq, 453 sqq.

⁸⁵⁾ Skeat and Blagden, *op. cit.*, ii, p. 196 sq.

⁸⁶⁾ Hutton, *The Sema Nagas*, p. 385 sqq.

a chief aided by a "council of the principal men".⁸⁷⁾ The chiefs of the Hottentots rule only in collaboration with the elders of the tribe.⁸⁸⁾ According to Thompson the chief of the Hottentots is usually a person of great power.⁸⁹⁾ The Damas, a hunting people, are ruled by the oldest of the tribe.⁹⁰⁾ Among the Hovas on Madagascar the king's power seems mainly to depend on the mysticism which surrounds him and not on any position of monopoly.⁹¹⁾ And although the power of the chief of the Owambo is great, he is controlled by the nobility and by "the most eminent of the tribe".⁹²⁾

Concerning again the East African peoples it may be stated that the power is not particularly great. Every clan has its councillors whose advice cannot be ignored. If the chief is a man of great power of will the councillors' part will be but small, on the other hand again, they will have not only great influence but will represent the authority of the whole tribe. Among the Wassandani and Wanage in East Africa the magicians and rain-makers are the only chiefs.⁹³⁾ By the Lambas in Northern Rhodesia the chief does not depend upon himself to decide in every case brought before him, nor in every emergency. He has certain councillors, four or five, who are called *impembo*.⁹⁴⁾

Among many people of the Northern Congo as among the Pangwe the king has a "council of elders" at his side,⁹⁵⁾ and the chiefs of most of the peoples in Belgian Congo share the power with a tribal council.⁹⁶⁾ The Swahili and Wasambara kings have a controlling council of four or five men.⁹⁷⁾ The Wagogo chiefs share the power with the elders of the tribe,⁹⁸⁾ and the Wanyamwesi king's power is said to be more of a formal nature.⁹⁹⁾ Among some of the Hamitic people the king's mother and the nobility act as councillors to the king.¹⁰⁰⁾ The king's councillors among Nilotic people is a political factor. Among the Kawirondo, for instance, the various village councils form the highest resort.¹⁰¹⁾

Parallel with a chieftain system with age classes the West African peoples have a council of elders. Hartland states, that the villages of the Dinkas in the West Sudan govern themselves by a village elder. The

⁸⁷⁾ Holub, *op. cit.*, i, p. 479.

⁸⁸⁾ Viehe, in Steinmetz, *op. cit.*, p. 301; Dundas, in *Journ. Anthr. Inst.*, xliii, pp. 483, sq. 510.

⁸⁹⁾ Thomson, *Travels South Afr.*, ii, p. 30.

⁹⁰⁾ Vedder, *Die Bergdama S.-W. Afrikas*, p. 171.

⁹¹⁾ Lacombe, *Voy. à Madagascar*, p. 237.

⁹²⁾ Rautanen, in Steinmetz, *op. cit.*, p. 336.

⁹³⁾ Baumann, *Durch Masailand*, p. 193.

⁹⁴⁾ Doke, *The Lambas*, p. 57.

⁹⁵⁾ Tessmann, *Die Pangwe*, i, p. 43, ii, p. 219.

⁹⁶⁾ Burrows, i *Journ. Anthr. Inst.*, p. 99, xxviii, pp. 98, 427.

⁹⁷⁾ Baumann, *Usambara*, p. 155 sq.

⁹⁸⁾ Beverley, in Steinmetz, *op. cit.*, p. 212 sq.

⁹⁹⁾ Declé, *Three Years in Savage Africa*, p. 342.

¹⁰⁰⁾ Baskerville, in Steinmetz, *op. cit.*, p. 194; Roscoe, *The Baganda*, p. 238.

¹⁰¹⁾ Hafmayr, *Die Shilluk*, p. 151; Czekanowski, in *Pet. Mitth.*, lviii, p. 22 sq; Northcote, in *Journ. Anthr. Inst.*, xxxviii, p. 59 sqq.

chief acts principally as a hunting leader.¹⁰²⁾ The head chief or king of the Kpelle is the owner of the whole land and its produce, but he can only exercise rights over the land by consent of his fellow tribesmen and for the good of the community.¹⁰³⁾ Regarding again North African peoples we find among the Beduins that every tribe has its tribe-sheiks, but they have no actual authority over the individual of their tribe. An authority states, that among the Arabian peoples the license of individual free will is absolutely uncontrolled.¹⁰⁴⁾

It has seemed to me justifiable to choose so many examples from the African continent to prove that not even here the "monarchic" power may be considered absolute. As a rule a certain compromise varying in different parts may here be considered, and as far I can see, on account of economic and geographical reasons. Among many African peoples the position of the head of the society or state depends also on the monopoly of trade.

Among many South American Indians a personal ability seems to be decisive when electing a chief, though in any event he is a counsellor rather than a ruler. He controls, in great measures, agricultural operations, organizes hunting and fishing expeditions, determines on places of settlement, and, at least sometimes, he settles disputes that may arise.¹⁰⁵⁾ Among the Ona Fuegian tribes, where a chieftainship may exist, an informal authority over the people of a given district might be exercised by its ablest member, but such leadership became apparent only in times of stress.¹⁰⁶⁾ The headman of the Indians of British Guiana is generally the most successful hunter, who, without having any formal authority, yet because he organizes fishing and hunting parties, obtains a certain amount of deference from the other men of the tribe. He sets the days for festivals and dances, calls the councils together, settles tribal disputes and exercises influence in certain questions in time of war.¹⁰⁷⁾

According to von Martius the Botocudu chief exercises little power.¹⁰⁸⁾ Among the Shingu Indians there were in all the large

¹⁰²⁾ Hartland, *ibid.*, x, p. 171.

¹⁰³⁾ Westermann, *Die Kpelle*, p. 74.

¹⁰⁴⁾ Burckhardt, *op. cit.*, pp. 56 sqq, 161; Robertson Smith, *Kinship, etc in Early Arabia*, p. 55.

¹⁰⁵⁾ Gray, in Hastings, *Enc. Rel. and Ethics*, vii, p. 816.

¹⁰⁶⁾ Lothrop, *The Indians of Tierra del Fuego (Contr. Mus. Amer. Ind. Heye Found. x)*, p. 84.

¹⁰⁷⁾ Im Thurn, *Among the Ind. of Guiana*, p. 211 sq; Schomburgk, *Br. Guiana*, ii, p. 321.

¹⁰⁸⁾ v. Martius, *Beiträge z. Ethn., etc. Amerikas*, i., p. 325.

villages several chiefs, only one of them, however, representing community.¹⁰⁹) The authority of the council of the Toba Indians is so great that they may remove a chief, says Karsten.¹¹⁰) Among the Ijca in North Columbia the chief does not settle any important matter without taking council of other worthy men of the village, especially the medicine-men. The decisions are preceded by nocturnal feasts, *seyan-nayan*, at the chief's quarters.¹¹¹)

Ethnological datas report that the chieftainship was not particularly developed even among the North American Indians. The persons with greater physical or mental agility were able to exert considerable influence over their group but they were dependent upon public opinion. In some cases, as will be seen below, the chieftainship became hereditary. Dr. Rivers thinks that despite many superficial differences the positions of the chiefs in North America do not appear to have been very different from those of Melanesia.¹¹²)

In some instances age and wealth conferred prestige, but the people were generally free to manage their own affairs. Among the northernmost Algonquians political authority is not held by the chief, but by the elders,¹¹³) but among the Wishram Indians (Columbia Rivers basin) several men were simultaneously chiefs.¹¹⁴) Instead of being egoistic tyrants, as some sociologists like to make out, they were, on the contrary, benefactors to the people. It has been said of the chiefs of the Iroquois that they preserved their people from destruction through the hostile attitude of the whites. Their nation was their god, its honour, preservation and liberty their religion.¹¹⁵) At the head of the Siouan Indians stood elders and priests, the leadership was determined primarily by ability and wisdom in council. The Siouan chiefs' duty was to study the welfare of their people, by whom they were regarded as a father and whom they adressed as their children. The chiefs might also be the highest controller of barter with neighbouring tribes.¹¹⁷)

The conception of American sociologists — I think in the first

¹⁰⁹) v. d. Steinen, *op. cit.*, pp. 330, 500.

¹¹⁰) Karsten, *Ind. Tribes Gran Chaco (Soc. Sc. Fenn., CHL, iv:1)*, p. 46.

¹¹¹) Bolinder, *Ijca-indianernas kultur*, p. 179.

¹¹²) Rivers, *op. cit.*, pp. 151 sqq, 165.

¹¹³) Lips, in *op. cit.*, p. 500.

¹¹⁴) Spier and Sapir, *Wishram Ethn. (Univ. Wash. Publ. 1930)*, p. 211 sq.

¹¹⁵) Mc Kenney Hall, *The Indian Tribes of N. America*, i, p. 9.

¹¹⁶) Dorsey, in *Ann. Rep. Bur. Ethn.*, xv, p. 224.

¹¹⁷) Coxe Stevenson, *ibid.*, xi, p. 17.

place of Sumner, Keller and Davie,¹¹⁸) — that war has been a powerful factor in the development of chieftainship, does not gain support in the ethnological literature.

It can thus be regarded as a general rule that before the development of a permanent chieftainship the personal leadership of a tribe was of a temporary nature. Some prominent member could, for a shorter or a longer time, exercise a dominating influence over the tribesman on account of personal qualities, age and wisdom, power in supernatural matters, eloquence, physical dexterity, skill in hunting and fishing and wealth, — even in primitive stages the last mentioned seems to have played a certain part. What the chiefs receive in the way of gifts, fines, and confiscation, forms the foundation of their wealth; in somewhat higher stages of development revenues of trade are added.

Already among rather primitive peoples it may be stated that the chieftainship, even if it is as a rule temporary and changing, may be passed down the line of descent. But the succession is generally checked up on the criterion of demonstrated ability, for if the person in question is regarded as incompetent he is passed by generally to the benefit of the male line and only exceptionally to the female line. And primogenitor is not either given.

The rank of primitive chieftainship has in some cases at least a tendency to become hereditary if the successor proves to be an able man. And when once this is started — in paternal or maternal line of descent — the process can go further along with the gradual growth in framework of social organization. Magic and religious views play here an important part. The people imagine that the deceased's spirit enters his successor.¹¹⁹)

Even in wild Australia, where, as we have seen, the chieftainship in general is slightly developed, there are hereditary chiefs in the male line rather than elective chiefs, but the main function of its holder is as custodian of the store of sacred objects belonging to the group.¹²⁰) In some parts of Polynesia hereditary chieftainship occurs — so that also children may succeed their fathers.¹²¹)

In British New Guinea, where the politico-social unit is the small community, there are sometimes hereditary chiefs possessing real

¹¹⁸) Sumner, Keller, Davie, *The Science of Society*, iv, p. 180 sq.

¹¹⁹) Thomson, *Fiji*, p. 58 sq; Turner, *Nineteen Years in Polyn.*, pp. 280, 284 (Ocean); Munzinger, *Ostaf. Studien*, p. 232 (Afr.).

¹²⁰) Dawson, *op. cit.*, p. 6.

¹²¹) Codrington, in *Journ. Anthr. Inst.* x, p. 290.

authority, "which differs greatly both in quantity and extent from the comparatively slight influence possessed by old or important men throughout the greater part of the area under consideration."¹²²⁾

In the Malayan Archipelago certain forms of hereditary chieftainship occur. According to Messrs Sarasin, the Toala in Celebes have a chief called *Balisao*, whose office is hereditary. A woman can also become chief, also though in this case her husband has charge of his duties, which consist in settling small disputes and controlling the strictly monogamous matrimonial conditions and matters of property. In other places there are chiefs and sub-chiefs for each settlement, which have certain hereditary claims on tradition. Among the Mentawai Islanders, for instance, the choice is wholly free and so the office can go over to any man, no matter to whom, even if the oldest man's son comes into attention first of all in the election.¹²³⁾

In some parts of African continent there are hereditary chieftainships. Among the Wasania in East-Africa, for instance, the chieftainship is hereditary but the political power is divided between the elders of the tribe.¹²⁴⁾

Hereditary chieftainship was not, as already mentioned, uncommon among the North American Indians. But we learn that among the Pawnee, though the chieftainship was hereditary, "authority could be gained only by acknowledged personal accomplishment". There were four chiefs of different grades, "but often some warrior who held no office, and bore no title, might wield more power and influence than any of these".¹²⁵⁾ Chiefs of two ranks are found among other American Indians: the Sachems, succeeded by descent through nephews and the common chiefs, the former office also hereditary, in the clan (*gens*), the latter a reward of personal merit and nonhereditary. The Sachems were peace-time chiefs and could not go to war, the others were usually the superior class in ability.¹²⁶⁾

The Omaha previously had a hereditary chief — according to some legends he was "the wisest, the most thoughtful, generous and kind man". These chiefs were not actually political leaders, but simply persons to whom belonged the hereditary right to be helpers,

¹²²⁾ Seligman, *ibid*, xxxix, p. 268 sq.

¹²³⁾ Ratzel, *Völkerkunde*, i, p. 340.

¹²⁴⁾ Barret, in *Journ. Anthr. Inst.*, xli, p. 35; conc. the Zulus, cf. Fritsch, *op. cit.*, p. 92; Ellis, *Ewe-sp. Peoples*, etc., pp. 163, 177.

¹²⁵⁾ Grinnell, *Pawnee Hero Stories*, etc., p. 250.

¹²⁶⁾ Morgan, *Anc. Society*, p. 71 sq.

or "priests" in the ceremonies that were in charge of the gens. A council of seven was appointed to take charge of all matters pertaining to the tribe; two of these seven chiefs were of the highest rank.¹²⁷⁾ Also among the Ojibway Indians the office of civil chieftainship was hereditary, but not always conferred to the eldest son. The principal men met in council and then selected the most suitable person out of the family. The eldest son had preeminence if he held the necessary qualifications.¹²⁸⁾ A certain hereditability seems to have existed also among the religious fraternities.¹²⁹⁾ Also in the early Maya nation there seems to have been hereditability: they had secular kings and high priests.¹³⁰⁾

Where hereditary chieftainship or kingship is found in primitive stages it can often be traced back to magic or religious causes: to the conception of divine descent of the chiefs and kings and their power derived therefrom; the chief's blood is considered to carry superhuman qualities, the chief is spiritually endowed, he is to be looked upon as a centre of the universe from which lines of force radiate to all quarters of the heaven. He will then be, not only chief or king, he will be the abode of some spirit and must be treated in accordance herewith, because he may be the image of the sun or some other ancestral god.¹³¹⁾ This royal god sanctions peace with other peoples. Great care must be therefore taken by him and of his life. Sir James Frazer devotes many chapters to the king, illustrating not only the honours accorded him by reason of his fetish quality but also the taboos and regulations under which he must exist on account of his exalted position. Frazer has been inclined, at least to some extent, to the view that magicians as the most intelligent men in the group have been the earliest chiefs.¹³²⁾ But it seems to me that Frazer overrates the magic and religious points when he explains the origin of the chieftainship. Does he not generalize too much? There is, however, a natural difference between magicians and chiefs because they belong to different classes of society. And, as mentioned above, a chief must have other qualities than insight in magico-religious rites. But regarding the

¹²⁷⁾ Fletcher and La Flesche, *loc. cit.*, pp. 74, 195 sqq, 208, 212, 594.

¹²⁸⁾ Jones, *Ojibway Ind.*, p. 107 sq.

¹²⁹⁾ cf. Holsti, *op. cit.*, p. 179.

¹³⁰⁾ Bancroft, *The Native Races Pac. States, etc.*, ii, p. 647 sq; Clavigero, *Hist. of Mexico*, i, pp. 106 sq, 131, 138, conc. South Amer. Ind., cf. Dobrizhoffer, *Abipones, etc.*, ii, p. 102.

¹³¹⁾ cf. Lippert, *Kulturgesch.*, ii, pp. 384 sqq, 492.

¹³²⁾ Frazer, *The Golden Bough*, i, p. 109.

origin and appearance of hereditary chieftain- and kingship the supernatural powers have undoubtedly played an important part. There is no question whatever concerning the presence of the religious element, but to generalize it to such an extent as Frazer seems to me to be as subjective as, for instance, when Webster — in his otherwise excellent description of the secret societies — makes out the earliest rulers identical with the highest in these societies.

The chieftainship among the North American Indians is often traced back to a divine origin, the most notable example being the Natchez chief, who has descended from the sun, although occasionally, as among the Nutka, the chief is at the same time a medicine-man, or, as among the Calusa, he was believed to possess supernatural power. The Aztec sovereign was also regarded as the earthly representative of gods.¹³³⁾

According to the primitive belief the chieftainship among many North Asiatic peoples seems to have had religious qualities, as for instance among the Mongolians where the coronation took place on the tomb of the predecessor.¹³⁴⁾

Women rulers (Gynaecocracy) appear also already in the primitive world. But the matriarchy has been overrated in sociology; at its strongest it is not so much woman-power as the absence of man-rule. There may be "queen" at home especially in time of peace and under an industrial regime.

Seldom has a woman attained chieftainship except by inheriting it. But where there are women-regents, — does it not stress to some degree the pacific tendencies in primitive societies. Women rarely take part in warfare. Mr. Holub thinks that women are preferred to men (this prevails among some Zambesi tribes) because they are less cruel and the succession may go to either sex.¹³⁵⁾

In Polynesia the line of succession may pass to the female line.¹³⁶⁾ Women chiefs are reported from New Guinea¹³⁷⁾ and from the Malayan Archipelago.¹³⁸⁾ When women can be chiefs in the last mentioned district her husband usually has charge of her duties, such as settling small

¹³³⁾ Gray, *loc. cit.*, p. 814.

¹³⁴⁾ Shchukin, *Shamanism among the Tribes arct. Asia* (Russ. ed.), p. 37.

¹³⁵⁾ Holub, *op. cit.*, ii, p. 186.

¹³⁶⁾ Williamson, *op. cit.*, iii, p. 395; conc. Austr., cf. Ratzel, *op. cit.*, ii, p. 67; Waitz, *Anthr. d. Naturvölker*, v, p. 107.

¹³⁷⁾ Ratzel, *op. cit.*, ii, p. 186, 191.

¹³⁸⁾ Finsch, *op. cit.*, ii, p. 298.

disputes.¹³⁹⁾ Female regents seem to be general in many parts of Africa. Livingstone mentions several cases of South African female rulers.¹⁴⁰⁾ In Congo there are female regents.¹⁴¹⁾ In the Lunda country with its special gynocratic tendencies as well as among the Bavendas and Waho-rohoro the king and the queen mother rule in collaboration with their councillors.¹⁴²⁾ The Langos have a "state council" working together with the king and the queen mother.¹⁴³⁾ The same seems to be the case among all tribes in Central African provinces with gynocratic tendencies.

Two old women were the most influential people in a district of Borneo. They held the power in their hands for a long time.¹⁴⁴⁾ Also the Indians had female chiefs.¹⁴⁵⁾

Among many peoples women take part in the council. But that this female regency often is not of great importance, may be seen, for instance, from the fact that every large community and every political unit in Samoa possesses a *taupon*, a maid, as representative with special rights and duties. She always belongs to the highest family-group of the district and remains under strict oversight. Her reputation is blameless and must be so as long as she remains in "office and dignity".¹⁴⁶⁾

There are also some proof of cases of what the sociology calls "monarchic" government-forms among primitive peoples.

Accounts of "despotic" government occur in various parts of the primitive world. In New Caledonia and on the Loyalty Islands, and in Samoa "monarchic" tendencies are mentioned.¹⁴⁷⁾ The same is the case among some South African peoples,¹⁴⁸⁾ the Zulus,¹⁴⁹⁾ for instance, and among tribes in Uganda.¹⁵⁰⁾ The Ba-Yaka of the Congo Free State are said to be ruled by hereditary chiefs whose power is absolute;¹⁵¹⁾ yet it should be noted that he also is the principal magician. Conditions are similar among the Ba-Yanzi.¹⁵²⁾ The

139) Sarasin, *Reisen in Celebes*, ii, 276; Bock, *Borneo*, p. 21 (Dyaks).

140) Livingstone, *Miss. Travels in S. Afr.*, pp. 104, 239, 295, 298, 316, 514.

141) Bastian, *Afr. Reisen*, pp. 173, 181.

142) Delhaise, in *Bull. Soc. Belge Géogr.*, xxxii, p. 178.

143) Pechuël-Loesche, *Volksk. von Loanga*, pp. 160 sq, 187.

144) Wilken, *Vergl. Volkenkunde van Ned.-Indie*, i, p. 382 sq.

145) Hodge, *Handb. Amer. Indian, etc.*, ii, p. 123, 849.

146) Reinecke, in *Globus*, lxxvi, p. 5.

147) Ella, in *Amer. Anthr.* 1892, p. 634.

148) Fritsch, *op. cit.*, pp. 93, 97.

149) Macdonald, in *Journ. Anthr. Inst.*, xx, p. 113.

150) Johnston, *Uganda Prot.*, ii, p. 684.

151) Torday, Joyce, in *Journ. Anthr. Inst.*, 1907, pp. 139, 141.

152) *ibid.*, p. 140.

despotism of the West African rulers, and at the same time the political cohesion of the tribes, seems to be weakened in proportion as individuals get rich by trade. Any man becomes independent who can acquire a gun and powder.¹⁵³⁾

The "despotic" power in primitive Africa, i. e. the power of the chief seems on the whole to be limited, partly by the council of the chief, partly by the magicians. The chief shares often his judicial power with the elders and distinguished men by intelligence and eloquence. Merker says about the Masai chief that "Despotismus und Grausamkeit ist ihm fremd. Er ist weniger ein regierender als vielmehr ein Nationalheiliger oder ein Patriarch".¹⁵⁴⁾ The prevailing form of government among the natives of Sierra Leone (West Africa) is a kind of mixed monarchy, elective, and extremely limited both in external and internal power; and relatively resembles the authority of the mayor of a corporation town in England; for the word *mungo*, king, only signifies headman, and he is always addressed by the title of *fafee*, or *father*. Every district, in the same nation, has a separate king, ruler, or chief.¹⁵⁵⁾

The government of most of the Ibo tribes in Nigeria may be termed monarchical, though it is often so merely by name. At Onitsha, Oko, Illah, and Anam, kings and chiefs are mere puppets in the hands of the people.¹⁵⁶⁾

Among the Wanyamwezi next to the king come the chiefs or viceroys of the various districts, nominated by the people and chosen by the king on his election; then the vassal chiefs, hereditary in certain places of Unyamwezi proper, but nominated by the king in countries that have been conquered and annexed.¹⁵⁷⁾

The Pangwe in Northern Congo are characterized as monarchically ruled like the savage peoples in Belgian Congo, but we learn that the king was supported by a council of elders or tribal council.¹⁵⁸⁾

The way Mc Call Theal characterizes some African people between the Sabi and the Zambesi rivers may probably also concern many other African peoples: while the government of all the tribes was thus in theory despotic, the power of the chiefs in those which

¹⁵³⁾ Ellis, *op. cit.* p. 162; Waitz, *op. cit.*, ii, p. 147.

¹⁵⁴⁾ Merker, *op. cit.*, p. 260.

¹⁵⁵⁾ Matthews, *A Voy. to the River Sierra Leone*, p. 74.

¹⁵⁶⁾ Mockler-Ferryman, *Up to the Niger*, p. 41, cf. p. 4.

¹⁵⁷⁾ Declé, *Three Years in Savage Afr.*, p. 342.

¹⁵⁸⁾ Tessmann, *op. cit.*, i, p. 43, ii, p. 219; Burrows, in *Journ. Anthr. Inst.*, xxviii, pp. 98, 427.

were not under military rule was usually more or less restrained. In each clan there was a body of councillors — commonly hereditary — whose advice could not always be disregarded. A great deal depended on the personal character of the chief. If he was a man of resolute will, the councillors were powerless; if he was weak they possessed not only influence, but often real authority.¹⁵⁹⁾

"Despotic" traits are reported in some Indian tribes in America, such as the Creek Indians and the former Aztecs. The case is the same among some Asiatic peoples. The Karakirghiz and Kalmuks as an exception among the Asiatic nomads, have a despotic chief who controls the property and is an unlimited judge. And generally "the economic need of the herders holds, with its centrifugal tendency, the preponderance over the centripetal tendency of their warlike disposition".¹⁶⁰⁾

If we more closely examine these reports, we shall find that a part of the most important functions among these great chiefs seems to have been that of the head fetishman, and to act as rain-maker — this was the case among the Aztecs for instance. Ratzel remarks about a tribe in Sumatra, which is characterized as "monarchically ruled", that it was only in name "monarchical"; the ruler was chosen by a council and acted only as president of it.¹⁶¹⁾

Besides or in combination with magic-religious functions the absolute chief has to promote the general welfare of his communities as a father and helper.¹⁶²⁾ And the primitive ruler who reigns alone may be dethroned if he causes famine or other disasters in the country.¹⁶³⁾

In studying the remarks on "despotic" forms of primitive government we come to the conclusion that most of them belong to Africa. But also in this case an older sociology has used terms such as unlimited monarchy, despotism etc. too strictly. The real "despotic" cases are relatively rare. The ruling power is subjected to control. The final power rests generally in the people, i. e. in the customs and the public opinion. Also "the monarchy" is an adjustment of society to its life conditions, and the particular privileges

¹⁵⁹⁾ Mc Call Theal, quot. by Frazer, *The Native Races*, i, p. 23.

¹⁶⁰⁾ Mc Kenney Hall, *op. cit.*, iii, p. 41, cf. i., p. 14 sq, ii, p. 68; Bancroft, *op. cit.*, ii, pp. 143, 187, ii p. 295; Grosse, *Formen der Familie*, etc., p. 103 sq.

¹⁶¹⁾ Ratzel, *op. cit.*, ii, p. 444.

¹⁶²⁾ cf. Roscoe, *Baganda*, p. 19; Merker, *op. cit.*, p. 18; Casalis, *Basutos*, p. 214; Thomson, *Fiji*, p. 357; Seeman, *Viti*, p. 232; Williams and Calvert, *Fiji and Fijians*, i, p. 42; Krieger, *op. cit.*, p. 194.

¹⁶³⁾ Holsti, *op. cit.* p. 249 sq.

accorded to the monarch depend finally upon social persistence and welfare.

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We have thus found that primitive forms of government occur in many varieties. As we have considered it more correct not to speak of states but of societies in the case of savage peoples, it also seems more correct not to attach names of government which belong to later times and civilized peoples. The primitive forms of government have their special character coloured by the primitive social surroundings, where magic and religion are interwoven in the society.

As we have seen the tribal authority among lower races is generally exercised by a tribal council or by a group of old or influential men, selected by the people or by a sacred society, or by peoples of higher cultural development — by the nobles. Such clan or tribal councils, which often possess such a considerable power that they almost rule the whole society, may in all their primitiveness contain a rudimentary beginning of more developed institutions among peoples of higher cultural stages. Besides its administrative function the governing council acts as a tribal court of justice. From such a council a popular or national assembly may develop.

We have found that in many Australian tribes the council system of government has been very pronounced and we have met with similar conditions among many tribes in Oceania, on New Guinea and in the Indian Archipelago. In Polynesia a tendency towards a firmer power of the chiefs which has by some researchers been termed "despotic" has been noticed, but it must, however, be stated that it is controlled by a council of elders or by similar institutions.

Among the backwards peoples in South and North East and South Eastern Asia and in the arctic regions the forms of government show a rather embryotic character or else there are forms of government with tribal councils. Among the Eskimos the council of the eldest is very influential. And among the masses of African peoples, especially among the Negroes, there has been a trend towards a form of government where the highest power is in the hands of one person, a chief, headman or king, who is elected for a certain period. And in primitive Africa we also find chieftainships of several kinds. In some societies the functions of the chief seem to be almost exclusively religious: he is often medicine-man or a rain-maker. In other parts of Africa the secular powers of the chief have become great and his position as wielder of authority is far

more pronounced than those connected with religion. But it is noteworthy that, where the chief administers justice, he is usually assisted by a council which in some parts of Africa plays a great part. In some cases again the power of the chief is unlimited but it may be questioned whether this high degree of authority is not of recent growth, possible even the result, direct or indirect, of European influence.

Regarding the American continent, again, both South and North America, the authority seems to have been in the hands of chiefs and elders or an assembly elected by the peoples. It is said that the chiefs of the Iroquois were elected by women or by a council of which women were important members, and in other tribes of North America election is said to have been the process by which chiefs attained their office.

Among more developed peoples we meet more and more frequent instances of the authoritative power being held by one single person.

Thus the headmanship is not very highly developed in primitive stages of civilization. The form of government may generally be considered as gerontocratic. In many parts, institutions called kingships or chieftainships is unaccompanied by the exertion of real authority or of political functions such as we associate with government in our country, at any rate as far as the administration of justice is concerned. And where there is a chief he seems to be dependent on his personality: his ability, competence in hunting, fishing, trade, hospitality shown, good relations to other tribes and above all knowledge and skill in magic.

We have also seen that hereditary chief- and kingship is not very common in lower stages of development. Where heredity occurs personal qualities seem to play an important part. Among many peoples, where regentship is hereditary the heir presumptive, if he lacks the necessary qualities, may be surpassed by a man whom the society considers more suitable. Among some peoples women may act as chiefs and heredity may then descend along either or female line.

The power of chiefs and kings among many peoples is based on magic or religious conception. This may also be the case with the "monarchical" principle where it occurs: the chief's power is considered to be of divine character and the successor's soul takes his abode in the predecessor.

Ethnology mentions many cases where tribal councils, the council of elders, may continue to work side by side with a highly developed

institution of chiefs and kings, even independently. The king or chief will then be only a symbol, or the magic and religious leader who has to observe the position of stars and other celestial events, the controller of irrigation, the rainmaker, the man who regulates his people's destiny by astronomical observation and the relationships between his own and other tribes. In primitive societies we find the first vague beginning of many political functions which belong to much higher stages of development.
