

Meredith McKittrick

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### **1. How did you first become interested in this testimony? (3:28)**

When I found this testimony, I was looking for information on the Women's War to teach in a class on resistance movements because I wanted an example of women's action. I approach it both within the context of what legal records can tell us about African history, these moments where Europeans and Africans get together, Europeans question Africans and Africans answer in a very structured environment. But they are also using this platform as a way to promote their own agenda and you can see that happening here. It happens in other court records as well.

So much of this is about what gender relations are, what it means to be a woman in this society. This is clearly a revolt about a series of economic and political grievances, but it's also a grievance of identity. Women feel that their identity as women is not being respected in some way. So I think that it's very interesting to look at this as a gender historian and look at the way that women and men as well are in the process of this trying to construct what gender relations are—what it means to be a woman, what it means to be a man in this society which is changing fairly rapidly at this time.

This testimony from southeastern Nigeria came about as a result of a Commission of Inquiry into something that the colonial officials called the "Aba riots" which took place in 1929 and 1930, but which the Nigerians who participated in it called the "Women's War." It was a revolt that came about as a result of a rumor that women in southeastern Nigeria were going to be taxed. Taxation had been imposed on men a couple of years before this and the Great Depression had hit in 1929. This area relied on palm oil as its major export commodity, its major cash-producing product, and when the price of palm oil plummeted as a result of the Depression, households had a harder time paying the tax that had been imposed on men.

Then the colonial government decided to do a census, to recount everybody in the area. Come into a household, count the wives, count the goats, count the men, count the children. And this led women to believe that they were going to be taxed next. The last time the government had done a census, it was a ruse to begin a taxation policy.

The women all turned out in force at the colonial courthouses around the area. To colonial officials, it looked like overnight 20,000 women suddenly appeared from villages across a 100-

mile radius to protest this taxation policy, ostensible taxation policy. It frightened colonial officials. It astonished them. They had never seen women behave this way. They didn't understand what it was about. The officials, when it was all over, said we've got to find out what's going on. Plainly things are not moving as smoothly here as we thought they were. There are issues. We don't want a repeat of this.

So the Commission of Inquiry was to find out what the real grievances of the women were, ostensibly, so that they could make necessary reforms to prevent such disturbances from happening again. It was also an attempt to find out who led this movement so that those people could be punished.

The other grievance that women have that makes sense to colonial officials at some level is when colonial officials come into the area, they basically ask people, "Who's the leader, who's in charge here?" This is how Europeans ruled. European officials ran into a real problem in Igbo society because there wasn't one person in charge. So what they essentially had to do was find somebody that could be in charge, a single individual with whom they could interact and they created that position basically out of nothing. They created something called a "Warrant Chief" and he was a given warrant by the colonial officials to rule. He was given a cap of office, his insignia of office. And they were almost always men. But these chiefs tended not even to be drawn from the more respected elders in the society. They tended to be drawn from ambitious young men who'd been the first ones to curry favor with European officials and so they were not at all popular in the community. They were in charge of enforcing colonial orders, collecting taxes. They were seen as very corrupt and completely illegitimate.

## **2. What were the central grievances of the women? (2:16)**

Here's one witness who's called "Female African." The Commission says, "Now what do you wish to tell us?" And the witness says, "What have we, women, done to warrant our being taxed? We women are like trees which bear fruit. You should tell us the reason why women who bear seeds should be counted. Don't you agree that the world depends on women? It is the women who multiply the population of the world. We suffer at the hands of Chiefs. They do many evil things and want to place the responsibility therefore upon women. We are not prepared to accept it. Our desire is that all the old Chiefs should be deposed and their caps taken away from them."

"Don't you all," and here it notes that she's addressing all the women in the hall, "agree with what I have just said?" And then it notes there are instantaneous shouts of "Yes, we do." "The Chiefs do not give justice in the cases they try in the Native Courts. They do not try them

properly. We want them all to put down their caps. That is all I have to say.”

The Commissioner says, “Who do you want to try cases, to settle disputes?” And the woman says, “You would select new men, the old ones should be put aside.” Then the Commissioner says, “What is your principal complaint against the old ones? Is it in connection with counting or tax?”

And the woman says, “Counting in order to tax women. Women come into contact with men, become pregnant, and bring forth children. Such useful women are now asked to pay tax. That is our grievance.”

The woman’s name is Enyidia and she volunteered to give evidence for the Commission. She was not forced to come here and do that. One of the interesting things about Enyidia’s testimony is that she’s very much speaking to the concerns of colonial officials and to what the colonial officials thought this was war about, the taxation of women. But there’s a subtext to what she’s saying. She seems to be very concerned with child bearing and pregnancy and fertility and this is something that is going completely past the Commissioner. She clearly seems to think that somehow women’s role in the world should preclude them in principle from being taxed. That maybe it’s okay to tax men, maybe, but women are useful in some way and so to tax them is some sort of an outrage. The role as a mother is very important and has something to do with her grievance, with her objection to being taxed. It’s not just an economic issue.

And there seems to be a subtext throughout that women somehow believe that the counting and the taxation was harming their fertility in some way or could potentially harm their fertility.

### **3. Did Igbo society and colonial officials interpret events differently? (2:03)**

Colonial officials and African women, and indeed African men, who testify as well, are in some ways on completely different levels. They’re not even talking to each other in some respect. There was no obvious leader. The women didn’t see things that way and the idea of what the revolt was about was also quite different in the minds of colonial officials and the women who were involved.

“Aba riots” comes from the name of one of the towns, Aba, where the women congregated. The officials saw it as disorderly, as chaotic, as disruptive. They said the women were hysterical. But in this area, the women uniformly referred to it as a “Women’s War” and that actually harkens back to something from the pre-colonial era. It was a practice that women had where they could make their grievances known against men in what was a male-dominated, by and large, society.

It's a very decentralized society. It's a society where women marry into villages that are full of men who are related. They all come in as wives when they're adults. Because the women are strangers, they have ties to other wives in that village. They also have ties back to their birth communities and so there's these networks of women across Igbo society. There's no obvious chiefly authority, central authority. Things are run through councils of elders, through women's societies, through religious societies.

There are ways to mobilize people, especially women, very rapidly across long distances. If a wife in one of these Igbo societies was being abused by her husband and nothing could be done to alleviate the problem through the normal channels, women had an extreme practice they could do which was called "sitting on a man." And what it meant was that all the women from the community would come and sit outside the homestead of the offending husband and they would sing offensive songs. They would mock his sexual prowess. They would make fun of him. They would torment him day and night. Women might go on strike and refuse to cook for their husbands and refuse to have sex with their husbands until the grievance was met.

So this was an exceptional practice, but it was something that everybody knew about that could be resorted to. And it's largely the model that women follow when they undertake this campaign against colonial taxation. Because colonial officials essentially know nothing about the society, this completely surprises them. In fact, I don't believe there was a single colonial official at this time who spoke Igbo, the local language.

#### **4. How does colonial rule change gender roles in Igbo society? (2:48)**

In the pre-colonial period, women in this society had a very strong role in the economy. They were in fact the major traders in palm oil. As palm oil becomes a more valuable export commodity in the late 19th and early 20th centuries, men take over that trade. Women always maintain a role, although it becomes increasingly a subordinate one. But they plainly do have a role in the economy. They also have a role in political life in the pre-colonial period. There are women's societies that are in charge of regulating the affairs of the marketplace, regulating the affairs of women. There are religious societies that women can be inducted into as priestesses which have some control over men as well as women. It is clearly a male-dominated society and it's also a polygamous society, where multiple wives live within one large compound and each will have her own house and kitchen and children's sleeping quarters. But there is also a role for women and a sense that women have a sphere that is distinct.

When colonial officials come and look at institutions in the society through which they can

govern, they are not looking for women's institutions. They are looking for male institutions. Women really lose out in the political realm and then ultimately in the economic realm. They outlaw forced marriage, for example, pledging of children in marriage. The missionaries come in and offer education to both girls and boys, in theory. There are certain ways in which women make gains. They can make gains in the legal sphere. They can take their family to court if they don't want to be forced into a marriage and so forth. But the ways in which colonial officials do not understand this society severely disadvantages women over the long run.

The other thing is that when colonial officials are taxing men, they're taxing them based on the size of their household—how much livestock do they have, how many wives, etc. So there's an assumption on the part of colonial officials that the household is an economic unit that's integrated and unified whereas what's really going on is women's wealth and women's property belongs to them and men's wealth and men's property belongs to them. But with taxation, what happens is the men can't always make the tax and they start borrowing the money from their wives. And increasingly it becomes apparent that they're not going to be able to pay that money back. It also becomes apparent that they're using that fact to start encroaching on their wives' material wealth and this engenders some bitterness among women. When this last witness says that the men's taxation has affected women as well, this is what she means. It's coming into their material wealth as well as men's material wealth because men are having to borrow from women to pay the tax.

There was no evidence anywhere in the colonial documents that women were going to have to pay tax. This appears to have been a misunderstanding.

To women, it seemed likely that they could be made to pay tax because they have an economic life outside of their husband's economic life. But I suspect the British government probably didn't even tax married British women or they taxed them differently. The women do not understand gender relations back in England. So for them, the idea that they might be taxed is quite viable. The fact, though, that the British system is basically just being planted into this society with its own model of gender relations and women's role in the economy makes it very unlikely that women actually were ever going to be taxed at this time.

##### **5. Are there differences in the testimony of men and women? (1:36)**

What's interesting about this testimony is that the women seem to see this Commission as a chance to really get their grievances heard in a forum by someone who will listen. They do not appear to realize that this Commission might be aimed at assessing blame and at punishment.

And indeed, at the end of the day, nobody is punished. They seem to have a great deal of confidence in the fact that they will not suffer the same sort of consequences that men might suffer in the same situation. It's interesting that they still hold that opinion because about 50 women do get killed in the "Women's War". When these thousands of women come together outside of a courthouse, there's a colonial official who apparently gets very nervous and he opens fire into the crowd. There's not any level of intimidation among the women here. There is some intimidation, you get a sense of, among the men.

The very last exchange between Ojim, Nwanyeruwa's husband, and the Commissioner, the Commissioner says, "What is that that you've got in your hand?" And Ojim says, "A tax ticket, sir." And the Commissioner says, "to show that you've paid your tax?" And he says, "Yes sir, I have paid twice and my children have also paid." It's an interesting interaction because you see the way in which men have been so much more in contact with colonial authority since the establishment of colonial rule and they're so much more intimidated and cowed by it, and for good reason.

At one point a woman actually swears at the Commissioner, the European Commissioner, and the translator won't interpret. He says, "She said some foul language and I'm not going to tell you what it was. And yet the men are saying, "Here, I've brought my tax. I've paid my tax." And they're only testifying if they're called on to testify. They're not coming and volunteering like some of these women were. Another thing that you get to is the difference in how men and women experience colonialism. Not just that men are the ones who are making money and getting colonial government positions and getting the education, but men are much more fearful of colonialism, much more aware of what it can mobilize against them.

## **6. How do you analyze court testimony? (3:11)**

Here's a conversation between the Commissioner and a female African witness, Akulechula. She also volunteers to give evidence.

One of the Europeans says, "Is it in accordance with native custom for women to leave their town without the permission of their husbands?" The woman says, "It is against native custom for women to leave their houses without the permission of their husbands, but in this case men had been made to pay tax and the rumor that women were going to be taxed was spread around. Women became infuriated because they already had felt the burden of the tax on men."

And the European man says, "You broke all the native custom because of that?" And the woman says, "We did not break anybody's things."

And the European says, "I am speaking about this custom of asking permission from your husband." And the woman says, "You say that I did not get permission from my husband. Is not your mother a woman? Were you not born by a woman?"

And the European man says, again, "You say that it's against native custom to leave the town without the permission of your husbands. In this case, you left the town without the permission of your husbands. Is that not against native custom?" And the woman says, "I deny that we acted contrary to native custom. I admit that it is customary that women should leave the town with the permission of their husbands, but on this occasion it was said that women should pay tax and that is why we left the town."

So then another European man says, "Supposing that the men had forbidden the women from going round. What would have happened?" And the woman says, "We acted according to our own consciences because if one woman is taxed, other women also will be taxed." And the man says, again, "But I said that if the men had forbidden the women from going round, what would have happened then?" And the woman says, "There is no law made by men that women should not move about. The matter did not concern men."

So there are two things going on with this testimony. The first thing is this whole idea about taxation. Europeans had the idea when they brought taxation into Africa that Africans should learn to pay their own way. They should pay their expenses. That it was morally right that they should be taxed so that that money could be used ostensibly to provide services to them and so that they weren't getting a perceived free ride under colonialism.

The other thing that comes up here is that the European men who are involved in this case seem to be convinced that African men were behind the Women's War. That it must have been men in some way who instigated this. They almost could not conceive that African women could have done this by themselves. Not only perhaps because they weren't capable of it, but also because they believed that African women were extremely oppressed, living in a very patriarchal society. Nothing more than beasts of burden. And so the idea that they had as much freedom to move around as they did came as a bit of shock to the European officials. They tried to get the women to admit that they broke custom as Europeans understood it and the women are saying we didn't break custom at all. And there's plainly a different idea about what the law means in this context.

When Europeans try to impose customary law, rule through customary law, on African societies, they do this because they perceive it as being less disruptive. Their idea of what customary law is, is very influenced by European law, the idea that it's something that doesn't change. Plainly

to the woman who is talking here, this is not what custom means. Custom is in the broader sense outside of the law, a set of practices that is usual, but is not inviolable, does not always get carried out the exact same way. And so she sees absolutely no contradiction in what she's saying. Plainly to the Europeans, there's some fundamental contradiction in what she's saying about the rights that women have vis a vis their husbands.

### **7. What are some benefits and limitations of analyzing court testimony? (3:25)**

Legal documents are seen as useful by African historians because they do a couple of things that firsthand accounts by Africans don't do and colonial records often do not do. Firsthand accounts by Africans, which are rare anyway, would include things like novels, autobiographies, political tracts, petitions. Most of those tend to be written by elites and by men.

People tend to be educated if they're able to get that sort of thing into print. They also are always written with a conscious purpose in mind. There's an audience. There's a reason it's being written. Novels are interesting; they do bring in African perspectives. But they are fiction and there are certain limits. Its primary purpose is not to be a historical document.

Colonial reports have their own uses but they of course are only written from European perspectives. Africans are not quoted in there. They only appear when they're in trouble and what you hear about them is exclusively what European officials want you to hear about them. They are Europeans writing to other Europeans. You would never hear about women's concerns with fertility in a colonial report, those reports only give you what's on a colonial radar screen.

What's interesting about legal testimony is that it straddles those two different genres of source. These things take place in a very structured environment and depending on what the Africans think the purpose of the courtroom hearing is for, that can influence how free they are to talk. If somebody's being tried for murder in a colonial courtroom and their life was at stake, they're going to be very cautious and you're going to get one word or one line answers to colonial questioning.

In a case like this, though, or sometimes in a colonial courtroom dispute where an African couple brings a divorce case to the court, you really get a sense of the texture of African life in spite of what colonial officials care about because details get thrown into the testimony which officials feel obligated to record word for word, even if they don't see that it's relevant. The idea that you could get women's voices from 1929 and their perspective on what colonization has meant to them, there's no other forum except through a series of testimony like this.



You have an African interpreter who is interpreting the question that the European asks to the woman. The woman replies. The interpreter interprets the question back and probably a European is transcribing that into English. There's so much room here for alteration. In spite of that, you find out so much. But you also wonder how much are you actually missing.

There's plainly a problem about translating counting and taxation. The women don't appear to distinguish between them when they give their testimony.

Enyidia, the one who said, "we don't deserve to be taxed because we're useful, we bear fruit," she says, "Our grievances are centered upon the counting of women."

And the interpreter says, "She spoke other words which I should not interpret, as they are of a foul character. Oleka said that we women must pay tax." And the Commissioner says, "Did he actually say that or did he say that you must be counted?" And she said, "He said we were to pay tax."

And then the next witness comes forward. She's also a woman and it's the same kind of thing. The Commissioner says, "Do the Chiefs agree that women should be taxed?" And the woman says, "Yes." And the Commissioner says, "Did they ask you pay tax?" and she says, "Yes, they told us to pay tax." The women are insisting that they were told that they were going to have to pay tax, but the government is saying we never put an order out like that. Where did the confusion come from? Was it the Chiefs who thought this? Was it the interpreter? Somebody got mixed up and the women are quite insistent that they were both going to be counted and going to be taxed.

Also the fact that the interpreter says, "I'm not going to interpret her last statement because it isn't appropriate" makes you wonder what else is being left out or smoothed over. The women might actually be much more hostile than they sound. You get the sense the interpreter's trying to keep things on kind of an even keel and doesn't want to have the Commissioner be offended and angry.

### **8. How do you help students analyze these documents? (2:29)**

I ask them what they think the testimony is for and what do the Europeans think it's for and what do the Africans who are testifying think it's for. I ask them what they think the main concerns of Europeans are. They tend to skip the part where the Commissioner's asking the question, but that in some ways is very important because that's structuring the terms in which this interaction takes place. So I encourage them to go back and think about what's being asked and what is the

space here for bringing up anything that women want to bring up.

Then I ask them what they think women's major concerns are. I ask them to look for differences of opinion which there are within this testimony, tremendous differences, even between the women, about what should be done about their situation. And then also between women and men.

Nwanyeruwa's husband is called to give testimony. They grill him about this issue of customary law. The Commissioner says, "You know they all went to Okugo's house?" And the witness says, "Yes, sir."

"Did you go there too?" "No, sir, men did not go." "Did you approve of your women going?" "I am not a woman."

The Commissioner says, "But you are the husband of two wives. Don't you approve or disapprove of what they do?" And the witness says, "They had been excited by Emeruwa and therefore they went to sit on him."

The Commissioner says, "Did you feed in the middle of the day at your home with your wives?" And Ojim says, "My women were in their houses. I prepared food myself and ate it together with my children."

The Commissioner says, "Is it usual for a man with two wives to prepare his food?" And the witness says, "I have not seen that done."

The Commissioner says, "You have never seen a big man with two wives preparing his own food?" and the witness says, "No, sir, you may ask anybody in this hall."

"But you made us believe just now that in the middle of the day you prepared your own food." And Ojim says, "It was in the evening. There was no one in the compound. My women could not be got at."

"And so you prepared your own food?" "I had to do it with my children because the women were all busy sitting on Emeruwa."

And so again this idea about what's customary, what's acceptable. Do you ever cook your own food or not? No. I never do that, except on this occasion I did. And part of it is a problem of translation. They want a very fixed answer and I suspect the witnesses are not giving that kind of a hard and fast answer. It's also a different understanding here about what tradition or custom

means.

I actually have them stand up and replay the dialogue with Ojim and the Commissioner over whether he ever cooks for himself to get the sense of how much they're talking past each other. And also the dialogue where the guy's saying "did you break custom because of this" and she said "we didn't break anybody's thing." Just to realize exactly how problematic the translation is. We're not getting a pure unmodified set of words from these women. They've gone through numerous filters—translation, transcription, what the women think they can say in a courtroom, what they think the colonial officials will understand. I get them to think about the context in which this whole interaction is taking place as well as the content of the testimony itself.