

about the most insignificant matters for reasons which have little, if any, foundation"¹²³ Thus, the PMC's civilizational attitude, which was formalized in the Covenant's mandate article, indicated *illocutionary disablement*, while the overwhelming majority of petitions underwent *illocutionary frustration* because they were either rejected or no decision was found because the PMC was incapable to challenge the negative response of Mandate Powers.

5.3.2 French & British Togoland under Mandate

The period of French mandated Togoland can roughly be divided into two phases: The first phase (1922–1930) was characterised by the new role of the chiefs in conjunction with a relatively prosperous economic climate.

French Mandate Organisation

Akin to the other French possessions in West Africa, the mandate administration was highly centralized: at the top of the administration was the Governor, the *Commissaire de la République*, who reported directly to the Ministry of the Colonies in Paris at Rue Oudinot and not to the AOF Governor-General in Dakar. The highest colonial officials at the regional level were the 7 *Commandant de Cercle* (district commissioners) to whom the total of 11 *Chefs de Subdivision* were subordinate. The French established a rigid hierarchical system of Chiefs (*chefs du village*) and superordinate Paramount Chiefs (*chefs du canton*), each of whom had a set of responsibilities in a descending hierarchy of power. Chiefs had the task of transmitting and supervising the execution of directives and orders from the district commissioner, controlling the activities of their subordinate chiefs, whose most important functions were the census and the collection of the poll tax.¹²⁴

African participation in government was limited to the so-called *Conseils de Notables*. Each composed of up to 30 elected rural or urban chiefs, the councils had only an advisory function in the areas of taxation, public works, and the local budget. This experiment with elected offices displaced the former role of urban tribal chiefs and village heads in administration.¹²⁵ Needless to say, the influential Octaviano Olympio was the president of the *Conseil des Notables* in Lomé. Nonetheless, these *Conseils de Notables* had little influence on the decisions of the district commissioners.

The French colonial doctrines, which were also applied to the mandate territories, were politically underpinned by a sense of cultural mission of the *civilisation française*. Based on the unquestioned superiority of French culture and its suitability for all populations, a basic tenet of French colonial policy in Africa was the slow cultural *assimilation* of the colonial population. Those colonial subjects who had acquired the characteristics of French civilization, that is, French language, dress, customs, education, religion, were accorded the status of *assimilé* or *évolué*. With this status came the right to vote, jurisdiction under French civil and criminal law (instead of customary law), and exemption from the *indigénat* code. Introduced in 1924, the *indigénat* code replaced constitutional rights

123 League of Nations, *Official Journal* (1923) *League of Nations Official Journal* 4, no. 3.

124 Lawrance, *Locality, Mobility, and "Nation"*, p. 47.

125 Lawrance, *Locality, Mobility, and "Nation"*, p. 19.

of indigenous people (*indigènes*) and applied them exclusively to Europeans and *assimilés* (citoyens). Ironically, the League of Nations itself was a factor in this development, for in order to prevent a “creeping annexation” of mandate territories, in 1923 the League of Nations disallowed the mandate powers to grant citizenship to mandate residents – only “naturalisation” was allowed.¹²⁶ The de facto restriction of civil and political liberties allowed the French administrators for example to impose forced labour or to sentence the natives according to customary law (instead of French civil and criminal law). The gross abuses and often arbitrary application of the *indigénat* code was one of the greatest sources of emerging anti-French sentiment within French Togoland.¹²⁷

Active until the late 1940s, the Togobund sent a stream of petitions to the PMC from 1925 on, documenting what it described as human rights violations such as arbitrary arrest and called on the League of Nations to persuade France to leave and reunify Togoland under German control.¹²⁸ The Togobund’s strategy was aimed at discrediting the French regime and showing its unfitness to rule. This mythologisation of the German rule (which is still widespread today) did not arise on its own merits but can rather be understood as a means of criticising the French regime. The French feared the ambitions of the Togobund since their goal was to take the French possessions away. The French in return did their best to deny the Togobund access to the international press and to send representatives to the PMC. Eventually, the PMC did not address the demands of the petitions, holding the restitution of the territory to Germany to be incompatible with the provisions of the Mandates System.¹²⁹

As a counterweight to the Togobund, which put itself at the service of the colonial claims of Hitler’s Third Reich, the French Governor Montagne founded on 5 September 1936 a *Cercle des Amitiés Françaises* whose vice-presidency was assumed by one of the most respected merchants of Lomé: Sylvanus Olympio. Dormant at the beginning, the *Cercle des Amitiés Française* led to the foundation of the *Comité du l’Unité Togolaise du Nord et du Sud* by decree in 1941.

Security under Mandate

Between 1920 and 1946, many developments took place in the field of colonial forces of order, which were a Foucauldian-like “institution of permanent reform.”¹³⁰ The security architecture of the French Empire was organised along colonial rather than populace-protection lines. Thus, the directors of the General Security AOFs were not chosen from among senior officers of the municipal police but from among the colonial administrators, as the colonial ministry preferred ‘specialists in the colonial field’ rather than in policing techniques in this position. Due to the mandate status, things in Togoland were

126 Gouvernement Français, “Rapport Annuel: 1955” T/1300 (1957)

127 Gregory Mann, “What Was the Indigénat?,” *Journal of African History* 50, no. 3 (2009), <https://doi.org/10.1017/S0021853709990090>.

128 SDN, R 37 FMT (12226) N°32095: “Wir Togoleute hatten uns [einer] Zeit *freiwillig* unter deutschen Schutz gestellt, während wir unter die französische Herrschaft *gezwungen* wurden” (emphasis in original). Lawrance, *Locality, Mobility, and “Nation”*, p. 224.

129 PMC, 15th Session. C.305 M.105 VI. p. 10.

130 Glasman, *Les corps habillés au Togo*, p. 189.

forced to take a different direction. The *tirailleurs sénégalais*, responsible for the territorial defence of French West Africa, had been deployed in Togoland since the campaign of World War I. However, Togoland's mandate status prohibited the conscription of military forces except for police purposes. Since the PMC insisted on the withdrawal of the *tirailleurs sénégalais*, France therefore created in 1924 from the territory's own budget a police force, the so-called *garde indigène*, which consisted mainly of mercenaries trained and led by French officers. The French administration then separated from the *garde indigène* a so-called *compagnie de milice*, which it stationed in various parts of the territory from 1927 onwards. The *compagnie de milice* could be reinforced by reservists at any time. It was subordinate to the West African General Command. The *compagnie de milice* thus became a kind of substitute army and elite force of the *garde indigène*. Moreover, it offered an advantage over regular armed forces, as the militias' costs were much lower than the military costs under German rule and even lower than British military expenditure in Tanganyika.¹³¹

Based on the French annual reports to the PMC, Glasman calculated that in 1929 French Togoland comprised a staff of 1.608, of which 1.383 were natives.¹³² The *garde indigène* and *compagnie de milice* (534) thus made up roughly a third of the administration's entire personnel. If the hygiene guards and border guards are added, forces of order made up as much as 43.2% of the colonial state's indigenous personnel. Considering the extent of the territory and a population of about 750,000, however, there was on average only one state servant for every 500 inhabitants. Thus, the French administration constituted a weak state whose proportion of law enforcement officers was, however, disproportionately high. Until the 1933, the *garde indigène* and *compagnie de milice* formed the almost sole forces of law enforcement.¹³³

The 1933 Riots & Service de Police et de Sûreté

Between 1914 and 1920, that is, the interim period from the surrender of the German troops to the time when the British-occupied areas around Lomé were ceded to the French, the local population welcomed the British waiving most of the taxes that the Germans had introduced.¹³⁴

Yet, in the wake of the global stock market crash of 1929 and to raise funds during the worldwide economic downturn, the French administration announced in 1933 that it would reintroduce a dozen taxes that had already existed under German rule. Led by Lomé's market women, local district and cantonal chiefs submitted petitions to the Lomé police headquarters on 22 January 1933 demanding the withdrawal of the new taxes, especially those on market stalls. The French administration responded to the petitions by arresting two of the leaders. That same afternoon, a crowd of 3,000 people marched through the streets, calling for a general strike and the release of their leaders. Although the arrested were released that same evening, the crowd still did not disperse the next day

131 Wright, *Mandates under the League of Nations*, p. 564.

132 Glasman, *Les corps habillés au Togo*, p. 195.

133 Glasman, *Les corps habillés au Togo*, p. 223.

134 Nugent, *Smugglers, secessionists & loyal citizens on the Ghana-Togo frontier*, p. 149.

and vandalized several buildings (including the house of Jonathan Savi de Tové, secretary of Lomé's *Conseil de Notables*, who was considered a lackey of the French administration).

As tensions increased, some 170 *tirailleurs* were brought in from the Ivory Coast. On 3 February, a skirmisher, Moussia Diarra, killed twelve Togolese and wounded three for no apparent reason: the governor invoked a "a stroke of madness." In the counter-repression, many villagers were killed, and women raped. In the subsequent trials of the revolt, fourteen Togolese were sentenced to death, entire villages and neighbourhoods were collectively fined thousands of francs and sentenced to several thousand days of forced labour. Some were jailed for up to five years for minor offenses such as unauthorized travel.¹³⁵

To prevent such revolts in the future the French administration created in less than a month after the revolt the *Service de Police et de Sûreté*. The French Governor, Robert de Guise, pressured officials to keep in closer contact with village authorities and to report any activity they considered subversive or likely to endanger order and security to the administering authority.

The *Service de Police et de Sûreté*, which represented a new, that is, civil police service, whose urban commissariats now formed the central authority for maintaining order, marked a break with the *garde indigène* and its mere military presence in the streets. In the face of a civilian and otherwise peaceful population, the use of machine gun fire no longer seemed appropriate, especially in a territory particularly observed by the international press, the League of Nations and competing major powers.¹³⁶ Control of the streets was, thus, handed over to the municipal police station, which now represented the central site of colonial order and political control of the territory.

The creation of the *Service* entailed the bureaucratisation and emergence of a remote policing, which increasingly made use of surveillance techniques.¹³⁷ Henceforth, written reports formed the primary relationship between the police and the population. Not military experience was required any more, but scholarly experience. The commissariats issued numerous documents (certificates of good conduct, certificates of residence, loss certificates, et cetera). They documented their daily work. A good commissioner was one who writes good protocols. Anthropometry, that is, measuring people (length of feet, legs, etc.) to establish identities. In 1941, a special archival section of the police was founded¹³⁸ and by 1947, that is, from the transition from the mandate to the trusteeship era, the police authorities had created an archive of 11,338 fingerprint samples.¹³⁹ Although *la force d'ordre* in Togo was not as militarized as in the rest of French West Africa, the creation of the *Services de Sûreté* represented a reform of the previous law enforcers. Whereas previously the tasks of the *force d'ordre* had been those of colonial administration, tax collection, supervision of forced labour, et cetera, now it was a matter of preventing plots against the colonial powers, controlling the borders and directing

135 Decalo, *Historical dictionary of Togo*, pp. 196–97.

136 Glasman, *Les corps habillés au Togo*, p. 205.

137 Glasman, *Les corps habillés au Togo*, pp. 198–207.

138 Arrête 759, 27 December 1941.

139 Gouvernement Français, "Rapport Annuel: Togo placé sous la Tutelle de la France" T/221 (1948), p. 36.

the flow of population. However, this new urban police force was less concerned with fighting crime than with maintaining colonial power by criminalising political opponents. The bureaucratisation of the police was not synonymous with its pacification, but perfectly compatible with an exacerbation of police violence.

To summarise, then, there was a Foucauldian tendency towards the panopticon in France's colonial security system. While initially it was repression and brute force that held the colonial empire together, after 1933 Togo's *Service de Sûreté* was a knowledge institution that played an essential role in the construction of the threat in the preparation of threat assessments. The reactive-repressive police force was joined by a pre-emptive police force.

British Mandated Togoland

In contrast to French Togoland, the British were not willing to establish a separate administration and legislature, so that an administrative union was set in place between British-mandated Togoland and the neighbouring colony of Gold Coast. Thus, at the top of the mandate administration stood the governor of the neighbouring colony of the Gold Coast, who was based in Accra, while the *district commissioners* at the lower level of the colonial chain of command represented the local "barons." The Northern Section was administered as an integral part of the Northern territories of the Gold Coast and a Southern Section administered as an integral part of the Southern third of the Gold Coast (itself referred to as Gold Coast Colony).¹⁴⁰ Some divisions, whether Native States or administrative districts, thus extended across the borders between the Gold Coast and British Togoland.

In contrast to the French policy of centralised assimilation, British colonial policy was imbued with what Lugard called *indirect rule*, which consisted of a gradual devolution of authority into the hands of indigenous *Native Authorities* (that is, political groupings at the local level based on traditional elites and alignments) first as units of local administration and later as units of local government. The amalgamation of the divisions into *states* and *Native Authorities* under one paramount ruler has been a continuous process since the British Government assumed the mandate at the end of World War I. At the end of the mandate, four such states existed in southern section of British Togoland. Native Authorities had limited administrative, legislative, and executive powers, encompassing orders to natives subject to its authority and make rules providing for public order and police. *States* and *Divisions* had the power to enquire into all disputes of constitutional or political nature. The British refrained from forming larger states on the scale of the French cantons so as not to provoke chieftaincy disputes.¹⁴¹

While due to the French policy of *assimilation*, that is, *direct rule*, nationalist movements and self-government in Togoland were seen as a challenge and to some degree even a threat to the colonial system and suppressed accordingly, similar groups in British Togoland were not only legitimate and enjoyed greater freedoms, but also fulfilled a functional role: Native Authorities were created ostensibly to look after their own local affairs,

140 Whereas the "Colony of the Gold Coast" refers to the entire colony, "Gold Coast Colony" referred to the

141 Skinner, *The Fruits of Freedom in British Togoland*, p. 15.

but hedged about with the overriding authority of the Administrative Officers and the veto of the Governor, so that in effect they were only instruments for carrying out the orders of the European administrators, who reserved certain judicial functions.

Especially during the war years, but also before, migration from the French to the British Mandate territory was not atypical, as conditions in British Togoland were apparently better: No forced labour or indigénat, lower taxes, more liberal trading policies, better conditions for African advance.¹⁴² It was easier to get an education in British Togoland, this implanted a favourable attitude towards British rule.¹⁴³

World War II

When France and Vichy concluded an armistice in 1940, British-French tensions during World War II led to the complete closure of the border between British and French Togoland, which was only reopened with many restrictions, in June 1943, when French West Africa re-entered the war. The Allied blockade left Vichy-French Togoland struggling to cope in complete self-sufficiency at a time when hardships for the war effort were already mounting. Deprivations included poverty and hunger due to increased forced labour, taxation in money and kind, restrictions on freedom of movement, transport and trade, and requisition of goods and services. Nugent noted that shortages of commodities prompted the French regime to facilitate smuggling, and that life in British Togoland was far bleaker than in French Togoland because of the high market demand in Lomé and elsewhere.¹⁴⁴

In November 1942, before the invasion of North Africa by Anglo-American troops and the eventual break with the Vichy regime, the French administration in Lomé decided to detain representatives of foreign trading houses and Togolese who were known to be pro-British. Many fled over the border to British Togoland. Because Sylvanus Olympio was a representative of the United Africa Company, a Unilever subsidiary, and a former graduate of the LSE who regularly listened to the BBC radio, the Vichy-controlled administration interned him along with six of his colleagues for a fortnight in Djougou, north of Dhomey in November 1942. They were suspected of having links to the British and Gaullists. However, ironically, it was his internment that made Olympio a potential contact for the Gaullists in Algiers, who were gradually gaining influence in the French African colonies. Certainly, this was an experience that shaped resentment towards French administrative policy. Ironically, it was Nicholas Grunitzky, Olympio's later rival, who was a Gaullist underground member during World War II in Vichy-controlled Togoland.¹⁴⁵

When representatives of Free France met with senior colonial officials from the African colonies at the Brazzaville Conference in early 1944 to involve the African colonies more fully in the struggle for the liberation of France, they recognised, in return for their support, the need for political, social and economic reforms in the French-controlled part of Africa and promised a fundamental reorganisation of relations between

142 Welch, *Dream of Unity*, p. 60.

143 Welch, *Dream of Unity*, p. 51.

144 Nugent, *Smugglers, secessionists & loyal citizens on the Ghana-Togo frontier*, p. 163.

145 Decalo, *Historical dictionary of Togo*, p. 154.

metropolitan France and its colonies. The administrators present recommended the abolition of the worst features of the old system, such as the indigénat, forced labour and compulsory tributes, while recommending the establishment of local territorial assemblies and representation of the territories in Paris. But they had reiterated an old principle of French colonial policy: namely that France's aims in its civilizing work in the colonies excluded any idea of self-government and any possibility of development outside the French empire. The formation of independent governments could not be contemplated. The reorganisation decided upon at the Brazzaville Conference merely provided for the transformation of colonial relations into a newly born *French Union*.

Contemporaries¹⁴⁶ and literature,¹⁴⁷ undoubtedly identify World War II as an awakening of political consciousness in Togoland. Nugent highlights the permeability of border in interwar years.¹⁴⁸ The hardships of the World War II, translated into the rise of Ewe nationalism.¹⁴⁹ When the Vichy regime imposed increasing economic burdens on the population of French Togoland for the war effort, again in 1943 a petition to the Secretary of State for the Colonies, Oliver Stanley, and several newspaper articles in 1944 called for the unification of all Ewes under British administration.¹⁵⁰ Similarly, on 24 August 1944, the Asogli State Council addressed a memorandum to Sir Alan Burns, Governor of the Gold Coast, stating that the restoration of Ewe unity was as important to them as the self-government promised by the British government, since the Atlantic Charter and other wartime conferences.

Likewise, former members of the Togobund hoped that under Hitler the Germans would return to reunite Togoland and the members of the Federation would regain their former jobs and status. In 1943, when Oliver Stanley's visit a group of teachers in southern British Togoland, many of them educated by the Bremen Missionary Society, such as Francis Yao Asare, Kofi Dumoga and Gerald Otto Awuma, revived the idea of a united Togoland by founding the *Togoland Union*.¹⁵¹ It is important to note that as its primary goal the Togoland Union did not seek the unification of Eweland. Though many of its members were Ewe, especially for the Akpini and Atando area, also many members were Buems. Its members were resentful of the fact that many of the more important posts in the education system of the Southern Section of Togoland were held by Ewes from the Gold Coast Colony (which is hardly to be wondered since there have been schools in the Gold Coast Peki and Keta areas for over 100 years). Although the Togoland Union signed a joint resolution in the autumn of 1948 supporting the unification of the whole of Eweland, it soon became an opponent of the Ewe unification movement, opposing all efforts that

146 Sylvanus Olympio, MAE (La Courneuve), 77QO-13, *Élections de 1958, travaux du Conseil de Tutelle*, Note sur M. Sylvanus Olympio, Mai 1958. Pedro Olympio TCOR, "6th Session" (1950), p. 156.

147 Welch, *Dream of Unity*, p. 41; John Kent, "The Ewe Question," in *The Internationalization of Colonialism*, ed. John Kent (Oxford University Press, 1992), p. 217; Lawrance, *Locality, Mobility, and "Nation"*, pp. 135–55.

148 Nugent, *Smugglers, secessionists & loyal citizens on the Ghana-Togo frontier*.

149 Amenumey, *The Ewe Unification Movement*, pp. 37–38.

150 ANOM (Aix-en-Provence), 1AFFPOL/3284/3, *Affaire Ewe*, Bulletin de Renseignement, N/175-932 S. D., p. 2

151 PRAAD (Accra), ADM 39/1/651, *Togoland Union and Togoland Association for the United Nation Association Statement subject and reasons etc*, Application for Registration of the Togo Union

would lead to the abandonment of the territorial identity of former German Togoland that would result from the integration of the Ewe territories into the Gold Coast.

