

Apart from their literary quality, which we cannot fully judge in the absence of the vernacular originals, the poems are of high anthropological value because of the light they throw upon the ideas of royalty. The divine right of kings was never more explicitly stated than by these Ruanda poets. The king's power is something infused by God at the moment of conception. As every Hamite enthrones an official bull in his herd to be the symbol of its master (the Abbé comments), so God enthrones the king to be His symbol. The king is the Bull that fecundates his realm. 'En vue de multiplier les vaches, Dieu a commencé par créer les Rois!' One poem of 162 verses, entitled *Nta washobora igihugu nk'umwami*, 'Personne ne saurait être la providence du pays comme le roi', multiplies metaphors in extolling his powers over nature: he gathers the clouds, causes rain to fall, the lightning to flash, the thunder to roll, but does all this by the grace of God who made him king.

C'est maintenant l'ondée du sein de Dieu qui nous est donnée:
Le Roi munificent, descendant de Cyilima,
Obtient de Dieu l'envoi de la pluie.

The Spiritual Ownership of Land

THE term is used to indicate that rights in land exist which are not based upon physical occupancy. An invading people may occupy the land and yet recognize that without the help of the tutelary deities of the conquered they cannot hope effectively to cultivate it and they therefore resort to the priests of the conquered people for prayers to be offered on their behalf. The old deities, or their earthly representatives, are the spiritual owners of the land. A Chief in the Northern Territories of the Gold Coast said to Captain Rattray: 'The people belong to me, the land belongs to the *tendana*', i.e. to the 'priest king' of the old inhabitants. There the Chief (representing the conquering people) and the *tendana* (representing the deities of the conquered) functioned side by side, each in his own sphere. In Ashanti the two functions, the political and the religious, became merged in one person.

The Bemba invaded and conquered the north-eastern corner of the territory now known to us as Northern Rhodesia. All rights in the soil became vested in the *Chitimukulu*, their Paramount Chief. As Dr. Audrey Richards tells us in her *Land, Labour and Diet in Northern Rhodesia* and in *African Political Systems*, the Bemba believe that the productive capacity of the soil depends entirely on the beneficence of the tutelary deities associated with it, and that the goodwill of these supernatural beings can only be secured by the prayers of the chief and his observance of a particular way of life. Moreover, after his installation he is believed in his own person to affect the fortunes of his land. His ill health or death, his pleasure or displeasure, his blessings or curses, can affect the prosperity of his people; his sexual power gives vigour and 'warmth' to the land. In this respect he is comparable with the divine kings of Ruanda. In the second of the *Communications* of the Rhodes-Livingstone Institute, Mr. W. V. Brelsford confirms and emphasizes this mystical connexion between the Chief and the soil. If, he says, a Chief of the royal clan were allowed to die a natural death the streams would dry up, crops would fail, and game would disappear; he was throttled when his vigour diminished and death was imminent, lest he should take with him 'the spirit of the land'. (We should like to know the Bemba word here rendered 'spirit'; is it *umupashi*, 'ghost'?) It would seem that the Paramount Chief shared to some extent his spiritual prerogative with others: with district chiefs, who were members of the royal clan, and even with village headmen who performed subsidiary rites to local deities. Moreover, while the powers of the old deities appear to have faded out from the territory actually occupied by the Bemba—or to have been transferred to the Bemba ancestral spirits—some of the Bemba still resort to priests of the conquered Bisa and Lala peoples who continue to live within the Bemba domain. In these instances spiritual ownership is separate from

political ownership of the land. To whatever degree the Paramount's powers may be qualified or dispersed he retains (as Dr. Richards states) the spiritual overlordship of the whole Bemba territory. The people's belief in his supernatural powers is the sanction for his political authority and economic prerogatives. However much the belief has weakened in these days, Dr. Richards found in 1934 that it was still the dominant force behind the politico-economic machine.

Mr. Brelsford discusses the subject from an administrative point of view. The Government finds it necessary to change the boundaries of districts which cut across agricultural schemes, the demarcation of game reserves, and plans for closer settlement. The establishment of Treasuries and the grouping of tribal units lead to agitation in favour of the return of erstwhile conquered peoples to their original allegiance and thus to their removal from within the Bemba chiefdom. The question apparently in Mr. Brelsford's mind is whether Government should be deterred from making such changes by consideration of the spiritual overlordship of the Bemba Paramount. An examination of various episodes in the history of the region leads him to believe that too much stress has been laid upon the theory of the sanctity and the spiritual attachment of chiefs to their areas. The spiritual association is brittle; it becomes permanent only when backed by political control; spiritual ownership is dependent upon political ownership. The ultimate sanction of authority over land was not religious but lay in the political and military power of the Bemba; and now that they have lost that power areas held by them can be detached without 'dislocations visiting the land'. We take him to mean by that phrase that if and when land is detached from the Bemba the inhabitants of it may still believe that the productivity of the soil is due to the powers of local tutelary deities and so will not be rudely shaken out of traditional beliefs. In his argument he finds support in the historical fact that spiritual and political owners are not necessarily identical. 'In our future relations with chiefs and their areas (he concludes) I think that the point of effective occupation can be heavily stressed without interfering unduly with religious or spiritual claims, although of course personal or tribal pride might be offended.'

An Example of African Juristic Distinctions

WHEN last April we reviewed Dr. Max Gluckman's *Essays on Lozi Land and Royal Property* we omitted to refer to the distinction drawn in Lozi law between *yamba* and *zabulena*. Dr. Gluckman says that, so far as he knows, this interesting juristic distinction has not been recorded elsewhere in Africa; and one purpose of this note is to invite our readers to tell us whether they have come across it in their studies of other tribes.

The bringing of tribute to the king and the reciprocal giving of gifts by the king were one of the chief mechanisms by which goods were exchanged in Loziland. Groups of people were ordered to produce for the king certain quantities of particular goods, according to the raw materials existent in their districts, their particular skills, or the nature of their crops or herds. People in the plain brought such things as reeds and fish; those in bush country brought bark-string, nets, and grain; the Lunda people brought dug-out canoes. All these goods were named *yamba*, 'tribute'. The payment was compulsory; anyone who failed to render his quota was punished. The king sent out councillors to collect the tribute. When it arrived at the capital, a portion was taken by the king and the rest was divided among the people who were present at the court, whether members of the royal family, councillors, or commoners. And the king rewarded the tributaries by gifts—to those who lacked cattle he would give cows. It appears that people could give their labour as an equivalent for goods.

In addition to, and distinct from, *yamba*, the king had the right to certain things which were called *zabulena* (Sotho, *lintho tsa borena*, 'things of chieftainship') or *zasilena*. Dr.