

SOURCES AND METHODS FOR
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‘My Slave Sold All of Kigoma’. Power Relations, Property Rights and the Historian’s Quest for Understanding

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Much of what we know is only apparent in hindsight. Past attempts to get to the heart of an issue, and the sources stemming from such efforts, sometimes provide the historian with a glimpse of past events which was not accessible to most contemporaries. After all, the fragmentary availability of information and the asymmetric access to information are part and parcel of the interests and power relations a historian wants to reconstruct. Hiding, lying, and telling partial truths can be as revealing as it is concealing.¹

Starting from one archival record, I report the efforts of German colonial officers to conclude a dispute over property in early 20th century Kigoma in East Central Africa and from there, I dig deeper into biographical backgrounds, shifting power relations, and conflicting land tenure regimes. Taken together, this paper is an exercise in source-driven historical research. This is not meant as a naïve belief that archives contain the historical truth waiting to be uncovered, but quite the contrary; both finding and interpreting a source are based on scientific rigour and rely on what Carlo Ginzburg has called serendipity, which is ‘the making of happy and unexpected discoveries by accidents and sagacity’.² The final word matters. Serendipity is not just the happy coincidence of stumbling over something significant per se, but it presupposes the sagacity to recognize the significance. More precisely, one requires expertise, sensitivity, and thoroughness to see the potential of an archival source, all of which go well beyond the surface content. The challenge is to question a source in connection with a broader context that is not made explicit in the source itself.

The direct extraction of information is only one rather banal step in source-driven hermeneutics. Research questions play a crucial role in finding and appreciating a source. In this case, I came across the source around which this paper is written only because I went through almost every archival record in the Tanzania National Archives that could possibly help me address my research questions in my ongoing project to

1 White, *Telling More*, 11–22.

2 Ginzburg, Morelli, Freud and Sherlock Holmes, 22.

write a global history of Kigoma-Ujiji. There is no one-on-one relation between consulting archives and finding answers. Only a limited number of sources, discovered 'by accidents and sagacity', open new windows to further questions, which in turn require further scrutiny in a never-ending quest towards historical understanding.

In this paper I present a source-driven approach to power relations and individual interests in early colonial Kigoma-Ujiji. I first introduce the actual archival source and describe the dispute as it is presented in the archival file itself. Second, I trace the backgrounds and roles of the actors mentioned in the source. Third, I reconstruct the land tenure regimes and property claims at play and link them with the drastic changes of the political order between the 1880s and the early 1900s. I finish the paper with some concluding reflections on the historian's quest for understanding.

The Source and the Dispute

In 1903, in the context of German expropriation procedures to prepare for the construction of a new port in Kigoma, a legal claim with historical tentacles reaching well into pre-colonial times, landed on the desks of the German colonial administration in Ujiji. A case was opened which, along with two other cases, was filed under the title 'Anträge auf Überlassung von Kronland, Kronlandserklärungen, Verpachtung und Verkauf von Kronland, Bez. Udjidji. Bd. 1: 1902–1906'. Years later, the resulting file ended up in the German Records of the Tanzania National Archives (TNA) with shelf number G8/352.³

The lakeside town of Ujiji, 7 km southeast of Kigoma, was at that time still the administrative and commercial centre for the wider region. The town was rapidly growing, and at the same time in dramatic decline. Twenty-odd years before, Ujiji had been a thriving hub in the East and Central African caravan trade. It was the centre of a Swahili-Arab political order around the northern end of Lake Tanganyika, uneasily co-existing with African political entities, of which the Jiji chiefdom, a subdivision of the Ha, was the most important for the town's immediate vicinity. In 1882, at the height of Ujiji's power, Mwinyi Akida Tayari died. He, his son and his slave are the leading actors in our story. Within a decade after his death, the Swahili-Arab political and commercial order collapsed and, paradoxically, waves of migration crowded Ujiji to levels it had never attained in its heydays. In the meantime, power holders were replaced, both in

3 Unless indicated differently, all information for this section stems from: Tanzania National Archives [TNA]: German Records, G8/352: Anträge auf Überlassung von Kronland, Kronlandserklärungen, Verpachtung und Verkauf von Kronland, Bez. Udjidji. Bd. 1: 1902–1906 and TNA: G8/900: Anträge auf Überlassung von Kronland, Kronlandserklärungen, Verpachtung und Verkauf von Kronland, Bez. Udjidji. Bd. 2: 1906–1916.

the ranks of the local urban rulers and through the appearance of German colonial officials. We will learn more about the historical context later.

The first document in the file is a letter from Mwinyi Akida's son, Gosilatembo, who lived in Pangani on the Indian Ocean coast. On July 27th, 1903, he wrote a letter in Swahili to the German colonial authorities in Ujiji. He was assisted by Dr. Gustav Neuhaus, who provided an authorized German translation of his letter. This letter opened a dispute which would last for several years, and was still unresolved in 1906, when the file was closed. The letter, excerpted here from the German translation, reads as follows:

Aus einem mir gestern zugegangenen Briefe des Muinyihamisi bin Muinyihassani dort ersehe ich, dass mein Sklave Kheri ganz Kigoma an die Kaiserliche Station verkauft hat. Kigoma ist eine alte Sklavenansiedlung meines verstorbenen Vaters Muinyi Akida Tayari. Für den Fall, dass die Angabe des Muinyihamissi richtig ist, bemerke ich, dass Kheri ohne meinen Auftrag gehandelt hat. Ich willige aber, als einziger Erbe meines Vaters, in den Verkauf ein, unter der Bedingung, dass mir ein angemessener Kaufpreis überwiesen wird. Sollte sonst jemand noch Ansprüche auf das vorbezeichnete Anwesen erheben, so bitte ich, ihn an mich zu verweisen.

Gosilatembo referred to all of Kigoma (ganz Kigoma) as his landed property, inherited from his father (Mwinyi Akida Tayari), and claimed that it had been sold by his slave (Kheri) without his permission. Nevertheless, he was willing to sanction the transaction in return for a fair payment. From the letter it is clear that he had a functioning communication line with Mwinyi Hamisi bin Mwinyi Hasani.

The file further consists of correspondence in German and in Swahili (with German translations) as well as assessments by German colonial officials. Werner von Grawert, who was the military commander of Ujiji and had been familiar with the area since 1897, wrote an internal report about Gosilatembo's claim on September 14th, 1903. He stated that he had never heard of Gosilatembo and that he must have left Ujiji in the days of Rumliza.⁴ He furthermore declared that only two small plots of land had been sold, years ago, and that a 150-metre-wide section of the harbour foreshore had been declared Kronland (crown land) a few months earlier. He assumed that Gosilatembo was referring to this newly-declared Kronland. Von Grawert meaningfully added that the land lay fallow, which is important because a Kronland declaration is a legally authorized declaration of state property, applied to land that is unowned – or assumed to be unowned.⁵

The evaluation by von Grawert reached Gosilatembo, whereupon he wrote a second letter on December 5th, 1903, again assisted by Dr. Neuhaus.

4 This means the 1880s or early 1890s, when Mohamed bin Khalfan al-Barwani, aka Rumliza, was the most powerful Arab leader in the Northern Lake Tanganyika region.

5 Iliffe, *Tanganyika*, 127.

Mein Vater, Akida Tayari, ist im Jahre 1882 in Ujiji gestorben. Ich bin noch in demselben Jahre von hier dorthin aufgebrochen und habe 7 Jahre lang auf dem vom Vater ererbten Besitztum Kigoma gewohnt. Auf demselben befanden sich ca. 50 Lehmziegelhäuser, 32 Sklaven sowie zahlreiche Mangobäume, als ich im Jahre 1889 nach Pangani zurückkehrte. Seitdem bin ich nicht mehr in Ujiji gewesen, habe aber mein Besitzrecht durch meinen Sklavenaufseher Kheri ausgeübt. Mit diesem habe ich auch bis in die jüngste Zeit in schriftlichem Verkehr gestanden.

Ich bestreite die Herrenlosigkeit des in Rede stehenden Landes und bitte hierüber eventuell folgende in Ujiji ansässige Leute als Zeugen vernehmen zu wollen:

1. Munyihamissi bin Hassani
2. Salim bin Munyihari,
3. Hasani bin Musa
4. Masud bin Hamed el Turkey.

Ich überreiche hiermit eine von mir angefertigte Skizze des von mir beanspruchten Stücks Landes und bitte in der Entschädigungsfrage um die Entscheidung des Kaiserlichen Gouvernements’.

In his second letter Gosilatembo thus provided further details about his antecedents and his property claim, using references to mango trees, durable buildings, uninterrupted communication and caretaking, as well as witnesses, which are of relevance in connection with the Kronland legislation and the government decision he explicitly requested. I discuss the protagonists in the next section, and the legal implications in the section about land tenure.

The attached map (Skizze), which he mentioned in his last paragraph, indicates the location of the landed property Gosilatembo inherited from his father. Unfortunately, I was not able to obtain the rights to reproduce the map, and therefore can only describe its main characteristics. The map depicts Lake Tanganyika, from Uvira and Burundi in the North to the Congolese Marungo region in the Southwest. The cardinal orientations are indicated on the map in Swahili, with the North (Kibla) at the top of the page. The scale of the map, however, is idiosyncratic. The region around Kigoma and Ujiji fills about one third of the map, whereas in physical reality the depicted area covers not much more than 0.1 % of the surface of the lake. The small peninsula of Bangwe and the tiny peninsula of Ruanza are depicted as disproportionately enlarged tentacles that stretch into the lake. As we will see later, Bangwe is the district over which Mwinyi Akida had been local chief (mtwale) and Ruanza is the peninsula in Kigoma where he had lived. Thus, Gosilatembo’s intuitive scale reflects the importance for the purpose of his sketch rather than its relative physical size. Marked in red, Gosilatembo indicated Ruanza (not Bangwe) as his father’s property. In the water north of his claimed property, and adjacent to it, is written ‘Bandari ya Sitima,’ meaning ‘port for steam ships’. The land in question was indeed part of the scheduled port of Kigoma.

In the years following the 1903 correspondence, preparations to construct the new port of Kigoma continued. Gosilatembo’s claims, made from Pangani, and Kheri’s op-

erations on the spot, were likely to interfere with the demarcation of the port. The German interest in this case was, therefore, also driven by their self-interest in developing the port. In January of 1906, the new station chief in Ujiji, Wilhelm Göring, reached the conclusion that neither Gosilatembo nor Kheri were entitled to the land, because in his understanding, the Jiji *mwami* (king or paramount chief) Lusimbi disposed of all land. The same report, however, also mentions that Mwinyi Akida, the father of Gosilatembo, received the land directly from mwami Mugasa, the father of Lusimbi, out of gratitude for his armed support in a battle against the Warundi. How the two statements fit together remains unclear: If the mwami disposed of all land, and gave the land directly to Mwinyi Akida, then why was his son and heir not entitled to the land?

At odds with Gosilatembo's sketch, Göring asserted that the land of Mwinyi Akida was situated more to the West in Kigoma's bay of 'Niakatoa', which is outside of the Kronland and the projected port in Kigoma's bay of Kabondo. A paraphrase of this reasoning could be: His land is of no interest to us, and it was never his land in the first place. Case closed, one might think; however, there were some loose ends, which were already becoming apparent in 1906, and which became more evident a couple of years later.

While dealing with this case, a land deed from February of 1902 surfaced, which turned out to be counterfeit. Mtwale (local chief) Kheri, whom Gosilatembo first referred to as his slave and later as the custodian of his slaves, had sold a plot in the strategic bay of Kabondo to D.O.A.G. representative Hoffmann. The sketch of the plot, however, showed the new road and the designated area for the steamer landing, which did not yet exist in 1902. Hoffmann had died in Tabora in May of 1905.⁶ Göring came to the conclusion that the transaction was best undone, and Kheri was willing to refund the buyer, or in this case, his heirs.

The file was closed in 1906, upon which a new ledger was opened for Kronland issues. The file with shelf number TNA G8/900 contains a document from 1912 revisiting the property discussions which were dealt with in TNA G8/352. This document provides additional insight into the property claims Gosilatembo had made nine years before. On May 22nd, 1912, in the context of legally settling the C.A.S.G.'s (Centralafrikanische Seengesellschaft) property title for the Kigoma peninsula, the Kaiserliche Bezirksamtmann (imperial district officer) in Ujiji reconstructed the land tenure situation. The document picks up where the previous file left off. This report contains an in-depth analysis of who was entitled to which plots of land in the designated area, where the port of Kigoma was under construction. The land claims by the C.A.S.G. seemed to be inconclusive and were once again based on a questionable sale made by Kheri. While assessing the property situation around the bay of Kigoma, the District Officer found

6 The time and place of Hoffmann's death is mentioned in the second case of the record TNA G8/352 (Kronlandsverhandlung N°2 des Militärbezirks Udjidji).

out that Mwinyi Akida, who took residence in Kigoma at the time of mwami Mugasa's rule,⁷ had dispatched a troop with guns and ammunition to help Mugasa fend off a Rundi assault. According to this report, he 'explicitly' (ausdrücklich) obtained the property rights over Bangwe and Kassio as a reward. Although he continued to live in Kigoma and 'in a way' (gewissermaßen) became mtwale (local or sub-chief) of Kigoma, he was not endowed with the land of Kigoma. After his death, his son Gosilatembo became the new mtwale of Kigoma. The function of mtwale was unquestioned, but the mtwale is not entitled to the land. Kheri is identified as bondsman or serf of Mwinyi Akida and Gosilatembo, and had been captured in the Congo along with his mother. Gosilatembo soon returned to the coast,⁸ taking Kheri with him. After a while he sent Kheri back to take care of his estate. After Gosilatembo had granted Kheri manumission, the latter acted as mtwale of Kigoma, pretended to be independent from the mwami of Bujiji, and gathered a large cohort of Congolese around him.

Kheri sold the Kigoma peninsula (i.e. Ruanza) for 100 rupees to the C.A.S.G.'s founder and owner Otto Schloifer. He asserted that Hauptmann Göring had permitted the transaction and had signed the receipt, although he could not present any written proof. He kept the money for himself, although he stated that he had informed Gosilatembo. The latter purportedly told him that he should only send the money if the price was high, and could keep the sum if it were small. Mwami Lusimbi contested Kheri's right to sell the land, but dropped the case in return for 15 rupees. The transaction had neither been approved nor registered by the government, which made it threefold illegal: Kheri was not entitled to sell Gosilatembo's land, according to the German interpretation Gosilatembo did not own the land, and the necessary government approval was missing. The big question we are left with is why Göring, who had dismissed Gosilatembo's claims in 1906, and who had annulled Kheri's sale to Hoffmann, had done nothing about this land deed. In fact, the Ujiji military district treated the Kigoma peninsula as property of the C.A.S.G.

As a solution for the questionable property claims, which were on the one hand void, but on the other conceded, both in fact and in administrative practice, the author of the report proposed giving the C.A.S.G. a smaller plot on the peninsula in exchange. This would allow the salt company to store and ship salt in the port of Kigoma, which was, after all, Schloifer's main concern. This would, at the same time, allow the German authorities to construct their port infrastructure as envisaged.

The story above is drawn directly from the archives. Apart from making a few minor comments and highlighting controversies, my intervention has been summarizing and presenting the content of the archival source. However, we are not able to

7 Mugasa reigned from 1862 till 1880 according to Brown, *Ujiji*, 23.

8 This report uses the word 'bald' (soon), whereas Gosilatembo wrote that he stayed in Kigoma from 1882 till 1889.

answer all questions by piecing together the investigations by German colonial officers in the decade spanning from 1903 to 1912. Rather, the reconstruction raises new questions concerning the roles of Kheri, Göring and Neuhaus, power relations and power holders in Ujiji, and entitlements to land under different political orders.

Who is Who?

In this section, I present the protagonists and supporting actors in more-or-less chronological order. I begin by introducing Mwinyi Akida bin Tayari and his close companions in Ujiji. Afterwards I present Gosilatembo and give a discussion of the role of Dr. Neuhaus, followed by brief descriptions of the other Germans who played a role in this story. The crucial figure in the story is undoubtedly the former slave and acting sub-chief Kheri. I save him for last.

Mwinyi Akida bin Tayari and Ujiji's Swahili Pioneers

Even if Swahili-Arab ivory and slave traders as well as European explorers, missionaries, militaries, and merchants may have been overrepresented in the literature about nineteenth-century East Central Africa, there is no doubt that the history of Ujiji cannot be written without including the caravan trade between the Indian Ocean coast and East Central Africa. After some roving expeditions by coastal traders in the previous years, the first traders to actually settle in the Lake Tanganyika region came from Pangani to Ujiji around 1845. Mwinyi Akida bin Tayari was one of these early settlers; along with Mwinyi Hassani and Mwinyi Kheri, these three people from the coast (Watu wa Mrima) formed a kind of triumvirate in Ujiji town for the following 40-odd years.⁹

Much more than the commercially successful Arab traders who established their businesses in East Central Africa over the following decades, these pioneers from the coast were the pivotal political brokers in Ujiji. In nineteenth-century accounts by European travellers, however, Mwinyi Akida and Mwinyi Hassani are often ignored, and only Mwinyi Kheri is recognized as a leading figure in Ujiji town. The neglect of Mwinyi Akida's and Mwinyi Hassani's authority in most contemporary accounts requires closer scrutiny.

According to Edward Coode Hore, a scientific officer with the London Missionary Society, it was not Mwinyi Kheri but Mwinyi Akida 'who enjoyed the respect of

9 Brown, *Ujiji*, 56, 127–128; TNA: Kigoma District Book, Vol. III: Tribal History and Legends: Mjiji Tribe: Grant, C.H.B. & C.J. Bagenal, Tribal History – Mjiji Tribe, 2 [hereafter: TNA: Kigoma District Book, Vol. III: Grant & Bagenal, Tribal History].

Jiji authorities and who was frequently called to their council meetings and political ceremonies.¹⁰ This statement changes the perspective in two regards. First, Hore pays attention to the respect of the Jiji authorities, not to the recognition of leadership by the townspeople in general and the Arab traders in particular. Second, Hore was an atypical observer of Ujiji in comparison to other European visitors in the second half of the 19th century, because he spent more time in Ujiji than any other European prior to 1890. Most Europeans travelled through, as many Arab traders had done before and continued to do. Although he may have been a headstrong nuisance,¹¹ his repeated and extended stays in Ujiji between 1878 and 1888 allowed him to understand power relations that went unnoticed to short-term visitors. He understood that local power was not primarily or, at least, not solely based on recognition by Arabs, but on good relations with Jiji authorities. Moreover, he did not consider the town of Ujiji as the ultimate point of reference for power relations but rather a slightly larger area encompassing the town and its surroundings. As Brown puts it, there was a 'disjunction between internal politics [in town] and merchant-African relations.'¹²

Hore wrote about Mwinyi Akida: 'This chief of Bangwe I delight to think of as my friend.'¹³ He also wrote that he visited him on 'the little flat oval island Ruanza, on which are the houses of Muinyi Akida (an Waswahili or half-caste, or "coast" Arab).'¹⁴ Neither his (sub)chieftainship nor his dwellings were in the town of Ujiji proper. In town, Mwinyi Kheri was the uncontested leader. The Arabs saw Mwinyi Kheri as their liaison with the Jiji rulers, he was commercially successful all the way up to the ivory-market of Uvira on the northernmost tip of Lake Tanganyika, and by 1880 he was recognized by the Sultan of Zanzibar as the first liwali (gouverneur) of Ujiji, Uvira, and Uguha.¹⁵ Mwinyi Akida, in contrast, was clearly less successful in commercial and political terms, but probably had better connections with the Jiji authorities, as Hore pointed out. The third member of the triumvirate, Mwinyi Hassani, is said to have been a sage who was 'well-versed in Koranic knowledge'. He often replaced Mwinyi Kheri when the latter was away on one of his many commercial expeditions.

Both Mwinyi Akida and Mwinyi Hassani were rewarded for their military assistance to *mteko* (Ha official for the land) Habeya and mwami Mugasa in their fight against Mugasa's brother Ruyama in the early 1860s. The struggle was first and foremost a struggle over succession between two Jiji brothers after the death of mwami Lusimbe.

10 Brown, *Ujiji*, 135, with reference to London Missionary Society, Box No. 3, Folder 1/B, Hore to Whitehouse, Ujiji, 9 February 1880 and 26 February 1880.

11 For an assessment of the trouble he tended to make, see Brown, *Ujiji*, 143–144.

12 Brown, *Ujiji*, 135.

13 Hore, *Tanganyika*, 83.

14 Hore, *Tanganyika*, 82.

15 Brown, *Ujiji*, 59, 134, 140.

After his defeat, Ruyama fled to Burundi, which may give some credence to the interpretation in the German report from 1912, which mentions a Rundi assault rather than a struggle over succession. More importantly, the fight took place against a background of conflict between the Jiji highlands, who supported Ruyama, and the commercial interests around the town of Ujiji, from which our Swahili triumvirate, mteko Hebeza, and in the end the prevailing mwami Musaga, profited in one way or another.¹⁶

Mwinyi Akida became *mtwale* (local or sub-chief) of Bangwe and Kasia and Mwinyi Hassani was appointed *mtwale* over Mkamba near Bangwe. Mwinyi Kheri was part of the armed band, but was apparently not rewarded to the same extent as his companions. This may hint at a more limited involvement in the fight or an implicit hierarchy between the three men, in which Mwinyi Kheri stood beneath instead of above the other two. Given that the Swahili word *akida* refers to a leadership position and that Mwinyi Hassani seems to have been most knowledgeable in religious terms, it is not unlikely that Mwinyi Kheri was indeed third in terms of internal protocol. This did not prevent him from accumulating political power and commercial success. For the rest of his successful career until his death in 1885, Mwinyi Kheri maintained close relations with Hebeza, the mteko of Ugoi in Ujiji town. This may have been just as useful in helping him to build his image as a leader in Ujiji town as any chieftainship could have been.¹⁷ The basis of the local power of this triumvirate clearly dates back to their supportive and decisive role surrounding the installation of mwami Mugasa and the contacts and confidence which obviously already existed at that time. It strengthened their own position, it strengthened the Jiji factions around Hebeza, who himself ventured into commercial activities, and it strengthened the traditional Jiji power structure. The mutual trust and loyalty between our triumvirate, Hebeza and the mwami became a bedrock for local politics.

When Mwinyi Akida and Mwinyi Kheri died, in 1882 and 1885 respectively, the Arab trader Mohamed bin Khalfan al-Barwani, better known as Rimaliza, became the strong man of Ujiji. He established a territorial division around the northern end of the lake by the late 1880s, and he not only took the ivory-rich Northern tip for himself, but allowed the Burundian shoreline south of Uzige (the region around present-day Bujumbura) to come under the control of Salim bin (son of) Mwinyi Kheri. The shoreline directly adjacent to Ujiji was under the authority of Mwinyi Hassani, the last remaining member of the triumvirate.¹⁸ The old 'coastal' authorities in Ujiji, therefore, were not so much replaced, but instead were integrated into Rimaliza's new power structure.

16 TNA: Kigoma District Book, Vol. III: Grant & Bagenal, Tribal History, 1–2.

17 Ibid., 2; Brown, *Ujiji*, 130–131, 136.

18 Brown, *Ujiji*, 168–169. The Western bank of the lake was for Nassor bin Sef, who does not play a role in the circles we reconstruct in this paper.

The 'Watu wa Mrima' of 1845 were still a force of cohesion 40 years later. In fact, we still see evidence of their continued presence as far forward as 1905; as we can see from Gosilatembo's letters from Pangani in 1903, it was the son of Mwinyi Hassani who informed Gosilatembo of the land transaction, and both Mwinyi Hamisi bin Mwinyi Hassani and Salim bin Mwinyi Kheri were put forward as potential witnesses to testify to Gosilatembo's landed properties in Kigoma.

Gosilatembo and Dr. Gustav Neuhaus in Pangani

We know comparatively little about Gosilatembo, which may have something to do with some particularities of archival sources. First of all, the file G8/352 in the German Records of the Tanzania National Archives mentioned above uses four different orthographies for his name: Gosilatembo, Hosilatembo, Gesilatembo, and Gasilatembo.¹⁹ An interlinear remark added to the 1912 report by the Bezirksamtmann (file TNA G8/900) suggest that the name Gosilatembo could be read as 'Ngozi ya Tembo', which means 'elephant skin' or 'thick skin'.²⁰ Thomas John Biginagwa refers to the 19th-century slave dealer 'known locally as Gosi la Tembo' from Bweni near Pangani, and translates the name as old male elephant.²¹ Hence, the spelling of the name is unclear, and it is not unlikely that it is in fact a Swahili nickname; in other words, that Gosilatembo might have been known under yet another name. Grant and Bagenal stated that the son and heir of Mwinyi Akida was Mwinyi Kheri. The Kheri who remained in the Kigoma area afterwards was 'not a son but a freed slave of Mwinyiheri'.²² In other words, they distinguish between two Kheris. Most likely this means that Gosilatembo was officially named Kheri (Mwinyi being a title of honour, comparable to Sir in English). Brown also stated that Mwinyi Akida's 'son, Heri, was proclaimed his successor [as mtwale] by the Bujiji umwami'.²³ In her interpretation the contestation by Gosilatembo in 1903 was directed against this Kheri, implicitly assuming that there was only one Kheri, who had inherited the position of mtwale and the estate from Mwinyi Akida.²⁴ However, there were probably two men called Kheri: the son Mwinyi Kheri, aka Gosilatembo, and Kheri the slave, who managed to turn the name confusion in his advantage and was recognized by the Germans as mtwale over the area of Kigoma and Bangwe.

19 TNA G8/352.

20 TNA G8/900.

21 Biginagwa, *Historical Archaeology*, 108.

22 TNA: Kigoma District Book, Vol. III: Grant & Bagenal, Tribal History, 2.

23 Brown, *Ujiji*, 175.

24 See Brown, *Ujiji*, 175 n. 25.

Secondly, the availability of archival sources containing information about individual people in the proto-colonial and early colonial period has a tendency to be sparse, except around moments of crisis, conflict, or litigation. Knowing that even Mwinyi Akida bin Tayari, despite his key arbitrating role in-between Jiji authorities and Ujiji's Swahili-Arab townsfolk, is largely ignored in European accounts, it is not at all surprising that his son is even less present in the sources. When he does appear, it is indeed in the context of a legal action, in this case about landed property. However, the typical scarcity of sources is not only place-bound (within or outside of Ujiji town, for instance), person-bound (most sources concern famous people) and case-bound (conflict or litigation), but also determined by time. There are certain times in history when a heightened attention leads to more detailed information. In the case of Kigoma-Ujiji and of the Swahili-Arab traders in East Central Africa in general, this heightened attention occurred when European colonizers violently clashed with their 'Arab' rivals, under the humanitarian guise of an anti-slavery campaign. We know quite a lot about who was involved in this war of conquest on both sides of the hostilities,²⁵ but by the time this war broke out, Mwinyi Akida was already dead, and by the time this war reached its peak Gosilatembo had already returned to the coast. In the case of Pangani, the height of European – and in particular German – attention in the late 19th century coincided with the so-called Abushiri uprising in 1888–1890,²⁶ but our Gosilatembo only arrived back in Pangani after the uprising was already as good as smashed down.

Thus, for a variety of reasons, Gosilatembo left relatively little traces in the archives. Nevertheless, we do know something about him. First of all, we know his father and the origin of his land holdings. Based on his own letters, we know that he lived on the coast for most of his life, that he spent seven years in Ujiji from 1882 till 1889, and that he was still in touch with the sons of his father's companions in Ujiji in 1903. In the same file, the German administration provided some background information, including the fact that Gosilatembo had been appointed jumbe or local chief in Bweni, a district of Pangani, in 1893.²⁷ Finally, we found that 'oral traditions recorded in Pangani town repeatedly mention a notorious slave dealer known locally as Gosi la Tembo [old male elephant].'²⁸

When Gosilatembo wrote his two 1903 letters to the German station in Ujiji, he was assisted by Dr. Neuhaus.²⁹ Gustav Neuhaus was a German Doctor of Law, who acted in

25 See for instance: Bennett, *Arab Versus European*.

26 See for instance: Glassman, *Feasts and riot*.

27 TNA G8/352.

28 Biginagwa, *Historical Archaeology*, 108, with reference to Lane, P. J., *Slavery and slave trading in eastern Africa: exploring the intersections of historical sources and archaeological evidence*, in: *Slavery in Africa: Archaeology and Memory: Proceedings of the British Academy*, 168, ed. P.J. Lane & K.C. MacDonald (London, 2011), 292. Square brackets in original.

29 TNA G8/352.

the colonial service in German East Africa. From the position of probationary judge (Gerichtsassessor) he was transferred to Pangani as District Commissioner (kommissarischer Bezirksamtmann) in November 1900.³⁰ He had been lecturer in Swahili at the University of Berlin from 1895 till 1900, and is renowned as an editor of Swahili manuscripts in Arabic script, and in particular for his editing of a *Maulid*-text (Birth of the Prophet).³¹ In other words, he was not only knowledgeable in legal affairs, but also well-versed in Swahili language and culture. It is unclear what Neuhaus's exact role was while assisting Gosilatembo. Given his legal background, it is not unlikely that he not only translated Gosilatembo's letter, but helped including the proper phrasings befitting the German Kronland legislation.

German Colonial Officers and Entrepreneurs in Ujiji

Of all the Germans who played a role in this story, Dr. Neuhaus was the only one in a position to side with Gosilatembo. The German military commanders and businessmen in Ujiji obviously had other interests. Werner von Grawert was the station chief in Ujiji when Gosilatembo's letters arrived. He had previously been military commander of Usumbura (today Bujumbura), responsible for the colonization of Burundi and Rwanda, from 1898 till 1902. By militarily supporting the Rwandan mwami against a pretender, not unlike what our coastal triumvirate had done in Ujiji a few decades earlier, he played a decisive role in getting a German foot on the ground in Rwanda. He would take up a second term from 1904 till 1908. During his second term, as the administrative status of Ruanda and Urundi changed, he would become the first civil Resident of Urundi in German East Africa.³²

Wilhelm Göring was the commander of the military station of Ujiji when the Gosilatembo case was closed in 1906. He was Resident of Urundi from 1910 until his (first) retirement in 1911. During the First World War he would be remobilized and achieved the rank of major in 1915. He was the eldest son of Ernst Heinrich Göring, who became the first imperial commissioner/colonial governor of German Southwest Africa (today Namibia). His half-brother would give their family name a worldwide notoriety a couple of decades later.³³

Otto Schloifer, the founder and managing director of the Centralafrikanische Seengesellschaft, entered our picture as the alleged owner of a piece of land in the port of Kigoma that he had bought from Kheri. In 1902 he acquired a monopoly over the salt

30 *Amtlicher Anzeiger für Deutsch-Ostafrika*, I. Jahrgang, No. 32, 8. November 1900.

31 Knappert, *Swahili Islamic Poetry*, 276.

32 Strizek, *Geschenkte Kolonien*, 80–82, 96.

33 Reith, *Die Kommandobehörde*.

mines of Uvinza. By then he already had a colonial-military career behind him, including participation in an expedition of the German Antisklaverei-Komitee in 1892–1893. He showed interest in the typical colonial economic opportunities of the day, ranging from portage over telegraph construction to mining and rubber, but in the end only his salt business would materialize. Big names of German colonialism like Hermann von Wissmann, Ludwig von Estorff and Graf Gustav Adolf von Götzen supported him; and so did Wilhelm Göring.³⁴ It is unclear if Göring had personal interests in Schloifer's businesses, but he definitely was supportive to his undertakings. As a matter of fact, the C.A.S.G. had not only acquired – whether through legal means or otherwise – the plot in Kigoma, but was one of the big buyers in and around Ujiji in general.³⁵

Hoffmann, who had died in Tabora in 1905 and whose purchase of land from Kheri was cancelled by Göring in 1906,³⁶ had been the first representative of the Deutsch-Ostafrikanische Gesellschaft in Ujiji. He was dispatched to Ujiji together with Hans von Ramsay, who established the military station of Ujiji in 1896.³⁷ However, he was not well-liked by the military leaders, von Ramsay and his successor, Heinrich von Bethe. He disrupted the ivory market by paying outrageous prices, was involved in smuggling activities with the Congo Free State, and connected one of his trading expeditions with a Belgian military excursion, thereby harming German interests.³⁸ The reason why Göring dealt differently with the Hoffmann's land purchase than with Schloifer's may have been a matter of personal sympathy or of personal interest, but it most probably was not impartial. The role of Kheri in this whole real estate story, however, is at least as interesting.

Kheri, from Congolese Slave to Chief of Kigoma

Many clues point to Kheri being an imposter. However, it would be a mistake to take this impression to be an endpoint rather than a starting point of our investigation. It would not explain why he was entrusted with the custody of Gosilatembo's estate, how he managed to gather followers, how he could proceed with land transactions for many years, and why he continued to be recognized as *mtwale* or *jumbe* (local chief), first of Kigoma and later of Mwanga, the so-called 'African' village after the colonial restructur-

34 Chrétien, *Le Commerce*, 410–415.

35 Brown, *Ujiji*, 212.

36 TNA G8/352.

37 Bundesarchiv Berlin-Lichterfelde [BArch]: R 1001 Reichskolonialamt, Band 219: Acten betreffend Bezirksamt Ujijidji vom 13. Januar 1896 bis 20. Juli 1907: Bericht vom Kaiserlichen Gouverneur von Deutsch-Ostafrika von Wissmann an den Herrn Reichskanzler, Dar es Salaam, 13.01.1896.

38 Brown, *Ujiji*, 252; Chrétien, *Le Commerce*, 411.

ing of the urban area. For each of these deeds, there was always another party involved, who must have believed in or benefited from a possible imposture.

Kheri began to administer the legacy of Mwinyi Akida and Gosilatembo when the latter left for Pangani in 1889, and he retired as jumbe of Mwanga half a century later in 1939. The British colonial sources call him Kheri bin (son of) Akida and underscore that he served four governments, meaning the Jiji authorities as well as the German (until 1916), Belgian (1916–1921), and British (from 1921 onwards) colonial rulers.³⁹

We can easily understand that newly arriving German military administrators confused the real Kheri bin Akida, whom they have never seen nor heard of, with another Kheri who in all appearance acted as the heir of Mwinyi Akida. What is remarkable is that the mix-up continued for decades. Documents were produced in 1903 (the letters from Gosilatembo), 1912 (the report by the Bezirksamtmann) and 1929 (the tribal history by Grant and Bagenal) indicating with apparent disbelief that the acting mtwale Kheri was in fact a (former) slave. And still, the colonial authorities continued to call this former slave, coming from what by then had become the Congo, mtwale Kheri bin Akida.

On closer look, however, it is not really surprising that Kheri remained mtwale, despite his dubious land transactions and misleading genealogy. As a matter of fact, a lot had changed since Mwinyi Akida had died and Gosilatembo had left, and by the turn of the century it was in everybody's interest to have Kheri in the position of liaison office-holder between all relevant communities in and around town.

Kheri was the former slave of a respected leader of the Swahili and Arab merchant community, who had built up good relations with the Jiji authorities over the years. Even if he was not Mwinyi Akida's son, he had gained the confidence necessary to be entrusted with custody of the estate. We should not be misled by an over-stereotypical understanding of the word 'slave'. As Hore had already observed around 1880, there is no clear correlation between one's status as slave or free and one's wealth and standing.⁴⁰ Moreover, as Nimtz, Glassman, and others have shown, there existed hierarchy and social mobility amongst slaves, whereby some slaves grew up as part of the household of their masters, could become economically successful, gain freedom, get access to important political positions, and at the same time still remain obliged to their (former) master-turned-patron.⁴¹ Given the responsibility entrusted to Kheri by Gosilatembo, Kheri must have been a slave of high standing and of many talents and Gosilatembo must have had confidence in his slave. We know that Kheri had been captured in the

39 TNA: Western Province (Regional Office Tabora): 63.723: Luichi Federation: Kigoma District 1921–1945.

40 Hore, *Tanganyika*, 73–74.

41 Nimtz, *Islam and Politics*, 99–100, 118–121; Glassman, *The Bondsman's New Clothes*, 286–292.

Congo along with his mother,⁴² and that he was already in Ujiji by the time he was 8 or 9 years old, in 1868–69.⁴³ It is likely that he had already become part of Mwinyi Akida's household while he was still a child, although we have no hard evidence for this. As such, despite being a slave rather than a son, he embodied continuity with decades of Swahili-Jiji relations and mutual trust.

On top of that, he was of Congolese origin. At the height of the Swahili-Arab 'commercial empire' in East Central Africa in the 1870s and 1880s, Ujiji saw a massive influx of people from what would later be known as the Congo. These immigrants of 'Congolese' origin arrived on top of an important core population in Ujiji which had been migrating in from around the northern end of Lake Tanganyika for many decades. When the Swahili-Arab trade system and power structure collapsed after military defeat in the 1890s, a third wave of immigrants or refugees from across the lake arrived in the town of Ujiji and the surrounding region.⁴⁴ Despite what was, of course, a huge range of diversity amongst these 'Congolese', who had little in common except a post factum colonial state formation, this 'Congolese' factor had a strong impact on the demographic and power relations in Ujiji and Kigoma. The fact as stated, that Kheri managed to gather a large cohort of Congolese around him,⁴⁵ should be understood against this background. We can see from this that he not only embodied continuity, but also the dramatic political and demographic change of the final decade of the 19th century.

It was, obviously, in the interest of the Jiji authorities and the colonial governments both to support continuity and to give room to change at the same time. On top of that, Kheri's inventiveness in serving private interests – including his own – had definitely also helped to keep him acceptable as a local authority. His accommodating attitude in arranging deals with German military entrepreneurs such as Schloifer and Hoffmann may have been disclosed as fraud in some of the records; it had, however, given an air of authenticity to their land acquisitions in the first place, which had after all, at least in the case of the well-connected Schloifer, been administratively sanctioned by colonial officers such as Göring.

John Rooke Johnston, who was District Officer in Kigoma from 1934 till 1940, wrote the perhaps most telling portrayal of the man, both hitting the nail on the head and maintaining the mystery that hung around him. After having helped to put out a fire in Mwanga village at the end of the dry season 1935, Johnston writes:

42 TNA G8/900.

43 Bodleian Library of Commonwealth and African Studies at Rhodes House, Oxford [RHO]: MSS. Afr. S. 1935 (1): John Rooke Johnston: *Reminiscences of Colonial Service: Tanganyika, 1921–1948*: Johnston, J. Rooke, *Bits & Pieces, or Seven years in the Western Province of Tanganyika Territory 1933–1940*, 23 [hereafter: Johnston, *Bits & Pieces*].

44 Brown, *Ujiji*, 34–37, 98–104, 226–233.

45 TNA G8/900.

During the fire the headman's house was caught and, while burning, out of it came young crocodiles, iguanas, leopards and other curious animals. The headman was Jumbe Kheri, a Manyema obviously a wizard and a very old man.⁴⁶

Land Tenure and Politics in Bujiji

Having introduced the key players, let us now return to the actual litigation. The problem of assessing the property claims by Gosilatembo is twofold. For one thing, the German administration tried to find out where exactly Mwinyi Akida's – and Gosilatembo's – (alleged) property was situated, as we already touched upon in the first section. At the same time, different political orders, and hence different property regimes, overlapped when trying to reconstruct the legitimacy of land claims. This ambivalence not only affected an exile like Gosilatembo, but also the likes of Hoffmann and Schloifer. The 'traditional' Jiji political order was a fairly recent construct, based on the settlement after a Rundi or Tutsi invasion not much earlier than 1800 and on the typical tension between cattle and land as basis for wealth and power, which appears in all traditions of origin in the African Great Lakes region. I do not want to dwell too long in these histories of traditions, which come with a whole range of methodological complications far beyond the scope of this paper. What I do want to highlight is the double Jiji power structure that was derived from or justified by these traditions. On top of the pyramid stood the mwami (translated as 'king' or 'sultan'), who was linked to the Tutsi invasion and cattle-based branch of the story. He was first and foremost a secular administrative leader, although the symbolic role of regalia did play a part as well. He had the unequivocal power to appoint the *watwale* or *abatware* (singular *mtwale* or *umutware*), who exercised administrative authority on regional and local levels, but had no control over the land. The *mtwale* chieftainships were sometimes inherited from father to son, as in the case of Mwinyi Akida and Gosilatembo, but only with the approval of the mwami, who could dispose of his *abatware* at any time. The *wateko* or *abateko* (singular *mteko* or *umuteko*), however, were hereditary officials, responsible for distributing the land and for performing rituals to keep the land fertile and generous. They were beyond the control of the mwami.⁴⁷

As a consequence, being *mtwale* of a certain district does not result in entitlement to the land. Even the mwami did not have the ultimate say over land. Hence, Göring's conclusion that only mwami Lusimbo was entitled to the land Gosilatembo considered to be his property was not in line with the precolonial, so-called 'traditional', land ten-

46 Johnston, *Bits & Pieces*, 23.

47 Brown, *Ujiji*, 22–34.

ure regime in Ujiji.⁴⁸ The Bezirksamtmann in 1912 was aware of the prerogatives of the mtwale, but nevertheless overestimated the presupposed absolute power of the mwami. He wrote:

Zum Dank gab ihm [Mwinyi Akida] Mgassa ausdrücklich die kleinen Landschaften Bangwe und Kassio zu Eigentum [!]. Muniakida blieb in Kigoma wohnen und wurde gewissermassen Mtuale von Kigoma. Eine ausdrückliche Beschenkung mit Kigoma fand jedoch nicht statt; und der Mtuale ist nach dem Landesrecht nicht Eigentümer des Landes, sondern der Sultan, unter dem er steht.⁴⁹

In fact, it was rather the other way around. As we have seen before, Mwinyi Akida had been declared mtwale of Bangwe, which indeed does not make him proprietor of the land. We do not know whether or not he – without formal designation – acted as de facto mtwale of Kigoma as well, but we do know that his estate was in Kigoma. Hore visited him in 1878 in his dwellings on the island of Ruanza,⁵⁰ in the Bay of Kigoma, between the Bight of Kabondo and the Bight of Nyassa.⁵¹ This just so happens to be the exact location where the port of Kigoma was built at the beginning of the 20th century. This is still not an answer to the question of whether he actually owned that land, nor if this private ownership could be inherited. We will, more than a century later, not be able to provide a definite answer to that question. However, we have demonstrated that the criteria used by the German administration to address this question were not in line with the ‘traditional’ law (‘Landesrecht’) they pretended to respect.

In actual fact, not surprisingly, they adhered primarily to German land law, which in East Africa was based on a threefold principle: Land possessed by chiefs or African communities stayed in their hands, land already in private ownership in 1896 stayed in private ownership, and all unowned (‘Herrenlos’) land was Kronland under the control of the government. The possibility of acquiring land was limited and under government control. The government could also expropriate land in the public interest or in the interest of the natives.⁵² The problem with these principles lies in the difficulty of proving possession prior to colonization and hence also in the possibility of acquiring land from self-proclaimed private owners or from chiefs, who either claimed landed property or were presupposed to have the right to the land. These difficulties surfaced, not only when Germans assumed that all land derived from the mwami, but also when Hoff-

48 TNA G8/352.

49 TNA G8/900.

50 Back then Ruanza was still an island. The lake level dropped by 10 odd meters over the course of the 1870s and 1880s, turning Ruanza into a peninsula.

51 Hore, *Tanganyika*, 82.

52 Iliffe, *Tanganyika*, 127.

mann or Schloifer purchased land from Kheri in the future port area. It was sometimes in the interest of (some) German officials to certify the authenticity of land claims, and it was sometimes in their interest to contest these claims. The claims made by Kheri and Gosilatembo are a clear example of this: Hoffmann's land deed was authenticated by Kheri's property claim, but was annulled after a couple of years; Gosilatembo's claim, which was probably the most solid of them all, was refuted; and Schloifer's purchase, also authenticated by Kheri, persisted and was at least to some extent acknowledged by the administration.

When we have a closer look at Gosilatembo's case, von Grawert's remark, that the land at the harbour foreshore which was declared Kronland in 1903 lay fallow, was in fact substantiating the unowned status of the land and therefore the legal basis to declare it Kronland. In Gosilatembo's answer, dated December 5th 1903, with which he was assisted to an unknown extent by Dr. Neuhaus, Gosilatembo included several points that must be read against the background of the German East African land legislation. He primarily contradicted the 'Herrenlosigkeit' of his claimed private property. He did so by referring to buildings, mango trees, and slaves on the land, which were intended to prove that the land was taken care of, and by indicating that he continued to follow up on his property through his custodian Kheri 'until very recently' (bis in die jüngste Zeit). He called for an intervention by the government and suggested four witnesses who would be able to substantiate his claims. The second letter, much more than the first, is composed as a statement in preparation for a legal procedure. We should remember that Gosilatembo did not oppose the sale or the expropriation as such, but wanted a fair price, to be obtained either by selling his land to the government or by getting a cash compensation in the case of an expropriation. The fact that he listed the number of huts and the presence of fruit trees reads like a preparation for a compensation claim, because these are the type of immobile goods eligible for payment of damages.⁵³ We do not know if he was compensated in any way in the end, but in all likelihood, based on the traces of arguments found in the sources, his ownership was discarded on shaky grounds. This probably meant that his financial claims were rejected as well.

Conclusion

More than a century ago (1903–1906) German colonial administrators investigated a property claim by tracing the applicable property laws, the background of the claimant, and the evidence available for the claim. In the course of their quest, conflicting interpretations and additional land deeds came to the surface. The same issue found its

53 Wilhelm Methner quoted in Iliffe, *Tanganyika*, 128.

way into another legal/administrative case a couple of years later (1912), into a 'tribal history' for colonial administrative purposes in 1929, and into a doctoral thesis about the pre- and early colonial history of Ujiji in 1973.

In this paper I reconstruct the same dispute, but with a different purpose. I am interested in the power relations and interests at play, not in a clear-cut conclusion regarding Gosilatembo's entitlements. The colonial officers were guided by the administrative duty to reach an unequivocal solution for an initial problem. In contrast, the historian is guided by a quest for understanding, trying to explain rather than resolve ambiguities and paradoxes, and searching for invasive questions even more than for decisive answers. Scrutinizing an issue is not the same as making it plain, but can just as well mean finding out why certain things remain unclear. This is what I have done in this paper, by tracing fragmented voices, unravelling secrets and lies, relying on coincidence and prudence; and giving due credit to Adam Jones, whose diligence in the study of source material is both a model and a source of inspiration.

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