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Engendering the Gusii in colonial land policies between 1920 and 1939

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Abstract

The nascent discussion around colonial policies on the questions of land access, ownership and control in Kisii County has persisted. It emerges that the institution of colonial policies in these formative years had the collateral effect of constricting women's access, control, ownership and utilization of land as it became more contested and competitive. The analysis in this article is situated within the colonial agrarian policies context instituted and implemented between 1920 and 1939. The key policies in question were informed by the post-world war I economic meltdown dynamics which compelled the official enunciation of the dual policy. The paper interrogates the fundamentals of these policies and assesses the extent to

which they impacted on Gusii women's access, control and utilization of land in Kisii County. Further, the dramatics of the Great Depression on overall colonial agrarian policies in rural Kisii that bestowed an imprint on issues of women's access, control and utilization of land are explored. The article critiques the alterations or contradictions exhibited in colonial agrarian policies in the wake of African household response to the measures instituted earlier to stem-off the negative consequences engendered by the Great Depression on the rural Gusii economy in the period. The article also evaluates the effects of the control strategies on Gusii women pertaining to land access, control and utilization.

Keywords: Colonial Policies, Gusii-Land, Legget, Agricultural Policies

Background

With the devastating impact of the First World War, the Colonial Office in London diverted its attention to higher imperial interests beyond the East African colony. This allowed room for the settlers to gain influence in the Colonial State and push for the protection of their interests as the European elected representatives could articulate and defend settler interests at government policy level. By the 1920s, the settlers had managed to gain the right to elective representation in the Legislative Council, therefore, gaining greater political influence that boosted their economic dominance. The settlers would then push the Colonial State in Kenya to make their demands accepted by the Colonial Office.¹ The Post World War I period saw the colonial office in London concentrate more on enhancing economic stability of the colony. It made the colonial state to transform its land use approaches in order to realize higher agricultural yields. While initially the colonial state had focused on settler production and protection of settler interest especially in agricultural production,² through provision of loans, agricultural extension services and guaranteed markets for the European settler produces, it turned out that settler production alone could not sustain the colonial economy. The colonial government, therefore, turned to African production to fill the void due to steadily declining agricultural production by settler farmers occasioned by the depressed prices during this period. As evidenced in the First World War, the colonial state in Kenya supported settler agricultural production to ensure supplies for the war. The colonial state in Nairobi passed various policies that majorly aimed at spurring settler production. The war period, therefore, saw important gains made by European settlers. For example, the total export share for coffee and sisal rose from 32% to 57% while the export value of African products remarkably declined³.

¹ Robert Maxon, The years of revolutionary advance 1920-1929 W. R. Ochieng, Ed, 1989) *A modern History of Kenya 1895-1980*; Evans Brothers, Nairobi, 74

² David Anderson and David Throup "Africa and Agricultural Production in Colonial Kenya; The myth of the war as a watershed" *A Journal of African History* 26 (1985) 329-330, Robert Maxon, 1984, *Going their separate ways* 57

³ Makana, E.N "Reinterrogating the interface between settler and peasant sectors of Kenya's colonial economy 1901-1929". A paper presented in a workshop on new frontiers in African Economic History, Geneva, September 2012.

While the colonial office in London concentrated on the war efforts, the colonial state and the men on the spot in Nairobi leaned more towards settler needs to ensure settler agriculture flourished. In the Crown Lands Ordinance of 1915, for example, the colonial office in London had allowed the colonial state under pressure from the settlers, to give an extension of land leases to 999 years, making it convenient and cheaper for settlers to lease land. Equally, the colonial governor was given veto power over land transactions between members of different races thus defining all land occupied by Africans as crown land by 1919, thereby making Africans tenants at the will of the crown.

The aftermath of World War I and the ensuing land policies in Kisii, between 1920-1922.

At the end of the First World War, the colonial state embarked on the settlement of the ex-World War I soldier in the settler schemes that had been set aside in Trans-Nzoia, Laikipia, Nyeri, Kipsigis and Nandi reserves. Governor Sir Edward Northey pushed the colonial state to allow ex-world war I soldiers with resources to settle in Kenya. This led to an influx of European settlers and land agents into the country. These hoped to increase settler production and by extension the colonial economy.

In order to boost the colonial revenue in the colony, the Colonial State endeavoured to raise taxation after world war I to meet increased financial needs. An income tax law was introduced in mid-1921⁴ for both Africans and settlers. Through their representatives in the Legislative Council, the settlers repealed the Income Bill and were relieved from tax payment in 1922.⁵ While the Africans in the reserves as illustrated by the Gusii continued to bear the burden of revenue remittance through increased taxation, the colonial government used the revenue on subsidising the settler economy especially in the area of agriculture. Settler areas and urban centres that were mainly occupied by the settlers witnessed a heavy inflow of capital. Railway extensions were constructed to connect settler areas to the main railway line for settler accessibility to and from market centres. This was done using African forced labour through coerced recruitment in Kisii and other African reserves.

The colonial state in Nairobi led by Governor Northey strongly supported the settler mode of production at the expense of African agriculture. In the Northey circular of 23rd October 1919⁶, the Governor directed that the state shall help the settlers in accessing labour supply by stressing on his administration officers, chiefs, and headmen to use every lawful influence to make or even coerce able bodied Gusii men to go to work. This policy was implemented without approval from the colonial office in London. Owing to the fact that the colonial state in Nairobi was under pressure from settlers, the colonial office allowed the colonial state to source for forced labour. The statistics below in table 1 provides the trend in labour recruitment between 1919 and 1924.

Table 1: Units of African Labour in Employment 1919-1924

Year	Men	Women	Children	Total
1919-1920	45,005	3,917	4,789	53,711
1920-1921	55,939	4,911	6,539	67,389
1921-1922	51,753	4,261	5,935	61,949
1922-1923	54,406	6,609	9,942	70,957
1923-1924	66,993	8,316	11,784	87,093

Source: Colony & protectorate of Kenya, department of Agriculture, Annual Report 1924

Table 1 above illustrates how the Northey Circular led to a steady increase of labour recruitment from 1919 to 1924. To secure regular and reliable labour supply as had long been pushed by settlers, a registration measure was put in place where all men sixteen years and above were required to carry an identification document that doubled as a work record. The registration document popularly tabbed the *Kipande* was put in operation from the 1920s, forcing more Gusii men to join the labour force in order to boost settler farming.⁷ McGregor-Ross notes that by the end of 1920, 194,750 Native Registration Certificates were issued which increased to 519,056 by the 1924 and 119,7467 by 1931,⁸ with a substantial portion of these registration certificates going to the Gusii men in Kisii reserve.

During World War I, the massive recruitment of men into joining the war pushed many Kisii men into migrant labour to avoid conscription to the war fronts. This enabled settler farmers to enjoy regular supply of African labour from Kisii. The supply, however, declined as the war came to an end and the labourers (the Gusii men) started trickling back into the Gusii native reserves. The former labourers would join in the family household farming putting more land under the plough. Parenthetically, the World War I violently disrupted indigenous forms of agricultural production in Kisii, as large numbers of Gusii men conscripted into military service or carrier corps, and many others being forced into migrant labour which took a heavy toll on indigenous 'human capital.' Almost half of the men returning home from Carrier Corps duties were reportedly not fit for hard work again for a long time.⁹ This left the bulk of the family chores, agricultural duties and responsibilities to be handled by the Gusii women.

The colonial state in Nairobi put in place measures that would push the Gusii into the capitalistic commercial production of grains so that the community got enough farm produce for subsistence and surplus for sale. First, the colonial government introduced taxation¹⁰ in 1901 under the Hut Tax Regulations. The hut tax increased from one to two rupees in 1902 and by 1903, it had been increased to three rupees. 1909 saw the introduction of Poll tax which stood at five rupees in 1915 and eventually rose to sixteen shillings (the new currency) in 1920,¹¹ which had to be paid in monetary form which was previously not in circulation. Western goods were introduced that could be purchased

⁷ Ibid, 72

⁸ McGregor-Ross, W. (1968), *Kenya From Within*. London: Frank Cass.

⁹ Alila, P. (1984). *Kenyan Agricultural Policy: The Colonial Roots of African Smallholder Agricultural Policy and Services*. Institute for Development Studies. University of Nairobi. Working Paper 327.

¹⁰ David L. Neigus 1971, *Conflicts Over Land* 57-60

¹¹ Makana, E.N "Re-interrogating" 6.

⁴ Ochieng' W.R 1989, *Themes in Kenyan History*

⁵ Ibid.

⁶ Maxon The years of revolutionary advance 1920-1929 Ed Ochieng W, R. 1989,73

using money. Moreover, the cattle that the Gusii could sell to get money was rapidly depleted after the outbreak of diseases such as rinderpest, confiscation of cattle by the colonial administrators, as well as the placement of a ban on the movement of cattle outside Gusii land¹². Equally, the young Gusii men who used to carry out raids to replenish their stocks were dispersed after the disbandment of the traditional youth camps (*ebisarate*) and were now at home. The community thus increased the land under cultivation in order to get surplus produce to be sold to enable the Gusii get money for the payment of tax. The men equally took to grain farming as an alternative to raise money for taxes. However, the start of the 1920s saw Gusii-land suffer double tragedy of drought and locust invasion especially in South Kavirondo District and the Northern parts of the district¹³. This affected the production of both maize and finger millet in Gusii region and other parts of the South Kavirondo District.

The years 1918 and 1919 saw the Gusii experience one of the worst famines. The rains failed in many parts of Kisii-land resulting in famine in many African areas. This forced the Colonial Government to import food to avoid starvation¹⁴. At the same time, the Gusii suffered from the world-wide influenza attack that killed many Gusii and shook their economy. Between 1919 and 1922, therefore, Kenya suffered a depressed economy as farmers were hit by the collapse of prices of their agricultural produce both internally and externally¹⁵. In South Nyanza which Kisii was part of for example, business closed down as the Asians closed shop and business grounded to a stop¹⁶. The settler cash crop exports were severely affected as prices for coffee and tea went down by over 50 percent¹⁷. The fall in prices forced the settlers to cut down on African labour and wages. This made Gusii unable to meet their tax obligations, thus plunging the Gusii economy into greater economic challenges.

The effects of the mini depression, therefore, led to African protests against high taxes, low wages and land alienation that culminated in the formation of political associations such as the Young Kikuyu Association, the East African Association and the Young Kavirondo Association. The Gusii by this time had not joined the political movement till November 1945 when the Kisii Union was formed both as a trade union and a political association led by John Kebaso of North Mogirango¹⁸. This was because of the late arrival of the colonialists and the fact that the Gusii did not experience massive land alienation like the neighbouring Kericho. Consequently, although women's land rights, control and usufruct in the pre-colonial Kisii were relatively insecure to the extent that they only had usufructuary rights and did not

enjoy the rights of ownership or disposition, the advent of the colonial state demand for increased agricultural production and expanded land use after 1922 saw the security they had in the utilization of land eroded gradually and eventually extinguished with the passing of legislations which failed to recognize the user rights that the Gusii women enjoyed previously. From the onset, the colonial state was pressing for the necessity of more land to be alienated for European settlers on a freehold arrangement. As most of the early European travellers and adventure seekers noted; they had found large tracts of land without people, consisting of forest country which was full of antelopes and lions and other wild animals. However, this African land as exemplified by Kisii-land had its rightful controllers, users and owners¹⁹ who were by right/rite the Gusii women.

Furthermore, the principles of obligation and responsibility under indigenous Gusii land tenure system had guaranteed women's access to land and control over food crops. The colonial intrusion instilled conflicts and contradictions between the foreign type agricultural production and the Kisii traditional agricultural economies of affection.²⁰ In the 1920s, the rights of Gusii women concerning ownership, control and use of land in the area were further interfered with, by the introduction of capitalist production and reproduction for gendered gains. In particular, more colonial land reforms negated and progressively reversed the existing Kisii traditional order and eventually introduced male domination in land ownership and income generating agriculture.

Nasimiyu²¹ correctly notes that since the production of cash crops and subsistence crops were directly linked to the access to land, Gusii women were in the colonial period confronted with a whole range of handicaps in fulfilling their role as primary producers. Therefore, the lack of Gusii women control over land and all that goes with it in Kisii became a major cause of women's economic dependence and marginalization. Without land, Gusii women were reduced to a state of dependency with no sense of social and economic security. The more land was reserved for commercial crops in Kisii, the more women became increasingly reliant on a cash oriented domestic economy. The Gusii women could no longer produce sufficient food as their labour was transformed and reallocated to commercial crop production, the monetary benefits of which were the preserve of Gusii men.

Moraa Nyakundi narrates that when her father went for migrant labour, they were left with her mother to work extremely hard on their piece of land, just like her step mothers, for sustainability in the household. However, when the father came back from work, he made her mother surrender part of the land they had been given as their share to be added to the father's already existing *emonga* (exclusive piece of land for the homestead patriarch). The

¹²Gavin Kitching 1980, *The Making of an African Petite Bourgeoisie*, Yale university Press, London

¹³Great Britain, Kenya Land Commission Evidence and Memoranda vol 3 1934, 2272

¹⁴Maxon R.M. The years of revolutionary advance, Ed Ochieng W. R 1989, 72

¹⁵I. D. Talbot, 1974, The Kenyan Flax Boom, *Kenya Historical Review* 2, 62-3

¹⁶SKAR 1918-1919, 1919-1920, 1920-1921, 1922, KNA; DC/KSI/1/2

¹⁷Ibid.

¹⁸Robert M. Maxon, 1984, Conflict and Accommodation in Western Kenya' 125-127

19 Ochieng, W. R. (1974). *A Pre-colonial History of the Gusii of Western Kenya, c. 1500-1914*. Nairobi: East African Literature Bureau.

20 Munro, J. F. (1968). *The Machakos Akamba Under British Rule, 1889-1939: A Study of Colonial Impact*. Ph.D Thesis, University of Wisconsin.

21 Ruth, N. (1985). Women in the Colonial Economy of Bungoma: Role of Women in Agriculture, in *Women and Development in Africa* 56-73 (G.S. Were ed.)

father then planted his own maize for sale to enable him pay tax. This meant that the women's land for food production was being reduced as there was no more land for expansion. This created a conflict between the Kisii traditional system of agriculture and the colonial one in the 1920s. This conflict contradicted the norm as women in Kisii were disempowered. Also, the family members, especially women, had to spare some days to work on their husband's *emonga* from where they received nothing. This became the coronation of the capitalistic mode of production in Kisii and exploitation of the Gusii women labour.²²

The 1920s further saw new opportunities for Gusii men. First, a larger number of the men after having come out of the youth camps (*ebisarate*) found it necessary to go for wage labour in order to get money for payment of taxes. This in reality allowed Gusii women unilateral access to and control of the land back home as the men were out waging. By 1922, over three hundred Gusii men had been recruited to work outside Kisii-land.²³ However, it is important to note that most Gusii men preferred working not far from home so that they could return home when they earned wages to invest the money through their women in agriculture and other productive activities. This explains why Gusii men never opted not to work in railway construction or as squatters in settler farms away from their homeland.

The Dual Policy attempts in Kisii-land

The mini depression had adverse impact on the colony's finance. By 1922 the colonial state had a deficit of six hundred thousand dollars²⁴ with Governor Northey having spent increased revenue on expanded administration and support of European settlers in agricultural activities. On the other hand, African production was never completely crushed by the lack of colonial support. On the contrary, African production in most districts as exemplified by Kisii increased. The districts were able to produce surplus for the local markets in urban centres, settler farms and for neighbours who sometimes suffered from drought. The Colonial office in London, therefore, pressurised the Nairobi colonial state to balance its budget. In 1922, Sir Humphrey Legget, Chairman of the East African branch of the London Chamber of Commerce sent a report to the Colonial Office maintaining that reliance on the European settler mode of production was costing Kenya dearly. He noted;

"...the solution to Kenya's problems was to stimulate African production by spending more on the reserves while reducing the load of African taxation..."

This marked the official state recognition of the vital role of African reserves like the Kisii reserve in the colonial economy. Legget recommended low value African production alongside settler bulk, high value and capital-

intensive production.²⁵ The Colonial Office in London with W.C Botommley as the head of the East African Department at the colonial office was thus convinced that African taxation had to be reduced, their mode of production stimulated and expenditure on their production increased. Under pressure from the Colonial Office, the Colonial State under Northey reluctantly endorsed the idea of government resources being partially utilized in support of African production²⁶ which occasioned his exit as governor.

In July 1920, the transformation of the East African Protectorate to colony status enabled the colonial office in London to have a grip on the colonial state and reengineer the interests of the African natives as evidenced by the recall of Northey and the coronation of Coryndon to execute the Dual Policy. This happened after the colonial office in London had lost sight of the colonial state in Nairobi as the colonial office concentrated on the war efforts. The short lapse of metropolitan control over Nairobi created a vacuum that was filled by the white settlers who used their dominance to manipulate the man on the spot in Nairobi to their advantage. In June 1922, Northey was recalled, Coryndon replaced him in Nairobi. Coryndon conceived and adopted the policy that came to be widely accepted as the Dual Policy where African production in reserves and settler production would develop complementarily²⁷ The policy was adopted by the colonial office London to straddle settler agriculture with African peasant agriculture, especially in reserves like the Kisii native reserve.

Despite the popularisation of the Dual Policy in the 1922, the policy never boosted local production in Kisii. Instead, for the rest of the period, settler production for export in the neighbouring Kericho was prioritized by the Colonial State. Even when there had been calls for African bulk production in the reserves, this never came to pass. Settler agriculture, therefore, expanded in the second half of the 1920s. 1926 illustrates with African produce only accounting for £470,750 out of a total agricultural export value of £2,211,665 and in 1927-28 alone their exports exceeded two million pounds²⁸. The settlers increased in number and production would then lead to increased demand for Gusii labour which reduced Gusii production caused by labour drain. Moreover, land purchase was subsidised especially during the period of the mini depression to make it affordable to the settlers. The increased white settlement also meant increased demand for African labour.

In Gusii, like elsewhere, the colonial state had not done much initially to promote African agricultural development. However, over time, the Gusii realized increased production of grains out of their own responsive measures as they put more land under agricultural production. This led to the occupation of empty lands and frontier land to the East of Sotik while the South of the current Trans-mara region was not spared.²⁹ This expansive utilization of land led to increased production especially of grains, thus promoting

²⁵Ian R. G. Spencer.1981, The first World War and the origins of the Dual Policy in Kenya,1914-1922, *World Development* 9, 742

²⁶ Robert Maxon Modern History of Kenya, 81

²⁷Ibid,89

²⁸Department of Agriculture Annual Report 1929, 651

²⁹David L Neigus Conflicts over Land; A study of Expansion and Inversion in Gusii Society. Thesis, Harvard College, 1971; 46-50

²²MoraaNyakundi 90, Bomachoge 12th December 2019

²³Robert M. Maxon 1984, Conflict and Accomodation in Western Kenya the Gusii and the British,1907-1963, Fairleigh Dickinson University press London. 79

²⁴Robert Maxon,The years of revolutionary advance. ED Ochieng W. R.1989, A Modern History of Kenya 84-85

production and sell of surplus produce. These changes greatly impacted on land tenure systems and gender relations in Gusii.

The expansion of farm land under cultivation could later be enhanced by the colonial government's introduction of better farm implements such as the iron hoes and oxen drawn ploughs as well as quality seeds.³⁰ Therefore, the 1920s saw the Gusii increase the production of grains such as finger millet and sorghum, which became their commodities of trade with their neighbors, especially the Luo and the Kipsigis. This prompted the Nairobi based colonial state to seek to improve the quality of African production in the Kisii native reserve by introducing quality seeds and improved production techniques such as the understanding of soil fertility and climate patterns as well as ecological zoning in the region. With regards to marketing, the state-owned marketing cooperatives provided the settlers an edge over the Africans which prompted the Gusii women to resort to local and black markets within the area and the neighbourhood. The cooperatives in practice regulated prices of agricultural commodities where they offered extremely low prices for agricultural produce originating from Kisii and its environs.

Initially, the Gusii were seen and treated essentially as a source of labour for the neighbouring Kericho. They produced much of their food requirements in the reserves and often realized surplus for sale, hence subsidizing the colonial economy. The 1920s saw a lot of pressure exerted on the Gusii to intensify the production for more grain which included finger millet, sorghum and maize³¹. Once the market economy had picked up in Kisii, men and women were presented with new opportunities and choices to improve their livelihoods and those of their families. One such opportunity was engaging in formal education. The introduction of formal education in Kisii started in the early 1920s with the establishment of missionary schools such as Nyanchwa in 1918 and Nyabururu in the 1920s.³² The few men who acquired formal education found it easier to get jobs in the colonial government where they were appointed to work as administrators and clerks.³³ Others were absorbed to work in the settler agricultural fields as supervisors and office secretaries. Subsequently, the Gusii men started demanding for formal education in government schools that were deemed to provide quality education compared to missionary schools.³⁴

Also, the Gusii people's increased interest in education was because of the enhanced efforts and campaigns by the church missionaries and government officials. Thus, the chiefs and village headmen stressed the importance of formal education to their people. However, from the very beginning Gusii girls and women, as was the case in other African reserves, were excluded from formal education and this marked the beginning of new gender roles in the labour market and property rights in Kisii. Women were particularly required to stay at home and carry on with domestic chores as men's new roles were beginning to be shaped based on formal education, employment and migrant

labour. The educated men used their salaries to engage in commercial maize growing.³⁵ Mokeira Omari exemplified women who were left behind as their male counterparts progressed in education. She vividly recounted how two of her younger brothers were taken to school at Nyanchwa in 1924 while she remained at home to take care of her other younger siblings. The brothers later got employment as clerks in European demonstration farms and earned money for personal development while she still remained at home helping her mother with farm work as her father worked in Kericho.³⁶

To promote native Gusii agricultural economy in the Kisii reserve, the colonial state prepared grounds for the capitalist enterprises in Kisii region and its environs. The colonial state through the chiefs in the Kisii region pioneered the enterprise. The chiefs were the first to engage in modernized mechanized farming and formed the majority of the people who owned grain grinding mills.³⁷ Furthermore, the chiefs used their positions to influence access to land, labor and improved seeds as their farms acted as demonstration farms. The colonial state equally supported the agrarian transformation of the chiefs through whom they promoted their capitalist agenda. In 1924, the colonial state introduced the Local Native Councils, a strategy in which African development in African areas/reserves like Kisii would be secured without necessarily using resources from the central government.³⁸ The Council assisted Gusii women farmers and traders to improve on their agricultural productivity and marketing. The Council became the source of capital for Gusii women in agriculture, business and became the source of salaried employment in Kisii.

In 1923, the colonial government established a system of location-based tribunals that handled civil cases in areas like Kisii³⁹. The tribunals replaced the indigenous African Councils of elders that existed in the pre-colonial and early colonial periods. With the creation of the colonial court system, the Gusii in the Kisii reserve adopted and accommodated this new system of litigation with little customization. The District Commissioners observed that the people in the Kisii reserve loved litigation and wasted their time and resources in courts instead of utilizing the time, energies and labour resources for economic and agrarian development given the productivity profile of the area.⁴⁰ Between 1924 and 1926, the colonial state established a Local Native Council (LNC) in every District, chaired by the District Commissioners. In Kisii, a Native Council was established in 1925.⁴¹ The local members of the Native Council, such as Chief Musa Nyandusi, used their position to push for local/women gains⁴². However, with time, the Local Native Council pushed for the needs of the

³⁵ Musa Ayako, 85. Nyaribari Chache, Jan 2020

³⁶ Mokeira Omari 94, Kitutu, January 2020

³⁷ South Kavirondo Administration Report, 1928, KNA: DC/KSI/1/3

³⁸ Kitching, Economic Change, 188.

³⁹ Robert M. Maxon 1984. Conflict and Accommodation. 87-88

⁴⁰ South Kavirondo Administration Report, 1929, KNA: DC/KSI/1/3

⁴¹ South Kavirondo Administration report 1926, KNA: DC/KSI/1/3.

⁴² Robert Maxon: In (Ed) W. R. Ochieng, 1989, Modern History of Kenya, 97

³⁰ Robert M, Maxon 1984, Conflicts and Accommodation. 57

³¹ Department of Agriculture circular. 22-31 October 1932. KNA: PC/NZA/3/2/106

³² SKAR 1923, KNA: DC/KSI/1/2

³³ Focused Group Discussion at Bonchari, November 2020

³⁴ R. M. Maxon. 1984, Conflict and Accommodation, 84.

community such as advocating for quality government education and the provision of medical and agricultural services which explained the Musa Nyandusi High School legacy.

Kisii in the Depression and Beyond, 1929-1939

The great depression of 1929 was as a result of changes and volatility of the world market system. It started with the collapse of the Wall Street stock market in New York in the United States of America. This led to a worldwide economic downturn that began in 1929 and lasted till 1933, colonies included. Prices of primary commodities dropped sharply in Kenya, just like many other colonies. Further, the depression disorganized primary commodity production and export trade of the white settlers in Kenya. The depression sparked off fundamental changes in economic and social institutions and macroeconomic policies. In particular, the great depression caused drastic declines in production, severe unemployment, and acute deflation in most parts of the world, with far reaching implications on Kenya's rural agricultural economy.

The great depression further affected the prices of settler crops which sharply declined. The settler monopoly of commercial production for export was now under threat. In Kenya, the fall of export prices coincided with the fall in government revenue. By 1934, the value of Kenya's export dropped to levels they were in 1922-23.⁴³ Maize which was predominantly produced in Kisii was hard hit as its prices fell by half while coffee fell by forty percent. It ushered in increased need to further expand agricultural production in the African native reserves like Kisii and to exploit other natural resources. Furthermore, the colonial state placed increased attention on the Kisii reserve with the intent to increase agricultural production and supply of requisite colonial commodities. Consequently, more land was put under the plough in Kisii than was the case hitherto. Land became a more contested resource with major implications on gender relations among the Gusii, owing to the agricultural utility value of the area. Ochieng' captures it that by the mid-1930s, about one-fifth of all usable land in Kenya was under agricultural control and utilization⁴⁴ with Kisii in the lead.

In the 1930s, migrant labour had become popular with the Gusii men. The effects of the great depression made many Gusii men move out to maximally utilize the available land in their localities as many more moved to Sotik and Kericho tea estates as an alternative to agricultural production. In 1936, eighty percent of the 2813 men working in the tea estates came from Kisii⁴⁵. Other Gusii men went to neighboring South Kavirondo and Lolgorien region to work in mining centers.⁴⁶ Notable, the men worked on contract basis and kept links with their homeland where they returned whenever agricultural need arose. When the maize prices improved in 1937, the Gusii men concentrated on putting more land under maize production instead of going

out for wage labour.⁴⁷ As the District Commissioner noted, there was a considerable shortage of labour in South Kavirondo that not even raising of wages and other incentives influenced enough Gusii men for the required workforce.⁴⁸ Thus, as the production of grains especially maize increased in the 1930s, the Gusii found a ready market for their surplus produce in their neighbors the Luo and among migrant laborers, especially in Kericho and Sotik. Particularly, the grains were sold to the migrant workers who provided an alternative market for the Gusii farm produce. Nevertheless, despite the turbulent economic times of the day, Kisii produced commodities in Kenya's export for the decade as Gusii agricultural production during the great depression was neither stultified nor crushed. Indications from oral sources are that Gusii agricultural production increased during the great depression, which can only be attributed to Gusii response to the prevailing times.⁴⁹ Table 2 below provides testimonial evidence of the quantities of maize and wimbi produced in Kisii in the 1930s.

Table 2: Maize & Wimbi produced by the Gusii between 1936-1938

Year	1936	1937	1938
Maize (tons)	689	2378	1226
Wimbi (tons)	631	541	688

Source: SK Ag ARs 1937-39, KNA: AK/2/33

Table 2 reveals that the Gusii production of Maize and wimbi was on the increase during the decade despite the turbulent times, in addition, as migrant labour employment rebounded in the 1930s for many Gusii men. The increasing common absence of men adversely affected Gusii women as they were required to take on a substantially increased share of agricultural labour.⁵⁰ However, as Kitching postulates, production continued to expand through the 1930s, as migrant labour had little negative impact on African agriculture as the Gusii women and their non-migrant men were able to increase their labour time and employ new tools (iron hoe and oxen plough) and the introduction of new crops such as maize, groundnuts and exotic trees to increase productivity.⁵¹

From the early 1930s, the Gusii were increasingly initiated into the commercialisation of life in the reserve. Cash was increasingly used for services and purchases of items such as footwear, utensils, furniture, hoes and ploughs. The more commercialization of rural life grew, the more Gusii women found themselves marginalised, as the Gusii men collaborated with the colonial officials to whittle down and erode women's legal rights, especially as relates to access and usage of land. This was done through the incorporation of traditional laws that favoured men into a new body of laws drawn up by the colonial state. This resulted in the

⁴³Tabitha Kanogo, Kenya and the Depression 1929-1939, W R Ochieng, 1989, 115.

⁴⁴ David L. Neigus: Conflicts over Land, A Study of Expansion and Inversion in Gusii Society. Thesis, Harvard College, 1971

⁴⁵SKMIR for October 1936, KNA: PC/NZA.4/5/8

⁴⁶Robert Maxon Going their Separate Ways, 78

⁴⁷Orvis, Men "Women and Agriculture" 8-11

⁴⁸SKMIR July 1937, KNA: PC/NZA/A/5/8

⁴⁹ Group discussion with elders from Bobasi and Bonchari, Dec 2019

⁵⁰ Hay, M. J. (1972). *Economic Change in Luoland: Kowe, 1890-1945*. Ph.D. diss., University of Wisconsin-Madison.

⁵¹ Kitching, G. (1980). *Class and Economic Change in Kenya: The Making of an African Petite-Bourgeoisie*. New Haven: Yale University Press.

emergence of new sexist colonial laws.⁵² For instance, with the Gusii men being the ones who got formal education and migrant labour that gave them a cash advantage, it was thus clear from the word go that the colonial state was a male world. This was blended with the traditional patriarchal system to produce a structure that to a large extent disempowered Gusii woman. Rhoda affirms western ideological imperialisms and the introduction of capitalism and subsequent neo-colonialism were the linchpins of gender inequality as exemplified by the Gusii people.⁵³

One link between the Kisii pre-colonial and the early 1930s colonial experiences was the consistent denial of women rights of independent access to land and the control of resources that were produced by a combination of land and labour. As the Gusii tradition showed, the most salient fact about women's access to land was that it typically remained and continued to be, derived from someone else rather than existing independently and directly. As such, rights to land only accrued to Gusii women as a result of their status within a family. However, the problem lay in the fact of the mutability of such status and of the rights they struggled to retain. In the late 1930s, as land got more and more scarce and given that the unoccupied land was getting exhausted, Gusii women's access to land, use and control were affected for more and more men were getting back home to control their ancestral land for commercial production.

In a situation where land was in abundance and the social organization ensured that women held important structural positions, women's right to access and use of land was secure. However, as land got progressively subdivided and limited in the 1930s, Gusii women gradually lost the security and power they had initially enjoyed. Their inability to get and own land other than through the status of a wife and the inability to inherit land in the land regulations of the 1930s adversely affected their future land rights and their socio-economic status. The whittling away of women's land rights by the changes instituted by the colonial state was a direct result of their disabilities arising from the customary rules of inheritance and the customary division of labour which had resulted in Gusii women not being able to directly acquire land for themselves. Whitehead & Tsikata aver that most rural African women play a substantial part in primary agricultural production, making the complex of local norms, customary practices, statutory instruments and laws that affect their access to and interests in land very significant not only to them, their dependents and their male relatives, but also arguably to levels of agricultural production.⁵⁴

Although Gusii women's land rights in the pre-colonial period were insecure to the extent that they only had usufructuary rights and did not enjoy the rights of ownership or disposition, the advent of European settlement and colonialism in Kisii in the 1930s saw whatever security they had in land being eroded and eventually extinguished with

the passing of further colonial legislations in the years to come that failed to recognize the land access and user rights Gusii women previously possessed. Omandi⁵⁵ observes that Colonialism stopped further movement to new lands. Land started being partitioned into smaller holdings. Clear permanent boundaries were introduced. Land was initially marked using hills, rivers, valleys and specific trees. However, with the creation of permanent boundaries, clan land remained static as human population within families and clans increased leading to reduced land that can be used for cultivation and food production by the Gusii women.

Monyenye,⁵⁶ affirms that the British never cared much about the Gusii women in the 1930s since they were excluded from any form of public work and they had no formal education. Moreover, their traditional role as primary food producers that gave them mandatory access to land was sidestepped in the 1930s by the colonial state. Women in the 1930s were no longer to hold the land in custody for their growing sons as commercial agricultural production took over. The commercial agricultural production in 1930s reinforced the idea of Gusii men as eligible and absolute owners of land. The colonial authorities found it appropriate to equate the power held by traditional male Gusii elders in the allocation of land to the western conception of property ownership to the exclusion of Gusii women, which created the 1930s gender paradox among the Gusii. In this case, the Gusii women lost the guarantee of the traditional land tenure systems in the mid-1930s which had traditionally allowed them to access and use land for agricultural production. In traditional society there was no hunger as women always farmed enough land for the subsistence of their children. It is until the mid-1930s when women were increasingly deprived of the opportunity to utilize the land that families and the whole community started experiencing hunger and food shortage.⁵⁷

Therefore, it is clear that the colonial state in mid-1930s by design ruthlessly, suppressed the indigenous women friendly mode of land ownership, usage and agricultural production in Kisii which adversely affected Gusii women participation in economic production and social progress. Ong'esa avers that the 1930s colonial land policies stopped free movement to new land. Trends in land ownership changed, as colonial officials were given powers to make decisions over issues of land without considering and consulting Gusii traditional land use. They introduced punitive restrictions to land where the Gusii men became the owners of land as the colonial state handled all matters related to land with only men in Kisii area.⁵⁸

From Ongesa's narrative, it is apparent that the commodification of land entrenched capitalism in the late 1930s among the Gusii. Gusii men started dictating how, when and where land was used, and; they also started exploiting Gusii women labour for their personal benefits. Furthermore, communal protection of Gusii women's access to land was curtailed with the introduction of exclusive male tribunals in Kisii that were less likely to take into consideration existing Gusii women's plights. At worst, the Gusii women were left to fight for their survival on their own towards the end of 1930s. In the prevailing situation,

⁵² Jane, P. (1986). *Women's Rights and the Lagos Plan of Action*, 8 HUM. RTS Q. 180

⁵³ Rhoda, H. (1984). Women's Rights in English Speaking Sub-Saharan Africa, in *Human Rights and Development in Africa*, 46.

⁵⁴ Whitehead, A & Tsikata, D. (2003). *"Policy Discourses on Women's Land Rights in sub-Saharan Africa: The Implications of the Return to the Customary"*. *Journal of Agrarian Studies*, 3 (1-2), 67-112.

⁵⁵ David Omandi (Age, 55; 21 December, 2019)

⁵⁶ Ernest Monyenye, (Age 67; 20, December, 2019)

⁵⁷ Monyenye

⁵⁸ Elkana Ongesa (Age, 60; 19, December, 2019)

some daring Gusii women persuaded their husbands to give them a share of the family land.

While the increased need for migrant labour put more pressure on women's labour time, Kitching⁵⁹ suggests that this early period should be characterized simply as one in which underutilized male labour was absorbed and employed, resulting in large increases in production in Gusii and other African native reserves. Labour was underutilized in part because colonial conquest largely nullified the indigenous juridical, political and military roles that men of all ages played in their societies.⁶⁰ Thus, in trying to find out how colonial state policies affected gender relations in food production and land use, Wangari⁶¹ argues that alienation of more land and the conscription of African male labour played a critical role in the transformation of gender land relations in most of parts of Kenya as illustrated by Gusii. This new development made more able-bodied men go to work as migrant labourers leaving women in the African reserves with more responsibilities. Functions such as, clearing and tilling of virgin land that were previously solely done by men were left to women and children. Norah Mong'ina indicates that she learnt to clear the thick bushes near their home from her mother who had to work for long hours to put more land to crop farming while her father had left to work at Kericho.⁶² Further, due to the traditional patriarchal setup, women were often unable to exercise their economic and social rights. Hence, Gusii women were overburdened with various agricultural tasks in the absence of their able-bodied sons and husbands. Lonsdale and Berman⁶³ indicate that the establishment of capitalistic production depended upon the appropriation of African land and labour, a point Ndege⁶⁴ concurs with when he notes that at any rate, the British colonial economic policies in Kenya including land alienation for European settlement, taxation, and migrant/forced labour, export production, railway & road transport and communication, education and health had complex and far reaching implications on the livelihoods of the Gusii in the Kisii reserve.

The interplay between land ownership system and crop production in Kisii cannot be well analysed without gender and labour relations analysis in the area. Among the Gusii, it is the women who were primarily responsible for food production, household management and the nurturing of children. By the start of the 1930s, a large number of Gusii men were out on migrant labour leaving their wives with

increased agricultural and household tasks.⁶⁵ In spite of maximizing on their labour, agricultural policies marginalised women not only in cash crop production but also in the provision of formal education. Ndeda⁶⁶ asserts that colonialism was discriminative to the African (Gusii) women who were overburdened in the reserves in the absence of male labour. In this regard, the Gusii women became the sole agricultural producers in Kisii reserve. They planted, weeded, harvested, stored and managed their food harvests both in the presence and absence of men until colonialism contradicted this norm.

This marginalized women in Kisii further and it entrenched gender inequality in land ownership. Therefore, while colonial capitalism provided some new opportunities in Kisii, the Gusii men exploited them selectively in the mid 1930s to accrue, accumulate wealth and expand individualistic agricultural output. It peripheralized a large part of the women population. In addition, the new mode of production hindered and, in some cases, ruined indigenous patterns of agricultural production that were hinged on women.

Traditionally, in a situation where land was in abundance, the social organization of the Gusii society ensured that women maintained important social and structural positions, as their rights of access to and control land for usufruct were to a larger extent secure. However, the promulgation of new land tenure systems and agrarian changes conflicted and contradicted the traditional tenets of the Gusii as women gradually lost the security and power they had hitherto enjoyed traditionally. Equally, by 1937, the colonial state abolished traditional cattle camps (*ebisarate*) and most of the grazing areas were replaced by the growing of male dominated commercial crops. As the Gusii traditional male activities and obligations vanished, Gusii women faced increasingly greater obligations. These supplemented the colonial economic production system, for when labour requirements in European farms fell, the men returned to their families to be provided for by their mothers/wives/daughters. This devalued the procreative labour of women by the colonial capitalistic production relations. Less emphasis was placed on food production and the Gusii women's labour in this sector was uncompensated, while Gusii men's labour in cash crop production assumed exchange value. The Gusii customary rights of women were further eroded by colonial reforms.⁶⁷ The end result of colonial capitalism was the re-structuring of gender roles to the detriment of the Gusii women. The introduction of commodity production for export in Kisii brought about greater gender segregation in labour in the 1930s with Gusii men increasingly becoming agricultural managers.⁶⁸

⁵⁹Kitching, G. (1980). *Class and Economic Change in Kenya: The Making of an African Petite-Bourgeoisie*. New Haven: Yale University Press.

⁶⁰ KNA/DC/KSI/1-3 South Kavirondo District Administration Reprt 1924-32,167

⁶¹Wangari, M. (1996). Asian Versus Africans in Kenyans; Post-Colonial Economy in the Eastern African Journal of History and Social Sciences Research.

⁶² Norah Mong'ina, 90, Nyaribari Masaba: November, 2020

⁶³ Lonsdale, J. and Berman, B. (1979). 'Coping with the contradictions: The Development of the Colonial State in Kenya, 1894-1914,' Journal of African History 20.

⁶⁴Ndege O.P. (2006). Colonialism and its Legacies in Kenya. Lecture delivered during Fulbright-Hays Group project abroad program: July 5th to August 6th 2009 at the Moi University Main Campus.

⁶⁵Omwoyo, S. (2008). Assessing the Impact of Coffee Production on Abagusii Women in Western Kenya: A Historical Analysis (1900-1963). In C. W. Kitemu (Ed.), Gender, Science and Technology: Perspectives from Africa (156-167). Senegal. African Books Collective.

⁶⁶Ndeda, J.M., (1993) The Impact of Male Migration on Rural Women: A case Study of Siaya District c. 1894-1963. Ph.D. Thesis, Kenyatta University

⁶⁷Nzioki, E. (2003). *Why Women's Right To Land?* Ad-Hoc Expert meeting on Land Tenure System and Sustainable Development. Lusaka, Zambia.

⁶⁸ Davison, J. (1987). Who Owns What? Land Registration and Tensions in Gender Relations and Production in

The gendered Gusii agency in the 1930s colonial economic space

By 1930, maize had been established as a major crop grown both for domestic consumption and export. However, poor transport network became a major obstacle for the Gusii women to be able to sell their farm produce in the neighboring areas.⁶⁹ The poor road network made the transport costs very high. As the Gusii expanded agricultural production, they equally ventured into other non-agricultural activities to support their households. One such income generating venture was the construction of water driven grinding mills for grinding grains. Thus, some enterprising Gusii men used the money generated from the sale of maize to buy grinding mills, to grind maize and finger millet, to supplement their livelihood and pay taxes. By mid-1932, petty Gusii businessmen had taken over what was initially an Asian business with eleven Gusii men operating the water driven grinding mills in different parts of Gusii land⁷⁰. This was a clear indication of a people keen to embrace the colonial capitalist modes of production where it benefitted them. By 1935, the Local Native Council had approved sixty-six applications for the purchase of water mills.⁷¹ A Gusii entrepreneurship and the rise of a petite bourgeoisie had started evolving in Kisii. Men in Kisii were inducted and coerced into cash crop production for export.⁷² The migrant labourers, the educated and the chiefs all of whom were men ventured into cash crop farming because of agricultural exposure, financial capability and administrative power bestowed upon them by the colonial state in terms of land use. The Gusii women were banished into subsistence production on the fringes of the capitalistic economy. Nyachoti⁷³ acknowledges that during the colonial period, Gusii women lagged behind men in numerous ways; they had far limited experience with the cash economy for it was the Gusii men who had gained exposure through migrant labour. Their women had little formal education, if any, and minimal technical training in "modern" agricultural methods. Thus, women suffered a serious loss of social and economic vibrance.

The Gusii, socio-economic and customary practices were restructured, modified and recast during the great depression times. The changes affected the way the Gusii perceived themselves and their property. For instance, the Gusii households were forced to sell their cattle to pay tax in cash. In pre-colonial Gusii, it was unheard of that a cow was sold let alone for cash. But, with the establishment of colonialism and its penetration into the area compounded by the demand for cash in mid-1930s, such trading activities became the norm. As the Gusii like other native communities were forced to sell their cattle, the value of the cattle as a store of

value and a symbol of wealth started fading as they gradually started embracing the cash economy.

Another impact the key pillars of the pre-colonial Gusii society occurred in the 1930s, caused by the rise of the Gusii men's off-farm employment. Young Gusii men begun negotiating for their space from their elders and started obtaining their own bride wealth by purchasing cattle for the purpose.⁷⁴ This was a major shift from pre-colonial Gusii marital arrangements that were majorly transacted with bride wealth from the husband's sister. In this regard, off-farm cash income, gave young Gusii men the opportunity to pay for their own bride wealth. This minimised the role of Gusii elders in controlling marital arrangements in the community. It meant that the young families deterred the involvement of elders in resolving marital and family conflicts, especially where injustices were netted on women over the use of critical family resources more so land. Therefore, Gusii women, could not seek the intervention of clan elders whenever they were faced with injustices from their men folk like before, especially relating to access, use and control of land.

With land getting limited in the late 1930s, employment offered a new and open vista for socio-economic expansion through sons' careers. Initially, education became regarded as a means of obtaining profitable employment for only the sons. In addition, most of the Gusii men invested in businesses and trade. The late 1930s saw the cost of education and the scarcity of land place economic restrictions on polygyny. Through business and wage employment opportunities, alternative paths to wealth creation were opened for Gusii men and political power became more and more dependent on one's place in the local and national administration. As a result, polygyny as a means of expansion and prestige for Gusii men was on a speedy decline.⁷⁵

Moreover, the role of women in childbearing among the Gusii, and the high value that the Gusii people placed on children affected the Gusii gender relations, land ownership and control towards the end of the 1930s. As sedentary cultivators in a fertile, well-watered, and relatively under populated land, the pre-colonial Gusii women needed as many hands as possible to work the land. Therefore, Gusii women and subsequently children, were important measures of success and esteem among Gusii men. The high value placed on wives and children in Kisii was equally influenced by the high rates of child mortality that occurred in the area. As such, Gusii families would have as many children as possible, with the negative conscience that some will not survive to adulthood. The desire for large families remained even after arrival of the colonial era, explaining the population explosion in Gusii.⁷⁶ While the changing economy of Kisii in the late 1930s fueled rising bride wealth

Kenya. In Davison, J. (eds), *Agriculture, Women and Land: The African Experience*.

⁶⁹Maxon R, *Going Their Separate Ways*: Associated University press, Canada. 2010 pg 54

⁷⁰KNA: PC/NZA/2/1/22, Minutes of KisiiBakoria LNC Meeting, 26-27 Mau 1932

⁷¹Minutes of Kisii Bakoria LNC meeting, may 26 and 27 1932 KNA: PC /NZA/2/1/22

⁷² Falk M, S. (1996). *Changing African Land Tenure: Reflections on the incapacities of the State*, *The European Journal of Development Research*, 10; 2: 33-49.

⁷³ChumaNyachoti 83, KitutuChache, jan 2020

⁷⁴Mose Nyandusi, 93, NyaribariChache January, 2020

⁷⁵ Abbott, S. (1980). *Power among Kikuyu Women: Domestic and Extra-Domestic Resources and Strategies*. In *Anthropological Papers in Honor of Earl H. Swanson, Jr.* L. Harten, C. Warren, and D. Touhy, (eds.), pp. 8-14. Boise: Special Publications of the Idaho Museum of Natural History.

⁷⁶Hakansson, T. (1988). *Bridewealth, Women and Land: Social Change Among The Gusii of Kenya*. Uppsala studies in cultural anthropology. No. 10. Uppsala: AmquiestandWilsell International.

prices, there are other factors that exacerbated the increase⁷⁷, noted by the large amount of money entering Kisii which was unevenly distributed among cash crop producers who had acquired substantial new wealth during the pre-War II period. Philip Mayer⁷⁸ reveals that, although larger amounts of wealth in circulation could be a legitimate cause for higher bride wealth, there were unfair bargains made by the new rich members of the community. This in turn helped push bride wealth to inflationary spirals as Gusii men were forced to demand higher amounts for their daughters. Mayer accounts for this; Every father fear being left in the lurch by finding that the bride wealth which he has accepted for his daughter will not suffice to get him a daughter-in-law; therefore, he is always on the look-out for any signs of a rise in the rate, and tends to raise his demands whenever he hears of other fathers doing so. This meant that individual cases of over-payment quickly produced a general rise in the rate all round.⁷⁹

To a limited extent, Gusii women gained increased independence, Bukh suggests,⁸⁰ that though often at the expense of increased workload curtailing available options.⁸¹ Furthermore, by 1935, increased production allowed the development of African-controlled retail trade in Kisii and other parts of Kenya.⁸² By 1939, Gusii men financed almost all land leases.⁸³ Once leasing of land began, most of the Gusii families leased land more or less continuously, leasing different plots each year as need arose. Only sudden loss of a Gusii man's off-farm income or unusually high expenditures would cause a break in land leasing. However, given that leasing was temporary, almost all such land was planted with male controlled annual crops such as maize. Land leases represented the shrinking of household subsistence, as cash crops expanded and decreasing fallow periods lowered grain production on the family land. This new trend increased Gusii women's dependence on their men for key cash inputs into agricultural production.

Occasionally, some women would move and acquire land on their own with the support of their grown-up sons. Kwamboka Onyambu exemplified the latter case in the 1930s. As the eighth wife of a large polygamous family at the time when boundaries had been fixed between clans and communities. When her husband became aged and she realised that she had to get enough food for the many sons she had (seven of them), Kwamboka moved from the ridge occupied by her husband and went several kilometres away

looking for free land to settle. She then came across land that was previously being used by her husband's clansmen as grazing land (*oborisia*) at Erandi area in the current Bomachoge-Borabu region. Kwamboka marked the boundaries for her new land. She then built a home with the support of her sons, thus managed to acquire land for herself and her grown up sons.

Claiming ownership of the land was not easy for a Gusii woman at the time as Kisii men from her husband's clan tried to force her out, but with the support of her sons she stayed put. Later, and in order to enhance her security on the acquired land, Kwamboka convinced two of her co-wives to follow her and occupy part of the land. This strategic realignment and consolidation of family members made men from the clan to let her stay on the acquired land. Her community eventually nicknamed her "*Otwoma*" translating to one who pushes her way to achieve what she wants. This was probably in awe due to what Kwamboka had managed to accomplish in terms of moving away from the Kisii family homestead and managing to acquire virgin land almost single-handedly for her progeny.⁸⁴

Most Gusii women expressed suffering from increasing stress, fear, and dissatisfaction with their situation, especially those in non-bride wealth unions.⁸⁵ The Gusii women repeatedly emphasized the fear of living under the constant threat of expulsion, social disgrace, and economic depression. For as long as a Gusii man had not paid bride wealth, the woman/wife was open to exploitation and mistreatment to a much higher degree than was the case in a traditional legal Kisii union. Such a woman staying in an unpaid bride wealth union had no attractive alternatives, leaving the man to wilfully expose her both to probable gossip and ostracism for being a loose woman resulting to economic insecurity and increased poverty.

Another transformation during the period of late 1930s was that Gusii men in migrant labour failed to meet their social and economic obligation in attending to traditional *amasaga*, agricultural system (organized group labour initiatives) and their wives were also freed of this obligation.⁸⁶ Their own access to the Gusii group labour became increasingly uncertain that it was the men's responsibility to invite their relatives and neighbours to attend his wife's *risaga* farming activities. Only the Gusii women and younger unmarried and unemployed men remained available for *amasaga*. Consequently, in Kisii, mixed-sex labour groups started coming together and agreed to perform certain amount of work for the provision of a certain amount of beer in which all members would partake. In this regard, group members could negotiate with a Gusii woman (their hostess) over the exact amount of work for an exact amount of beer to be given. Both commercialized beer and manual labour had clear market values in the late 1930s. Thus, *Amasaga* ceased to function as institutions that provided requisite social function to each household based on need and began to be based on monetary and market-like transactions towards the beginning of 1940s.

With the increasing population, high poverty levels began to set in and increased insecurity in the Kisii reserve, which

77Hakansson, N. T. (1994). The Detachability of Women: Gender and Kinship in Processes of Socioeconomic Change among the Gusii of Kenya. *American Ethnologist*, 21(3):516-538.

78Ibid

79 Mayer, P. quoted in Lucy Mair, *African Marriage and Social Change* (London, 1969), 52.

80Bukh, J. (1979). *The Village Woman in Ghana*. Uppsala: Scandinavian Institute of African Studies.

81 Guyer, J.I. (1984). *Family and Farm in Southern Cameroon*. Boston: Boston University. African Studies Center.

82 Kitching, G. (1980). *Class and Economic Change in Kenya: The Making of an African Petite-Bourgeoisie*. New Haven: Yale University Press.

83Kitching 1980: 74-85; and David L. Neigus, Conflicts over land 115

⁸⁴Onyambu Onyambu, 92, Bomachoge. Dec 2020

⁸⁵LeVine, S. (1979). *Mothers and Wives*. Chicago: University of Chicago Press.

⁸⁶Group discussion with women from Kitutu Chache January 2020

intensified the initial agitation for the return of indigenous land particularly in Western (that Kisii was part of) and Central Kenya. Various efforts including the creation of Land Commissions to address the rising tension and agitation among the Gusii reserve were mooted by the colonial state, marked by the launch of the 1930 Native Lands Trust Ordinance.⁸⁷ The Ordinance aimed at setting aside African reserves, and where need arose, provide additional land for the Africans in the reserves. The law established a Native Trust Board to manage leases and transfer of land in the native African reserves like in Kisii. However, the Native Land Trust Ordinance was limited to the extent that the Crown could grant leases and licenses to Europeans in the African areas as exemplified by the Gold Mine lease and license in the Kakamega reserve in 1934. In essence, the agitation for land ownership, control and use did not cease with such token and unilateral measures that still preserved the colonial state interests to the indigenous African interests.

The 1933 Morris Carter Land Commission was formed to look into the African protests over land and the general feeling that land for Africans in the reserves was not adequate. The commission was tasked to do estimates of African land requirements and recommend if necessary for their extension. It was also to establish the extent of settler encroachment on African land. The commission made several recommendations that sought to address some of the grievances in the African reserves. Principally, it was to address the need for more land, the rights to own and use land and other property by the Africans within and without the African reserves like the Kisii reserve. The colonial state crafted and introduced further laws on the assumption that the problems in the Kisii reserve for example were due to overpopulation, bad land use and defective land tenure arrangements⁸⁸ The state further devised plans to co-opt "civilised" indigenous Africans into the colonial capitalist system where individuals amassed wealth in order to deal with the "dangers posed to the colonial hegemony". Okoth-Ogendo,⁸⁹ notes that the colonial state authorities in Kisii identified the solution to the problem as lying in the individualization of land tenure in the Kisii African reserve, just like in many other native African reserves. This was reflected in 1932 when the Carter Land Commission visited Gusii-land to gather complaints on the land issues in the area and got no specific complaint from the Gusii women except for the men in what the elders termed minor intra-community land quarrels which they stated were internally managed.⁹⁰ The exclusive composition of men to appear before the commission denied the women a chance to voice their land related complaints like limited land for subsistence production. Hence the Gusii women were left to

suffer in silence with regard to land control and use in the area.

The pre-WW II period in Kisii witnessed the introduction of state policies that sought to create a delicate balance between promoting agricultural production and controlling land degradation in the African reserves especially the Kisii highland reserve. This was due to the reality that with the disruption of the indigenous Gusii land tenure system, coupled with increased population and intensive use of available arable land on the Kisii highlands necessitated by the competition between Gusii men and their women, the rate of land degradation and soil erosion was alarming in Kisii. The competitive land use policies in the area had divisive implications on gender relations in the rich agricultural zone of Gusii-land. The capitalistic ethic that had been awakened in response to the state policies adopted during the Great Depression were now being curtailed as the focus shifted to the prevention of what was referred to as land mining⁹¹. As at 1939, while the colonial state had embarked on soil conservation in Kisii, encouragement of land use and introduction of new crops was more significant in Kisii highlands⁹².

The colonial state faced opposition from the Gusii people when they attempted to acquire land for the establishment of a scheme for the planting of exotic trees as a soil conservation measure. Maxon⁹³ notes that the Gusii feared that supporting tree planting would mean that they lose their land to the white settlers. In addition, the 1930 Forestry Department report indicated that the Gusii feared losing their land to the colonial state. Therefore, they opposed every effort towards the tree planting scheme, forcing the colonial state to abandon the project in the late 1930s.⁹⁴ However, the planting of wattle trees became a centre of focus in Kisii in the later years. Apart from being a cash crop where its bark was sold for tanning, the tree was also useful for other purposes such as supplying building material, firewood and charcoal, all of which were fringe benefits that accrued to women in Kisii. Besides, the growing of wattle trees needed less labor, therefore, convenient to grow hence why Gusii women supported it. With the recommendation by the Colony Economic Department in 1935 that wattle trees can be planted outside Central Province, the then District Commissioner of South Kavirondo and the District Agricultural Officer in particular started encouraging the Gusii to start planting the trees.⁹⁵ Furthermore, the Local Native Council financed the purchase of wattle seedlings for planting. By 1937, wattle tree planting had spread in many parts of Kisii with households providing the required labour.⁹⁶ The ease of the spread of wattle trees in the Kisii reserve is credited to women support of the venture.

⁸⁷ Land Tenure, K. Kibwana in William R. Ochieng (ed)1990. Themes in Kenyan History: Heineman Kenya Limited, 235-236

⁸⁸Kenya Land Commission Report,1933. Government Printer Nairobi 287-297

⁸⁹ Okoth Ogendo H. W. O. 1975 The adjudication process and The Special Development Process. Unpublished Occasional Paper no. 12, Institute of Development Studies, University of Nairobi

⁹⁰Great Britain, *Kenya Land Commission Report* 9London: HMSO,1934), 297

⁹¹ Orvis, S.W (1989). Political economy of Agriculture in Kisii:Social reproduction & Household Response to Development Policy. PhD Thesis. University of Wisconsin, Madison

⁹² Maxon, M.R (1984) Conflicts and Accommodation, 106

⁹³Robert M. Maxon 1984.Conflict and Accomodation,87

⁹⁴Colony and Protectorate of Kenya, *Forestry Department Annual Report 1930*(Nairobi: GP,1931), 17

⁹⁵Robert M. Maxon1984, *Going their Separate ways: Agrarian transformation in Kenya 1930-1950*. 86-94

⁹⁶Ibid

Bobasi women revealed that as they surrendered more land for commercial production, a venture that men were keenly controlling, they found themselves accessing limited land for subsistence production. This forced them to start abandoning the traditional practice of shifting cultivation which eventually led to soil exhaustion and degradation. Women would only use land for food production purposes and were, therefore, not allowed to own land. Cultural traditions and practices concerning women's use, access and control over land degenerated further in the 1930s.

As the effects of the great depression begun to diminish in Kisii, with the fall of prices of crops and locust invasion in the mid-1930s, there was marked economic changes. As an effect of the great depression, the settler farmers swiftly moved into the reduction of migrant labor as most white farmers were not making profits from their crops.⁹⁷ As a result, the colonial white settlers stopped the planting of crops and were, therefore, not in need of the labor. Consequently, many Gusii men who turned up for labour would not be hired. In essence, many Gusii men lost their source of income and this forced them to go back home to share with their wives, daughters and mothers whatever resources that were available. On the other hand, the colonial state did not relax the taxation requirements,⁹⁸ therefore, creating more strain on the Gusii women who were already overstretched. This pressure would eventually result in family conflicts and quarrels over property rights, which adversely affected Gusii women.

Conclusion

The article set out to give a portrayal of how colonial agrarian policies between 1920 and 1939 exercised an impact on land and gender relations among the Gusii. The identified the period of post-world war I as one that coincided with the promulgation of policies favorable to the promotion of male dominated agriculture in Kisii. In the aftermath of the First World War, the agricultural policies that were introduced favoured and assisted men in Kisii to produce for the market and not for consumption. Kisii women were treated essentially as a source of cheap labour. They produced much of their food requirements in the native reserves and they often realized limited surplus for sale. However, the Great Depression of 1929-1933 forced the colonial state to direct more attention towards the Kisii reserve as a source of cheap food production. The consequence was that more land was put under the hoe or/and plough to the detriment of soil fertility and conservation as land use became contested between genders straining gender relations in Kisii.

Due to land degradation in the post-Great Depression period, new land use policies aimed at promoting agricultural production and controlling land degradation in the Kisii native reserve were promulgated by the colonial state. These had major implications on gender relations in the rich agricultural zones of Gusii land, where men left the women working on the land as they sought migrant labour employment in the European settlements. The increasing common absence of Kisii men began to affect women adversely, as they were required to take on a substantially increased share of agricultural labour coupled with other

household activities, although with curtailed usufructs. Thus, though the colonial impact on gender relations, in many ways, weakened the social and economic position of Gusii women, it presented them with minimal potential opportunities for the enhancement of their roles in land ownership and usage. The importance of land in agricultural production in Kisii and the resultant gender related issues that its utilisation raised became even more manifest as the colonial state navigated the challenges posed by the Second World War.

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