



# LAND *and* LABOUR

IN MIJIKENDA AGRICULTURE

KENYA, 1850 - 1985

Henk  
Waijnenberg



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## 1 INTRODUCTION

### 1.1 Mijikenda people

The Mijikenda are a Bantu people, numbering about one million persons and living in the hinterland of the southern Kenya coast, from the Tanzania border to halfway between the Sabaki and Tana rivers. The area they live in roughly coincides with Kwale and Kilifi Districts of the Coast Province of Kenya (figure 1).

The name "Mijikenda" is of recent origin. In Shungwaya, the almost mythical place where they lived before moving to their present homeland, they were known as *Kishur* or *Kashur* (Elliot 1925/26). The Portuguese, who had a fort in Mombasa during the 16th and 17th centuries Mombasa used to call them *Musungulos* (Strandes 1899). The missionaries who settled among them in the mid-19th century called them *Wanika* or *Wanyika* (people of the bush), the pejorative name by which the Arabs and Swahili of Mombasa referred to them (Krapf 1860; New 1873). In the mid-20th century they chose the name Mijikenda for themselves, the Swahili equivalent of *miji chenda* or *makaya chenda*, which refers to the nine villages where the Mijikenda tribes were settled until the 19th century. These were, proceeding northwards: Digo, Duruma, Rabai, Ribe, Kambe, Jibana, Chonyi, Giriama, Kauma.

### 1.2 The nine *makaya*

According to oral tradition the ancestors of most Mijikenda tribes came from Shungwaya, an area thought to have been in northeastern Kenya or southern Somalia. Around the 16th century they were driven southwards by warlike Galla pastoralists (Spear 1978). After their arrival in the Mombasa hinterland they settled in *makaya* (singular *kaya*), fortified towns or villages on the hills that overlook the coastal plains (figure 1).

For protection against Galla marauders the *makaya* were sited on the tops of hills. They were enclosed by stockades and gates and surrounded by dense forests where the Mijikenda with their bows and poisonous arrows had an advantage over their enemies who used to fight with spears.

The inhabitants of the *makaya* were subdivided into *mbari* (clans) and *marika* (age sets) with specific duties and privileges. They were governed by councils of *kambi* (initiated elders), who regulated all ritual, political and economic affairs (Spear 1978). In the surrounding forests, woodlands and savannas the people practised shifting cultivation; the main crops were sorghum, finger and pearl millet and cowpea. They kept some small livestock and a few cattle. The diet was supplemented by some hunting or fishing and the gathering of wild vegetables and fruits (Mwangudza 1983).

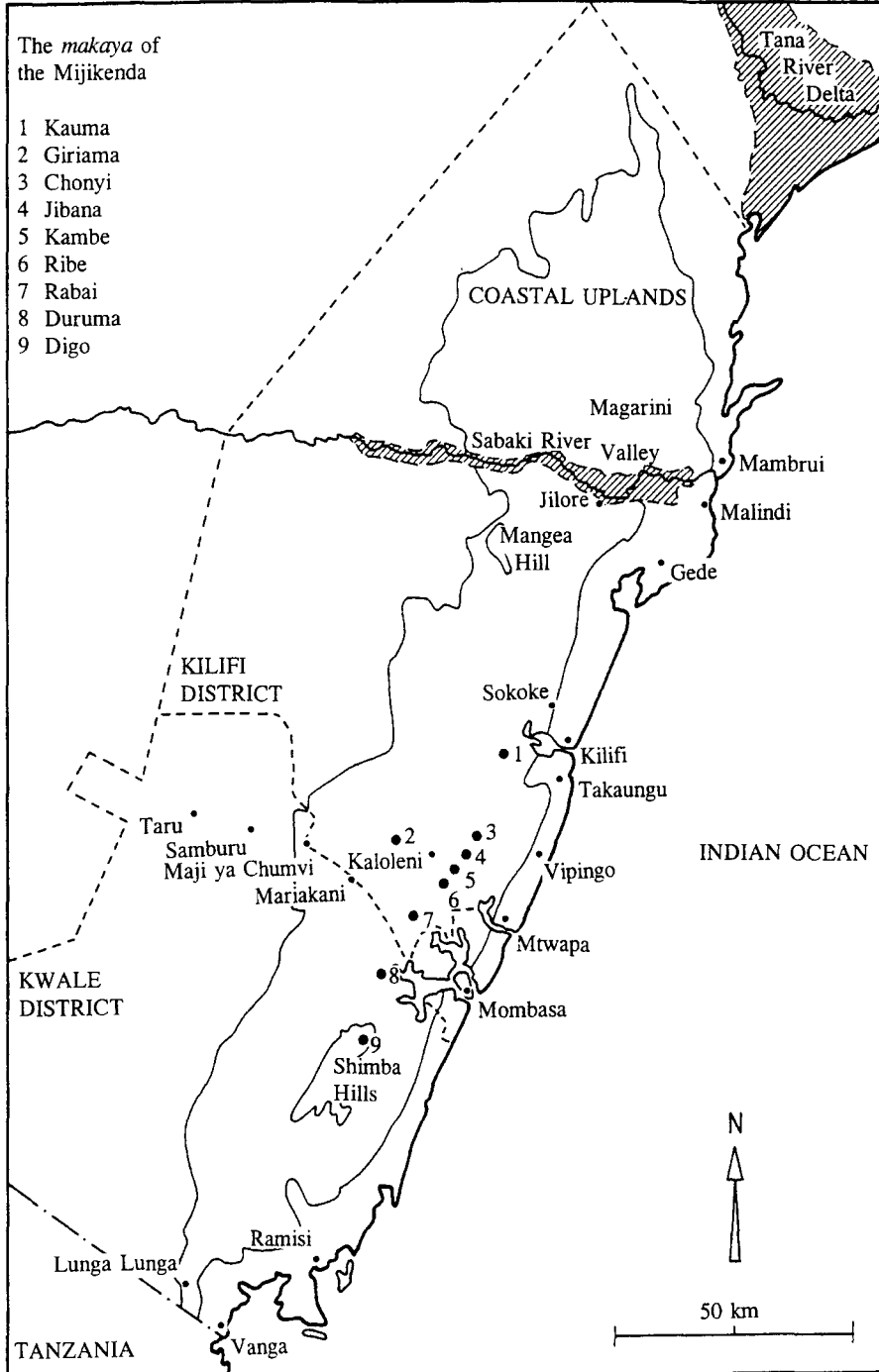


Figure 1. Geography of the southern Kenya coast.

During the 18th and 19th centuries the Mijikenda developed a lively trade in agricultural surpluses, cash crops like tobacco, forest products like gum copal and wild rubber, arrow poison, cattle and ivory. Due to their geographical position they could act as intermediaries between the Arabs and Swahili of the coastal towns and the Galla, Taita and Kamba of the interior. From the mid-19th century onwards they lost part of the trade due to direct contacts between these peoples. The completion of the Mombasa - Nairobi railway in 1901 put an end to the long-distance caravan trade (Spear 1978).

The expansion of the regional trade, increases in population, and the decline of the Galla led to a gradual exodus of people from the *makaya*. New villages were established at sites favourable for trade and people became accustomed to living in the fields they cultivated. By the mid-19th century several *makaya* were already falling into decay (Krapf 1860; New 1873). By the turn of the century they were almost deserted and the Mijikenda had spread over the coastal uplands and were spilling into the coastal strip (Fitzgerald 1898; Champion 1914).

The regional trade and the territorial expansion caused the decline of the central *kaya* institutions, such as the initiation of age sets and the government by councils of elders. New ways of acquiring wealth had shifted the balance of power from old men to young men, or from initiated elders to adventurous traders. Clans intermixed and people lived scattered in almost independent homesteads many hours or days walk from the *makaya* (Spear 1978). The following quotation reflects the situation:

"Every man does what is right in his own eyes; liberty, fraternity, and equality being the order of the day." (New 1873: 114)

It was under these conditions that colonial rule was established. From 1895 to 1912 that meant little more than some half-hearted attempts to collect taxes, appoint some headmen, and make somewhat unsuccessful efforts to recruit labour. Then the government decided to bring the Mijikenda under closer administration. In 1914 attempts to recruit young men for the carrier corps and to evacuate the areas north of the Sabaki culminated in the Giriama (the tribe involved most) uprising. There were some casualties on both sides, and young Giriama were sent to the carrier corps, huts and crops were destroyed, and large numbers of goats were confiscated. Some years later all had returned to normal, the evacuated areas were resettled, and the Mijikenda resumed farming (Patterson 1970; Brantley 1981; Njau & Mulaki 1984).

### **1.3 Traditional farmers**

Today, Mijikenda farmers live in small scattered homesteads. Where rainfall and soil type allow, these are surrounded by coconut palms, some citrus and mango trees, and a few stands

of bananas. On poor soils and in dry areas cashew is the most common tree crop. The major food crops are maize, cassava and cowpea; some rice is grown in valley bottoms. Most households have a few goats or sheep; cattle are mainly found in dry and sparsely populated areas. In wetter and more densely populated areas there is no room for cattle; with population densities of 200-400 persons km<sup>-2</sup>, most land is cropped almost continuously.

In spite of their efforts, most Mijikenda farmers fail to produce enough food for their households and have to buy maize meal (Foeken *et al.*, 1989; Niemeijer *et al.*, 1991). Some are able to pay for this from the proceeds of coconuts, cashew nuts or livestock, but in most cases people have to work off-farm to earn the necessary money. As most Mijikenda have received little education they are usually employed in poorly paid jobs. Their fellow Kenyans consider them a poor and consequently backward people, an opinion which is shared by some Mijikenda themselves (Times 1983a).

During colonial rule the Mijikenda built up a reputation for being uncooperative. They saw little benefit in sending children to school, and were reluctant to leave their farms for work on sisal and sugar plantations in the coastal strip. They proved immune to extension messages that promoted the revival of sorghum and millet growing or the planting of monocrops in neat rows. Rather than trying to understand the motives behind Mijikenda behaviour, or to question their own approach, officials blamed intransigence, prejudice, laziness, or the consumption of palm wine (Hobley *et al.* 1914; KNA 1925; Standard 1982d; Peal 1982).

The outward appearance of the Mijikenda world confirms the picture of poverty and backwardness. Their houses are mostly simple wattle-and-daub structures, thatched with palm leaves or roofed with zinc sheets. The fields and crops appear a complete mess, with tree crops scattered haphazardly, annual crops mixed at random, and weeds growing everywhere. Daily, large crowds of poorly dressed people travel in shoddy buses to and from work in the towns of the coastal strip.

The very backwardness of the Mijikenda became a central theme of several studies. Gerlach (1965) argued that appearances are deceptive, that the Digo were better off than they wanted to look, that their farming methods were efficient, and that they had good reasons for not accepting all recommended innovations. Gillette (1978) showed that where Digo and Kamba farmers, respectively supposed to be reactionary and progressive, lived side by side, contrary to expectations the Kamba adopted the practices of the Digo. She also argued that the non-adoption of modern technology was nothing to do with farmers being traditional or reluctant, but rather with well-founded wariness based on lack of evidence that the innovations would work well in their own fields (Gillette 1980). Furthermore, the major bone of contention between government officials and Mijikenda farmers, the production of palm wine rather than coconuts or copra, has been shown to be based on sound economic motives rather than on alcoholism or tradition (Herlehy 1985).

## 1.4 Land and labour

The present paper on land and labour is a follow-up to a review of the relations between tradition and change in Mijikenda agriculture (Waaijzenberg 1991). In literature and conversations about African societies the words "tradition" or "traditional" often crop up, in many cases with little or no definition. Most people associate the words with "old" (relating more to our grandmothers than to ourselves), "stable" (any change being slow), "indigenous" (no alien influence) or "customary" (not based on rational analysis). In short, tradition and change are considered incompatible.

But it seems that the Mijikenda are far from traditional. During the last two centuries they have transformed from being shifting cultivators into traders, have changed their settlement pattern, modified land tenure rules, adopted new crops like maize and coconut, and employed modern techniques like zero grazing and tractor ploughing. As in spite of all these changes many Mijikenda still consider themselves "traditional", some alternative definitions of the word were explored. These assume that it does not refer to a reactionary state of the mind or backward economic conditions, but to a process of learning from experience and practice, rather than by uncritically believing theory and books. Tradition is not a blind force opposed to change, but a regulatory mechanism to test, adapt and adopt innovations (Waaijzenberg 1991).

This paper is not about the meaning or function of tradition, but focuses on the key resources of Mijikenda agriculture that have undergone profound transformations in the last two centuries: land and labour. External pressures and internal processes have completely changed the availability, administration and productivity of these two resources. Due to lack of time, the material is presented strictly as a case study. However, most themes dealt with are universal and will be recognized by those acquainted with the development of agriculture elsewhere in Kenya, Africa or the world.

## 1.5 Sources

This case study is based on literature, interviews and observations (in that order). Although numerous secondary sources were used, the study is not a literature review. All interpretations are strongly coloured by the experience of four years (1981-1985) of agronomic studies and daily life among and with Mijikenda farmers in the area around Kaloleni.

The study deals with the changes in land and labour from the *kaya* period until today. As formal starting point the year 1850 was chosen, when most *kaya* institutions were still intact or could be recognized, and when the first detailed descriptions were made. In several places the analysis attempts to go further back in history to the heyday of the *makaya*.

The situation during the heyday of the *makaya* was reconstructed by interpolating and extrapolating from fragments of information collected after the *makaya* had fallen into decay. The first detailed written observations and patchily recorded oral histories date from the mid-19th century, when Protestant mission posts were established in Rabai and Ribe. A more continuous flow of information started after the arrival of the first colonial officials, around the turn of the century. The systematic recording of oral traditions started only two decades ago. As the Mijikenda have no official historians, or established forms of recording past events and customs for posterity, their accounts of past events change with time. That implies that as far as the *kaya* period is concerned, there is a danger of wrongly projecting later conditions back into the past.

## 2 LAND

### 2.1 Dimensions

"No aspect of rural economy in Africa is of more fundamental importance in relation to the future development of the indigenous races and the economic development of the territories than that of the relation of these peoples to the land they occupy." (Liversage 1936: 372)

The access to land and the use of land always formed the cornerstone of the agricultural society of the Mijikenda. This is reflected in their detailed knowledge of land's properties, and in the many rules and practices with regard to the use of this essential and scarce resource. In order to understand these, one must realize that land is much more than just an area of the earth's surface. According to the definition of the FAO "Framework for Land Evaluation", land is:

"... an area of the earth's surface, the characteristics of which embrace all reasonably stable, or predictably cyclic, attributes of the biosphere vertically above and below this area including those of the atmosphere, the soil and underlying geology, the hydrology, the plant and animal populations, and the result of past and present human activity, to the extent that these attributes exert a significant influence on present and future uses of the land by man." (FAO 1976: 81)

From the words and works of the Mijikenda it appears that their concept of land is similar. As far as is known, only one local farmers' classification of land has been recorded (Gillette 1978). In view of the large diversity of the Mijikenda territory it is unlikely that there is one single coherent land classification for the entire area. However, talks with farmers in the Kaloleni area, and observations of land use throughout Kwale and Kilifi Districts indicate that most Mijikenda have a clear notion of land properties related with topography (moisture), colour (fertility), material (workability, rooting) and vegetation (weeds, fertility). They also consider factors such as climate, weeds, wildlife, former use by man, and distance to e.g. houses and roads. A fundamental difference from the FAO (1976) definition is that the Mijikenda, like other East African Bantu, also distinguish what we might call a spiritual dimension:

"Land is generally considered sacred. Some tribes refer to it as "mother". Being sacred, it can only belong to God, the tribal elders being trustees of it. They are doubly in a position of trust, as on the one hand they are trustees, on God's behalf, to care for this precious gift to man, and on the other hand they are trustees, for the benefit of man, to enable him to enjoy and harvest its fruits." (Maini 1967: 5)

### 2.2 Sharing rights

The people of the *makaya* considered that the land belonged to God who granted its use to man; not to individuals but to the tribe as a whole (Kayamba 1947; Salim 1973). Apparently,

this concept was not seen as conflicting with the fact that the Duruma, when clearing virgin forest, paid *mani* (compensation) to Wadegere hunters, the original inhabitants of their area (Griffiths 1935). The Duruma also "bought" land at Maji ya Chumvi and Samburu (Johnstone 1902). Similarly, during their 19th century expansion the Giriama made *jivu* (payment) to the Galla into whose land they migrated (Champion 1914). The Rabai annually paid a basket of eggs to the Ribe in whose territory they had settled (Spear 1982).

In practice, the territory of a tribe appears to have been determined by the areas it could occupy effectively (Champion 1914). According to Hamilton (1920) and Mkangi (1975), each tribe had its well-defined own area bordered by areas disputed with its neighbours and considered as some kind of "rightful expansion area" (Tanner 1960: 15).

Within the tribe -- from clan to individual -- the rights to use crop land also rested on occupation (Griffiths 1935; Spear 1982). Whoever first cleared virgin land could use it, abandon it, and return until all signs of use, from weeds or crops to graves, had disappeared and the plot had reverted to forest. According to Maini (1967), the Duruma could always reclaim a plot, no matter how long they had been away. The land itself, because it was sacred or in order not to pre-empt the rights of descendants, could not be alienated, either by individuals or by tribal authority (Johnstone 1902; Hamilton 1920; Griffiths 1935; Kayamba 1947).

"Land belongs to a large family, some of whose members are dead, some are living, and innumerable others have yet to be born" (Dumont 1962: 126)

However, land use rights could be transferred to other members of the tribe or to outsiders. The absorption of people from elsewhere appears to have been common (Spear 1978). For example, the Duruma consider themselves descendants of people from Shungwaya, allies of the Portuguese, and Kamba immigrants (Griffiths 1935).

Usually the new occupier had to pay his predecessor for the *mani* (see page 7) or for the *nguvu* (strength). The latter refers to improvements such as clearing or standing crops (Champion 1914; Hamilton 1920; Griffiths 1935). These payments may have been a first stage of land commercialization, related with the introduction of tree crops.

Land use rights could also be inherited from fathers (patrilinear: Ribe, Kambe, Jibana, Chonyi, Kauma, Giriama), from maternal uncles (matrilinear: Digo), or from both (Duruma, Rabai). Nominally these rights were vested in the eldest son or nephew, but in the case of discord the land (more accurately, its use) was distributed among all sons or nephews (Barrett 1911; Kayamba 1947). For very young inheritors a guardian was appointed, who had the right to use the land for his own benefit until it was handed over (Barrett 1911; Parkin 1972).

No individual rights existed with regard to the grazing land. In view of the large ecological variability around most *makaya*, it is probable that apart from land not used for crops there

was also land designated specifically for grazing. This was shown for instance by the fact that the Digo used to pay no compensation for damage caused by livestock to crops planted in grazing land (Kayamba 1947).

The use of land was controlled by the *enyetsi* (owners of the land), a small and influential council of two elders from each clan (Spear 1978). Any use of virgin or previously cropped land by outsiders required their explicit approval (Champion 1914; Hamilton 1920). Within the tribe, the *enyetsi* probably intervened only in cases of dispute, leaving the day-to-day management to the clan level, as each clan had its own land. To make optimal use of the varied environmental conditions, this land was spread around the *kaya* (Chome 1985).

At household or homestead level the senior man administered the land use rights, for himself and his wives or also for his sons and their wives. There appear to have been two basic types of fields (Griffiths 1935; Gomm 1972; Parkin 1972; Bennet 1985; Chome 1985). Usually each household had one or more *dzumbe* or *munda mbomu*, a large field worked by all its members together during the first three days of the four-day Mijikenda week; its produce was controlled by the head of the household. Individuals could also have a *koho* (plural *makoho*), a small field worked during the fourth day of the week and on their own behalf. For protection against animals and enemies the fields were usually grouped together.

### 2.3 Scarce resources

"Communal tenure arises in the beginning of agricultural development, when land is abundant and, like fresh air, has no exchange value." (Liversage 1936: 372)

If the above quotation is true -- communal tenure might also be seen as an attempt to guarantee all members of a community access to a scarce good -- the Mijikenda had already passed that stage by far during the *kaya* period. The numerous rules with regard to land use testify that since that time land has become still scarcer. Nevertheless, even today one encounters references to "abundant", "unutilized" or "unused" land (Gillette 1978; Kwale 1984; NES 1985). These observations overlook the fact that in the growing of rain-fed annual crops when lack of money, high risk or low profitability preclude the use of fertilizers, fallowing is the only means of restoring soil fertility.

The growth of the Mijikenda population from less than 50,000 persons in 1850 to about 900,000 in 1985 was a major cause of the increasing scarcity of land (New 1873; CBS 1981; Mutoro 1987). Most Mijikenda live in Kilifi and Kwale Districts, where in parts with above-average rainfall and soil the population density exceeds 300 persons km<sup>-2</sup> and on average farms are less than 5 ha (CBS 1981; NEHSS 1984; NES 1985; Jaetzold & Schmidt 1983). Population growth and migration -- directly or through the factors discussed below -- were major determinants of the 19th and 20th century changes in the availability, tenure and use

of land. The rules about land tenure discussed below were not just quibbles about "who owns what", but were vital tools in the struggle for survival on land that was becoming scarcer and poorer in quality.

Oral traditions indicate that suitable land was already scarce when the Mijikenda from Shungwaya arrived in the Mombasa hinterland. Several tribes settled tentatively in other places before finding a site with good soils and enough forest where they could establish their *kaya* (Griffiths 1935; Spear 1982; Wakanyoe 1984; Kazungu 1985).

During the *kaya* period the available land was limited by the danger of Galla attacks. People had to sleep in the *kaya*, around which a protective forest belt was maintained. Oral traditions do not record quarrels about crop or grazing land itself, but there were several disputes about wildlife, which suggests a scarcity of natural resources (Spear 1982; Wakanyoe 1984).

Over time more and more sub-*makaya* were established, people began to sleep in their fields, and eventually in the search for new land the *makaya* were abandoned. Due to the ever increasing dispersion and distance from the *makaya* and the mixing up of clans (and, north of Sabaki river, even of tribes), the control of land passed from tribes and clans to subclans and lineages or extended families (Herlehy 1985).

"In practice we find that as the AGiryama went further and further afield the heads of a family would appropriate a certain area (frequently a valley) and divide it up amongst the members of the family, denying outsiders the right to cultivate on the 'family estate'." (Champion 1914: 21)

At first the loss of central control may not have been serious. More land became available as a result of territorial expansion, so demand for land declined. However, the limits of expansion were reached about roughly half a century. The prevalence of witchcraft in the early 20th century not only suggests differences in wealth, and jealousy, but also increasing scarcity of resources, notably land (Brantley 1979).

The scarcity is not so much a lack of land as such, but more a shortage of land with specific properties such as high and reliable rainfall, suitable for crops such as coconut palms and able to support permanent settlement of large groups. Large parts of the area the Mijikenda had previously colonized were only suitable for shifting cultivation (taking one or a few crops and then moving on). The soils were too poor or the rainfall too low for permanent settlement, except at very low population densities.

Most 20th century population movements involved remigration and the concentration of the people in already settled areas with better soils or higher rainfall, such as the Kauma - Kaloleni - Rabai triangle or the coastal strip. This process had already started at the end of the last century; it was reinforced by adversities like the 1914 Giriama rising and successive famines, and continued until today (Ngala 1949; Martin 1973; Spear 1982; Kilifi 1984; Mwaringa 1985; NES 1985).

In the hinterland this redistribution of the population, as the migrants moved into areas where people were already living and had planted tree crops, led to further mixing of clans and to more frequent and permanent transfers of land (Parkin 1972). In the coastal strip, where the Mijikenda occupied land formerly worked by slaves of Arabs or Swahili, it gave rise to the related phenomena of squatters and settlement schemes (see sections 2.7 and 2.8).

In recent decades nearly all elasticity in land availability has been taken up. In areas with above-average rainfall and better soils, population densities are high and still increasing. Everywhere soil fertility has declined due to shortening of fallows and overgrazing. Now people are moving into the last empty pockets. An example is the dry and sandy area just east of Mangea Hill, through which the Sabaki-Mombasa water pipeline passes. Attracted by the presence of drinking water many people recently settled along the pipeline's access road. At first things went well, but the charcoal sold and the crops grown will soon deplete the vegetation and soil fertility built up during many decades of forest cover.

In short, land has become scarcer and poorer. Given the technology applied, nearly all parts of the Mijikenda territory are overpopulated, whether subhumid crop areas or semi-arid rangelands. This scarcity forms the sombre backdrop for the changes in land tenure and use described in the next sections.

#### **2.4 Islam and *Sharia***

In spite of their presence for more than two centuries in nearby Mombasa, the Portuguese had little direct impact on Mijikenda land tenure and use. They hardly ventured outside the town and the crops they introduced (Strandes 1899) did not gain major economic importance until long after their departure.

In the course of the 19th century many Kamba pastoralists settled in the coastal hinterland west of Rabai, uprooted by severe famines in their home country and attracted by the opportunities for trade with Mombasa. There were occasional skirmishes between Kamba and Mijikenda, but the liking of the Kamba for palm wine and of Mijikenda for cattle helped to restore peace (Krapf 1860). There are no references to disputes over land; the Kamba had similar land tenure rules and apparently were easily absorbed by the Mijikenda (Griffiths 1935). Many became blood-brothers, which meant such a strong relationship that if one blood-brother died without leaving male heirs the other would inherit his homestead and the widows (Herlehy 1984b).

The first effective non-Mijikenda influences on land tenure that could be traced were those related with the *Sharia* or Muslim law. The 19th century Protestant missionaries described how Swahili and Arabs of Mombasa encroached upon Mijikenda territory (Krapf 1860; New 1873). Similar processes took place elsewhere (Koffsky 1977).

"These people craftily possess themselves by degrees of the lowlands of the Wanika, and constructing small villages, here and there, along the mountain range, people them with their slaves, gain over the Wanika by trifling presents, and purchase their produce very cheaply" (Krapf 1860: 138-140)

Whereas this quotation suggests a certain degree of bad intent -- Christian missionaries were not inclined to ascribe noble motives to Muslim proselytizers -- the process may have been unintentional, although with similar results, notably

"... a Muslim fringe steadily and naturally, rather than deliberately, spreading inward by absorbing new converts from the outer edges of the coast African tribes" (Salim 1973: 126)

Initially, the mechanism may have been based on misunderstanding, with Mijikenda selling cultivation rights and Muslims interpreting such in accordance with their *Sharia* as transfer of freehold rights (Hamilton 1920).

"By experience no doubt they have found that converts often migrate to the coast and are prone to sell their cultivation rights to Arabs and others, who thereby claim freehold rights to a portion of tribal land." (Champion 1914: 21)

Early 20th century sources attest that the Mijikenda soon adapted their land tenure rules to counter the Muslim influence. A Muslim Giriama, for example, had to waive his inheritance rights in favour of his pagan brothers (Champion 1914) and a Jibana convert had to give up his land use rights and move to the coast (Hamilton 1920). It is possible that the objection to square houses and crops like *mchomoko* (sour sop) -- both considered Muslim or Arab -- in the *makaya* of the Kambe and Rabai resulted from the same experiences and period (Trimingham 1964; Hawthorne *et al.* 1981; Spear 1982; Herlehy 1985).

The resistance to islamization seems to have been quite effective, as only the Digo became Muslims in large numbers, and even they resisted the *Sharia* where it concerned inheritance and land tenure. The fact that a majority of them accepted Islam early and quickly, maybe because of their contact with the Swahili of the Vanga area, enabled them to remain Digo first and foremost, and so as a group to retain their own customs. Among the other Mijikenda tribes, where initially only few people adopted Islam, the fact that Muslim courts ignored tribal laws and customs provoked resistance. Therefore, Muslim converts who were subjected to Muslim courts became detribalized *mahaji* (Trimingham 1964).

Above, I characterized land tenure conflicts in terms of religion, custom and law. However, in spite of centuries of Islam the land tenure rules of the Swahili remained basically Bantu and similar to those of the Mijikenda (Trimingham 1964; Prins 1967; Herlehy 1985). Therefore the contact with Islam and *Sharia* as such would not necessarily have caused conflicts. However, hidden behind the religious and legal terms there were increasingly conflicting economic interests.

Between the 16th and 18th centuries the inhabitants of the coastal towns hardly ventured further afield. Their numbers and farm areas were small and moreover they feared the people of the interior.

"... none of them own a yard of land in the hinterland because the Kafirs do not allow them to have it, and they are in fact afraid of them. For this reason their towns are surrounded with walls" (Joao de Barros, *Decadas da India*, II.ii, 19-30, 1777 edition; quoted by Kirkman, 1966: 10)

After the final defeat of the Portuguese in 1729 many Arabs from Oman migrated to East Africa. During the 19th century they led a strong expansion of commercial coconut and cereal production based on slave labour (Prins 1967; Cooper 1981). This plantation agriculture and the related freehold land tenure, newly imported from Oman, were the "Muslim" practices which came into conflict with Mijikenda agriculture, which was also expanding.

The gradual abolition of slave labour at the end of the 19th century meant that the coastal plantation owners could no longer work their land effectively. Some sold it, others let it revert to bush or willingly or grudgingly admitted ex-slaves or Mijikenda as squatters; this started the long-term land tenure problems of the coastal strip (see section 2.7).

In the course of the 20th century Islam lost its menace to the Mijikenda. The economic power of Arabs and Swahili had declined and ceased to be a threat, and meanwhile population and government pressure had already introduced the concept of private ownership of land (Trimingham 1964). Several Mijikenda became nominal Muslims, many of them to facilitate business with coastal Muslims (Gerlach 1963) or to escape social pressure from fellow Mijikenda (Parkin 1970).

## 2.5 Trees and crops

"The people themselves understand by land rights, not only varying rights in land under cultivation but rights to land sufficient for their needs. This originally was taken to be the right to sufficient land to maintain their families in food, but has now been extended to include the right to obtain sufficient land for the planting of cash crops." (Tanner 1960: 15)

Unlike the contact with the *Sharia*, the introduction of tree crops - notably coconut palms - did have a tremendous influence on the 19th and 20th century changes with regard to Mijikenda land tenure and use. These changes can be summarized as follows:

- from communal to individual;
- from temporary to permanent;
- from use to ownership;

- from inalienable to transferable;
- from scarce to very scarce.

The impact of tree crops not only had to do with their being trees, but more especially with their being crops. Forest trees could be used by anyone, although it was considered polite to ask permission if they were in someone's field. Crops strictly belonged to the person who planted them or -- if planted by wives, children or labourers -- to the person for whom they were planted.

"... a man, whom I had employed as a carpenter, had cut down a Mbamba kofi tree which was growing in a field of maize. Very shortly afterwards the owner of the field presented himself, not to ask me for payment for the timber, but compensation for the damage done to his crops." (Champion 1914: 22)

Besides themselves being individual property, tree crops, notably the valuable and long-living coconut palms, also made land use and thereby land use rights more individual and permanent. Whoever had planted trees retained the right to use the land they stood on, even if it was further unused (Kayamba 1947). Moreover, people became less inclined to move and in due time considered the land they cultivated and where they had their trees, houses and graves as their own. Formerly, each household used as much land as it needed or could work, and after use the land was returned to the communal pool of land available to all. Now the planting of trees became a means to acquire long-term -- and in practice permanent -- claims to large areas. As long as there was seemingly enough land this was not felt as a cause for concern.

However, problems did arise when, without knowledge of the lenders or without these at first realizing the consequences, people did plant trees on borrowed land. A specific case were quarrels between wards and guardians, when the latter planted palms and other trees on land kept in custodianship for the former (Parkin 1972). Among the Digo the borrower after planting trees became owner of the land (Kayamba 1947). The Giriama considered that the trees belonged to the borrower and the land to the lender (Parkin 1972). However, with many trees per hectare the difference has little practical value. In order to prevent problems it soon became prohibited to plant tree crops or to build houses on borrowed or mortgaged land (Ngala 1949; Parkin 1972; Mkangi 1975; Gillette 1978; Herlehy 1985) or on land with communal claims or disputes (Gerlach 1965).

Tree crops planted in land belonging to other people again became a stumbling block when in the 1970s the government started to adjudicate land (see section 2.6). The Mijikenda had no problems with a situation in which **A** owns the land, **B** (his wife) uses it to grow maize and cassava, **C** long ago planted cashew trees and coconut palms on it, and mortgaged the latter to **D**, who had them tapped by **E**. Formal law was less flexible and could not cope with such complexities, and therefore usually the owners of the crops were persuaded to sell them to the owners of the land.

The planting of trees not only caused more individual and permanent rights to land. Where rights to trees were easily transferable, this also tended to make land ownership more transferable: if trees give right to land and trees are sold, then why not sell the land itself as well? Indeed, selling trees and selling land appear to have been correlated. Already at the beginning of this century the Giriama were buying and selling tree crops and by the middle of the century the buying and selling of land and its mortgage for limited periods had become common, although maybe not applauded practices, in many parts of their area (Champion 1914; Ngala 1949; Parkin 1972). The views and practices of the Digo appear to have been similar (Kayamba 1947; Gillette 1978). Among the Rabai and Jibana, on the other hand, it was until recently uncommon to sell trees or land or to mortgage them for limited periods (Johnstone 1902; Hamilton 1920; Herlehy 1985).

The last, but not least conspicuous characteristic of tree crops to be discussed here is that they occupy space and compete with other uses -- notably food crops -- for scarce and usually better than average land. Annual cash crops like sesame also compete with food crops, but they can easily be fitted into maize cropping systems as relay crops and, moreover, they claim the land for short periods only. Tree crops, especially when planted closely, exclude the growing or depress the yields of the shade-sensitive maize and occupy the land practically permanently.

The introduction of tree crops not only caused competition between crops for land. The division of labour and the resulting produce also affected the interests of individual members of the household. Parkin (1972) noted that in the palm belt around Kaloleni, in contrast with open areas outside, land scarcity left only enough land for the *munda* ("husband's garden") and led to the disappearance of the *koho*, which robbed the wives of one of their few means to earn some own income.

By the early 1980s the situation appeared more diffuse and varied, which may be related to further fragmentation of land use or the more common involvement of household heads in off-farm work. In many cases there were no clear *munda mbomu* or *koho*. Each wife cultivated her own large food crop plot(s), but as surpluses had become rare she was not expected to sell produce without the consent of her husband. What remained of *makoho* were very small plots of, for example, rice, cowpea or bambara groundnut. The husband was engaged in off-farm work and/or nominally or practically in charge of the tree crops. Where these activities took little of his time, there might be a *munda mbomu* worked by husband and wives or he might help in the separate plots of his wives.

## 2.6 Native reserves

As noted before, government action played a major role in the 20th century changes in Mijikenda land tenure and use. With regard to this action Kilifi and Kwale Districts can roughly be divided into two distinct geographical areas:

- The coastal strip, which the colonial government intended for the development of (European) plantation agriculture. Early in the 20th century land with proof of ownership was registered as private and therefore easily transferable, and the rest as Crown land which could be leased from the state (see section 2.7).
- The interior, which was designated as native reserve or trust land for use by the "Nyika tribes", and where until recently "customary" land tenure was left intact.

After the 1914 Giriama rising the rights of the Mijikenda to their territory -- outside the coastal strip -- were not disputed for many years. Colonial administrators and courts respected tribal boundaries and customary rules. An example is the "Jibana case", in which an English judge, under the assumption that "no person who is not a member of the tribe can acquire from the tribe greater rights than the members of the tribe possess" (Hamilton 1920: 16), confirmed that tribal land could not be sold to members of the tribe or to outsiders. The fact that elsewhere, in the coastal strip and in the Masai area, the same judge supported the colonial government against communal interests made the verdict even more remarkable (Sorrenson 1965; Salim 1973).

Until the 1938 "Native Lands Trust Ordinance" the native reserves were Crown land, which meant that they could be taken back at will although they were intended "for the use and benefit of the native tribes ... for ever" (Sorrenson 1965: 686). Therefore the respect for Jibana (and Mijikenda) views may have been due to the fact that in general their territory was considered less attractive for plantation agriculture than the nearby coastal strip, because it was densely populated, often drier, more dissected and less accessible. Also the chronic lack of labour and the fear of a repetition of the 1914 rising may have discouraged interference with Mijikenda rights.

Whatever the background, the verdict discouraged the sale of land in Mijikenda areas for a long time (Herlehy 1985). Instead of trying to establish European plantations, the colonial government tried to stimulate the Mijikenda to grow cash crops like cotton, cashew or copra, and so indirectly induced changes in land use and tenure.

Hamilton (1920), while upholding the principles of Jibana communal land tenure, already foresaw that reducing the reserves would sooner or later lead to claims for individual ownership of land. Population growth within a fixed area had the same result: gradually the land tenure keywords changed from "communal and inalienable" towards "individual and transferable".

Ngala (1949), a well-known Giriama from Kaloleni, mentioned borrowing for token payment, buying, and occupation of still available communal land - in that order - as ways to obtain land for farming. By the 1960s in the same area the transfer of land by mortgage for limited periods or by sale had become quite common. The change was related to the emergence of a class of relatively young entrepreneurial farmers. These were interested in quick, easy and

secure transfers of land and palms, without having to rely on large numbers of witnesses, and therefore they were in favour of land registration (Parkin 1968). Kaloleni was not an incidental case; among the Digo and Duruma near Lunga Lunga similar entrepreneurs and interests had evolved by that time (Gerlach 1963).

Therefore the formal land adjudication and registration programmes, started during the 1970s and still in progress did not meet effective opposition (Ciekawy 1988). Although some people were in favour of them and others against, many may not even have realized the implications of what was going on. The diverse reactions to the measuring tape and compass which I used when estimating plot size and crop yield -- which varied from verbal aggression or visible anxiety to friendly curiosity or complete indifference -- were illustrative in this respect.

In Kwale and Kilifi Districts, west of the coastal strip, roughly two types of land allocation can be distinguished:

- In densely populated areas with medium land use potential in the east plots were assigned to the heads of individual households. In most areas these plots are on average less than 5 ha. In the near future most farms will become far too small to support the farm household unless people accept the unlikely idea of primogeniture in combination with migration to the towns, or alternative rural employment.
- In sparsely populated areas with low land use potential, land was allocated to group ranches (west) and commercial ranches (extreme west). In group ranches problems may arise between those who live on the land but do not own livestock and those who do own livestock and actively participate in the ranch. In several cases population and stock densities are already exceeding the low carrying capacity of the land. Commercial ranches have been founded on supposedly unoccupied land; however, the presence of squatters raises doubts about the correctness of this assumption (Nation 1984e).

Apart from confirming the farmers' feeling that the land is theirs and stimulating them to take care of it, the beneficial effects of land adjudication and registration have been limited so far. Many of the group ranches have been inoperational and only a few of the farmers with individual land ever received their title deeds and even fewer used them with success to obtain credit (Standard 1982a; Nation 1984b).

Although for many farmers adjudication had few tangible advantages, at least it gives some security of tenure. In not adjudicated Trust land people risk losing their land for the "benefit" of any top-down development project like Kilifi Cassava Plantations' nucleus estate near Sokoke (Nation 1983b, 1984a; Standard 1983b; Taifa 1984) or Nyari Sisal Estate near Taru (Farmer 1983; Standard 1982f; NES 1985). In most cases no compensation is paid for the land, only for houses and crops. In 1983 the Kilifi District Commissioner ordered hundreds of people to quit nearly five thousand hectares of land earmarked for an unspecified development project near Mariakani: "this is government trust land and there can be no

compensation" (Times 1983b). People living and working on such land may not be happy with this free interpretation of what was once intended as land to be kept in trust for the people.

## **2.7 The coastal strip**

In the 10 mile wide coastal strip, which before Kenya's independence formally belonged to the sultan of Zanzibar, the transformation of land tenure and use followed a different path from that in the "native reserve". On the eve of colonial administration its agriculture was in a state of decline due to the abolition of slave labour. Late 19th century descriptions hardly gave the impression of an agricultural area but rather one of extensive wilderness with scattered plantations, many in a state of neglect (Fitzgerald 1898). To revive the agriculture in the coastal strip the colonial government promoted the establishment of European managed plantations based on hired African labour.

From the 1880s onwards the British East Africa Association (BEAA) and its successor the Imperial British East Africa Company (IBEACo.) bought several tracts of land between Mombasa and Malindi. In the early 20th century large concessions were leased to European companies and individuals, both for forest exploitation (rubber, timber, mangrove bark) and plantation agriculture (rubber, cotton, sisal) (Salim 1973). However, in spite of the "excellent prospects" the establishment of plantations generally proved "extremely difficult" due to "the great confusion over titles" (Mungeam 1966: 241). The latter is scarcely surprising in view of the diverse population of the strip (Arabs, Bantus, Indians and Europeans) and the related variation in opinions about communal and private rights to land, notably to unused or fallow land. This, in combination with the rapid expansion and decline of slave worked plantations, caused numerous conflicting claims.

The first registration of deeds had already begun in 1903 (Brantley 1981). However, the main tool to create order in the situation and to make land available for plantations was the 1908 Land Titles Ordinance:

"... in the Sultan's coastal strip an attempt was made under the Land Titles Ordinance of 1908 to adjudicate and record titles before declaring the remaining land available for settlement."  
(Sorenson 1965: 683)

Land with registered private titles was more easily and securely transferable, and land for which no such titles could be established was declared Crown land, which could be leased to white settlers.

"The assumption ... was that native rights in regard to land were confined to occupation, cultivation, and grazing, and did not amount to a title in the land itself. Hence it was assumed

that once the land was deserted by the African occupants it could be considered waste land and thus Crown land." (Sorrenson 1965: 682)

The assumption chose to ignore that in many areas land tenure had departed from the "native rights" situation (Salim 1973). Even where these did still apply, and individuals did indeed have no claims to particular pieces of deserted land, their community needed fallow land to replace land exhausted by cropping. However, in contrast with the Jibana case mentioned earlier (see section 2.6), in the coastal strip only few communal claims were acknowledged. Not even these were secure: large parts of a *wakf* (trust) reserved for the Mazrui community of Takaungu were soon sold to what is now Kilifi Plantations Ltd. (Salim 1973).

Kilifi Plantations is one of the few estates dating from colonial times that has survived until today. In spite of the attempt to regulate land titles, coastal plantation agriculture did not take off as expected. Most planters never reached the second phase of "after toiling in the sun, to rest in the shade" (Stigand 1913: 184). This may have been partly due to official neglect; the shift of the capital of the country from Mombasa to Nairobi in 1907 was symbolic of a concomitant switch in government attention from coastal planters towards up-country settlers (Memon & Martin 1976). More important, probably, was the lack of ecologically and economically suitable plantation crops and of cheap wage labour (Waijienberg, 1993b).

The stagnation of plantation agriculture resulted in the continuation and expansion of squatting by ex-slaves and Mijikenda on any land not being effectively used: Crown land, unused parts of European estates and semi-abandoned Arab and Swahili plantations. At first sight this might appear a positive phenomenon, as unused land was being taken into use. However, it implies a situation in which neither owners nor squatters could be secure of their rights to the land. The former had no more than an empty paper title and the latter only a disputable moral claim based on working the land. Both were discouraged from making long-term investments, such as soil conservation structures or the planting of tree crops.

An example of this insecurity is that when in the 1950s the value of land increased, Arab landowners in Malindi repudiated the 1937 cashew agreement which guaranteed squatters rights to the cashew trees they had planted. In response, angry squatters went around in groups to harvest cashew nuts in Arab-owned plantations, if necessary by force (Farmer 1972; Cooper 1981).

Around independence the national government had to take a stand with respect to pre-colonial Arab claims on land in the 10-mile strip. The land-and-tree dispute had become a hot issue in regional politics. Many Mijikenda resisted Arab/Swahili demands for *mwambao* (autonomy) or *majimbo* (regionalism) for the coastal strip, as the boundaries implied would cut through their own territory (Salim 1970, 1973; Brantley 1979; Cooper 1981). They stated that large parts of the coastal strip had never belonged to the sultan of Zanzibar and that the Arabs initially came for trade only (Masha 1984). Their opponents countered that according to their own traditions the Mijikenda came from Shungwaya or other distant places in the

hinterland and so could not claim age-old rights to the coastal strip (Kelly 1960; Salim 1973; Mambo 1982). Not surprisingly, both parties advised the other "to go home".

After independence the atmosphere became less violent, although in several areas the "squatter problem" has persisted until today and is unlikely to be solved easily without the cooperation of the landowners (Sauti 1984a; Mureria 1982). In some cases large companies with legally protected long-term leases are involved, like Ramisi Sugar Co. and Vipingo Sisal Estate (Standard 1983a; John 1983). In other cases the land belongs to absentee Arab landlords, who are difficult to trace as they live as far away as Zanzibar or Oman (NEHSS 1984; NES 1985). However, in various areas the problems have been alleviated by the establishment of settlement schemes.

## 2.8 Settlement schemes

Throughout the 20th century the establishment of settlement schemes has been one of the government's principal tools to regulate smallholders' land tenure and use, at first in the coastal strip and later in hinterland areas. Only the main schemes can be mentioned here (due to lack of space even fewer are indicated in figure 1):

- Between 1911 and 1913, in the aftermath of the 1907 abolition of slavery, in the coastal strip of Kilifi District several small settlement areas totalling some 5,700 ha were designated for ex-slaves, *mahaji* and other "detrribalized natives" Mavuani, Mtanganyiko, Tezo, Mida, Mijomboni, Pomwani (ALDEV 1962).
- In order to regulate the influx of Giriama from the hinterland to the coast south of Malindi (impelled by drought or attracted by the prospects of growing cotton) the 4,000 ha Gede Scheme was started in 1937 (Humphrey 1939). During the 1950s it was enlarged to about 10,500 ha by the inclusion of Mijimboni and other land (ALDEV 1962).
- Under pressure from the continuing migration of Mijikenda to the coastal strip the 16,200 ha Kilifi Crown Land Development Scheme was initiated in 1960 (ALDEV 1962; Farmer 1963). Between then and 1974 schemes were implemented in Ngerenya, Tezo/Roka, Mtondia, Vipingo and Mtwapa.
- In Kwale District the 16,900 ha Shimba Hills Settlement Scheme was started in 1948. Unlike the above schemes it was situated in an area that had remained uninhabited because of tsetse and poor soils, and it was settled successively by Taita, Kamba and Nandi (ALDEV 1962).
- The 60,000 ha Magarini Land Settlement Scheme, established in 1978 on Trust and

At first mainly local people and other Mijikenda were settled or resettled. In 1984 the alleged favouring of "outsiders" (Kikuyu) caused strong local resentment and political uproar (Wangalwa 1984; Nation 1984d; Sauti 1984c).

Settlement schemes were primarily established as a tool to solve land tenure problems. How urgent these were was vividly sketched in a 1964-1970 draft agricultural development plan:

"With the squatter problem getting quite out of hand there is a desperate need to accelerate settlement." (MoA 1964: 46)

This explains why many schemes in fact did no more than confirm, legalize and regulate the use of already spontaneously occupied land. As most were situated on Crown and Trust land they helped little to solve land tenure problems of squatters on Arab plantations. They did give land tenure security to the waves of Mijikenda who migrated from the hinterland towards the coast throughout the century, forced by drought and land scarcity in the former or attracted by climate and infrastructure of the latter (Humphrey 1939; Nightingale 1946; Farmer 1963; Lieshout & Straver 1984).

Settlement schemes also alleviated land scarcity elsewhere in the country. The settling of Kamba, Nandi and Taita in the Shimba Hills did not cause strife, as land was still abundant then. At present it is becoming very scarce, so the settlement of outsiders on land which the Mijikenda consider theirs is likely to encounter growing resistance, as shown by the Magarini case. Official attempts to do away with the "myth of tribal lands" (Wangalwa 1984), in spite of good intentions, risk being interpreted as favouring certain tribes, and so in fact promote tribalism instead of reduce it.

In the case of the Magarini Scheme the Mijikenda have history on their side. They may already have lived there before they moved to their *makaya* south of Sabaki river (Mutoro 1987). In the late 19th century the area was occupied (or reoccupied), mainly by Giriama and Kauma. One of the best known settlers was Ngonyo wa Mwavuo, who was granted permission by the British to live in Marafa, inside the present settlement scheme. Mijikenda access to the area was at stake during the 1914 Giriama rising. Some years later the area was resettled with official permission and consequently it was viewed as part of the Nyika Reserve (Patterson 1970; Spear 1978; Brantley 1981). One could hardly have chosen a more sensitive area for settling people from up country!

Apart from being a means to alleviate land pressure and regulate land tenure, the settlement schemes were also viewed as a way to improve land use, both inside and outside the schemes:

"... success in this undertaking will not be limited in its effects to the settlement alone, but will prove a powerful influence in improving native agriculture over a wide area." (Humphrey 1939: 450)

Settlers received closer supervision and more services than other farmers. Most schemes had rules on soil conservation and crop rotation, distributed new cultivars and breeds, advised on crop and livestock management, built access roads and provided water from boreholes or pipelines (Humphrey 1939; ALDEV 1962; Reeves 1979). In the Magarini Scheme, with financial and technical assistance from Australia (Standard 1982c), part of each farm was cleared mechanically, assistance was provided with the marketing of farm produce, and even a research station was established (Porter et al. 1991).

It was expected that this massive assistance and the presence of settlers from elsewhere in the country -- supposed to be better farmers than the Mijikenda -- would make the schemes exemplary. The approach did have some results: the Shimba Hills Scheme was "generally considered a success" (ALDEV 1962; Ruthenberg 1966), and many "winners of farm contests" and "farmers of the month" were from settlement schemes and/or from outside of Kilifi and Kwale (Farmer 1964, 1965; Grimwood 1968; Vianna 1968).

However, the early schemes were not very popular with the Mijikenda. As long as there was other land to settle they found the balance of assistance and rules in the schemes insufficiently attractive to make it worthwhile to join the schemes. Only the increasing scarcity of land outside the settlement schemes could force them to change their minds. In Kilifi District many of the original settlers left the Gede Scheme, although they stayed in or returned to the coastal strip (Nightingale 1946). In the early 1960s, in spite of the influx of Mijikenda to the coastal strip, there was little interest in plots in the Kilifi Crown Land Development Scheme (Farmer 1963).

In Kwale District the Digo showed little interest in joining the Shimba Hills Scheme, which they considered a failure. It was alleged that medical studies on the nutritional conditions in Kwale District painted too black a picture as the samples included "frequently ill up-country Africans ... living rather unhappily in the government-sponsored Shimba Hills Settlement" (Gerlach 1965: 245-246). The soils of the scheme were in general less fertile than those elsewhere, and the supposedly superior Kamba, Nandi and Taita farmers did not do better than their local Digo colleagues. Contrary to expectations, the Kamba began to adopt Digo farming methods, which proved much better adapted to the local conditions, and the differences between Kamba and Digo farms diminished with time (Gillette 1978).

A survey of farms inside and outside settlement schemes in the coastal strip of Kilifi District indicated little difference between them, apart from land tenure (Lieshout & Straver 1984). A study of economic and nutritional conditions in schemes in the coastal strips of Kilifi and Kwale, showed that in several aspects settler families were better off than the general population of the Districts (Hoorweg et al., 1991). However, it was difficult to distinguish whether the performance was caused by the settlement schemes as such or by above-average rainfall, proximity of roads, markets for produce and opportunities for off-farm employment. The prestigious Magarini Land Settlement Scheme, in a much drier and more isolated area,

proved a complete failure. Among the causes were the shortcomings of the technology thrust upon the settlers, which was later characterized as "disrupting a relatively sound farming system" (Porter et al. 1991).

This is not the place to argue whether the farming systems of the Mijikenda were indeed so sound, or to question the merits or demerits of changes. Case studies of maize and coconut growing have shown that improvements are needed and are possible, but will be far from easy and will require more than merely adding a few modern rules or some capital inputs to the systems (Waaijenberg 1993ab).

### 3 LABOUR

#### 3.1 Appearances

They (the women) attend to household duties, draw the water, fetch home the firewood, pound and grind the corn, cook the food, cultivate the soil, and, indeed, do everything, life with them being one long piece of drudgery. The men do scarcely anything but eat and drink. Young unmarried men in poor circumstances may do something to obtain a wife or wives, but this accomplished they yield themselves up to indolence, eschewing work as if it were sin. ... Toddy-tapping is a favourite pursuit, because it involves but little labour, pays pretty well, and affords abundant opportunity for gossip and guzzle." (New 1873: 114-115)

During the past century little has outwardly changed with regard to labour in the rural areas of Kilifi and Kwale. Women still cultivate, carry water, collect firewood and cook, while men leisurely climb and tap coconut palms or sit in the shade, talking and drinking. At least, this is the impression to any casual visitor. A closer look yields a more varied and dynamic picture of farm labour during and after the *kaya* period. Activities like gathering produce for sale, long-distance trade, livestock keeping, cash crops, formal education and off-farm work have had a major impact on the availability, division, cost, benefit and productivity of farm labour.

#### 3.2 Reconciling interests

During the early *kaya* period the economy of the Mijikenda was based on shifting cultivation, mainly with cereal crops, complemented with some livestock keeping, hunting, fishing, gathering and trade. Probably (as mentioned, there are no eye-witness accounts) in many aspects the situation was similar to that observed among the Giriama and Duruma early in the 20th century (Champion 1914; Griffiths 1935).

A key word to characterize the labour organization during and after the *kaya* period is "reconciliation" (JOHNSTON 1978). The piecemeal information available indicates that labour rules tried to strike a balance between the different interests as, for example, in the sharing of palm wine between palm owners and wine tappers. Some aspects of the reconciliation of household and individual interests will be briefly discussed here: hierarchical decision-making, division of labour according to sex and age, and joint as well as individual crop production.

Nominally, all major decisions regarding the production and use of crops and livestock were taken by the head of the household or extended family, supposedly in the interests of all. In practice, many decisions were delegated to his senior wife, who stored and distributed the harvest of the *munda mbomu*, kept his goats or sheep in her house, and coordinated the work of junior wives. These obeyed her and made her life easier, although they did not work

directly for her (Kayamba 1947). If today's situation may be extrapolated to the past, wives may have had a say in many decisions taken by the heads of households (Vervoorn 1984).

Labour division -- often an instrument to make some people work harder than others -- by the Mijikenda was seen as a way to ensure that everybody had something to do and none too much.

"It is a man's work to hunt, to cut down bush and to be the first to go to the plantation in the morning to cultivate. ... It is a woman's work to cultivate, to pound and grind corn, to draw water and fetch firewood, and to cook." (Griffiths 1935: 269)

The ceremonial words quoted above, which probably date from long before they were recorded, were spoken when a Duruma baby boy or girl was taken out of doors for the first time. They indicate not only that there was a division of labour according to sex, but also that men were actively involved in agricultural work, especially in clearing the bush as a first step in the shifting cultivation cycle, and in weeding. Boys and girls helped their father and mother in their respective tasks; girls carried water and firewood and boys ran errands and herded and milked the cows (Griffiths 1935; Wakanyoe 1984).

Where possible, older people increasingly left more onerous duties to children and junior wives, in order to dedicate themselves to what has been called "leisure as a full-time activity" (Dumont 1962: 35). This did not necessarily mean idleness and drunkenness but rather involvement in social activities such as the *kambi* (men) and *kifudu* (women) societies, marriages, funerals or counselling (Herlehy 1985). Moreover, such responsibilities could easily be combined with, for example, the weaving of baskets and mats, a preserve of old men.

Griffiths (1935) was one of the first to distinguish between fields worked by the whole household jointly (*dzumbe* or *munda mbomu*) and those of individual members (*makoho*). Most other observers paid little attention to the detailed running of Mijikenda farms, or were more interested in off-farm rather than in on-farm labour.

"... in addition to the plantation that each wife cultivates to feed herself and her husband while he stays with her, there is another plantation that all cultivate, the produce of which belongs to the husband." (Griffiths 1935: 284)

This quotation is not complete and may be partly incorrect, in that males could also have *makoho* and that the rights to produce were less simple. According to Bennet (1985), the first three days of the week each household member had to cultivate a certain area (*ngwe*) in the *dzumbe* each day. Whoever finished early might go to her or his own *koho*, whereas those who had not completed the job had to finish it on the fourth day, when the others were free to rest or to work in their own *makoho*.

The produce of the *dzumbe* was not the property of the husband; he and his senior wife administered it for the benefit of the household, usually for home consumption but also to provide the means to pay, for example, bridewealth. The produce of the *koho* was considered individual property, although under conditions of stress the household could lay claim to it, e.g. during the unexpected absence of the senior wife, who alone was permitted to take and distribute produce from the communal household store. The produce from *makoho* was probably also shared by the household during famines, although the name *ndugu si mutu* (meaning: am I my brother's keeper?), given to a well remembered famine, suggests otherwise (Herlehy 1984a; Bennet 1985).

### 3.3 Trade, slaves and wives

"As other people invest their capital in land, houses or stocks, so do these people invest theirs in wives, who, besides bearing them children, will supply them with cheap labour." (Griffiths 1935: 284)

During the 19th century the Mijikenda were active in collecting and selling forest products like gum copal, and they exchanged agricultural surpluses among themselves and with neighbouring peoples, and acted as middlemen in the trade between the interior and the coast. In the second half of the century they gradually lost the latter position, first because of competition from Kamba and Swahili traders and finally due to the completion of the Mombasa - Nairobi railway in 1901 (Spear 1978).

The involvement in trade had a large and lasting impact on Mijikenda society. It was one of the factors behind the expansion from the *makaya* and caused the breakdown of the central *kambi* authority (Spear 1978). The effect at farm level was less evident and did not last long; at the start of the 20th century most Mijikenda were farmers again, producing mainly for home consumption.

Gathering and trade were usually part-time activities that interfered little with farm work. Forest products like rubber and orchella weed were collected seasonally, often only during droughts and famines. Trade involved only some of the men, most of them in local commerce so that they also could take part in farming (Herlehy 1985). Porterage and long-distance trade were means to obtain wives or cattle: having attained these most men stayed at home (New 1873; Gunga 1983).

The limited loss of farm labour was compensated for by the work of male and female slaves, the latter often being junior wives. Although only few traders became rich men with hundreds of slaves or followers, trade enhanced agricultural production and prosperity, as shown by large numbers of livestock (Spear 1978). Investing the proceeds in cattle proved to be a misguided choice, as later Kwavi (Masai) raids, famines, rinderpest, and the fine paid after the 1914 rising decimated the herds. Investment in coconut palms proved much safer,

although the anti-*tembo* (palm wine) attitudes of the colonial and independent government constrained returns (Herlehy 1985; Waaijensberg 1993b).

If gathering and trade themselves left but few material traces, the related slavery did, as it changed Mijikenda views on work and women. Slaves were easily integrated into Mijikenda society, and their children were considered to be Mijikenda. Nevertheless, their status and life were not thought of favourably:

"Being hardworking, bearing abuse without redress, and lacking autonomy, are all marks of slavery: leisure, influence and authority indicate being freeborn." (Gomm 1972: 106)

The use of slaves for cultivation, before then mainly but not exclusively done by women, made the activity unattractive for free men. Older Digo found hard physical work demeaning and preferred to employ Duruma, who had a less pervasive slave system and were more amenable to manual labour. The latter also applied to younger Digo who had not known slavery (Gerlach 1964, 1965). The employment of slaves made field work degrading for Giriama men too. A British plantation manager accused them of doing no more than "breaking the ground and clearing the bush" (Brantley 1981: 67). Although the men's appreciation of hard physical work is also shaped by factors such as the harsh environment in which the Duruma live, slavery undoubtedly made hard work less attractive.

"... tilling the ground is too hard to be compatible with the tastes of the men, and they will not do it. They look upon it as the work of slaves; and as the women are really the slaves of the men, the women have to do it." (New 1873: 114)

Slavery did more than just leave the women with more work, it also affected their status. For example, among the *Wanika*, in this case probably the northern Mijikenda, the availability of female slaves caused a devaluation of the bride price paid for free women (New 1873). Because they were cheap, women were increasingly seen as a means to enhance agricultural output and prosperity (Griffiths 1935; Mkangi 1975).

"A man likes to get as many wives as possible, as they work for him and bear him children." (Barrett 1911: 22)

Among the Digo, marrying a slave woman (*kisuria*) did cost more than the normal matrilineal marriage (*nyambura*, *kuhala* or *kidigo*). It gave the husband more rights with regard to the wife's labour and her children, and after the abolition of slavery it was replaced by the patrilinear *king'ombe* (payment of cows) marriage. However, Digo women prefer the prestigious *chidzomba* or *kiislamu* (Muslim) marriage and object to being treated as if of slave descent, which means being beaten, having to work hard and often eat greens instead of meat or fish (Gerlach 1965; Gomm 1972; Gillette 1978). On the other hand, men talk about the laziness of Muslim women who tend to stay at home rather than go to the field to work.

Although most outward signs of the former trade and slavery have disappeared, the association slaves--work--women still colours present-day labour relationships within households and between tribes.

### 3.4 Livestock and tree crops

"The source of their wealth is their plantations, the produce of which, after meeting their wants they sell and invest the proceeds in sheep and goats." (Griffiths 1935: 279)

Livestock keeping is an old and popular, but not very secure investment, the animals having always been subject to theft, diseases and drought. These evils continue to take their toll, although today's thieves and diseases are less rigorous than the former Kwavi raiders and rinderpest, and the improved availability of drinking water somewhat alleviates the effect of drought.

Investment in tree crops started more recently, in coconut palms from the early 19th century and in cashew trees from the 1930s onwards. Tree crops are less flexible than livestock; during the first years after planting they are of little use, they cannot walk, or be eaten or easily sold like goats or sheep. On the other hand, they are a much safer investment than animals that succumb to hunger, thirst and an apparently unlimited number of pests. Trees can be damaged, e.g. by drought or fire, but it takes much to reduce their yield to zero or to kill all of them completely.

Livestock and tree crops diverted male attention from growing food crops and made the tasks of women heavier. During the early *kaya* period livestock and tree crops were of little importance, the former because of the threat of Galla raids and the latter because they had not yet been introduced. From the late 18th century tree crops steadily increased in importance. Livestock keeping developed less smoothly, as it was interrupted by raids, rinderpest, famine and war. Both livestock keeping and tree crop growing were considered primarily the responsibility of men, and absorbed a large part of their interest and labour at the expense of food crop growing which increasingly became the duty of women.

That does not mean that men actually withdrew from growing food crops. Shortening of fallow periods due to population increase and fixed settlement reduced the need for bush clearing. The male labour freed by the decline of tree cutting, hunting, gathering and trade, was not diverted to e.g. weeding maize but to planting coconut palms, tapping palm wine and herding cattle.

"... as cattle pastoralism increases in importance ... Duruma men show signs of losing interest in agricultural work." (Gerlach 1965: 253)

Livestock and tree crops diverted female as well as male labour from growing food crops. Although men are formally in charge of livestock and tree crops, women do much of the actual labour involved, such as milking cows, harvesting cashew nuts and planting or tending palms (Vervoorn 1984). This is not necessarily a free contribution to the husbands' income, as their own children, with whom they may live when old, are likely to inherit trees planted and tended by their mothers (Gillette 1978). Moreover, where cereal production is insufficient the nutrition of the household depends increasingly on the proceeds from tree crops.

Livestock, and even more the coconut palm, require land as well as labour. In the densely populated area around Kaloleni cattle have been replaced by ever increasing numbers of palms. Some farmers still own cattle but have them herded by farmers in drier and sparsely populated areas. As mentioned, palms also caused the disappearance of the *makoho*. Women not only lost male assistance in growing food crops and had their own tasks increased, they also lost an opportunity to work for themselves.

### 3.5 Business, schools and jobs

Mijikenda business interest and acumen did not end with the decline of the 19th century caravan trade. However, opportunities were restricted under colonial rule. The tapping and selling of palm wine were discouraged and the selling and buying of most other goods was limited to trading centres, which were dominated by Indian, Arab or Swahili traders. Mijikenda could not get licences, because they lacked capital and security (Parkin 1974). The relaxing of the trade regulations in 1947 opened up new opportunities, which many Mijikenda seized eagerly. Gerlach (1963) described the phenomenon of Digo and Duruma traders on bicycles, selling milk, fish, palm wine and vegetables. Enterprising Giriama went into copra production and trade, started kiosks and shops, and invested in buses, tractors or lorries (Parkin 1972, 1974). Rabai, Ribe, Chonyi and Kauma engaged in similar activities (Mkangi 1975; Herlehy 1985).

The profit motive was not the only reason (and probably not even the main reason) for the interest shown in non-farm business. Gillette (1978) noted that in spite of the higher rates of return for farm activities Digo and Kamba households invested more in business, because of its quick and sure returns. The same desire for security was also demonstrated by the way my assistants used their savings. One built a house in Kilifi and let rooms, which gave him a secure monthly income. Another did not invest the money earned with crop experiments in his maize field, but preferred to set up a small kiosk to sell packets of maize meal instead.

Education offered another escape from the insecurity of farming. Several of the few early students of mission schools in Rabai, Ribe, Kaloleni and Jilore attained a certain, but modest, degree of wealth. They obtained jobs in the colonial administration, became teachers, sub-

chiefs or chiefs, and some of them reinvested part of their income in agriculture or related activities like the trade in copra (Parkin 1974; Bennet 1985).

Formal education at first attracted only very few Mijikenda. The people did not like the missionaries' views on polygamy, palm wine and slave labour. Many of the early converts were fugitive slaves who found asylum in the mission posts, which in that way became foreign enclaves (Salim 1973). The events around the 1914 rising further strengthened the aversion to white men and all that came with them (Njau & Mulaki 1984).

"We were not allowed to go to school by our parents for they doubted whether education had any use for them. Because in those days planting only a small field could raise almost three baskets full of rice." (Wakanyoe 1984)

The quotation shows that the main reason the Mijikenda did not like to send their children to school was that they did not see the use of it. Parents and other relatives taught children how to behave, to develop their muscles, and to work (Ngala 1949). In that way they received an in-service training adapted to the rural conditions in which they expected to live. The education introduced by missionaries and the colonial government was orientated towards another way of life, that of paying taxes, buying imported goods, doing off-farm work, and going to church. For most Mijikenda such a life had little attraction.

Moreover, for various other reasons, schooling met with strong aversion. Schools were expensive, because even when "free" there were still the costs of uniforms, semi-voluntary contributions to fund raisings, etc. The time spent in going to school, usually far away, denied the household valuable labour. Formerly children helped their parents in many light, but nevertheless important tasks, such as scaring birds in fields of ripening sorghum and millet. Although schools came too late to have caused the replacement of these crops by maize, the lack of a Mijikenda equivalent of sheepdogs certainly discouraged the survival of these crops.

"European peasant school-children could never have gone to school so early unless their families had had sheep-dogs." (Dumont 1962: 74)

Due to their absence from home and farm -- being away and in contact with other cultures -- young people also learned less of "traditional" views, behaviour and methods. Old people, always considered wise, may prove unwise with regard to life outside the own area and so lose the respect of the youth, even with regard to themes where the elders still do have much to teach.

Most Mijikenda see education as an investment in an off-farm future. Basic reading, writing and arithmetic is helpful in farming, especially for the marketing of products, but is usually not even enough to understand the labels on agricultural chemicals. Most school gardens, if present at all, limit themselves to growing vegetables like tomatoes. Those with staple crops usually try to grow them in a "modern way", without trying to understand local conditions

and methods. (For a striking and unfortunately not yet antiquated description of a school garden see Gerlach, 1965).

Education for an off-farm future is an investment, insofar as it has its costs in terms of lost farm labour. As for returns, in the course of time, education has become ever less of a guarantee of economic and social success. The numbers of schooled people have risen, and so have the requirements of well-paid jobs, which have become scarce. Therefore, nowadays investment in education is a gamble, as there is no certainty that it will pay off. Many people have received insufficient education to obtain rewarding off-farm work, but too much to retain interest in humble farm work. This is not to disparage formal education; the choices facing those with no schooling at all are even more limited.

What have been the effects of schooling and off-farm work at farm level? Until recent decades the great majority of the Mijikenda, notably the women, never went to school, because of their unwillingness and the limited facilities available (CBS 1981). Therefore, the effect of schooling on the availability of farm labour has been felt only recently, and the full impact on on-farm labour and off-farm work will probably only become apparent from the 1990s onwards. Nevertheless, the trend is clear: in my sample of 131 farmers in the Kaloleni area interviewed in 1981, those who preferred a future for their sons in farming were by far outnumbered by those who wished them to have a job in town. Regardless of whether this outcome is attributable to hardships in rural areas, dreams about the benefit of education, or expectations of off-farm work, the message itself is clear. Off-farm work has become an indispensable source of income for most Mijikenda households (Foeken et al., 1989; Hoorweg et al., 1991).

In the same 131 households, less than half of the males of over 15 years were working on the farm. Although often seen as a solution for or an escape from agricultural failures like poor harvests, off-farm work may equally well be viewed as one of the causes. It siphons off people, probably even the more enterprising, who in view of their age and physical condition would otherwise make a valuable contribution to farm work. In the past, young men, rarely heads of households or homesteads, only worked off their farm for a time, in order to earn money to pay bridewealth or buy cattle, or to cope with emergencies. Nowadays, off-farm work is becoming a more permanent phenomenon and is increasingly involving the heads of households and homesteads too (Foeken et al., 1989). The latter means that those who are supposedly the "farmers" often hardly know what is happening on "their" farms. When visiting a farm, it is normal to be told that the *mzee* (literally old man) will be there in the weekend, and when you return to interview him, to discover that he "forgets" crops grown in sizeable quantities and talks about others nowhere to be found on the farm but maybe grown before he left for off-farm work in Mombasa long ago.

"Nowadays it is only in years of special plenty that there is no food shortage before harvest. And it is absurd to pretend that the absence, in the agricultural tribes, of more than half the able-bodied male population is not the chief cause of this chronic scarcity. In addition an

excessive share of the work of cultivation is thrown on the women, with consequent injury to their young children." (Leys 1924: 304)

At first sight the absence of men has a positive side, as it leaves their wives more freedom with regard to food crop growing. Whereas during the 1960s Parkin (1972) noted the disappearance of *makoho* due to land scarcity, in the 1980s many wives were (again?) cultivating their "own" fields and the *munda mbomu* had disappeared instead, probably as a result of lack of coordination within household or homestead, the *mzee* being far away. The independence of off-farm workers' wives may have little practical value. Men still retain the land tenure, manage the money to hire extra labour, have the best access to technology and markets, and often ask relatives to take "care" of their wives. Moreover, what do "own" fields mean for the wives if yields are so low that all produce is needed for home consumption? Wives who try to make some cash by selling produce on their own initiative, risk being accused of laziness or even theft when later on they do not have enough maize to feed the household.

### 3.6 From help to hire

Although the agricultural production among the Mijikenda is rather individualistic, with the household or sometimes the homestead being the basic unit, there seems always to have been cooperation in larger groups. In the past, physical security may have encouraged this. Other reasons, still valid today, were the need or wish to finish large jobs like clearing or house building within a short time, and the stimulating effect of working, singing and talking in groups.

The Digo distinguished *wiri* or *weria*, i.e. work in the field or house building in exchange for food, and *kukumbana*, the exchange of farm labour by smaller groups who worked their fields in rotation, with no food being provided (Gerlach 1965; Gillette 1978). The Giriama had similar forms of cooperation, *mwerya* and *kikola*, but informants differed in their opinion with regard to kinds of work, sexes involved or provision of food (Bennet 1985; Kombe 1984; Kombe 1985). The confusion may be due to the fact that these practices have died out (Gerlach 1965; Gillette 1978). There are still small labour groups, usually of women, and men continue to help each other with house building, but usually only close family members and nearest neighbours participate (see also Nauta *et al.* 1981).

The women's groups and youth (4-K) clubs found throughout Kilifi and Kwale Districts are a new form of cooperation (Standard 1982b, 1983c). Many dedicate themselves to new activities like market gardening, breeding rabbits or chickens, bakeries or kiosks selling water (Maas, 1991). Others like the *Amkeni* women's group in Chilulu also cultivate common fields with staple food crops (Vervoorn 1984). Few of these groups work on their members' farms.

At present, farmers with incidental or structural labour shortages are expected to hire people rather than ask for assistance (free or reciprocal) from relatives and others, the request for assistance having become an admission of poverty and inability (Gillette 1978). Only very few farmers can afford permanent labourers; most hire occasional labour and usually pay for piecework, *kibarua* or *kipande* (plural *vi-*), e.g. per area to weed or per number of coconuts to pick, dehusk or split. Those who hire labour tend to have a regular income, for example from off-farm work or coconut palms. Most *kibarua* is done by women (Nauta *et al.* 1981). These may need the cash for clothes, to buy maize meal, for cowpea seeds or to pay the hospital. In most cases, men who need cash opt for off-farm work in town (Foeken *et al.*, 1989).

The practice of *kibarua* offers flexibility both to those who hire it and those who do it. The former may not have enough money to pay at once for a large job. Tractor ploughing, for example, although mostly cheaper, requires a large minimum area and a big lump sum, whereas by means of *kibarua* a field can be cultivated little by little, in accordance with the farmer's resources. The people who do the *kibarua* can earn some cash at short notice and near their homes and farms.

Hired labour is used for cash crops like coconut, which can repay the outlay, as well as for food crops like maize, in which case the money has to be recouped from another source (Gillette 1978). At first sight it seems unwise to deploy hired labour on maize, as yields are usually so low that most women cannot even produce enough for themselves and their children. However, an experiment in Chilulu in 1984 showed that the same amount of labour for weeding, but applied at the optimal moment, more than doubled the maize yield (Waaijen-berg 1993a). Although the conditions of the trial plot were not fully representative of farmers' fields, the results indicate that a little hired labour at the right time can make a great difference. The use of hired labour for weeding shows that farmers are aware of this, although the great majority do not have the resources to mobilize sufficient labour.

### 3.7 Productivity

Labour changes since the *kaya* period can be summarized as follows: more work has to be done by less labour and for lower returns. Tree crops and livestock bring a lot of extra work, whereas schooling and off-farm work reduce the labour available. A third factor is the low productivity of labour resulting from low soil fertility, competition from weeds, shading by tree crops, and in many cases also long distances to fields, firewood or water.

Shocking accounts of historical droughts and famines tend to obscure the fact that in most years crop yields used to be higher than nowadays. Shifting cultivation with appropriate fallow periods restored soil fertility, suppressed weeds, and apparently produced surpluses.

"The work of the men at that time was farming only. Since they had little to do on grazing and no tree crops, soils at that time were extremely fertile and the harvest from a small rice *shamba* could last for three rains." (Wakanyoe 1984)

"In those days, when people have harvested and there is still some maize of last year in the store, what do they do? They bring out the old maize and burn it, because they claim that it has no taste anymore." (Bennet 1985)

These quotations are given credence by the high yields of present "new" fields, even although these have had only short fallows or are on marginal soils, the better sites being used nearly permanently. Today's low yields are caused by soil exhaustion brought about by long use and short or non-existent fallows and by competition from graminaceous and broad-leaved weeds, which were formerly effectively suppressed by several years of forest or woodland regrowth. Weeds are a double-edged sword: they do not only reduce yields but also raise labour requirements.

"... in the rainy seasons they toil from early morning till late in the evening, cooking their food in the plantation. That they do not cultivate larger areas is not due to their laziness, as is sometimes asserted, but to their inability to cope with weeds; for as soon as they have planted the ground, they have to begin to weed the corn." (Griffiths 1935: 278)

Weeding is always a tedious chore, but it is even more difficult and less effective when it is raining heavily during the first weeks after planting maize, the most critical period (Standard 1982e). All weeding is done by hand, using small hoes, as the use of herbicides is virtually unknown. Tractor ploughing, mostly applied on heavy, treeless, clay soils, not only makes it possible to plant larger areas, but may also assist in weed control. An experiment on two different soils of Kaloleni Division in 1984 indicated that ploughing suppressed weeds, reduced labour input in weeding, and increased maize yields. However, still little is known about its long-term effects on weed populations, physical and chemical soil fertility, and maize yields (Waaijenbergh 1993a).

Although they tend to talk in terms of yields, productivity may be more relevant for farmers. In the case of the Mijikenda that means mostly the returns to land and labour. Data from 17 farms in Kaloleni division in 1982 showed a significant positive correlation ( $R^2 = 0.56$ ) between the number of working women (average 2.2) and the area of maize (average 2.0) per farm. However, due to low average returns to land (460 kg ha<sup>-1</sup>) and labour (390 kg woman<sup>-1</sup>) many wives did not even produce enough for themselves and their children, unless hired labour or tractor ploughing were also employed (Waaijenbergh 1993a).

## 4 DISCUSSION

### 4.1 A dynamic past

During the period under study land tenure and labour division among the Mijikenda underwent numerous and substantial changes. In the previous chapters these were described piecemeal and roughly chronologically. Here the nature of the transformations and of the processes that led to them are summarized.

In former times Mijikenda society was open. Anyone could become a member and get access to land, no matter whether he was from another Mijikenda tribe, a Kamba trader, herder or refugee, an adopted slave, a Muslim acquaintance or a Protestant missionary. With time, the door to natural resources was closed to the less fortunate, all kinds of outsiders, and anyone without wealth and witnesses or a title deed to prove one's claims.

Temporary access to resources became more permanent. Land scarcity and tree crops discouraged people from moving on and taking a risk elsewhere. The effort invested in planting and tending tree crops, especially coconut palms, increasingly rigidified the land use. Nowadays, people are tied to the same, small piece of land, with ever less freedom with what to do on it.

Mijikenda men changed from independent traders of wanted goods into dependent sellers of labour in a market in which supply outstrips demand. Wives have also lost much of their economic freedom: household and maize field demand more labour for less returns, and there are fewer opportunities for them to earn some cash for themselves.

In the past, abundance, flexibility and reconciliation were apt keywords to describe land and labour relations among the Mijikenda and between them and their neighbours. Nowadays in many cases the opposites -- scarcity, rigidity and conflict -- are more appropriate. Although this is a somewhat simplistic representation of reality, there can be no doubt that land and labour relations have hardened.

Land tenure and labour division in African societies are often seen as static until colonial rule, the independent state or development projects induced reforms. Accordingly, customary rules are presented as a fixed set instead of as a changing and variable mix of norms, and changes tend to be described as the effects of alien influences or as reactions to them. The history of land and labour relations of the Mijikenda shows a long succession of adaptations to external (Muslim expansion) as well as internal (coconut planting) pressures and processes. They played an active part in all these changes.

The Mijikenda have an interesting history of interpreting and reinterpreting and shaping and reshaping their institutions in such a way as to best serve their needs. By way of illustration and conclusion three central institutions in Mijikenda society are discussed below, rather

impressionistically: the relations between brothers, between man and wife, and, in the account of funerals, those between generations and with other members of the community.

## 4.2 Brothers in distress

"Firstly, somebody can start a farm by building a house or planting food crops. He is going to give palm wine and make a party to the owner of the land as thanks." (Ngala 1949: 20)

In the old days it was unthinkable for a brother not to have a place to build a house or to cultivate his crops. Even men from outside Mijikenda territory could easily get access to land and become an inhabitant and full member of the *kaya*. Nowadays land is a very scarce resource, protected by increasing numbers of rules, and being strictly the property of an individual person. So far, an objective and clear description of the situation.

However, there is also a subjective reality of how people experience and have experienced changes and conditions. Many "traditional" views survive and influence the way people see the actual situation. This tension between tradition and reality is revealed in ambivalent feelings or behaviour. On the one hand, in order to survive the ownership of land has to be emphasized, yet a Mijikenda farmer feels uneasy about refusing even harder pressed *ndugu* (brothers) their rights.

The rights of a household or family to land are still unclear. Formal (European) law considers that the person in whose name the title is registered is the sole owner. Since this person is usually the oldest male of the household or homestead, younger brothers and their children may one day find themselves without land. Of course they may go to court to have their moral rights converted into more material ones, but they start from a much weaker position than the person with the formal title deed. This problem has occasionally been avoided by registering plots in the name of several persons (Ciekawy 1988). Instead of being a lasting solution this may prove to be a time bomb that will go off as soon as the stress of the growing number of mouths exceeds the cohesion of family relations.

At community or village level custom ensured that the poor could get a share, but also enabled strong men with large families to build up large claims which later became permanent. Actual differences in land ownership are justified by referring to hard work by ancestors or owners and registered title deeds. However, there remains an undercurrent of unease. This is shown by the varied and confusing answers to questions about how somebody can get land to build his house on or grow his food. It is difficult to refuse a brother a piece of land to build a house, but to get land for crops, unless completely abandoned, one has to be a very close relative. My impression is that the "have's" cannot refuse easily, but that the "have-nots" have learnt what they can and cannot ask for.

At regional and national level there are the rights of squatters to Crown and Trust land, and of the provincial or national government to settle outsiders on land the Mijikenda tribes consider theirs. There is a strong conviction that all land once occupied by members of a tribe belongs to that tribe. However, there is no central authority like the former *enyetsi* to give expression to this feeling, and defend the interests of the Mijikenda effectively. As for the government, if it continues to impose settlers from elsewhere in a fashion seen as a top-down declaration of war, it is unlikely that lasting solutions for land problems will easily be found. With land scarcity intensifying everywhere, it may prove hard to revive the kind of blood-brothers' solidarity observed last century in Kamba - Mijikenda relations.

### 4.3 Marriage: benefit or burden?

"Recently a custom has grown up of old men marrying very young girls. The reason given by the old men is that they [the wives] can do so much more work in the fields, so that the more wives a man buys, the bigger are his plantations and the greater his wealth and influence." (Champion 1914: 15)

Marriage, preferably polygamous, has long been the basis of Mijikenda society. It maintained the chain between the dead, the living and those still to be born (Mbiti 1975). It gave women access to land and men to labour, and combined the specialized skills of both sexes into a social and economic unit capable of surviving under the difficult environmental conditions of the Mijikenda area.

No doubt there have always been economic motives for marriage, but in the 19th century the material benefits became more evident. The migration into new areas made labour a relatively scarce factor in a period of demand for forest, crop and livestock products. More wives meant more surpluses and more children to help with weeding, tapping or herding. Viewed in that light children were rightly regarded as *nguvu*, or strength (Gomm 1972). These conditions favoured a businesslike view of women and shifted the emphasis to the commercial side of marriage.

In the 20th century, population growth within an area limited by rainfall and soil characteristics and colonial barriers against migration towards the coast, increased the ratio of labour to land. Investment in wives lost profitability, and in the mix of factors which made polygamy attractive -- partnership, sex, children, status, comfort, insurance and production -- the last became less important. Nowadays good land is scarce, and therefore most women do not even produce enough food for themselves and their children. These, instead of helping them on the farm, go to school and cost money rather than earn it.

Men are beginning to realize that having many wives and children means more worries than wealth. Off-farm work also stimulates monogamous marriages, as the benefits of having many poorly supervised wives in a far-away home village are doubtful. On the other hand,

men may decide to have both a farm wife and a town wife. This does not mean that monogamy has become the ideal. The talk of young men, like my assistants, about its supposed benefits should not be taken too literally. For young men with poorly paid work the cash for the bridewealth of just one wife is already beyond their means. Men with one wife may opt for monogamy because they realize that they cannot afford to marry and maintain more women and children. Monogamy is seen as a necessity dictated by existing poverty rather than as a way to prevent future poverty. For those who can afford it, a few Christians excepted, polygamy remains the ideal. What is the value of wealth if it is not enjoyed by a large family?

The lack of enthusiasm for monogamy and family planning makes some sense (Parkin & Parkin 1972, 1973; Kambi 1984). Child mortality is still high because of the poor health of mothers, inadequate nutrition and diseases. The link between small families, better education and higher income is far from clear. In the recent past, men with many children could earn enough to give at least some of these children a good education, whereas nowadays small families are often correlated with poverty. If land is available, and at critical moments tractor ploughing or hired labour are deployed or the wives can be engaged in planting palms or running shops and kiosks, more wives still mean more wealth. As for the wives themselves, elder ones often accept polygamy as it lightens their onerous tasks, while in many cases the younger ones are not asked for their opinion.

The relations between labour and wealth or poverty come poignantly to the fore in the custom of child marriage (Nation 1982, 1983ac; Standard 1982h). There is the tendency to blame this practice on greedy fathers and lecherous old men, but such an analysis represents only part of the truth. Johnstone (1902) already noted the relation between famine and child marriage. Even today, fathers who take their daughters out of school to marry them off and so reduce expenses and receive bridewealth, may be pressed by need rather than lured by greed. For old men, the low returns on female labour mean that such marriages are less to do with "wealth and influence" and more with an old age insurance or a way of survival. It is noteworthy that child marriages appear to be commonest in dry and poor areas.

Child marriages are an extreme way of exploiting female labour, but what about other marriages? In the 19th century the lives of women appear to have been comparable to those of slaves (New 1873). Since then the expansion of tree crops and the absence of men has increased their workload. They have had to perform more tasks without extra means and rewards; on the contrary, they have seen their rights to land and crops reduced. Under customary rules these rights were specified, even though women were the last in the chain God--Tribe--Clan--Man--Wife. The old rules weakened and the modern laws which replaced them refer to the relation State--Man and do not protect the rights of wives to the land they cultivate all their lives.

With ever lower food crop yields, women have seen their economic status decline; they are now often seen as a liability rather than an asset. With the exception of Digo women, who

have long been more independent, women have few opportunities to escape (Gomm 1972). Fathers will not be happy to see them back and they find it hard to get work because of their lack of education. In short, they are stuck on their husbands' farms.

The above picture has been phrased in rather economic terms, and is coloured by 19th century male chivalry or 20th century feminist views on how man-wife relations should be. However, Mijikenda women do have very hard lives, and they are becoming aware of this and to express views that things could and should be changed.

#### 4.4 Aspects of funerals

"So they provide abundance of food; the toddy-bowl goes round; the drum, the dance, the song, all are called into requisition to drive away the gloom, and to keep all ghosts and hobgoblins at a distance. The bereaved family has to provide the necessary means for keeping up the celebration, even though the doing so prove its ruin." (New 1873: 121)

Funerals are major events in Mijikenda life (in local conversations and literature the more accurate terms wake or mourning are seldom used). The first is called *matanga* and is held immediately after the burial, which is a day after death, and according to the status of the deceased it may last up to seven days. One to several months later, depending on the financial position of the bereaved family, there is a short ceremony called *msiba* during which the affairs of the deceased are settled. *Matanga* are attended by relatives, friends and the wide neighbourhood, *msiba* by relatives, invited guests and neighbours more closely involved with the deceased person and the bereaved family.

Funerals are also highly controversial events which can just as well be interpreted as informal business meetings, drunken parties, socio-cultural gatherings, or subversive movements. In this section, I give an impression of the social and economic significance of funerals, with emphasis on their role in the transfer of rights to land and labour, and in the sharing of material goods and moral values. For ritual and ceremonial details, see the extensive and varied literature (New 1873; Champion 1914; Griffiths 1935; Ngala 1949; Parkin 1972; Standard 1982g).

The most obvious business dealt with at funerals is the inheritance of the deceased's assets --in the widest sense of the word -- such as wives, children, land, crops, livestock or buildings. The subdivision of land and tree ownership is a powerful levelling mechanism, as rich farmers tend to have more wives and children than their less fortunate neighbours.

If the sons are adult, the farm is divided among them; if they stay together the eldest becomes the new head of the homestead. If the sons are young a guardian is appointed, usually the person who has inherited the widow(s). He is responsible for their upkeep, can dispose of their labour, has to pay bride price for the boys, but will receive bridewealth for

the girls. Therefore it is attractive to be the guardian of almost marriageable girls but a near disaster to be in charge of many small hungry boys for whose first wives a bride price will have to be paid. The bitterness may be sweetened by the fact that a guardian is also entrusted with the care of the land, tree crops and livestock and may enjoy usufruct until the boys are grown up.

A widow can stay with her sons, return to her parents' homestead, or go to live with the person who inherited her, usually a brother of the deceased. The first night he sleeps with her he must lay down a new hoe by her side (Griffiths 1935), as a symbol of the continuity and change in her duties. However, many widows feel too old to work and expect their new husbands to care for them instead. In other cases inheritors do little more than pay an occasional visit to their wives.

The casual observer will notice little of the above arrangements. He sees what looks like the reckless spending of all resources the deceased has built up during his life. At funerals the guests are lavishly entertained with food, drink and music; usually cattle are slaughtered. For that reason many outsiders consider funerals as parties of drunks, deleterious for the well-being of the bereaved family and development in general (Standard 1982g).

Parkin (1972) argued that increasing differentiation related with investment in copra production during the 1960s stimulated overspending on funerals, as the new rich set the norms for poorer families. Indeed, the distribution of wealth may have become more skewed in recent decades. However, there have always been rich elders, caravan traders and cattle owners or palm wine sellers (Spear 1978; Herlehy 1985), and even long ago funerals could be a ruinous affair for the bereaved family (New 1873).

For the visitors funerals mean sharing food, drink and dances as well as sorrow. Close neighbours, friends and relatives also contribute by bringing gifts of food, drink or money. Since 1981 the production, commercialization and consumption of palm wine has been strictly forbidden, but this popular drink is permitted at funeral ceremonies. The people exploit this tolerance to the full, and far from being grateful are eager to point out the injustice of not being allowed to tap, sell and drink it whenever they want to (Waaijenberg 1993b). For many people funerals are also an occasion for eating meat. Goats or cattle are seldom slaughtered, as because of the hot climate their meat has to be consumed within a short time, which is only possible at gatherings of many people.

Funerals restore and reinforce the relations between the bereaved family and visitors, and among the latter themselves. They are an opportunity to make friends, meet lovers or find business partners, for example witnesses to transfers of land and palms (Parkin 1972). Quarrels, e.g. about rights to bridewealth (labour) or ownership of land and tree crops are settled. Opponents can hardly avoid each other, and the presence of mutual friends, witnesses and advisers is conducive to making peace, or at least to reaching some agreement. Such

conflicts and solutions may serve as test cases for reinterpreting old norms and rules that need to be revised.

Funerals offer a forum at which traditions, like dances, songs, histories and norms can be passed on, confirmed or adapted (Parkin 1972). Traditions are rarely discarded completely; often they change gradually. For example, in the drinking of palm wine people still share the same straw and drink from the same calabash, but the order in which the drink is passed around shows that education and money are replacing age as a major determinant of status.

Summarizing the positive and practical facets of funerals, we may define participation in them as a social investment, by individuals, households or families, and the community. The first three gain support and security, whereas the fourth confirms or adapts its relations and mores in such a way as to reconfirm its identity and ensure its survival.

As for the negative aspects -- if we overlook the few people who would be drunk anyway -- funerals are mainly a drain of valuable time and money. Many households spend more cash on these celebrations than on health care, and officials complain that funerals interfere with extension and education, as farmers do not visit their demonstrations and children fail to attend school (Standard 1982g, 1984a; Sauti 1984b; Nation 1984c).

More and more funerals are within walking distance, and because of the many direct and indirect social links there are few at which a certain person is unwelcome. Whereas a *kaya* had a population of some 1,500 persons at most (Spear 1978), nowadays Kaloleni Division has an estimated population density of about 200 persons km<sup>2</sup> (after CBS 1981). Almost 6,000 persons live within a radius of 3 km: population growth means more potential funerals and guests! Therefore, it is not surprising that people no longer visit every nearby funeral and spend less time at those they do attend.

#### **4.5 A difficult future**

The changes affecting land and labour must be seen against the sombre background of rapid population growth, increasing scarcity of land and stagnating off-farm employment sketched by Hunt (1984) and Livingstone (1986). Land reform, suggested by the former, is unlikely to bring much improvement in the case of the Mijikenda. Indeed, land tenure is somewhat skewed, but very few people are landless. The social disorder that would arise in the wake of any unlikely attempt to make the land distribution more equitable would certainly outweigh the limited benefits from a more optimal use of land and labour. Therefore, people must find solutions on the farm they have, or in the factory where they work.

Most farms are characterized by a shortage of both land and labour. The latter is relative, as more labour could be mobilized if needed, but the productivity of most farm activities, in

terms of physical output or market value, is too low to pay for the labour. Even where extra labour would be highly profitable, cash restraints often preclude its use. Research on alternative farm activities should look for crops and technologies that create much employment, give high and stable returns to land and labour, and require little investment. They should exploit the nearby markets for milk, vegetables, and especially for fruits that are less easy to grow in other parts of the country.

Off-farm work is crucial for most households, for survival and as a potential source of money for on-farm investment. Even improved farming systems are unlikely to absorb the present labour force, let alone the expected increase. The Mijikenda are in a favourable position because of their proximity to one of the largest ports and towns of East Africa. They are handicapped by the generally low levels of education and relatively late entry in the labour market. More emphasis on practical technical education might help to improve their position on the labour market.

The present-day combination of farming activities and off-farm employment require an overhaul of family relations. If the Mijikenda, as often heard, should be taught to see farming as a business, they must also learn to accept their wives as the managers. Little improvement can be expected from absentee "farmers", who visit their homes but once a week and their fields maybe once a month. There is no evidence that women are less well prepared than men, although schools could focus more on the kind of life rural girls are heading for.

The government can play a crucial role in the transformation of Mijikenda agriculture by acting as intermediary between the Mijikenda and the outside world of e.g. employers, education, research, extension, or markets. In the past, mutual relations were often strained by mistrust of top-down approaches to change. A reversal to cooperation on the basis of mutual respect and commitment is a difficult but indispensable condition for development.

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