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Between the State and the Community: Appointed Chiefs and Indirect Rule in Colonial Turkana, Kenya, c. 1918–1963

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Abstract
This study examined how the colonial administration in Turkana District, northern Kenya, created appointed chiefs in a society with no precolonial tradition of centralised chieftaincy, and how those chiefs negotiated, resisted and benefited from their office between c. 1918 and 1963. It reads colonial administrative records held in the Kenya National Archives against oral testimony from elders and descendants of chiefs. The evidence indicates that the chieftaincy created under the Native Authority Ordinance was neither a straightforward colonial instrument nor an indigenous leadership system. Chiefs held a delegated and fragile authority between state demands for taxation, labour and stock control and community expectations shaped by elders, age-sets and households. The study argues that chiefly agency is best understood as a shifting combination of negotiation, resistance and benefit rather than as collaboration or resistance. It concludes that the office was retained at independence in 1963 and suggests, with qualification, that its ambiguities influenced later local governance.

Key words: Colonial chiefs, indirect rule, Northern frontier, oral history, Turkana.

INTRODUCTION

This study examined how the colonial administration in Turkana District, northern Kenya, created appointed chiefs in a society with no precolonial tradition of centralised chieftaincy, and how those chiefs negotiated, resisted and benefited from their office between c. 1918 and 1963. The selection of chiefs was one of the main methods by which the European administration aimed at controlling people by employing the least possible number of officials and spending the least amount of money in colonial Africa. Generally referred to as indirect rule, this was a system where colonial officials would select, recognise and in many instances create a group of local agents who would be responsible for tax collection, recruiting labour, enforcing order and relaying instructions between the district office and the countryside. According to Mahmood Mamdani, such a system resulted in a "decentralised despotism," where chiefs were a fused authority over their communities, but were still under a distant colonial authority that was largely unaccountable to them (Mamdani, 1996). But as local government historians have demonstrated, this model was far more complex on the ground, and the actions of individual chiefs were very different at different times, depending on local social structures, the personalities involved and the specific demands made of them (Berman & Lonsdale, 1992). This study examines how that system took shape in Turkana, where it had no precolonial counterpart.

In this study, Turkana District (which formed part of the wider Northern Frontier region of colonial Kenya) is used as a case study to explore these dynamics at the county level. Turkana is of special interest for this purpose because it did not have the type of precolonial structure corresponding to the 'chiefs' of many of the societies analysed in the classic literature on indirect rule. The Turkana pastoralists' system of authority was non-concentrated, and in this case, not one office holder exercised authority over a specified area or a particular group of people; rather, there were councils of elders, age-set organisation and reputations of individual stock owners and diviners. Thus the colonial chieftaincy that was introduced after the First World War was not a change of the old system but a new invention which was placed on a society whose own political idiom was not conducive to its existence. It is useful to explore the reaction to this institution, its use and transformation by the individuals invested with its authority, and by the communities forced to deal with it, as an insight into the broader question of the practice of colonial authority at the local level, away from the offices of the Governor in Nairobi.

The argument advanced here is that appointed chiefs in Turkana were neither simple collaborators nor simple resisters. Rather, their actions are understood as an ongoing and often halting negotiation between colonial requirements and local capabilities, as demonstrated through the archival and oral evidence presented in this study. This negotiation could threaten their standing among their own people while also offering opportunities for personal gain through stock, land, court fees or prestige. These propositions constitute the study's hypotheses and are examined against specific historical evidence rather than assumed to be true.

Two bodies of scholarship frame the study. The general literature on indirect rule and colonial chieftaincy (Mamdani, 1996; Berman & Lonsdale, 1992) has been developed largely from continental surveys and from agrarian and settler-influenced districts. Studies of Turkana, above all Lamphear (1992), have concentrated chiefly on the conquest and early colonial rule and on Turkana responses to it. As a result, existing work has given less attention to how appointed chiefs in Turkana exercised, negotiated and used delegated authority in a society with no precolonial chieftaincy, and to how elders, age-sets and households shaped that exercise over the longer period to 1963. This study addresses that gap by tracing chiefly agency from the formal appointment of chiefs to independence and by reading colonial administrative records against oral testimony.

The study was guided by four research questions. First, how and why did the colonial administration establish a system of chiefs in a society without centralised chieftaincy, and how did this system evolve between c. 1918 and 1963? Second, what administrative functions did chiefs perform in relation to taxation, labour recruitment, livestock control and enforcement, and how did their formal responsibilities compare with their actual capacity? Third, how did chiefs negotiate, resist or benefit from their positions, and how did

elders, age-sets, gender and household structures shape their responses? Fourth, to what extent and in what ways was the office retained after 1963?

Turkana on the Eve of Colonial Rule

Prior to the development of effective colonial control in the early twentieth century, Turkana was a society based on transhumant pastoralism, where households would move their cattle, camels, goats and sheep in search of water and pasture according to seasonal conditions in a semi-arid environment. Power was fragmented, with elders, diviners called emuron, and territorial section and age-set leaders lacking coercive authority over their peers that was similar to that given to colonial chiefs. In most cases, the key decisions, e.g. migrations or responses to raids, were discussed with a group of senior men and not issued by a single man. The painstaking work of John Lamphear, whose study of the Turkana response to colonial rule is still the most important work on the period, has demonstrated that the Turkana had already evolved a decentralised but effective system of coordinating military and economic activity on a large scale, but lacked a single paramount authority (Lamphear, 1992). In the broader Lake Turkana basin, the work of Neal Sobania highlights the variability and adaptability of communities in this part of the world to cope in a hostile environment, lacking a centralised political system, by combining the practice of fishing, herding and small stock keeping (Sobania, 1988). Gulliver's survey of Turkana social organisation (Gulliver, 1951), McCabe's study of Turkana ecology, politics and raiding (McCabe, 2004) and Barber's study of British relations with the pastoral peoples of north-eastern Uganda (Barber, 1968) further ground this characterisation of Turkana political life as dispersed rather than centralised, although they differ in period and emphasis.

The lack of a central authority was immediately a challenge to colonial rule when it looked towards Turkana after the expansion of British control into the wider area. It was a society which presented no obvious point of leverage: officials had been used to working through kings, sultans or lineage heads elsewhere in East Africa. The answer that evolved slowly and spasmodically during the first 30 years of the twentieth century was to build such a pivot from scratch, and to find those individuals and grant them government recognition and support the coercive force of the colonial state.

Indirect Rule and the Study of Chieftaincy: A Framework

The interpretation of the literature on colonial chieftaincy in Africa has gone through different stages. Early administrative and anthropological writing was often of the appointed chiefs as more or less faithful custodians of custom, adapting to the new circumstances. A more critical scholarship, beginning in the 1970s and involving such historians as Terence Ranger, focused on the ways in which colonial governments fabricated or re-invented tradition in order to suit their own needs. They "invented" chiefs where there had been none and "invented" customary laws in ways that often seemed convenient to the colonists and not necessarily to precolonial peoples. (Hobsbawm & Ranger, 1983; Ranger, 1993). This proved to be a fundamental insight that was translated into the influential theory of the bifurcated colonial state where the rural Africans were subjected to a customary, chief-mediated authority, and the urban and settler Africans were subjected to a legal order to which they were citizens (Mamdani, 1996).

This is further complicated by more recent studies of Kenya in the region, such as those by John Lonsdale and Bruce Berman on the wider political economy of colonial rule, and David Anderson on the environment and administration of neighbouring Baringo. A factor that reveals the extent of variation between districts, and the extent of local autonomy available to individual chiefs to affect outcomes on the ground (Berman and Lonsdale 1992; Anderson 2002). The colonial frontier also saw pastoralist peoples, with their own political traditions, react in ways that were often very different from those of more centralised agricultural kingdoms elsewhere in the region, as the studies collected in Spear and Waller (1993) show for the Maasai. This study follows that revisionist tradition, and views the Turkana chieftaincy as not a colonial imposition per se, rather as a contested institution, the meaning of which was negotiated in the ongoing interaction between the district officers, the chiefs appointed under the system, and the rest of Turkana society.

Berman and Lonsdale's work (Lonsdale & Berman, 1979; Berman & Lonsdale, 1992) presents the colonial state in Kenya as internally contradictory and dependent on African intermediaries and the management of a changing political economy. Their analysis is particularly relevant to this study because it demonstrates how the state's authority and administrative reach relied on the cooperation, judgement and calculations of local agents. Similarly, Anderson's (2002) study of Baringo examines how environmental policies, particularly conservation and stock regulation, became intertwined with local administration and the interests of local elites. This provides a close regional comparison for the destocking pressures examined in this study, although differences in the historical and political-economic contexts of Baringo and Turkana must be recognised.

These perspectives inform the analysis in three ways. From the invention-of-tradition and bifurcated-state arguments, the study takes the question of whether the chieftaincy was an invented office and what customary authority it claimed. From Berman, Lonsdale and Anderson it takes the focus on local variation and on the everyday pressures that confronted individual chiefs. From the revisionist literature on pastoralists, it takes the expectation that the institution was shaped by local social structures. These lead to three analytical tasks: establishing the chronology and formal structure of the office, separating formal responsibilities from actual capacity, and classifying chiefly conduct as negotiation, resistance or benefit while testing the limits set by elders, age-sets and households.

The key concepts used in this study are defined as follows. Indirect rule refers to governance through African intermediaries recognised, appointed or established by the colonial state. Authority denotes the recognised right to issue instructions that others are expected to obey, whether conferred by the state or derived from the community, while legitimacy refers to the acceptance of that authority by those subject to it. The study argues that Turkana chiefs exercised delegated authority from the colonial state without necessarily securing full legitimacy within their communities. Agency refers to the capacity of chiefs and communities to influence outcomes within existing constraints, including through choices involving compliance, adaptation or refusal. Negotiation describes efforts by a chief to modify the terms of a colonial demand on behalf of his section while remaining formally within the colonial order, such as petitioning for reduced quotas. Resistance refers to an open or covert departure from a specified obligation, including under-reporting households or failing to deliver required labour. Benefit denotes personal gain derived from holding office, including stock, income, access to relief or enhanced status. Since a single action may serve more than one purpose, these categories are distinguished by the action's relationship to the colonial directive, whether it modified, defied or exploited the directive; who benefited; and whether colonial officials could detect it. These criteria guide the analysis that follows.

Methodology: Reading the Archive against Oral Testimony

There has been a growing interest in local administration in Kenya recently, and a growing emphasis on the importance of oral history in addition to colonial records in the study of chieftaincy. It is particularly significant in a district like Turkana where the written archive, almost entirely composed of colonial officials, consists of District Commissioner and Provincial Commissioner correspondence files, annual reports and native affairs records, but in which the chief appears only as an administrative office or as a social figure within the context of a community with colonial members. Annual reports record only tax returns, stock counts and cases of default; rarely do they provide any clues as to how a chief achieved compliance, what he gave his section in exchange for compliance, or what his fellow kinsmen and age mates thought of his ways (Kenya National Archives, Turkana District and Northern Frontier District files).

Research Design

The study is a qualitative historical case study of one district. It rests on close reading of colonial administrative records and on oral testimony, and it compares the two source types so that each tests and complements the other (triangulation).

Oral history can fill this gap, but it has its own methodological requirements, and it was gathered from elders, as well as from descendants of appointed chiefs, and from communities under the control of

appointed chiefs. Jan Vansina's pioneering work on oral tradition as a historical source laid the groundwork for the basic principle that oral testimony should be analysed as a genre. Based on that argument, it was viewed as having its own conventions and modes of transmission, and as a particular account that has to be understood in terms of the factors that enabled it to be preserved and retold (Vansina 1985). This insight was further developed in later work which was gathered together in African Words, African Voices edited by Luise White, Stephan Miescher and David William Cohen. Thus, it is demonstrated that personal testimony about figures from the colonial period is coloured by present-day concerns, such as the current debates about land, status and political legitimacy in a community (White et al., 2001). This, when applied to the study of Turkana chiefs, allows for the older person's report of the chiefs' generosity or high-handedness to be read with some suspicion, and in the presence of documentary data and, if available, cross-checked with other independent informants.

This study assumes that neither source is enough, individually. The colonial archive documents the formal authority, responsibilities and accountabilities that chiefs had within, and a reasonably accurate sequence of significant events, namely campaigns of disarmament, increases in taxes, administrative reorganisation etc., within which they operated. With some caution, oral testimony can help place the community and the chiefs themselves into perspective and enable the historian to go beyond the administrative record to develop some sense of how authority was actually experienced, challenged and occasionally manipulated to the chiefs' advantage altogether.

Source Criticism and Limitations

Archival documents were read as products of the officials who wrote them, with attention to author, purpose and audience. Oral testimony was read as a genre shaped by transmission and by present concerns, as discussed above. Claims were treated as stronger where independent archival and oral accounts agreed and as provisional where they stood alone. The limitations of the study include gaps in the colonial record and the dependence of oral evidence on memory and present interests.

Conquest, Disarmament and the Making of the Chief System

Colonial rule over Turkana was not achieved in the same way nor at the same time as it was achieved in other parts of Kenya, and involved sustained military force against Turkana communities, although this study does not systematically compare the degree of violence with that in other parts of Kenya. In the first two decades of the twentieth century, Turkana sections were repeatedly attacked for raiding and for resisting the incursion of administration, culminating in the Turkana Patrol of 1917-18, a large-scale military operation, during which extensive looting of stock took place and much of the population was disarmed (Kenya National Archives; Lamphear 1992). On the wider logic of the colonial conquest state in Kenya, see Lonsdale (1992). Lamphear (1992) explains in great detail the disruption of society that ensued, with communities whose lives revolved around mobile stock keeping required to live in a much more limited manner in relation to the colonial presence.

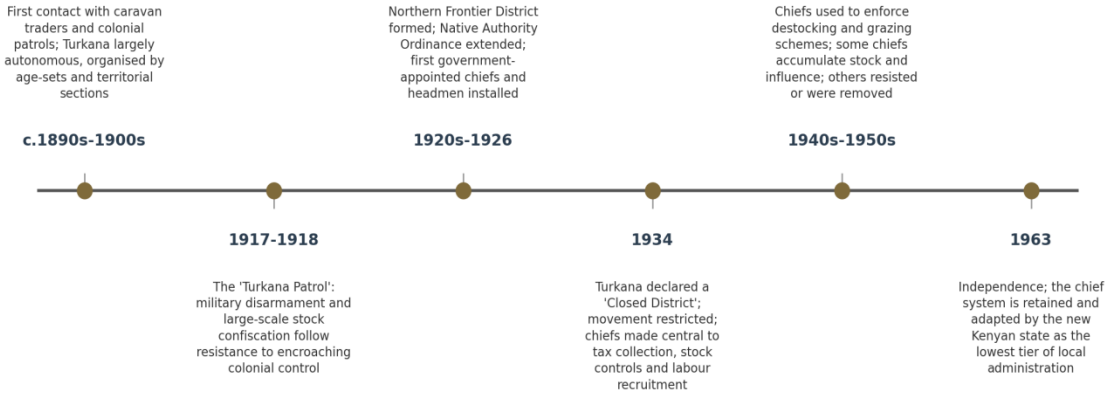

Figure 1: Timeline of Colonial Administration and the Chief System in Turkana, from First Sustained Contact through Independence

It was at the end of this disarmament that the formal structure of chiefly administration was spread to Turkana. The Native Authority Ordinance and other provisions allowed for the appointment of chiefs and headmen by the District Commissioners who would be recognised as authorities for a specified section or location. In practice, this involved finding people with some standing, such as senior elders, successful stock owners, or those individuals who had proven to be useful to visiting patrols, or who had achieved some standing through this association with the administration, and conferring on them formal authority, usually an appropriate baton or certificate of office, a small remuneration, and status to give instructions to representatives of the administration.

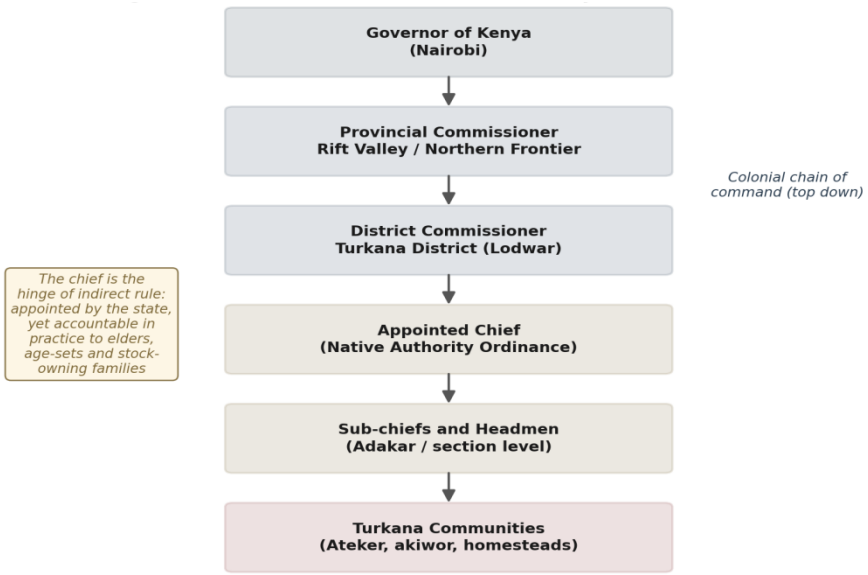

Figure 2: The Colonial Administrative Hierarchy through Which Authority Was Transmitted from Nairobi to Turkana Communities, with the Appointed Chief Positioned as the Critical Link between District Administration and Local Society

This hierarchy, shown in Figure 2, formally put the chief under the District Commissioner, but over a series of sub-chiefs and headmen at the level of the adakar (stock camp) and section. This in theory provided the Colonial State with a seamless chain of command from the Governor's office in Nairobi to individual homesteads. In fact, as the later chapters reveal, the chain was not so secure as the organisational chart indicates: compliance at each stage was based on relationships of trust, obligation and, often, coercion, which are not represented in the chart.

The sequence can be summarised as follows. Repeated punitive action and raiding in the first two decades of the twentieth century culminated in the Turkana Patrol of 1917 to 1918, which was accompanied by disarmament and the seizure of stock. The appointment of chiefs and headmen under the Native Authority Ordinance followed this disarmament, and the structure of sub-chiefs and headmen beneath the District Commissioner developed over the following decades, with movement controls in place from 1934.

The Chief as Instrument: Taxation, Labour and Stock Control

Chiefs in Turkana were over the next decades given an increasingly broad scope of administrative responsibilities once they were installed, as occurred with the chiefs generally in colonial Kenya (Berman 1990; Maxon 1993). The most persistent of these was the duty of collecting the hut and poll tax, and chiefs had to keep lists of those households liable to tax. Also, they had to chase those who did not pay or paid late while also, in many instances, having to pay the tax on behalf of a section when it would not or could not pay it all. Chiefs also provided labour for the government's projects and at times for military and porterage service, which also required them to compete with the community for household labour in the allocation of labour between herding, watering and defence. The law and the instructions of District Commissioners defined these duties, but a chief's capacity to carry them out depended on his standing with elders, the loyalty of sub-chiefs and headmen, and the resources of his section. Formal responsibility should therefore not be read as evidence of effective control.

Chiefs were also charged with ensuring strict supervision of the movement of people and cattle between districts, while from 1934 Turkana was a Closed District under the provisions of the law which allowed for movement of persons and stock in and out of the Northern Frontier region only with permission. Over the next ten years, concern about overgrazing and soil erosion from the colonists saw the development of destocking programmes, compulsory sales and the introduction of grazing scheme regulations that compelled the chiefs to decide who would be "surplus". This means they had to be removed from their section, a move that directly affected the wealth and prestige of the household and one that caused some of the most sustained conflict between chiefs and community in this decade, similar to that described for neighbouring Baringo by Anderson (2002). The chieftaincy is not just a role of privilege, as these responsibilities begin to mount up. The chief had to get people to comply with each of these functions, and the people were not formally obliged to obey him, beyond depending on the colonial state, and they could and often did remove their cooperation, move away from his jurisdiction, or report him to the district official. The chief whose pressure was too great risked the loss of the confidence of his section; the chief whose pressure was too light risked censure, fines or removal by the district administration.

Negotiation, Resistance and Benefit: The Ambiguous Agency of Chiefs

The central argument of this study is that the actions of Turkana chiefs are best understood through three interrelated and potentially overlapping forms of agency, as illustrated in Figure 3. These categories are applied using the analytical criteria established earlier in the study.

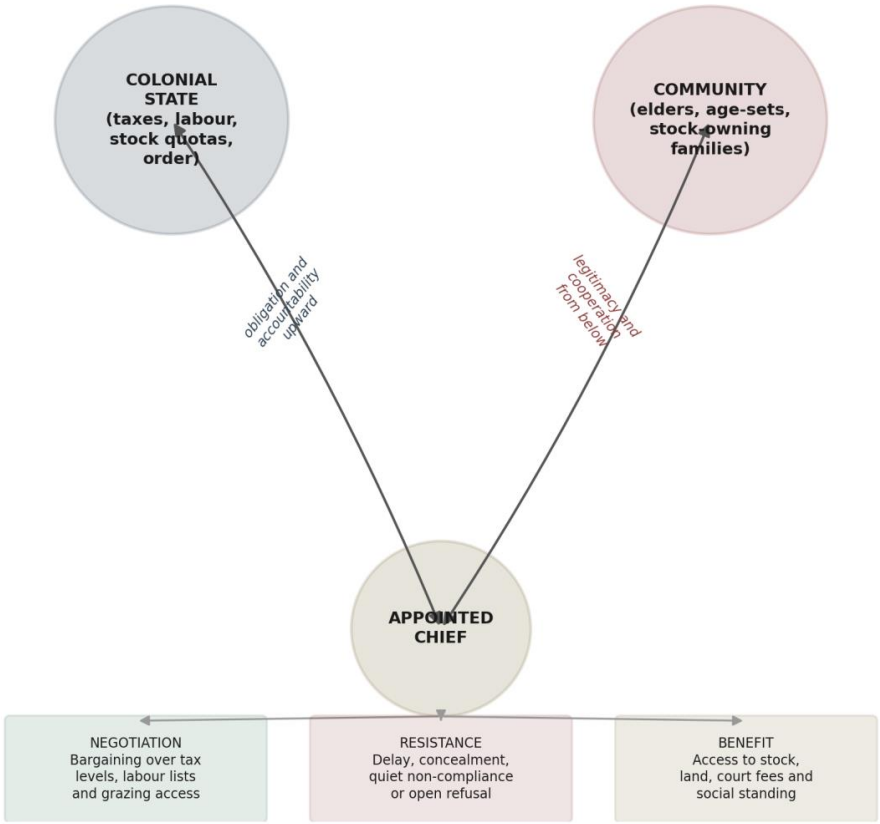

Figure 3: The Appointed Chief's Position between the Demands of the Colonial State and the Expectations of the Community, and the Three Modes of Agency: Negotiation, Resistance and Benefit, through which Chiefs Managed this Position

The first mode was a negotiation mode. Chiefs rarely conveyed colonial directives verbatim but instead negotiated on behalf of their sections for tax reductions, the equitable distribution of labour duties, or even tax exemptions in times of drought or stock losses. In addition to a virtual, if limited, ability to represent the interests of his section upwards to the administration, the chief's role also included the ability to petition for hardship, either with regard to collection of taxes or to a reduced quota for a forced sale, as is occasionally recorded in correspondence from the district commissioners. This role as negotiator is often highlighted in oral accounts of descendants of chiefs, who recalled specific chiefs as being able to "save" others from the brunt of government demands instead of simply imposing them (White et al., 2001).

Resistance in the second mode was manifested in a variety of ways, from passive foot-dragging to outright refusal. Resistance could include underreporting the number of "Taxable Households," delaying labour lists, or failing to appear when called upon to help in the carrying out of a destocking exercise. This may well have been due not so much to incompetence or laziness as to a desire to retain their standing in the community. In more serious cases where chiefs were deemed to have become too closely associated with the non-compliance of their local people with government policies, they were dismissed from office. Thus, a factor which again illustrates the limits of colonial control over who was really in power locally, as the dismissal of a chief did not necessarily result in him being any less in demand in his own community.

The third was for the benefit. In absolute terms, appointed chiefs were one of the few Turkana people who had a secured cash flow during this time: chiefs benefiting from the office of chiefdom enjoyed extra material benefits. This included elements such as a share of court fees when participating in native tribunals, opportunities to accumulate stock through

fines and gifts and manipulation of destocking exercises, and in times of drought, enhanced access to famine relief and government resources. The potential benefits of this might mean enduring family wealth and social status for some chiefs and their descendants, although the extent of such gains in Turkana is not quantified here. Scholars argue that sometimes the chiefs, and their descendants, did indeed use the office as a means of enrichment, setting them apart from their neighbours for one generation or more, a differential enrichment among colonial intermediaries that David Throup describes in relation to the origins of Mau Mau further south (Throup, 1987). At the same time, chiefs were made subject to resentment, accusations of favouritism, and even, in a few documented instances, violence aimed at the chiefs by some of the community because they were seen as having profited themselves at the expense of the community.

It is rare that any one of these three modes was used alone. One chief might arrange to pay a lower quota on his section, and at the same time be secretly resisting an order to destock, and, being in a position of authority, might be bringing in larger numbers of cattle than he is taking out on his own section, all in the same year of the administration. To understand the Turkana chieftaincy, it is thus more appropriate to forego any simple dichotomy of collaboration and resistance, and instead view it as a response to particular pressures which the chief was facing at a specific time, and to the resources available to him in responding to these, both social and material.

Gender, Age-Sets and the Limits of Chiefly Authority

Chiefly authority was also limited by Turkana social structure. Age-set organisation and the informal authority of senior elders shaped how far a chief could act, and the standing an individual held among his age-mates could strengthen or weaken the formal authority conferred by the administration. Senior elders, usually men, retained informal but real influence over migration, marriage and the allocation of stock, and a chief who ignored them risked his effectiveness whatever support he enjoyed from the District Commissioner. Comparative studies of the Samburu and Rendille (Spencer 1965; Spencer 1973) are used here only as reference points for how gerontocratic institutions can constrain appointed leaders. They are not evidence for Turkana.

Women had no formal role in chiefly office during the period under study, but they were not passive participants in the political and economic processes that sustained chiefly authority. Although men conducted negotiations over taxes and labour quotas, women's labour and knowledge of livestock and household stores influenced the ability of chiefs to meet colonial tax and labour demands. Fratkin's (1998) study of the Ariaal is used solely as a regional comparison to illustrate how household labour and knowledge contributed to pastoral survival. These social and economic constraints are important to understanding chiefly agency, since decisions to negotiate, resist or derive personal benefits from office were shaped by the authority of elders, age-sets and the households on which chiefs depended.

Continuities into the Independence Period

At independence in 1963, the chief system established under colonial rule was not abolished. The new Kenyan government retained it, and in many respects reinforced it, as the lowest rung of provincial administration, in line with the wider transfer of colonial administrative structures into the independence era (Ogot, 1972; Maxon & Ofcansky, 2000). If the Turkana experience resembled that of other districts, the new administration inherited the ambiguities of the colonial office, namely the tension between representing the community and executing state policy and between local legitimacy and external appointment. Some families that furnished chiefs in the colonial period may also have continued to supply chiefs and later elected leaders, which would indicate that colonial advantages in education, income and administrative experience could be converted into lasting local influence. This study treats these continuities as hypotheses. The evidence for the period after 1963 is thinner than for the colonial period, and claims about the office in the present are outside the scope of the study.

CONCLUSION AND RECOMMENDATIONS

Conclusion: The study asked how a chief system was created in a society without centralised chieftaincy, what chiefs did, and how they used their office. On the evidence presented, three findings can be stated. First,

the colonial administration created the chieftaincy after the conquest and disarmament of c. 1917 to 1918, appointing chiefs and headmen under the Native Authority Ordinance within a hierarchy running from the Governor in Nairobi to the Turkana homestead. Second, chiefs were tasked with taxation, labour recruitment, livestock control and the enforcement of movement restrictions, but their formal responsibilities exceeded their actual capacity, which depended on elders, age-sets, households and the cooperation of their sections. Third, chiefly conduct is better described as a shifting combination of negotiation, resistance and benefit than as collaboration or resistance alone.

These findings contribute to scholarship on indirect rule and colonial authority by showing, for a society with no precolonial chieftaincy, that the office was invented by the state yet continually reshaped by those who held it and lived under it. They contribute to the study of African agency by showing that agency operated within the limits of delegated authority and local social structure. The comparison with Marsabit, Samburu and Baringo, and the continuity of the office after 1963 are implications rather than findings. They suggest questions for future research and should not be read as conclusions of this study, and the evidence for the period after 1963 is limited.

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