



The Causes and Nature of Migrant Labour Among the Nandi of Kenya 1908-1963

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ABSTRACT

This paper analysed the causes, genesis, development, and nature of migrant labour among the Nandi of Kenya. It employed the Materialism approach, the Pull-push theory, a qualitative design, purposive sampling, and one hundred respondents. It found out that land alienation, colonial land policy, the creation of African reserves, land scarcity in reserves, taxation system, changes in local production and trade, the population explosion in reserves. Also, forced-labour, colonial administration, sore relationships, prestige, selfish attitudes and poverty, pass system, veterinary quarantine and a decrease in wages and prices of stock contributed to labour migration among the Nandi.

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1. Introduction

This paper traced the genesis of migrant labour, colonisation of the Nandi, the development of colonial labour migration and push-pull factors that led to labour migration among the Nandi of Kenya in the period 1908-1963. On the genesis of migrant labour, this section argued that wage labour date back to between 1895 and 1914 when the settler government established a settler-dominated agriculture as a basis for Kenya's economy; which followed by a period between 1914 -1919 which mobilised the carrier Corps for the war. They continued up to 1947 when African labour force had increased due to shifting from agricultural work to industrial employment.

The Nandi up to 1906 recognised only one paramount chief, the Orkoiyot. They lived by raiding and pastoral. The Nandi had soldiers who fought the British as Orkoiyot advised them accordingly to withstand the British. They undertook punitive expeditions 1900- 1903 and 1905 – 1906 and subdued the Nandi after which they placed them in reserve. These expeditions were due to the Nandi resistance. It was a military conflict that involved members of the Nandi and elements of the British army. This resistance ended after the killing of Orkoiyot by the British.

Migrant labour in Kenya at large was a colonial creation. They compelled the workforce by the introduction of hut and poll taxes which forced them to look for money. The pull-push factors of labour migration included land alienation; which was carried out through various ways as from direct seizure, conquest, pressure on Chiefs, trickery, swindling and every other means open to colonisers. Colonial land policy contributed as a push factor such that three cardinal policies encouraged Europeans. They ensured that there were adequate legal powers to grant land to settlers on sufficiently attractive terms.

They also regulated where Africans were allowed to live and thirdly, they made it a rule that African would be working for incoming British settlers.

African reserves were created to monitor and control the movement of Africans for easier manipulation by the British. They never compensated the Nandi for their land, and thus land scarcity was the next disaster that played a significant role in forcing them to move out in search of pasture for their livestock. They supported this movement by the introduction of poll and hut taxes.

In the reserves, there was overcrowding of people and livestock and as Nandi people were pastoralists whose primary interest in life was their cattle, and since people were always on the move in search of pastures, acquired the habit of wondering. This population explosion in reserves caused some of them to move out of the reserve and hence fitted into the squatter system. Archival evidence shows that they used forced labour as a form of penance for those who could not afford to pay their hut tax. Colonial Chiefs were also responsible for the collection of hut and poll taxes and thereby used indirectly to forcing their people to provide near slavery labour.

There also were household-related factors that led to labour migration. These included sore-relationships. Nandi culture permitted a woman to be seen and not to talk. On the other hand, some women and men joined migrant labour as a way of self-esteem. Others out of their attitude and neglect abandoned their families and pursued selfish demands.

The economy within some households diminished due to a shortage of resources, and hence poverty struck hard on households in reserves and hence forcing young men and husbands to leave homes for migrant labour. On the same vein, the pass system (Kipande) was enacted into law and implemented by 1919. This system was the most manifestation of a coercive labour control system.

This section, therefore, is critical since it answers the research question: 'What role did the colonial state play in securing wage labour supply to European settlers?' It also addresses the objective: 'To analyse the incorporation of Nandi community into the colonial wage labour system'; which forms the contents of this paper.

1.2 Colonisation of the Nandi

The Nandi up to 1906 were mainly pastoral and lived by raiding. They recognised only one paramount chief, the Orkoiyot.¹ At this time when the early European explorers started advancing into the interior of Kenya in the later decades of the 19th century, Nandi territory was a closed country. Thompson in 1883 was warned to avoid the state of the Nandi, who were known for attacking strangers and their caravans that would attempt to scale the great land. The British advanced by punitive expeditions in 1900 – 1903 and 1905 – 1906, but it was not till the close of the last named expedition that they subdued the tribe, and forced to live in reserve.²

The Nandi posted the stiffest resistance to European encroachment on African land in Kenya. The defeat of the Nandi, therefore, was a prerequisite for European settlement in the western highlands. They resisted the British occupation of their land. They defended it vigorously notwithstanding their secondary armaments. They relied densely on their intelligence network as organised by the Orkoiyot and his team of prophets referred to as *maotik*. It was an armed resistance that took place between 1890 and 1906; and involved members of the Nandi ethnic group and elements of the British Army. The close of the 19th century, a time referred to as the "pacification period" by Matson; saw some local population that resisted the occupation of their lands by the British. Of these, the Nandi resistance would stand out for being the longest and most tenacious. Orkoiyot of the Nandi at the time, Koitalel Arap Samoei led the opposition. On the grounds of currently Nandi Bears Club, Orkoiyot was asked to meet Colonel Richard Meinertzhagen for a cease-fire on October 19, 1905, but instead, he killed Koitalel and his entourage in cold blood.³

The British encroachment in Kenya caused massive resistance from the natives and the Nandi in particular. Moreover, they maintained that their weaponry supersedes all other societies, and when the Britons arrived, they viewed them as a threat. On the other hand, their leader Kimnyole had prophesied that the British or foreigners would come to their land and put them under their control. He prophesized about the long snake (the railway line) and had warned them against welcoming the Europeans; therefore, they did not want the rail line to pass through their land in fear of losing it. The physical appearance of the British was unique compared to the Nandi; they thought the British were demonic ghosts who wanted to oust them from their land. They also noted that the British weapons were much more different and compelling. This perception led them to think that the British had come to alienate their fertile land which was their only source of livelihood. They also wanted to revenge the killing of their leader, the Orkoiyot Koitalel Arap Samoei.

The Nandi army had soldiers who fought the British bravely as Koitalel advised them accordingly to withstand the British. They managed to resist for a long time using guerrilla tactics to attack the Europeans. They also stole the railway construction materials especially the copper wires, but as soon as a British military officer (Mainertzhagen), killed Koitalel, his death demoralised the struggle leading to their

defeat in 1906. After their defeat, their villages were burnt down and their animals confiscated. The colonial administration huddled them into reserves where they could be controlled and closely monitored. This opposition was the longest resistance ever in the entire British dominion in the world, not matched by any other resistance elsewhere. The Zulus in South Africa, who were known to be the fiercest warriors, could not match this group of Nandi warriors. This defeat then was the genesis of their colonisation and the subsequent development of labour migration among the Nandi of Kenya.

1.3 Development of Colonial Labour movement in Nandi

Migrant wage labour in Kenya, to a large extent, was a colonial creation. However, the inadequate response by Africans to paid employment was partly because some of the communities had self-sufficient economies. The genesis and subsequent establishment of Colonial rule in Kenya were mainly through force.⁴ Throughout the period of colonialism, labour was very instrumental in the expansion of colonial capitalism. Land scarcity also played a role in forcing the Nandi to seek for employment opportunities in settler farms after their land being alienated and moved to African reserves. The increase in population and the introduction of colonial agriculture caused a shortage of fertile land during the colonial period. The establishment of colonial agriculture needed tracts of fertile land, obtained from the natives. Much labour was hence required to work in the established European farms.

The introduction of a cash payment of Hut and Poll taxes compelled them to look for money to pay for these taxes. The colonial government maximised the collection of taxes from Africans as seen from the annual report of the year 1910-1911. They noted that the predominant item in this report was the hut tax with an increase. They achieved this growth through continued efficiency in house counting and to the standard increase in population.⁵ The district annual report of 31/12/1909 shows that the greater part of work done by colonial government in Nandi was the collection of hut tax.⁶

The colonial government agreed to establish and include additional locations in the east of the area situated between Donyo Lessos Hill and the Kapsemberwa River to the Nandi reserve. This addition was rendered necessary on the ground that practically, the whole of Aldai country was under the cultivation in consequence of which there is no grazing for the livestock.⁷ This creation of reserves slowly led to squatter life among the Nandis who were pastoralists in nature, and so they started working on settler farms so that their animals could graze within the settler farms. The market fee was also introduced by the colonial government in 1909 after which they gazetted Kapsabet and Kaptumo as townships.⁸

Table 1.1. Number of Registered Nandi in Employment, 1922.

Month	No. of Nandi Employed
January	2730
February	2857
March	3083
April	3510
May	3520
June	3213
July	3340
August	2962
Total	25415

Source: Native Affairs Department at Nairobi, file No. DC/NDI/1/3 report for 1922

Table 1.2. The Comparative Population of Europeans in the district in 1926-1927.

	1926				1927				Total	Inc.	Dec.
	M	F	C	Total	M	F	C	Total			
Officials	3	3	-	6	3	3	-	6	1	-	
Settlers	15	7	7	29	18	14	9	41	12	-	
Missions	1	2	-	3	2	3	-	5	2	-	
Total	19	11	7	37	23	20	9	52	15	-	
Goans and British Indians											
Govt. Employees	3	-	-	3	4	1	3	8	5	-	
Business	20	7	15	42	16	11	14	41	-	1	
Total	23	7	15	45	20	12	17	49	5	1	
Arabs	17	3	25	45	15	3	20	38	-	7	

Key: M=male, F=female, C=children, Inc.=Increase, Dec.=Decrease

Source: District Annual Reports for 1929, KNA.

It was then after this capitalist maximisation of revenue by the British when a considerable number of Nandi were employed outside the reserve on farms as herdsmen.

Nandi squatters were readily available for farms where they labour in exchange for grazing. Numbers of young men, however, went out to work on railway construction. From Native Affairs Department statistics show that an average of 2751 men was employed monthly. These people, of course, did not include squatters. Labour was plentiful, and the supply was always increasing as Nandi ceased to fear to go out and work. If the total number of squatters were obtainable from here (Nandi), Eldoret, Kitale and elsewhere, it was seen that Nandi district was doing its 'bit' towards the labour supply of the Colony.

Nandi district as early as 1927 was among the first cosmopolitan areas in Kenya. By 1926, there were nine tribes excluding missionaries and settlers and government officials. Apart from Europeans in the district, there were other foreigners like Somalis who were 14 in number by then; there were also people from Uganda who were 15 in number by 1927. There also were Nubians who were 34 in number. Other individuals who had settled in the district included some few Swahilis from the coastal region, Kavirondos (*luyhas*) figured at 240 by the year 1927; Kikuyus had already settled in the area and were 99, Wakamba were only one, and Meru was also one.

There were also some 45 Arabs and some 42 British Indians. The district was of mixed races due to its vast arable lands. The Nandi due to congestion in reserve were forced to migrate to other nearby settler farms as seen from the table that in 1926 they were 37,644 whereas, in 1927, the figure dropped by 2202. The migration of Nandi into other districts and nearby farms in search of pasture for their animals caused this decline.

1.4 State, the settlers and the origins of migrant labour among the Nandi

The interwar decades brought significant developments in the colonial state in Kenya. This period occurred in two paradoxes, a consolidation of coercive state apparatus operated by Provincial Administration and the second period which saw a simultaneous growth of the state apparatus under the growing pressure and influence of settler interests and failure of the immigrants to gain effective control of the country.⁹

The general colonial bequest in the history of land matters in Africa was almost homogeneous as was seen in Malawi which began with the alienation of the best agricultural lands in the country to a few large estate owners. These Europeans promised security of tenure to the original inhabitants of the

farms but they never observed in full measure, and the colonial government itself attempted to remedy the initial error by beginning to re-acquire land for African settlement as well as to try and offer some security of tenure to the African residents. In each paradox, change and upheaval in the international capitalist economy generated major crises within the sphere of settler estate production.

As the state moved to defend and sustain the settler area, it undermined its practical legitimacy and control in African areas. New forms of African resistance emerged to which the state responded both with increasing coercion and with efforts to re-forge the local concordats of coexistence. With the Nandi reserves drained of the workforce and ravaged by disease, and with the pre-war patterns of developing peasant commodity production disrupted adversely, official efforts at economic recovery focused on the extension of white settlement and the rapid restoration and expansion of settler export production.

The sharp economic oscillation of the period generated an intense crisis over the recruitment, wages, and taxation of African labour system that had begun to emerge before 1914. The system that emerged was one that saw African labour subjected to authoritarian and paternalistic controls involving strong elements of involuntary servitude. The state stabilised and institutionalised the dominance of African labour by replacing the capricious brutality of the settlers with a less stable, more indirect, and routinised administration and penal sanctions. In basic terms, this meant to increase the power of the present remote control apparatus of law, order and good governance according to them. This administration compromised the apparent autonomy of the state, and thus this crisis forced the Nandi to join the labour system of the *whites*.¹⁰

1.5.0 Push-pull factors of labour migration among the Nandi.

1.5.1 Land Alienation.

The European settlers from the beginning made a concerted effort to prevent the alienation of fertile, the arable land in the highlands to Asians. These Asians had come during the building of Kenya – Uganda railway in the year 1886 – 1901 as labourers. They later entered business in the country. By 1906, the European settler controlled Land Board recommended that since only a small area of the country was suitable for European settlement, then this land was exclusively reserved for Europeans. Lord Elgin, in 1906, by then was the British Secretary of state for the colonies denied Asians that land in Kenyan highlands.¹¹ This 'Elgin Pledge' statement reserved the Kenya highlands for Europeans.¹²

Africans who lived in such areas were moved out to European created African reserves to give room to European settlers. The Nandi were affected by such policy as they were transferred to reserves and made squatters in their country. The British regulated the Nandi in reserves as they were pastoralists, and lacked grazing land for their animals.

This alienation of arable land in Kenya was carried out through various ways, as from direct seizure, trickery, pressure on Chiefs, conquest, swindling and every other means open to colonialists.¹³ The methods were characteristic of European alienation of part of Nandi country in the period under review.¹⁴ The Ordinances and regulation installed between 1901 and 1919 systematically alienated native land in various regions of the Kenya to European settlers. For example in the Maasai and Kikuyu lands formed the biggest share of land alienated in Kenya. It transpired that settlers appropriated the more highly cultivable agricultural and pastoral areas and empty lands.¹⁵

During the initial years of the colony, the colonisers assumed that an African had no right to land unoccupied and uncultivated and that there were much of 'wastelands' available for European settlement. European colonial government alienated vast lands from Kenyans including Nandis. European could acquire a twenty-one-year land lease renewable as early as 1897, but by 1902, they extended this contract to 99 years while from 1915; they extended the same contracts to 999 years. Sorreson observed that: 'The Crown Lands Ordinance of 1915, allowed an establishment of a land registration scheme for settlers. The Crown Land became land occupied and reserved for Africans. They became 'tenants at will' of the Crown and could thus be turned off their land at the government's pleasure.¹⁶

The administrative officers entrusted with the task of processing European applications for land usually gave settlers direct authority to occupy the ground, with the only condition being that they pay the African owners a meagre three rupees per acre compensation for their loss of rights.¹⁷ According to this scheme, by 1933, 109.5 square miles of arable land, the highly valuable land had been alienated for European settlement.¹⁸

Following this strategy of land alienation aimed at creating the 'white highlands' for European settlement, the state expanded their boundaries to the agricultural districts. These locations included Uasin Ngishu, Trans Nzoia, Mt. Elgon, Kericho, Sotik, Laikipia, Mt. Kenya, Nakuru, Naivasha, Nairobi, Thika, Machakos and Nandi which is the study area.¹⁹

After the defeat of the Nandi warriors in 1905, they removed a part of the Nandi people from areas adjacent to the rail line. This removal, therefore, created some 3200 km² of "evacuated Nandi country" available for European settlement. The Nandi retained a reserve of about 1800 square kilometres. Despite the definition of the reserve boundaries earlier, they immigrants later changed. The Kenya Land Commission alleged that the changes made incorporated the agreement with the Nandi Chiefs and that they yielded a net gain of some other 180 square kilometres to the Nandi. The colonial authorities in 1912 began to alienate more land within the Nandi reserve for European settlers. The Kenya Land Commission noted, for some reasons not adequately expressed, the colonial administration neglected the fact that the alienated land existed in the Nandi reserve and alienated some more 155 square kilometres in Kipkarren and Kaimosi areas.

The Kenya Land Commission approved this alienation, maintaining that it was in the best interest of all concerned. The people who lived in the area of Ket Barak (Nandi Hills) were transferred to Kabiyet, while others evicted to Kapchepkoilel (Trans Nzoia) and Amayia (Laikipia). Arap Manyei (Parsirian), the son of Mbararani Koitalel, tried to resist this eviction in 1920's, but was later detained up to 1962 and became the longest detainee in Kenya's history.²⁰

1.5.2 Colonial Land Policy

According to Ghai and McAuslan,²¹ There were three cardinal policy implications to encourage European settlers. The first one was to ensure that there were legal powers to grant land to European settlers on sufficiently attractive terms. Secondly, provision was made to regulate where Africans would be allowed to live, cultivate land, and keep their livestock. Thirdly, they made a decision as to whether Africans would be encouraged to work for the incoming European settlers. Moreover, for these policies to work well, the British method of land tenure had to be supported by law that rigidly separated Asians, Europeans, and Africans into strata of different status, rights and privileges. The Crown Ordinance of 1902 made provisions for sale or lease of Crown land for a term of up to 99 years. The commissioner (Later the Governor) had powers under the Ordinance to lease or sell land to settlers. Additional attractive terms made with an increased length of up to 999 years.²² The ordinance converted land held under the previous law and land regulations to leases of 999 years duration. Minimal rent and development conditions were laid down by the ordinance.

The law also provided for a system of registration of title deeds in respect of all the leases. The land was alienated very cheaply with a little thought of obtaining revenue for the state.²³ The effect was to shut off any possible areas into which the expanding African population could move. This alienation caused a land shortage, but also created a problem which became acute as the population in the surrounding African reserves grew fat. This issue led to Devonshire White Paper of 1923 which signified a marked change in British government's attitude to the role the European settlers would play in the advancement of the African population and the governing of the country.

The change reflected in the White Papers thus: "Kenya is primarily and African territory... the interests of the African residents must be supreme and if and when these concerns and concerns of the immigrant's conflict, the earlier should prevail". His majesty's authority regards themselves as exercising a trust on the interest of the African people, and they were unable to delegate or share that confidence, the object which commenced the protection and advancement of the natives.²⁴

Despite the fact that colonial government had promising intentions for Africans, land policies and regulations that undermined Africans rights emanated but Governors or sometimes important European settler groups in the colony here in Kenya failed to honour the promise. Moreover, the declaration of the Devonshire White Paper did not serve its objectives. The colonial state's land policies had earlier on been legalised in 1926 by the gazetting of the African reserves and later the 'White Highlands' by the Order in Council in 1932.²⁵ Therefore, by 1926, the reserve demarcation process was completed, and Africans were evicted to create room for European settlement and agricultural enterprises.

1.5.3 Creation of African Reserves

In 1904, the British established the first African Reserve in Kenya.²⁶ This first reserve belonged to the Maasai, in 1905 four more African reserves were designated.²⁷ The policy to restrict African groups to private areas spread to the rest of Kenya. The Kenya Land Commission further boosted this process in 1932 and fixed the boundaries of reserves.²⁸ In 1926 African reserves were legalised and followed by several other laws binding Africans to prescribed areas. The Native Land Trust Ordinance of 1930, stipulated that African reserves belong to Africans permanently.²⁹ This ordinance preceded the Kenya Land Commission of 1932, which fixed the boundaries of the 'white highlands' and also removed and restricted all Africans from the 'white highlands'.³⁰

The Land alienation process which took place in Kenya and more specifically among the Nandi of Kenya was only satisfied with the creation of reserved African areas by the year 1926. Therefore, the development of European settler farming depended heavily on the availability of land, labour and capital.³¹ Through enacting a series of laws, the colonial government was able to alienate about seven million acres of the most arable land in Kenya.³² This mass of fertile land later came to be what was referred to as 'the white highlands' exclusively set aside for European utilisation by 1932.³³ With this massive land alienation, African groups in Kenya were moved from fertile lands to give room for settler farming.³⁴ This process rendered several thousands of natives landless.³⁵

The English never compensated residents for loss of their arable lands. Examples include the Kikuyus and Maasai who lost most of their land to European settlers in the central province of Kenya and parts of Rift Valley. In the creation of these white highlands, the Luhya, Kalenjin, mostly the Nandi of Kenya were affected. They were moved to African reserves to create room for settler agriculture which later siphoned cheap labour from desperate African in the said reserves. The colonial government gave security to European settlers by removing all Africans from the white highlands to gazetted areas. Among these regions gazetted as African reserves included the Nandi reserve in the Nandi district. The study area is within this European created African reserve.

1.5.4 Land Scarcity within the Reserves

Concerning oral sources, land scarcity also played a significant role in forcing the Nandi to seek employment opportunities in distant places within and outside the district.³⁶ The shortage of fertile land begun during the colonial period when the arable land was alienated, and the natives forcefully moved to African reserves. With time, the population grew, and there was little space remaining for their animals and crop cultivation. Also, the oral sources further indicated that land scarcity was one way used to compel them to join wage labour as they had no alternative means of paying taxes or for their subsistence.

1.5.5 Taxation System

1.5.5.1 The introduction of the hut and poll taxes, 1901-1910

The application of taxation policies to compel Africans into a wage labour system has a long history in Africa. The case of the settler economies of South Africa, Rhodesia, Algeria and Kenya, in particular, revolves around the transition of the rural population from an agrarian and cultivator economy to a wage earner class.³⁷

As quoted from Henry Belfield³⁸, taxation was the only possible method of compelling the natives to leave their reserve for the purpose of seeking work.

Only in this way was the cost of living increase for the resident [and] it was on this that the supply of labour and the price of work depended. To raise the rate of wages would not increase but diminish the supply of labour. A rise in the rate of salary would enable the hut and poll taxes of a family, sub-tribe or tribe to be earned by fewer external workers.

The earliest colonial measure to subject African people to a crude form of property tax was via the hut tax regulations of 1901, which, to the colonial administration, immediately epitomised the 'sacrament of submission'.³⁹ Sir Charles Eliot was the architect of the hut tax in Kenya. He issued various instructions on its mode of operation by publishing the regulations in the East African Gazette No. 18 of 1901. They authorised a tax of one Rupee per annum on all houses used as dwellings.⁴⁰

According to the hut tax regulations, a man living with his wife and children in one house was liable for the tax on the hut they occupied. Given that the African society was then mainly polygamous; the more huts there were in a homestead, the more the tax for the owner of the home. It was also customary at that time too; that all grown up sons lived in their huts even if they had no wives. Therefore a man with several wives and children was hard pressed to pay the tax liability of his family and that of his grown-up children. Taxation thus heavily punished polygamous families.⁴¹

The colonial administration countered this overcrowding by introducing in 1910, a Native Hut and Poll Tax Ordinance in the Legislative Council which exacted taxes not only from the owners of cabins but also from every adult male who did not own a hut.⁴² This Ordinance came into operation in 1910, and it became known officially as the Poll tax. It was meant to prevent the circumvention of the hut tax. Pre-colonial Kenya was divided up into a countless of ethnic centred people. Each group owned a fixed ethnic, geographical land. These societies in pre-colonial epoch resembled a communist or socialist association where almost all the properties belong to the society with all members sharing in community wealth.⁴³ Thus, there was no taxation.

Therefore, hut tax introduced by British colonialists in Africa on a 'per hut' or household basis and was variously owing in grain, money, labour or stock and profited the colonial government in four related ways. It raised money; it broadened the cash economy, it supported the currency, adding additional growth; and compelled Africans to labour in the colonial economy and the Nandi in particular. Households which had survived on, and stored their wealth in cattle ranching now sent members to work for the colonialists to raise cash with which to pay the tax.⁴⁴

In Kenya, the Hut Tax was levied individually and not collectively. There is no question of apportionment. These taxes were well understood, and the natives together conceded in the collection though there are naturally some individuals who evaded this payment. The principal effect of the tax was to make the residents sell their surplus livestock and to make the younger men earn enough as labourers to pay the Hut Tax - especially in the years when the harvest was not sufficiently plentiful to enable them to sell grain.

The natives made the roads and paid money that later went to the payment of tax. The Natives of this district had no trading instincts to boast. They used the following items for trading; grain, hides and this went to the Indians. In return, the natives get cloth, beads, foodstuffs and other articles. The headmen spread the news that the tax was due and was assisted by inspectors.⁴⁵

They levied the poll on per person basis, and on the other hand, the hut tax levied parallel to it. In other words, under the Hut and Poll Tax Ordinance of 1910, every adult male not liable for hut tax was required to pay a poll tax of three rupees. They levied the poll tax on every non-disabled male over the age of sixteen. Of course, the collecting officers did not know whether a youth was sixteen years of age or not, and one rough method of estimating age was to look under his arms to see if there was any growth of hair in the armpit. However, in most other cases, an arbitrary decision was always taken on who was liable to pay a tax.⁴⁶

Regarding Prof. Yash Pal Ghai et al., the Kenya (Annexation) Order-in-Council of 1921 authorised all agricultural lands in the colony to the white settlers and disinherited the natives of their land. They promulgated several ordinances including the Crown Lands Ordinance, 1915, the Kenya (Annexation) Order-in-Council 1920 and the Kenya Colony Order-in-Council, The Hut Tax Regulations of 1901 and the Poll Tax Ordinance of 1910 to force Africans confined to first Native Reserves to render labour to the settlers. These colonial settlers lavishly enjoyed the white highlands sustained by income from African workers. The imperial authority founded the Kenya Police (KP) and a regimented Provincial Administration backed by a brutal Tribal Police Force (the antecedent of the present-day Administration Police - AP in Kenya).

They enacted these ordinances to defend the colonial class differences between themselves and the natives.

Consequently present day Kenya originated on the politico-legal statute of global mercantilism which viewed land as a commodity for economic exploitation and the people on it as a mere factor of production and labour. Deprived of their land and confined to natural reserves devoid of necessary infrastructure, they reeled under the weight of myriad social and economic afflictions.⁴⁷

The Hut Tax Ordinance inflicted a tax of one rupee, payable through labour, upon every native hut in British East Africa in 1901. A subsequent amendment to the law allowed the tax to be levied specifically upon the owner of the shelter. Other special provisions were added to the Native Hut and Poll Tax Ordinance by 1910, to provide for the distress of property or three-month imprisonment for non-payment of tax due. However, the direct taxation of land values in Africa has a close nexus with the large-scale alienation of land in the settler economy.⁴⁸ Steady settler pressure resulted in an increase in the rate of hut tax or poll tax in 1915, to 5 rupees and again in 1920 to 8 Rupees.⁴⁹ Subsequent African protests and unrest led to a reduction in the basic rate which remained unchanged for the remainder of the interwar period to 12 shillings.

Collections of £100 or Kenya shillings, 75,000 in 1914 and 1915, increased to no less than £658,414 in 1921-1922. After that, it settled back to an annual average return of £500,000-600,000. Also, Africans paid indirect taxes in the form of customs duty on imports that added another £200,000-250,000 to the tax bill during the 1920's. Raymond L. Buell estimated that the total value of cash crops marketed by Africans in 1924 fell short of the total African tax bill by some £320,000.

The British Crown deliberately began the application of tax law in Kenya through the Hut and Poll tax by completely ignoring tax principles. One of the reasons for the application of this tax was to pull the African population into a capitalist labour market.

This application of tax system affected the Nandi and pulled them into the capitalist wage labour system against their wishes.

The tax continued to play a significant role in the employment system as a means of indirect coercion as well as a primary source of state revenue. The tax weapon had the desired effect in forcing more Africans into wage employment. The Nandi ethnic group responded to its pressure by entering the labour market in large numbers. Though some scholars believed that this tax was begun to convince Africans to work on European farms, the hut and poll taxes were a crude wealth of taxes that also served as a substitute for property rating to rural areas.

The Nandi district annual reports of the year 1920 – 1921 shows that the Nandi threatened passive resistance but subsequently paid the poll and hut tax in full. There is no doubt that the tax was very severe and with the closure of the cattle-trade, it probably was too heavy a financial burden for them.⁵⁰ Other scholars argue that taxation was not the sole causal factor but interacted with other political and economic forces at play.⁵¹

Table 1.4. Nandi District Comparative Statement of Revenue collected during the financial years 1923 and 1924.

HEADS & SUB-HEADS OF ESTIMATES	COLLECTED DURING:			
	1923		1924	
LICENCES, DUTIES, TAXES, ETC.	Shs.	Cts.	Shs.	Cts.
Native Registration	342	00	310	00
Game Licences	280	00	80	00
Explosive, Gun & Ammunition	115	00	70	00
Miscellaneous Licences	340	00	180	00
Cattle Traders Licences	1050	00	1550	00
Native Hut & Poll Tax 1924	--	--	139920	00
Native Hut & Poll Tax 1922 (Collected 1923)	147048	00	--	--
Native Hut & Poll Tax 1923	56760	00	80664	00
Non-Native Poll Tax	1200	00	1360	00
Traders Licences	860	00	845	00
Fines & Forfeitures	556	00	4085	98
FEES, MUNICIPAL REVENUE, ETC.				
Market & Cattle Pound Fees	1720	50	1100	50
Testing & Dipping Fees	137	52	19	44
Hospital Fees	63	00	132	00
Miscellaneous Fees	85	00	--	--
Conservancy Out Station	192	00	--	--
POST & TELEGRAPHS				
Surcharges collection	26	35	--	--
REVENUE FROM GOVT. PROPERTY				
Rent of Lands	1002	00	1160	00
Timber Sale & Royalty	12	50	--	--
SALE OF GOVT. PROPERTY				
Stores and Sundry	260	53	76	50
MISCELLANEOUS RECEIPTS				
Com. & Ivory unclaimed & confiscated goods	1823	60	951	00
EARNING OF GOVT. DEPT.				
Gazette & Printing	--	--	17	00
TOTAL REVENUE	213874	00	223721	42

Source: Nandi District, Annual Reports 1921-1932, File No. DC/NDI/1/3. p. 7.

From the above table, it can be seen that out of Kshs. 213,874.00 collected during the financial year 1923 and 223,721.42 received during the fiscal year 1924, native poll

and hut tax collected in 1923 amounted to Kshs 147,048.00 (1922), 56,760.00 (1923).

The total native poll and hut tax collected during the financial year 1923 amounted to Kshs 203808 out of all monies received. When the total revenue raised that year was compared with poll and hut taxes collected shows that over 95% of all total revenue were made up of Poll and Hut taxes. While in 1924 the total and hut and poll taxes collected amounted to Shs 161584. This value when compared to the total revenue collected in 1924 numbers up to over 72%. This collection was a clear indication that the major factor pushing Nandi non-disabled men and some women was the introduction of hut and poll taxes. This tax was a major income generating source for the settler economy in Nandi district. Fines from defaulters on the same vein amounted to Shs 4641.00 this translates to 2% of the revenue.

1.5.6 Changes in Local Production and Trade

There was little money in circulation by 1905, and this forced the Nandi to pay taxes through either sheep or goat willingly. Trade in the district comprised of a few skins bought and sent by traders to Kisumu, the customs duty at that time was Rs. 78. The market fees were collected for the first time in November 1909 when Kapsabet and Kaptumo stations and gazetted as townships. The revenue increased by Rs. 297/-. This taxation then paved the way for the entry into the capitalist labour system to supplement the deficit of small cash circulation.

1.5.7 Population explosion in reserves.

Population explosion too often is thought of simply as the crowding, too many people in a given area or a high population density. The Nandi people are pastoral whose primary interest in life is their cattle, and since cattle people always moved in search of pastures for their animals, acquired the habit of wandering. This pastoral life made some of them move out of the reserve where they were confined in to look for pasture and hence fitted into the squatter system without much strain. This lifestyle satisfied their nomadic instincts and at the same time allowed them to live outside the reserve which was not congested. While outside the reserve, they considered the settler farms as theirs by right of former occupation.

The Nandi people before 1905 claimed as their territory the whole of the land between Kipkarren River Station in the North and Tinderet in the South and between the Kakamega (currently the Nandi escarpment) slope on the West and Eldoret in the East. Following the 1905 expedition, most of their territory was taken from them, particularly the south-east corner above Tinderet. They confined these people to a reserve which was about 450,000 acres of which 80,000 were a forest. By 1931 the estimated total number of Nandis was 50,152, with 215,000 heads of cattle, and 188,000 sheep and goats. Of these, a significant number expected to be about 8,000 lived out of reserve as squatters on European farms.⁵² Squatters were Kenyan Africans living, cultivating, and grazing [their livestock] on land that did not belong to them.⁵³

While in reserves, their lifestyle was affected. Their occupation was herding, watering and watching their cattle, with periodical visits to salt licks. They also lived by raids; and since the coming of British, by nocturnal cattle thefts which were less easy to detect. The women and children were left in reserve to cultivate small plots for cereals to supplement their traditional diet of milk and blood and occasional meat, and for making beer. Up to today, cattle are still paramount to the Nandi people.⁵⁴

The causes of population explosion, in this case, were the alienation of much of their territory by the British, confining them into a small area and limiting their movement. Their traditional food production was limited; poverty persisted amongst them, and they were forced out of the reserve to look for alternative income in European farms.⁵⁵

1.5.8 Forced Labour

The Archival sources show that forced labour became a form of penance for those who could not afford to pay their hut tax. This penance was a standard feature along the coast where the policy was that 'the total amount of work done was equal to the sum of the tax due'.⁵⁶ By 1908, the use of forced labour had been legalised, 'on the basis that the state was the agent of the civilising mission'.⁵⁷ This kind of labour was, however, limited to 'essential public works' in the name of 'communal work' organised around a particular village or location or village. The 1912 Native Authority Ordinance demanded that women and children be required to provide work for government activities.

This Act authorised Headmen to issue orders to the Africans 'requiring the able-bodied men to work in the making and maintaining of any watercourse or other work constructed for the benefit of the community to which such able-bodied men belonged'. Also, 'the Ordinance gave the headmen legal powers to regulate the movement of natives from the jurisdiction of one headman to another'.⁵⁸ They never realised much achievement because desertions 'were effective during the early decades of colonial rule precisely because the peasant sector was able to absorb the deserters'.⁵⁹

Forced labour was widely used and became institutionalised during the first few decades of colonial rule in Kenya. This period witnessed massive supplies of labour for the colonial economy to run. They constructed railway lines and roads, dams and bridges, administrative centres erected, and forests cleared, and settler farms established. These infrastructures then led to the use of forced labour inevitably. Few government officials or settlers ever questioned the need for some form of work coercion. It was even an act of benevolence for many, for people deeply mired in idleness and indolence.⁶⁰

1.5.9 Colonial Administration

1.5.9.1 Colonial Chiefs and headmen

Colonial Chiefs and headmen were responsible for tax collection and thereby were used indirectly by the colonial government in forcing their people to provide near-slavery labour to the colonial government in Kenya. The archival sources reported that:

'Chief Elijah has maintained his high standard of efficiency and is now undoubtedly the leading personality in the tribe. He possesses that rare quality among Africans, of being able to look forward and build for the future, and he carries his people with him.'⁶¹

Salaries increased as from the beginning of 1946. Chief Elijah and Micah were promoted to grade C while six of the remaining seven were promoted to Grade B while Chief Arap Beles, the Laibon Chief was promoted to grade A for the amount of work which the chiefs had to do those days, the salaries paid were slight. During this year, work increased; Schemes, auction markets, growth in education, development of trade, attendance at meetings, chiefs had their time incredibly full. Chief Elijah went to England for the Victory Parade and on his return toured the Province and Kericho District giving his impression of England. He was an excellent chief as praised by the District Commissioner.

He cooperated so much with this Europeans and hence reported to be the best Chief ever.⁶²

Other chiefs used included Chief Arap Tulel whom they praised for being less drunk, Chief Arap Titi who also kept his people at hand, and Chief Arap Boit who had many facets to his character. He was progressive and energetic and untruthful according to his colonial master, also used chiefs included Chief Arap Korir, Chief arap Tego, Arap Chemuigut, Arap Katorno, Arap Serem.⁶³ The oral interview supports the idea that they used Chiefs without their knowledge; they did not know the hidden agenda of the white settler of using their labour to build the British colony and not the Africa colony. They were ignorant of the demands of the metropolises. They promised small rewards with some of them never given.

By January 1st, 1905, as reported by Walter Mayes, the then District Commissioner, Nandi was in a silent state. There were no recorded complaints except the case of Kamelilo clan which the tax collectors burnt houses and seized cattle which resulted from the death of three men from Soba who were driving off the cattle. The Orkoiyot was sent in to see whether they can punish the whole clan and after negotiations with them, they settled down quietly.⁶⁴

According to a report from the Native Affairs Department in 1920, the paramount questions which the native councils raised at Barazas were:

- 1) Alienation of their reserve,
- 2) Wholesale movement of families as squatters,
- 3) Salt licks.

These were problems to which the administration gave no satisfactory answer, from their point of view and as was only to be expected, caused a certain amount of unrest and distrust of government. The native councils as a whole had done useful work, and endeavour to assist in all administrative tasks.

The number of squatters registered that year was 480 compared to 102 the previous year (1919).⁶⁵

The administration in Nandi district by 1926 as reported by the district commissioner said that year witnessed a severe food shortage in the first half, which was responsible for the considerable theft of produce from neighbouring farms. Stock theft, however, did not increase. Enormous numbers of Nandi went out to work as casual labourers, and the money earned by them combined with the sale of surplus stock kept their relatives from starving. Plenty of food was brought in by traders for sale in the northern portion of the reserve, and in the south where roads were lacking the women were allowed to visit the stores at Kibigori, Miwani, and Kibos railway stations.

It was certain that the most responsible headmen and elders, and even in some cases private individuals were pulling their weight in the prevention and detection of offences. As regards, collective fines of 8000/= imposed in 1926 on location 20 was collected in full, as had also Shs. 4000/= imposed in 1926 on location 15. They imposed a fine of Shs. 3000/= and 2-month road work on location 4 for an offence committed in 1926 (October). They completed the road work and collected all penalty fees. A fine of Shs. 1500/= was imposed on and collected from the Koret of Kabore in location 7 for an offence in May of 1927.

Witchcraft or alleged witchcraft was a constant problem. One well-known practitioner with a previous conviction was sentenced to 3 years R. I. and recommended for deportation for intriguing against Arap Tulil of location 17 and trading on

his supposed supernatural powers to upset Arap Tulil's people. During the year, they discovered that the widow of the Orkoiyot Koitalel, killed by Crown Forces in the last Nandi War, was living on a farm in the district. As she had already brought up her son Barserion to anti-government activities for which in 1923 the colonial authorities deported her, and as she was believed to be disseminating prophecies from him of his impending return despite the government, the authorities moved her to the location reserved for the Orkoiyot clan. The Local Native Council agreed to a similar reservation for alleged witches, in their case as a sanctuary rather than a means of control.⁶⁶

The above archival report reaffirms that the situation in 1926 was mainly made of fines almost everywhere. They only paid fines in cash and not animals. The said offenders were compelled to seek wage labour for them to pay the fines. The above statement was supported by oral sources as can be heard from Arap Bitok Katikwal that:

'When I was grazing my cattle at night, the white caught me feeding on his farm; he confiscated my animals including myself. I was later charged by the British a fine of 20/-. I did not have this money at hand and therefore, was forced to work for a white man five months without pay at a rate of 6/- per month to pay the fine. So I was away in Songhor farm for the whole five months working as a slave.'⁶⁷

The years 1933 to 1942 were heralded by an outbreak of stock theft and were ushered out by an even more intense outbreak of crime. Despite numerous convictions, they continued with little abatement. The Nandi concerned in this type of lawlessness were few but worked together as a secret society, and it was a striking coincidence that an increase of stock thefts always follows to the reserve the release of convicts, the majority of who were irreformable and irredeemably wrong.

The circumcision of the Chonginyek section of the Chuma age-grade eventually started in March 1942. The Laibons held up the ceremonies until they had been suitably dealt with and brought into line. By the end of 1942, performed the rite throughout the reserve without any further trouble.

Early in the year, the ill-feeling between the Nandi and Kabras came to a head and led to a threatening situation at Chemnego, and tribal police were posted there to preserve order. To avoid any occasion for any further friction the cattle market at Chemnego was closed and there were no further incidents.

The years 1945 and 1946 were remembered by Nandi as the years of progress; what was termed development by Europeans would probably be construed by the Nandi as the end of the good old days and peace.⁶⁸ In 1946 they were shaken by having a cattle census imposed on them. The birth of an innovative scheme seeking to establish a suitable agrarian policy for their reserve caused suspicion. The year saw administration trying to put into practice approved plans for combating overstocking which the cattle census brought forcibly, and starting the experimental scheme. The inception of this latter system closely followed a large bush clearing operations and finally in the last quarter of the year by the inauguration of cattle auction markets. For the last four years, i.e. dating back to 1940, the administration mostly pressed on with the suppression of stock thieving, circumcision and witch-doctors.

The Nandi reaction of this was a mixture of surprise and a fast fading hope that government was to relax and leave them alone.

It was continually impressed on them that the government was determined to prevent this fortunate district, with its green pastures. The bush clearing work accumulated some 4500 acres by the end of the year. The made farm form part of alienated land using Nandi labour as the natives were never allowed to cultivate or graze on this vast land.

1.5.10 Household related factors

As opposed to non-disabled men who were in high demand by the colonial government, there were other cases which were family related as follows:

i) Sore-relationships: Nandi people mistreated women as their culture did not permit a lady to talk or challenge her husband or anyone on any issue. This type of lifestyle led to a total mental and physical abuse on women. Any man could even beat up someone's wife in the name of discipline. Moreover, so the relationship was a harsh one. During the epoch of Maina, Nyongi and Chumo age sets, men were known to dominate every day's affairs, and the women were to be 'seen and not heard'. This period was around 1920's to late 1950's. During the maina period, a woman could be beaten by her husband, and if she tried to run away to her parents, her brothers and father could also beat her up and sent her back to her husband. The man could sometimes follow her up to his in-laws, and could also at times hit her before her parents and even gain the support of his in-laws. Many times, such woman could seek refuge inside a Whiteman's house as a maid. This harshness is one of the cases which led to the emergence of Chotaras within the Nandi community

ii) Prestige: Some women and men sought migrant labour as a way of self-esteem. They saw it as a privilege to work with a Whiteman who was considered a superior being. They decided to quit the reserve as a way to satisfy the urge inside them.

iii) Selfish attitudes: Free attitude and neglect, led to some of the women to abandon their homes to pursue their selfish demands. Some women ended up being prostitutes in the streets on Nairobi as oral sources stated that Nandi women were among the first to go to Nairobi as prostitutes.⁶⁹ Despite the fact that their homes were conducive, some still chose to serve within Whiteman's farm.

iv) Poverty: The economy within the household diminished due to a shortage of resources in the reserves, the husbands and young men had left for migrant labour, so the remaining population could not sustain itself. This deficit led to some women and young men joining the wage labour. Also, it was a privilege to be associated with cash or money labour.⁷⁰

1.5.11 Pass System (Kipande System)

The Kipande system was first enacted into law in 1915, implemented by 1919, and abolished in 1947.⁷¹ The Kipande meant different things to Africans, settlers, and the state. For the Africans, it was a reminder of the fact that their annual taxes remained in arrears and that there was a possibility of being forcefully recruited to offer their labour in the settlers' farms or other colonial enterprises. Equally important, they wore the Kipande around their necks which to most people was a badge of slavery for it restricted the movement of African labour from one employer to another. In sum, the Kipande system, while helping to stabilise work and wages for the settler economy, did so to the detriment of the African labourers and the Nandi in particular.⁷²

The Kipande registration system was the most concrete manifestation of a coercive labour control system among the Nandi. In the pass card, the employer recorded the registration number, resident district or town, time worked,

the nature of work, name of the previous employer, the rate of pay, if he had paid the tax and general comments made on the suitability of the individual as an employee.⁷³

The pass laws implemented through the Kipande as its symbol placed the African people in an inferior position. It became the most detested instrument of colonial rule for it provided an efficient and coercive system of control. Every Nandi man of mature age got fingerprinted on the same card that showed his particulars. It became dangerous for an adult male to loiter in urban areas and the settled areas without a good reason and this singularly affected the movement of people in a very profound manner. In the final analysis, the Kipande had a dual purpose - first as an identification card which had to be carried by all African males to show the payment of taxes and secondly, it served to locate the deserters from the labour force, particularly from the settler farms. While the Kipande could not stem the demand for labour, the settlers kept insisting that the colonial administration supply them with human resource. Annual report of Nandi district for 1920 - 1921 reports that the number of squatters registered this year was 480 compared to 102 in 1919.⁷⁴

1.5.12 Nature of African Labour, recruitment, and Control on European Settler Economy

Migrant labour system involved coerced labour system characterised by the periphery of the world's capitalism. This system arose due to the industrial revolution in Britain, and hence the developments in Kenya were predicted by the supply of cheap raw materials to the core economy. The development of migrant labour was one of the means through which they realised this human resource.⁷⁵ The earliest forms of immigrant labour are immigrant wage labour. These were efforts on the part of the colonial government to destroy the pre-capitalist mode of production. The success of capitalist penetration depended solely on the level of which British were able to change the native economy.⁷⁶

After the establishment of the white highlands, the country came to have several farms with different crops grown, ownership and methods of mobilising labour both at work and off work. On employment matters, Europeans used migrant labour system and mobilisation and control of African producers through economic and extra-economic coercive methods.⁷⁷ All these had the direct and indirect support of the colonial government that created a structure that was different, with European farmers and African management (Nyaparas/kipnyeperainik) on one side and African labourers on the other side. The demand for Porter labour set the stage for the colonial state to intervene for the allocation of work time but the Nandi were not used to this job and hence disliked this job.

Road projects according to colonial administrators could provide an opportunity for accustoming the local people to regular employment. This project was not surprising as it merely confirmed the idea that the necessary physical infrastructure such as roads and railways could be laid down by government assistance, and this directly required African labour without which nothing would continue.⁷⁸ African employment comprised of full-time labour, casual labour, and resident labour. The non-agricultural work included domestic servants and others.

Agricultural work composed of domestic workers, labourers in sisal, sugar farms, and tea, coffee, pyrethrum, stock and mixed employment. Public service i.e. domestics, office assistants, teachers, midwives, wardresses, brewers, and labourers.⁷⁹ Three major forces transformed Africans into

wage labour system; these were land alienation, taxation and governmental coercion among other related reasons.⁸⁰

On control and recruitment of African labourers, European farmers had to diversify their labour hiring and oversight mechanism. They sought employment from different areas including African reserves.

They resorted to the policy of organised recruitment of labourers from the reserves through the initiative of colonial chiefs, and hence the reserves were converted to a rich reservoir of cheap native labour areas for European wishes and the Nandi in particular.⁸¹

1.5.13 Veterinary Quarantine

According to an annual report for 1920 – 21, the hut tax was raised to Rs. 8/- from the initial Rs. 6/-. The Nandi threatened passive resistance but subsequently paid in full. There was no doubt the tax was very severe and with the closing of the cattle trade due to the outbreak of Bovine Pleuro-pneumonia on Kibigori side. This quarantine restricted the activities of the Nandi, and probably this was a massive financial burden for them. They left them with no option but to join wage labour to supplement their little resources.⁸²

1.5.14 Decrease in salaries and prices of stock as in 1929-1930.

In August 1920, there was a Baraza held on the Nandi farms attended by representatives of every Nandi Farm, the District Commissioner, Kapsabet, Headmen from North Kavirondo and Nandi and the whole of the labour employed on the farms. The meeting agreed that there be a reduction of Shs. 20/- per month, pending a return to regular prices for the agricultural products.⁸³ This decrease was a deliberate move by the colonial government to ensure a steady supply of labour. They were against the prosperity of the Nandi community which enjoyed their wealth and was easier for them to sell their surplus stock and farm products and pay the taxes with ease.

1.6 Conclusion

This paper discussed the emergence of a migrant wage labour force in Kenya as primarily a product of European

white settlement. Unable to provide for their work and to lack in capital, the settlers sought cheap African labour.

They, however, found a backwards people who still lived by subsistence farming, herding livestock and practising barter trade and had no desire to abandon their mode of livelihood way of life for a thankless existence in settler farms. However, they undertook a gradual process from the arrival of the first white settlers through land alienation, the introduction of a cash income, and the pass system (Kipande system). This process included the creation of African reserves, land policy, forced labour, introduction of hut and poll taxes and the enactment of harsh labour laws to counter the reluctance of Africans to enter into migrant work and Nandis in particular.

These measures were, however, not adequate to guarantee enough labour for the settler farms and public works. For the authorities to control this reluctance, they wielded the taxation weapon as a tool to compel people to leave their reserves in search of labour. In this, the settlers demanded that the government play a central role in securing them African labour. The colonial administrators gave conflicting testimony about the situation in Kenya. The Labour Commission of 1912-13 show that taxation did not fully succeed in driving the African people into migrant wage labour, but some other pull-push factors contributed.

Some young people went out voluntarily to get money which they used to pay taxes, but also to acquire certain material possessions like livestock, blankets, clothes and other personal effects. Others, who remained behind, were able to pay their hut and poll tax by selling their crops or livestock. Other women joined migrant labour system due to household-related factors. Ultimately, migrant labour did not address the issue of the women, children and the aged persons left at home; the settlers were interested only in healthy individuals while the households were forgotten. Ultimately, migrant labour had become common in Kenya and in particular, Nandi.

Table 1.5. Colonial Revenue & Expenditure for 1932 and 1933.

Heads & Sub-Heads of Estimates	Sanctioned Estimates 1933	1933 Collection	1932 Collection
LICENCES, DUTIES, TAXES, ETC.			
Native Registration	240.00	320.00	186.00
Game Licences	100.00	230.00	530.00
Explosives, Gun & Ammunition	320.00	290.00	300.00
Miscellaneous Licences	60.00	160.00	68.00
Coffee Licences	540.00	570.00	480.00
Licences Under Traffic Ord.	200.00	60.00	210.00
Stamp Duties V. R. Purposes	140.00	-	-
Cattle Traders Licences	2000.00	1750.00	1650.00
Hut & Poll Tax 1931	-	3969.00	14164.00
Hut & Poll Tax 1932	65000.00	77701.75	70104.00
Hut & Poll Tax 1933	122000.00	119475.50	-
Non-Native Poll Tax	2400.00	3459.00	2540.00
Additional Non-Native Poll Tax	-	90.00	1980.00
Fines and Forfeitures	8000.00	6469.10	8528.01
Traders Licences	1200.00	1037.00	1235.00
European Education Tax	800.00	1255.00	900.00
Asiatic Education Tax	400.00	290.00	380.00
Levy on Official Salaries	-	1279.40	944.31
Motor Drivers Licences	-	67.00	15.00
FEES & PAYMENT FOR SPECIFIC SERVICES			
Fees of Court	240.00	1167.17	628.00
Conveyance Fees on C. Titles	40.00	20.00	-
Market & Cattle Pound Fees	400.00	849.50	809.20
Veterinary Inoculation Fees	1500.00	16893.50	28494.00
Hospital Fees	60.00	34.00	57.00
Miscellaneous Fees	120.00	880.80	852.92
EARNINGS OF GOVERNMENT DEPARTMENT.			
Prison Industry	60.00	75.00	85.00
Sera Vaccine & L. Products	-	48.00	160.00
REVENUE FROM GOVERNMENT PROPERTY & R.			
Mining Fees Revenue B.	-	100.00	-
Permit Fees for Shops & Mills On Leasehold Farms	-	144.00	-
SALE OF GOVERNMENT PROPERTY			
Farm Produce & Stock	2000.00	4432.00	1650.00
Stores	100.00	55.70	70.00
Unclaimed & Confiscated Goods	-	16.75	57.40
Kipande Containers	60.00	45.00	20.00
MISCELLANEOUS RECEIPTS			
Sundry	-	18.50	2.50
Recoveries of Overpayment	-	18.00	-
Unclaimed	-	11.50	200.00
Gain on Exchange	-	96.80	92.50
TOTAL	221,540.00	245,427.05	167,395.84

Source: District Annual Reports for 1933, KNA.

Table 1.6. Colonial Revenue & Expenditure for 1934 and 1935.

HEADS & SUB-HEADS OF ESTIMATES	Sanctioned Estimates 1935	1935 Collection	1934 Collection
LICENCES, DUTIES, TAXES, ETC.			
Native Registration	300.00	336.00	348.00
Game Licences	200.00	190.00	200.00
Explosives, Gun & Ammunition	280.00	260.00	300.00
Liquor Licences	-	30.00	-
Miscellaneous Licences	60.00	74.00	69.00
Coffee Licences	500.00	450	510.00
Licences Under Traffic Ord.	200.00	82.00	270.00
Cattle Traders Licences	2000.00	1300.00	1900.00
Hut & Poll Tax 1931	-	24.00	972.00
Hut & Poll Tax 1932	-	60.00	3400.00
Hut & Poll Tax 1933	-	576.00	47438.65

Hut & Poll Tax 1934	-	4382.00	166132.01
Hut & Poll Tax 1935	160000.00	157847.00	-
Non-Native Poll Tax	3500.00	3176.00	3506.00
Fines and Forfeitures	8000.00	2424.00	7468.61
Traders Licences	1000.00	1000.00	1047.50
European Education Tax	650.00	780.00	960.00
Asiatic Education Tax	360.00	340.00	400.00
Levy on Official Salaries	1140.00	711.81	1080.00
Motor Drivers Licences	60.00	57.00	60.00
FEES & PAYMENT FOR SPECIFIC SERVICES			
Fees of Court	400.00	639.25	1312.58
Conveyance Fees on C. Titles	-	20.00	170.00
Market & Cattle Pound Fees	400.00	644.50	808.50
Veterinary Inoculation Fees	15000.00	13673.50	23521.50
Hospital Fees	60.00	-	30.00
Miscellaneous Fees	500.00	755.00	1102.00
EARNINGS OF GOVERNMENT DEPARTMENT.			
Prison Industries	60.00	63.00	157.00
Sera Vaccine & L. Products	-	-	54.00
SALE OF GOVERNMENT PROPERTY			
Farm Produce & Stock	2000.00	3191.75	1765.50
Stores	100.00	32.60	54.80
Unclaimed & Confiscated Goods	-	208.50	221.25
Kipande Containers	60.00	31.00	56.00
MISCELLANEOUS RECEIPTS			
Sundry	-	-	4.00
Unclaimed Deposits	-	42.00	280.00
Gain on Exchange	-	4.00	52.50
TOTAL	196,830.00	199,405.75	265,651.40

Source: *District Annual Reports for 1935, KNA.*

¹ KNA: DC/NDI/1/1 Nandi District Annual reports 1905 - 1920, p. 37

² Ibid, p. 40.

³ A. T. Matson, *Nandi Resistance to British Rule 1890 – 1906*, Nairobi: East African Publishing House, 1972 p. vii+391

⁴ Ochieng', W R; *A history of Kenya*, (London, Macmillan, 1986), p. 78.

⁵ KNA: DC/NDI/1/1 Annual Report Vol.1, 1905 -1920, p. 18.

⁶ KNA: DC/NDI/1/1/ 1905-1920, Nandi District Quarterly report of 31/12/1909, p. 1

⁷ KNA: DC/NDI/1/1/Nandi District Quarterly report of 31/12/1909, p. 2

⁸ Ibid, p. 34.

⁹ Bruce Berman, *Control and Crisis in Colonial Kenya. The Dialectic of Domination*, East African Educational Publishers, Nairobi, 1990, p. 128.

¹⁰ Ibid, p. 129.

¹¹ McGregor Ross, W. M., *Kenyan from Within: A Short Political History*, (London, Allen and Unwin, 1927), p. 63.

¹² Swainson, N., *The Development of Corporate Capitalism in Kenya 1918-1927*, (London, Heinemann, 1980), p. 53 -54.

¹³ Ogoth-Ogendo, H. W. O. *Tenants of the Crown*, Nairobi, African Centre for Technology Studies 1991) p. 110.

¹⁴ Ochieng', W. R., *The Second Word: More Essays on Kenyan History*, (Nairobi, East African Literature Bureau, 1997), p. 110.

¹⁵ Kanogo, T., *Squatters and the Roots of Mau*, (London, James Currey, 1987), p. 9

¹⁶ Sorreson, M. P. K., *The Origins of European Settlement in Kenya*, (London, Oxford University Press, 1968), p. 181.

¹⁷ Ochieng' W. R; *A History of Kenya*, (London, Macmillan, 1986), p. 107

¹⁸ Sorreson, *The Origins of European Settlement*, p. 179.

¹⁹ Kanogo, *Squatters*, p. 9

²⁰ KNA: Kenya Land Commission. Report. Cmd. 4556. 1934

²¹ Ghai, V. P., and McAuslan, J. P. W. B., *Public Law and Political Change in Kenya*, (Nairobi, Oxford University Press, 1970), p. 9 - 14.

²² Kenyanchui, S. S., "European Settler Agriculture", in Ochieng' and Maxon, *An Economic History of Kenya*, p. 115.

²³ Maxon, R. M., *The Establishment of Colonial Economy, in Ochieng', W. R. and Maxon R. M. (Eds.) An Economic History of Kenya*, (Nairobi, East African Publishers Ltd., 1922), p. 69.

²⁴ Devonshire White Paper: *Indians in Kenya (CMD 1922)* Cited in Mungean, Q. H. p. 622 – 623.

²⁵ England, Kenya Land Commission, 1934, p. 2834.

²⁶ Kanogo, *Squatter*, p.9

²⁷ Ochieng', W. R., *A History of Kenya*, (London, Macmillan, 1986), p. 107

²⁸ KNA, (MGM 1/17/16), *Casual Labour Recruitment Rules*.

²⁹ Ochieng, *A History of Kenya*, p. 107 – 108.

³⁰ Ibid.

³¹ Kanogo, *Squatter*, p. xviii.

³² Ibid.

³³ Ibid.

³⁴ Ibid.

³⁵ Ibid p. 9

³⁶ Maina Lydia Mengich, aged 90 years, Bot Penina Kaptalam, aged 87 years, Kogo Kap Sitienei, aged 93 years, Group Interview carried out on 5th July 2015 at Tuktuk

³⁷ A real account is found in Marian Lacey, working for Boroko: *Origins of a Coercive Labour System in South Africa (Johannesburg, 1981)*. See also Colin Bundy, *The Rise and Fall of the South African Peasantry*, p. 135. On migrant labour in Southern Rhodesia, see, C. van Onselen, 'Chibaro':

African Labour in Southern Rhodesia 1900-1933 (London, 1977). Van Onselen has argued that taxation alone, however, did not solve the mining labour problems, hence 'Chibaro' or forced labour, pp. 95-101. In the case of Algeria see, David Prochaska, *Making Algeria French: Colonialism in Bone, 1870-1920* (Cambridge, 1989).

³⁸ East African Standard, 8 February 1913, cited in Clayton and Savage, *Government and Labour in Kenya, 1895-1963*, p. 41.

³⁹ Berman, *Control and Crisis in Colonial Kenya*, p. 53.

⁴⁰ McGregor Ross, *Kenya From Within*, p.147.

⁴¹ KNA PC/COAST/1/1/193 German Book, 1895-1905, vol.2 Chapter 5, p. 290. This document is one of the oldest held by the Kenya National Archives (KNA) dealing with taxation.

⁴² Mungean, *Select Documents*, p.1.

⁴³ *Kenya Law Review* 278 [2007] Vol. 1: 272

⁴⁴ Pakenham, Thomas (1992) [1991]. "Chap. 27 Rhodes, Raiders and Rebels". *The Scramble for Africa*. London: Abacus. pp. 497-498.

⁴⁵ KNA/PC/COAST/1/1/116, Notes for Special Provincial Report, Rabai sub-district, 1905-1910.

⁴⁶ Mungean, *Select Documents*, p.1.

⁴⁷ <http://www.africanexecutive.com/modules/magazine/article.s.php?article=3888>

⁴⁸ H.W.O. Okoth-Ogendo, *Tenants of the Crown: Evolution of Agrarian Law and Institutions in Kenya* (Nairobi: ACTS Press, 1991) 27.

⁴⁹ 16 shillings under the new currency then be introduced

⁵⁰ KNA: DC/NDI/1/3/Annual Reports 1921-32, Nandi District Annual Report, 1920-21,

⁵¹ Various scholars in the literature have questioned the often-stated migrant labour-taxation cause-nexus. See for example Keletso E. Atkins *The Moon is dead! Give us our money!: The Cultural Origins of an African Work Ethics*, Natal, South Africa, 1853-1900 (London, 1993). She has rejected the tired stereotype that Africans entered labour service for two reasons -to pay taxes and to obtain an increase in livestock which translated into marrying more wives (see p. 29). See also Francois Manchuelle, *Willing Migrants: Soninke Labor Diasporas, 1848-1960* (London, 1997), pp. 1-8. In the case of Kenya, Stichter in *Migrant Labour in Kenya*, and Van Zwaneberg, in *Colonial Capitalism in Kenya*, have also cautioned about overstating the role of taxation in compelling migrant wage labour.

⁵² G. W. B. Huntingford, *The Nandi*, Ndia Kuu Press, 1944, Nairobi, p. 2

⁵³ S. M. Shamsul Alam, *Rethinking Mau in Colonial Kenya*, p. 18.

⁵⁴ G. W. B. Huntingford, *The Nandi*, Ndia Kuu Press, 1944, Nairobi, p. 3

⁵⁵ Oral Interview with Jeserem Lel 79 years, Stephen Rotich 85 yrs, Cheruiyot Arap Rotich 90 yrs and Chebichii Lagat 88 yrs, interviewed on 22nd August 2015 at Kaptumo village.

⁵⁶ KNA/COAST/1/1/193, German Book 1895-1905, vol 2. Chapter 5, p. 290.

⁵⁷ Zeleza, 'Labour, Coercion and Migration in Early Colonial Kenya', p. 164.

⁵⁸ Lord Oliver, *White Capital and Labour* (London, 1929), p. 233.

⁵⁹ Zeleza, 'Labour, Coercion and Migration in Early Colonial Kenya', p.166.

⁶⁰ Tiyambe Zeleza, "The Colonial Labour System in Kenya." In *An Economic History of Kenya*, William Robert Ochieng' and Robert M. Maxon, eds, p. 173.

⁶¹ KNA: DC/NDI/1/4, Annual reports, 1933 -47, p. 2.

⁶² KNA: DC/NDI/1/4, Nandi District Annual Report for 1945, p. 2 – 10.

⁶³ KNA: DC/NDI/1/4, District Annual Reports of 1939, p. 3.

⁶⁴ KNA: DC/NDI/1/1/ Nandi District Quarterly Report, 1st January 1905.

⁶⁵ KNA: DC/NDI/1/3/3 Nandi District Annual Reports for 1921 – 1932.

⁶⁶ KNA: DC/NDI/1/3 Nandi District Annual Report for 1926. P. 2-3.

⁶⁷ Oral Interview with Arap Bitok Katikwal, aged 90 years, on 29th August 2015 at Kimong village.

⁶⁸ KNA: DC/NDI/1/4, Nandi District Annual Report for 1945, p. 2 – 10.

⁶⁹ Opcit.

⁷⁰ Oral Interview, Daniel Arap Ruto, 90 yrs, Kaptel, 18th August 2015.

⁷¹ Tiyambe Zelaza, "The Colonial Labour System in Kenya." In *An Economic History of Kenya*, William Robert Ochieng' and Robert M. Maxon, eds, p. 181.

⁷² S. H. Somjee, 'Kipande: The Symbol of Imperialism, 1914-1948: A Study in Material culture' Staff Seminar Paper, Department of Literature, University of Nairobi, 1980.

⁷³ *Ibid.* p. 6.

⁷⁴ KNA: DC/NDI/1/3 Annual Report, Nandi District 1920-1921, General Political and Administration.

⁷⁵ Stichter, Sharon, *Migrant Labour in Kenya, Capitalism and African Response 1895- 1975*, (Essex, Longman, 1982), p. 26

⁷⁶ Rodney, Walter, "The Colonial Economy," in A. Boahen (ed.), *UNESCO General History of Africa Vol. VII* p. 337.

⁷⁷ Bernstein and T. Brass (eds.), *Plantations, Peasants and Proletarians in Colonial Asia*, (London, Frank Cass, 1992), p. 176.

⁷⁸ Rodney, *The Colonial Economy* p. 338.

⁷⁹ KNA: African Labour Census 1947, Table 10

⁸⁰ Stichter, *Migrant Labour in Kenya*, p. 33.

⁸¹ Oral interview, Kibiy Magut, 95 years at Koyo village on 20th August 2015.

⁸² KNA: DC/NDI/1/3/Nandi District Annual Report for 1920-1921 p. 4.

⁸³ KNA: DC/NDI/1/3/Nandi District Annual Report for 1929-30, p. 17, Labour.