

## Local Government and its Role in Development in Machakos District, Kenya, 1925 to 1949

Lydia Kanini Muendo\*

Kenyatta University, Kenya

### \*Corresponding author

Lydia Kanini Muendo

### Article History

Received: 05.08.2018

Accepted: 14.08.2018

Published: 30.08.2018



**Abstract:** This paper traces the history of the local government in Kenya between 1925 and 1949 focusing on the role it played in development in Machakos District. This role of the local government in Kenya began in the colonial period with the establishment of Local Native Councils (LNCs) in 1924. Though set up by the colonial government to reduce African political agitation for representation in the Legislative Council, the LNCs performed better as vehicles for the improvement of African areas. They operated under the leadership of the District Commissioner (DC) for the most part of the colonial period. The local government system and the functions thereof were as a direct result of colonial contact thus the postcolonial perspective applied in this research paper. The article adopted a historical research design whereby an interpretation of meanings and an assessment of the significance of events were carried out. This article is a contribution to the historiography of local government in Kenya.

**Keywords:** local government, colonial government, Legislative Council, Local Native Councils.

### INTRODUCTION

Although local administration existed in Machakos from the inception of colonial rule, there existed no organised and acceptable African body of administration. The failure of the chiefs and headmen, as well as the *Nzama* to effectively help in British administration through indirect rule led to the establishment of LNCs.

The colonial government established the LNC in Machakos in 1925 with the intention of monitoring and controlling African political activities especially the association of the Kamba with the Kikuyu in anti-colonial meetings aimed at opposing taxation and land alienation. From 1925, however the Machakos LNC undertook important development works towards the improvement of living conditions of Africans in Machakos and *Kikumbulyu* Reserves. Issues analysed in this article include background to the establishment of the LNC, sources of revenue and activities undertaken towards infrastructural, social and economic development up to 1949. The challenges faced by the Council during these years are also discussed.

### Antecedents of the Local Government in Machakos District, 1895-1924

Political evolution in colonial Kenya was closely related to the evolution of local government especially in Machakos District. For instance, the government's failure to give adequate political outlets and representation at the local level led the Africans to organise politically to articulate their grievances. Political organisations in turn created great awareness among the Africans of the inadequate representation at the local level [1]. The result was a resentful and negative attitude towards the government's policies

leading to constant African protests. Political institutions set up by the colonial system were meant to contain Africans' negative attitude towards the colonial government. This was a continual struggle by Africans to get some measure of representation in the colonial government bureaucracy as well as maintain their independence in their areas of interest such as land.

Established in 1889, Machakos was the first British upcountry station and was the capital of the inland territories of the Imperial British East Africa Company (IBEAC)[2]. Its primary use was that of a general store and forwarding station. When the colonial government took over the administration of the Protectorate from the IBEAC in 1895, Machakos was the capital of that administration and remained so up to the time the Uganda Railway first reached Nairobi in 1899 because the railway bypassed Machakos[3]. F. J. Jackson, who made a treaty with Mboli, a self-styled chief of Iveti, took over Ukambani on behalf of the Imperial British East Africa Company (IBEAC). In the treaty of 4 August 1889, Mboli claimed to have placed himself and all his territories, countries, peoples and subjects under the protection, rule, and government of the IBEAC. He also claimed to have ceded over all his rights and rights of government over all his territories, countries, peoples and subjects to the protection of the

Company whose flag was to be a sign of such protection[4].

The British used the company to administer the East Africa Protectorate as part of the Berlin Conference's requirement of effective occupation. The aim of IBEAC was to inherit the pre-existing long distance trade that had linked the African interior to the coast. It sought to replace the Swahili, Mijikenda and Akamba ivory traders, who by the 1860s had trodden routes that ran from the coast via Kitui, through Mount Kenya, into the Tugen and Cherengany hills all the way to Mount Elgon and Turkana. African knowledge of these routes was harnessed and used in the building of the Company's fortunes[5]. The knowledge acquired by the IBEAC officials was later to be of great importance in the survey and engineering reports for building the railway.

It was during Ainsworth's time (1892-1899) that the whole of Ukamba was brought under British control. The trading IBEAC was replaced by formal colonialism in 1895, the mode of interaction soon translated itself into a military frontier, and conquest battles became the norm from 1894 onwards[6]. Several punitive military expeditions were sent before the Kamba could be brought under control. C. R. W. Lane, the DC in October 1900 to February 1901, made initial attempts at organised administration in Machakos[7]. This was following Commissioner Hardinge's charge to set up an administration and judicial system in the now European land. The IBEAC officials had extensive knowledge of the territory and were of great use in the dividing of the land into provinces and districts[8].

Under the different DCs the then Ulu District was gradually divided up into a number of locations each under a gazetted chief. These again were subdivided into sub-locations each under a headman. These divisions were loose and ill defined. The headmen and their followers some of whom would claim to belong to a chief of a different division often questioned the chief's authority. The headmen ruled over an average population of 15,000 people but there was no criterion for fixing the boundaries of the size of each location as the area of administration[9]. Thus, a complete census of 1910-1911 was aimed at reducing the number of headmen ruling over insignificant numbers of people and most importantly, organisation of the new Native Council Houses. The DC in 1911 conceded that the greatest source of problems between the people and the government was the manner in which chiefs were appointed[10].

The absence of native policy or at any rate continuity of policy about native affairs was largely responsible for the system under which the chiefs and headmen were constantly being appointed and frequently deposed. Officers who did not rightly realise that the direction that they used was misleading, drifting

to complete chaos and disorganisation, made all these appointments. Such appointments led to a complete disruption of the whole community organisation and a spirit of disorder and lawlessness arose since the commencement of British administration[11]. In fact, colonial rule introduced at the local level a number of new local authority wielders who though tied directly to the traditional system, were alien to the needs and desires of the local communities whom they were supposed to link to the centre[12].

In the Kamba society, the British administration failed to find a stable group of collaborating chiefs until the late 1920s. The Kamba had experienced pre-colonial differentiation based on the emergence of individuals and lineages attempting to accumulate wealth and power contrary to traditional communal institutions. These power-seeking lineages often welcomed the arrival of British power and took the initiative in securing the new official posts provided by the Village Headman Ordinance of 1902. This led to an intense competition that dominated Kamba politics until 1910 mainly against traditional authority represented by the *Nzama* elders. In 1910, an attempt to revive 'traditional' forms of authority and establish a system of indirect rule was taken seriously by the DC who provided for official recognition of enlarged *Nzamas* of elders in each location[13].

The British did not understand indigenous administration either.<sup>1</sup> For example, the appointment of notable individuals in Luoland as chiefs in charge of locations sparked perennial inter-clan rivalries within each location that lasted a long time. Pre-colonial Akamba, just like the Luo and Kikuyu, possessed no "genuine" chiefs or headmen and authority in each small locality rested principally with a body of elders who constituted the *Nzama* (Council of Elders) and which was completely ignored. When an appointment had to be made, a young man was appointed who was of scarcely no importance and such appointments resulted in a great deal of harm. Thus, such young men, with no traditional authority and possessing no confidence of their people, resorted in extortion and oppression of the people in carrying out their administrative duties. Caught between the demands of the Provincial Administration and the conservative commitment of the elders, the position of the Kamba chiefs became highly unstable[15].

The appointed chiefs and headmen, possessing no traditional backing to their newly-found authority, sought ways and means for their power to be felt in their locations and in the neighbouring locations[16]. This they did in competition with the traders and headmen (*athiani*) who had enough wealth and influence in their areas owing to their activities before 1901. The access to colonial military power as a way of redistribution of wealth in favour of enterprising individuals was manifested among those who allied

themselves with the British in the late 1890s. During the years 1900-10 however, opportunities to extract wealth from the inhabitants of neighbouring locations arose less frequently and the enrichment of the new office-holders occurred largely at the expense of the people of their own locations. Their colonial role as mobilisers of local resources for various purposes such as road construction gave the chiefs and headmen the opportunity to enlarge their incomes. Tax collection encouraged them to extract the largest possible revenue for the largest possible commission. The confusion and uncertainty of the ordinary people about the nature and extent of colonial tax demands enabled them to charge extra for a hut and tax receipt, seize more livestock than necessary from defaulters or simply demand livestock for the British and add them to their own herds[17]. As such, there was no scarcity of opposition to colonial administration as these chiefs' symbolised oppression and exploitation.

Chiefs and headmen were seen as people who had only their interests at heart, that is, to enrich themselves at the expense of all parties and whose last thought was the good of the people[18]. These chiefs were empowered in 1908 to establish their own courts in their locations. This was a reprieve to the courts in Machakos under the magistrate, which found it quite difficult to try Kamba cases. The chiefs however, used the courts as a further avenue to enrich themselves. The British administration had bypassed the judicial authority of the *Nzama* who arbitrated most disputes due to their rich knowledge of custom and tradition. Thus, ignorant of Kamba customary law, the magistrates' courts reversed previous decisions as some of the litigants sought to overturn the verdicts of the *Nzama*. The chiefs on the other hand attempted to redirect arbitration of disputes from the *Nzama* to their own courts, retried cases already settled by the *Nzama*, heard the old cases unresolved by the elders and excluded from the magistrates' courts and effected decisions with the aid of their *askaris*. They set their own scale of fees for these services and, in imitation of the magistrates' courts imposed fines of livestock[19]. Between 1908 and 1910, the zeal and methods with which these new power-holders attempted to restructure local social and political organisation began to alarm colonial administrative officers, who gradually became aware of the implications of their policy and feared social unrest. Anti-colonial movements in Machakos District were also fuelled by the demands of the colonial administration of taxation and land, which was alienated, for European use and settlement.

As such, the Constitution of Native Council Houses was seen as a possible solution to the lack of order. The Houses were organised along the lines of the traditional *Nzama* whose authority was supreme in each small locality. These small bodies, however, could not be recognised individually and several were amalgamated into one Council House (*Nzama*).

Therefore, in the years 1910 to 1911, the British felt that they had, for the first time, a responsible authority through which they would be able to deal with the people and which was in direct contact with the people. Chiefs and headmen were members of the *Nzama* so as to create a balance in administration. However, the chiefs and the elders sitting in the same council led to more conflict since the chiefs did not have the same traditional standing power as the elders of the *Nzama* had. Notably, being young men who had been appointed by the British made them voiceless in the *Nzama*[20]. They were therefore despised and seen merely as people who existed to transmit information between the *Nzama* and the British.

The councils never worked as intended since the elders were not ready to accept the colonial way of punishment such as imprisonment preferring the customary law, which attempted to restore good will through compensation to the aggrieved party. The reconstituted *Nzama* became corrupt over time as bribery increasingly crept into the administration of justice. The number of cases tried by the *Nzama* fell from 315 in 1922 to 72 in 1923 as the people had lost confidence in the ability of the elders to arbitrate their cases[21]. Two decades after the Village Headman Ordinance of 1902, a stable system of local government had still to be constructed in Machakos District.

A District Council was seen as a better authority in the 1920s with a rise in anti-colonial movements and to curb Kikuyu political influence upon the Kamba. Directly related to Kamba politics was an anti-colonial movement led by Ndonge wa Kauti. Just like Mumboism in Nyanza, the East Africa Association (EAA) led by Harry Thuku in central Kenya and the Young Kavirondo Association (YKA) in western Kenya, Ndonge led the Kamba to protest against oppressive colonial policies in the 1920s. Ndonge's movement grew out of the economic difficulties experienced by the Kamba in the 1921-22 caused by heavy taxation, introduction of paper currency and stringent quarantine regulations. The Kamba had less access to money due to the depression that led to a drop in the price of Kamba produce as well as declining opportunities for wage employment outside Machakos District[22].

The Akamba were already questioning what return they were getting for the amount paid by them in taxation. The government was aware that as much as there was a hospital in Machakos and other projects such as re-forestation, much still remained to be done to ensure adequate return was made to the local population for the heavy proportion of the country's revenue contributed by them. This was met with disapproval by all administrative officers since the Kamba were viewed only as subjects[23]. Ulu District Council first met on 22 March 1922 under the Chairmanship of C.B. Thompson, the Assistant DC,

with the aim of ensuring a reflection of all shades of opinion, for which reason the Council had been composed of people drawn from all parts of the District. The DC and the Council was supposed to mutually assist each other in administration of Kamba affairs. Accordingly, the Council members were informed that they were to keep the DC informed of any prevailing local opinion so that assistance could be rendered to the indigenous population[24]. This was clearly a further attempt by the colonial government to control African affairs especially in the wake of a closer association of the Kamba with the Kikuyu in anti-colonial protest.

This Council, however, became insignificant for the purpose for which it had been constituted in 1923. According to the DC, W.F.G Campbell, members of the Council possessed no initiative and scarcely appeared to realise their scope or what the object of the Council was[25]. This can be attributed to the fact that the purpose for which the Council had been formed was not clear. For example, its purpose was to monitor African political activity and not to help with Kamba grievances on labour, taxation and land. The DC initiated all discussions. Therefore, the colonial administration concluded that the Kamba were not sufficiently interested in political matters affecting their own Reserve or the outside world to render a Native Council either desirable or necessary. In reality, the members of the District Council were mostly chiefs who had now lost advantage with both their people and the colonial government. Since the aim of the government was to monitor political activities, the Kamba did not oblige since only a few were actively involved with Harry Thuku.

The Devonshire White Paper of 1923, which was issued by the Colonial Office in reply to Indian agitation for representation in the Legislative Council, gave impetus to the African political voice. This paper declared that African interests were paramount since Kenya was primarily an African country. This declaration, however, did little to change the state of things politically, socially and economically for Africans. Although the colonial government realised that there was a political crisis, little was done to include Africans in the administration of Kenya. Immediately, Africans seized this declaration and continued to agitate for their adequate political representation. In keeping with the British theory on political training and representation, the government favoured African representation in effective local councils with defined duties and responsibilities as opposed to Africans sitting in the Legislative Council hence the establishment of LNCs[26].

### **Machakos LNC Development Activities**

As earlier observed, LNCs were legally provided for in May 1924 when the Kenya Legislative Council passed the Native Authority (Amendment) Ordinance which established LNCs chaired by DCs

who also served as the chief executives. The aim of the legislation was to build up a 'genuine' indigenous administration originally lacking. The local government system set up hitherto was largely meant to impose control over local communities with minimal African participation. The councils among the Africans were chiefly judicial and were greatly affected by British administration. These councils operated as extensions of the colonial government and were run through the established provincial administration under the Governor and the officials under him from the PC to the chief as the local level government agent[27].

The LNCs were also established as a tool to control Africans by providing an avenue of expression for the educated Africans, a safety valve to check disloyal organisations, and a means of responsibility in financial matters. Establishment of LNCs was in line with natural progress and with a policy of parallel development of the indigenous and European communities[28]. The establishment of LNCs was conceived partly as a channel and mouthpiece for African opinion, and partly as a manifestation of the British policy of dual development.

The architect of the LNCs did not only intend to have these bodies set up in the then Nyanza and Central provinces where there was evident political agitation over land and taxation but in all African districts[29]. They were brought into operation in the more politically sensitive districts first and then gradually extended to other areas. In 1925, the Machakos LNC was constituted with eight of its members directly elected by the people. The membership of the Council was based on the defunct District Council whose failure was attributed majorly to the lack of a clear specification of its objective. The Machakos LNC was gazetted in the Official Gazette No.1,023 of 29 July 1925. Machakos LNC was to be known as the *Nzama Kuu* to distinguish it from the judicial body called the *Asili* and the traditional *Nzama* elders. The meeting centre for the LNC was Machakos town[30]. The motto of the Council was "*kyaa kimwe kiyuaa ndaa*" which translates as "one finger cannot kill a louse" meaning unity is strength.

The members of the LNC in 1927 were both government nominated (seven members) as well as African nominated (fifteen members). Nomination of LNC councillors was by the people in *barazas*(government meetings in the locations usually headed by the chief to explain government policy and seek public opinion on various matters) held in the locations of the District. At times the people also nominated chiefs as the representatives of their locations in the Council. Elections were however not carried out in a careful manner and representation of locations was not completely secured in the early stages. The members in 1927 were not adequate to

represent a population of about 180,000, which meant that some areas had no representatives at all[31].

The strength of this Council as a representative of people's interest could therefore not be achieved. The DC sarcastically observed that if he "proposed to set aside money, in the estimates for 1928 recently discussed, for the erection of a Tower of Babel on top of the Iveti Hills the Council would have agreed without much ado."<sup>ii</sup> To make the Machakos LNC more inclusive in terms of representation, eight additional members were elected in 1928 to represent the locations of Kaumoni, Kisau, Kiteta, Masii, Upper Kilungu, Lower Kilungu and two members for the Kikumbulyu Reserve. The Council previously had fourteen members who did not give adequate representation of all areas. The additional members took up the work of the LNC as disseminating government policy to the people as well as initiating development projects in these areas for the benefit of the community[33].

LNC elections were not carried out in a uniform and well laid down procedure throughout the country[34]. Between 1930 and the early 1950s, African political organisation had been accepted as a powerful political threat. Consequently, the government was opposed to the introduction of a secret ballot for the election of councillors fearing that African political parties would influence the electorate. Election methods ranged from such diverse arrangements as nominations by the DC to public voting with people queuing behind their favourite candidate. There was also the option of each sub-location electing one member in an open *baraza* then these candidates meeting in a full locational *baraza* to get the most suitable person to represent the location in the LNC.

The triennial elections of 1934 for the Machakos LNC were held in April of that year at the Native Tribunal Centres in the Reserve. The District had been divided up into five constituencies each returning a number of members based on different populations. There were also government nominees especially the chiefs. Major changes occurred in the composition of the Council over time. The Native Authority Ordinance of 1937 and subsequent amending Ordinances gave a more systematic form of LNCs. The Ordinance of 1937 required that the Councils should be composed of the headmen and such other Africans as the Governor would appoint. It however provided that before any person other than a headman was appointed the people of the area were given sufficient opportunity to elect, through a secret vote, suitable persons for submission for approval by the Governor. As such, the Councils then consisted of fewer nominated (many of whom were chiefs and headmen) and a majority of elected members[35].

There was a shift in the members elected to the LNC after the Second World War. The political

objective of the Colonial Office after 1945 was a strong local government system reflecting local priorities with a wide range of functions including the raising and allocation of local revenues. Therefore, the elective element in the LNCs was increased. There were also changes emanating from the Local Government (African District Councils) Ordinance of 1946 which greatly affected the constitution of the LNCs as well as their functions. This was mainly because of the political developments in Kenya during the Second World War. In 1947, for example, only three former members were re-elected. New members included six ex-soldiers, one Africa Inland Mission teacher and the rest traders with an educational bias of one sort or another. Few of the traditional community leaders were chosen with no chiefs, apart from those officially nominated. A departure was made in the official nominations in that seats were found for Makerere educated government servants to represent education, medical and agricultural services[36]. This was with the objective of giving expert advice to the LNCs in the carrying out of its responsibilities pertaining education, health, agriculture and soil conservation.

#### **Commitment to Social Change**

Once in place, LNCs were transformed into service-providing agencies through which colonial authorities channelled most of the resources intended for the development of the African areas[37]. LNCs were established with the aim of providing the DC with a means of consulting local opinion regarding the provision of services in the African areas, and to enable their scope to be enlarged by the provision of additional sources of revenue[38]. Sources of revenue for the Council dominated the first meetings of the Machakos LNC. The 1924 Ordinance had provisions that gave powers to the LNCs to collect revenue, other than the local rate, to finance their activities. These included rents for temporary occupation licences for bazaar plots in Machakos town and Nziu trading centre, fines under the Native Authority Ordinance, expenses regarding carrying out the Sugar Ordinance, balance of Native Tribunal fees after payment of members, grazing fees on the Yatta and an LNC rate of sh.2/- which was to remain constant for five years from the 1 January 1926[39]. This rate was officially known as the local rate, which was an additional taxation on Africans to allow them to finance their development.

LNCs did not receive a proportion of the government's tax collected locally and were thus largely dependent of the local rate as their main source of revenue. The LNC rate was collected alongside collection of the hut tax. A scheme was devised to ensure that the LNC had funds to operate on even in the first year of its operation when no local rate was collected from the African population. The Council therefore had a sum of shs. 31,599.89 were available for budgeting and thus expenditure for the year 1925. The money was sourced from the East African War Relief,

railway contribution for fuel as well as rents collected from January 1923 to June 1925 when the first LNC meeting was held. The Council had also requested the DC to place some of the government money as a loan to the Council to work with during the first year of its operation[40].

Squatters on European farms were included in the payment of the rate with the justification that since their permanent residence was in the Reserve, they would benefit from LNC projects. However, the LNC members debated the question of the squatters paying voluntarily or compulsorily in 1926. The squatters preferred not to pay but would still pay if it were necessary. Voluntary cess was voted against because it would be unusual since the more patriotic squatters would be penalised and that one could pay voluntarily and later claim that they had been forced to pay. It was agreed by the squatters, the Europeans on whose farms they squatted and the Members of the LNC that they would pay the local rate on their huts in the reserve (through the hut tax) so as to contribute to the LNC funds and development of the reserve. This was on the basis that all the squatters had huts and cattle in the reserves and the reserve was considered their home and not the European farms. The development of these reserves therefore was to the advantage of every African whether in the reserve or in the European farms[41].

Objectives of expenditure included principal services provided by the LNC. Broadly, however, two shillings local rate was divided such that a quarter went to education, a quarter to medical facilities and one-half to reconditioning of the Machakos Reserve. The LNC was of the opinion that of the two shillings none was to be spent on roads and bridges whose funding would come from the other sources of revenue. There was also an increasing demand for educational facilities in the name of village schools. The Ukamba Industrial School (UKAI) established in 1915 in Machakos was the main provider of technical education in brickwork, masonry and carpentry. The education offered at UKAI was meant to provide the Kamba with technical skills so that they could venture out of the district in search of employment diversifying sources of money to pay taxes. However, those trained in the school went back to the reserve and set up businesses to help in repair and construction work among their fellow Kamba[42]. There was thus a need to set up adequate education facilities for Africans that provided an education that matched that of the Europeans. This was part of the modernisation process of imperial control and which post colonialism contests to be lack of development.

Most importantly, the LNC engaged in many activities that were meant for the improvement of the socio-economic and infrastructural situation of the Machakos and Kikumbulyu Reserves. The colonial government made little or no effort to improve or

ameliorate the conditions that existed and therefore no social improvement of the African population was carried out. Social conditions among the Kamba in the Reserves were generally poor[43]. There were many demands put on the Kamba by the military especially during the First World War leading to a further deterioration of social conditions of the people. There was shortage of pasture for their livestock. A serious influenza epidemic in 1918, a hitherto unknown disease, retarded all normal conditions in the area[44]. There was thus need for health facilities to cater for the Kamba population in both Reserves. As such, most of the responsibility to improve social conditions of the Kamba fell on the LNC apart from missionary endeavours as well as menial government participation in development.

Matters of revenue and expenditure were not the only agenda of these first LNC meetings. The issue of trading was important and members sought clarification on whether they would concentrate their trade activities in the Indian trading centres or to open up their own. Proposals were also made to boost African trade by starting market centres if there could be found at least eight Kamba willing to open and operate such shops within the reserve. These market areas were set aside as belonging to the Council, which would then allocate them to individuals whose applications were approved by the LNC. The Council also set market days for the various trading centres[45]. The shops became an important source of revenue for the LNC through licences and later land rates. These included butcheries, which were an advantage to livestock keepers due to the issues of overstocking. For the establishment of markets, the funds were to be drawn from the road rate. A caretaker was employed to be in charge of the markets and paid fifteen shillings per month. Markets had already been established at Syathani and Mbiuni and Miu trading centre was to be included for the sale of food crops and stock and any other Kamba products.

The main purpose for creating these markets was to allow Africans get supplies that they did not have through monetary exchange. This was part of the introduction of a money economy among the Africans to make sure that they would shift from their communal form of wealth ownership to a capitalist economy[46]. This market economy would also ensure that the Africans would not lack money to pay taxes and the Local Rate for the LNC. Markets were useful in times of famine where those with food crops, especially grain, sold it to those who did not have as part of surviving famine[47]. Sale of stock, however, was the single most important purpose of these trading centres as well as the livestock markets that were held once a week or so. These helped in the colonial policy of stock limitation.

During this early period, members of the LNC were faced with a number of challenges. Language of

operation in the meetings of the LNC was a great challenge. The DC and the members of the Council relied on interpreters since most of the members were not conversant with English. The minutes of meetings were translated to Kikamba for distribution to members of the Council for their perusal before the next meeting was held. Generally, debates were at times affected by the fact that the DC's were changed from time to time, in most cases a within a year, and therefore none had enough time to learn Kikamba language. Later the minutes could be translated into Kiswahili as most of the members who were elected from 1934 were learned.

Machakos LNC did not have a good meeting place and used an old government building which was not locked and could not be used in cold weather. The Machakos ADC later undertook the construction of a better meeting place in the 1950s. In addition, the members of the Council had to travel long distances to attend the four council meetings per year. Transportation was a great challenge in these early years considering that there were almost no vehicles available. The councillors often used bicycles. The Council lorry was used from 1928 to ferry the councillors to and from meetings.

Closer contact between the Council and the people they represented also caused problems to the Council. For example, in 1927, the Local Rate (cess) was raised from two to three shillings. This increment was aimed at increasing LNC revenue for further development projects such as paid labour in road construction and reconditioning to avoid use of unpaid communal labour, which was not well received by the people. This increment was not well explained to the people leading to a misinterpretation of the activities of the LNC. Indeed, the people rarely understood the aims and the work of the LNC. The cess was seen merely as an additional government tax, which went to some object of which they had no knowledge and thus they took very little interest in the Council's schemes of development [48].

The solution lay in the explaining of the objects of the Council to the people since the only way the Council could not develop and take its proper place unless it was not only supported but also understood by the people. Such an understanding would help in the creation of a good relationship between the two parties. This was achieved by also spreading the Councils expenditure over the whole Reserve so that the people in the different locations could see an immediate return of their money. Spreading development projects such as schools, dispensaries, roads and bridges was done. However, by the end of World War II people had not yet clearly appreciated the work of the LNC of Machakos[49].

During these early years, the finances of the Council needed closer supervision from an independent

body or other administration from the central government other than the DC. No single DC could be called upon to assume direct responsibility for expenditure of a sum more than 150,000 shillings per year. The amount of work undertaken by the Council in every financial year had to be controlled to ensure savings on the Council's income. With reconditioning work, which was paramount in the Reserve, it was important to plan carefully to undertake only the projects that were a priority to avoid inefficiency. In summary therefore, in these early years, the way to avoid inefficiency of the Machakos LNC funds lay in a constant effort in obtaining the best of the people as members of the Council[50].

Machakos LNC, like other LNCs in the Kenya Colony, faced the challenge of the fact that the DC was the Chairman of the Council. Central government involvement in local government affairs posed many challenges. The manner of appointment of members, especially the chiefs, brought conflict in the LNC. These chiefs were always viewed with suspicion by the rest of the Africans since they were seen as agents of central government control in the reserves. Approval of all decisions of the LNC by the Governor meant that important development projects according to the members of the LNC could not be carried out if the Governor did not approve of them. This mainly affected the establishment of schools and the manner in which the schools were run. Some revenue for the Machakos LNC also came the Native Tribunals. Whatever decisions made by the Council in terms of estimates too were subject to the approval of the Governor as seen in the case of a proposal to construct a social centre in Matungulu in 1937 which was rejected by the Governor[51]. In short, the LNC was never an independent body as long as there was central government involvement. But its influence and independence in development changed over time.

### **Environmental Conservation Efforts**

Reconditioning Kamba land was one of the major undertakings of the LNC from inception. This work was allocated half of the Council's revenue from the local rate annually[52]. Machakos Kamba realised the need to curb environmental degradation and passed by-laws to that effect from 1925[53]. The cutting of any tree or even the stripping any tree of its bark was illegal and thus one could be prosecuted before the Native Tribunal. In helping with environmental conservation and reconditioning of the Reserve, the LNC started a ploughing school to train young men with three different kinds of ploughs. The ploughs were purchased and maintained with LNC funds. Afforestation and reconditioning of the Reserve dominated the speeches of the DC during all the meetings of 1926. The government had, as early as 1912, realised the need to control land use in the Reserve to avoid land degradation. Adequate support for the Kamba pastoral economy to reduce environmental degradation was

however, not forthcoming from the government since the settlers observed in 1918 that the Kamba livestock, if allowed to expand, were a threat to the settler farms[54].

Europeans from supervised most of this reconditioning work, carried out with LNC funds, within central government departments of agriculture and forestry. Although Africans considered themselves competent enough to carry out the work through the local rate and their own staff, the chairman opined that the Kamba had in the past wantonly destroyed their own forests and could therefore not be trusted with such work. According to the DC, the work of reconditioning would never be successful without a European in charge although some Africans were trained in “the hope that one day they would understand the importance of this reconditioning to their survival in the Reserve [55]”. This was a major conflict of interest and purpose between the LNC and the central government. It was not upon the Africans to make definite decisions concerning their land and environment.

It is important to note that land degradation in Machakos District during the colonial period was directly related to the alienation of African land for European use and settlement. The earliest idea of land alienation was in 1891 through the reports of Charles Hobley to Britain that parts of Ukambani were suitable for European settlement and agriculture. The first European settlement in Machakos occurred in 1893 when William Mackinnon of the IBEAC gave the East African Scottish Industrial Mission hundred square miles of land at Kibwezi, 150 miles from coast[56]. In 1898 however, the mission abandoned Kibwezi in favour of Kikuyuland but retained control over the land in Kibwezi. Mackinnon’s mission moved due to their inability to spread Christianity to the Kamba of the area as well the failure of the trading activities of IBEAC. Under their own arrangements, Rachael and Stuart Watt acquired one hundred acres of land for a mission station at Ngelani in Iveti and later acquired a 1,000 acre farm in Mua Hills. On these lands, they successfully established a fruit farming business[57]. Following the African reserves policy to protect African rights to land of 1904, the Ulu and Kikumbulyu Reserve boundaries of Machakos District were created in 1906 as Closed Districts putting a barrier to the expansionist tendencies of the Kamba.

The people of Machakos District were particularly resentful of further land alienation between 1908 and 1910 of “relatively small but fertile lands which they had understood to be theirs according to the boundaries set in 1906[58].” For example, Ulu Reserve included Mua Hills in 1906 and was inhabited by the Kamba. However, the settlers who occupied the foot of the Hills pressurised the colonial government to alienate the land for their settlement. Initially the settlers intended to establish homesteads but over time, they

applied and were granted farming areas. Due to the pressure applied by the settlers on their Kamba neighbours, most of the Kamba moved out of the Hills voluntarily while others were ‘compensated’ for their land in Matungulu (which was already occupied by other Kamba) and by 1912 there were no Kamba living in the Hills despite protest against such alienation by some of the European administrative officials. As such, the Kamba lost some of their best land which was quite valuable for grazing and water[59].

The originally gazetted Kikumbulyu Reserve land was also alienated. Kikumbulyu covered a large area of barren land, crossing the railway between Makindu and Kibwezi. Some 2,000 to 3,000 Kamba sparsely inhabited it. After 1906, Europeans engaged in collection and processing of sansevieria fibre took much of the land along the railway up. As such the best land had been alienated to the Europeans by 1909 and new boundaries were suggested which reduced the Reserve by three-fifths. The land alienated was mostly swampland while more was alienated and added to the Tsavo Reserve. The British therefore denied the people of Kikumbulyu and later Chyulu Hills the opportunity to cultivate and graze in the wet valleys that were also tsetse fly free[60]. These people settled in the drier parts of the District, which were not adequate for their farming and grazing needs.

Land alienation automatically led to scarcity of pasture even during periods of adequate rainfall. The Kamba were also denied the opportunity to graze in the Yatta, which had always been their relief area in times of hardship. This led to overstocking in the Reserves and therefore soil erosion. Notably, even though the Kamba lands were overstocked, the Kamba did not possess enough livestock to support their livelihood. This overstocking can also be attributed to the shortage of agricultural land and the Kamba preferred to concentrate on livestock keeping as their source of subsistence as well as maintain their economic and social standing. Land shortage led to the demarcation of private holdings in the period 1913-15 which the administration discouraged. The privatisation of land during this time would have been advantageous in enabling the people to keep livestock according to the size of their land thus preventing soil erosion, which was not done. In fact, the Kamba saw a clear relationship between European presence and settlement among them and land degradation as manifested in the theme of the anti-colonial movements up to 1922. Quarantine regulations also led to the confinement of large numbers of stock in the Reserves thus leading to overstocking and environmental degradation[61].

The official response to land scarcity and degradation was a growing conviction that the Reserve was overstocked and the Kamba needed to reduce the number of livestock kept by killing old and useless animals to stop further land degradation. This was



without due consideration of the effects of land alienation and quarantine regulations imposed upon the Kamba[62]. Cultivation methods encouraged by the colonial administration in the early 1920s also contributed to soil erosion. Slopes were cultivated with ploughs without any protective measures thus exposing more and more land to soil erosion and degradation. There were no reliable agricultural officers in the District during the early and mid 1920s. In addition, the Kamba were wary of any government-initiated programs of land improvement due to the fear of land alienation.

Limitation of stock was the main objective of the Crop Production and Livestock Ordinance of 1926, which was applicable only to the Machakos Reserve since it was identified as the most eroded[63]. This Ordinance, among other things, conferred to the government the power to control livestock through culling. The application of the law was spelt out to the LNC members who were expected to inform the people in the Reserve about the government intentions and explain its benefit to the Kamba. They were to encourage the people to get rid of economically unworthy stock. This issue of limitation of stock and even the complete wiping out of goats in the Reserve was to be an agenda of discussion throughout the tenure of the LNC in Machakos District. The government believed that the Kamba were not primarily stock keepers and had to resort to other economic activities. A survey of the magnitude of overstocking in 1928 led to heightened government concern and pressure on the LNC to press the people to destock. Threatening the Kamba with compulsory destocking, the loss of the Yatta, and the erection of a meat and fertiliser factory, political and veterinary officers tried to win the cooperation of the LNC members to the destocking policy. The Council was not moved[64].

The LNC however established tree nurseries from 1926 and the trees were planted on hillsides to reduce soil erosion. There was also construction of earth dams for water conservation and irrigation purposes in the more arid areas with such dams either complete or almost complete at the end of 1927 in fourteen different sites within the District. These dams also provided water for livestock and domestic use. This work was however under the supervision of a European because an African “could certainly not ... at this stage”[65]. Four of them had been made assistant supervisors but it “would be many years before reconditioning could be done without a European at the head of it[66].” Colonial administrators believed that Africans were destroying their own land and could therefore not be trusted to make it better.

The Kamba placed a lot of value on stock just like most of the other Kenyan communities even prior to the coming of colonialism. It was therefore not easy to use the LNC members, who also owned herds, to

convince the people in the Reserve to limit their stock. The Machakos Kamba instead asked for further grazing land since it was the government that had taken away the lands they had been using for grazing and made them crown lands. This eventually led to the opening of the Yatta in for temporary relief grazing upon payment of seventeen hundred rupees[67]. This was after many years of lobbying on the part of the LNC members and a lot of discontent among the people in the Reserve[68]. The Kamba leaders were already pressing on the government to allow them to graze in the Yatta due to increasing stock numbers that were heavily pressing on land resources on parts of the Reserve. Indeed, the policy of destocking was easy to mention theoretically but how it would be carried out was a debatable question. Devising a practicable scheme for such limitation was quite another matter altogether. The Agricultural Commission of 1929 had pointed out that even if compulsory destocking were used Africans would not cooperate in schemes to reduce their livestock[69].

In 1934, the European administrators lamented that the Kamba were not ready to adopt destocking or even take seriously the issue of reconditioning their land. In this year, the government tried to persuade the LNC to pass a resolution to remove livestock from severely eroded areas, but the Council members declined. The LNC however, passed a resolution that voluntary destocking and reconditioning measures would be carried out in the locations of Mbooni, Kiteta and Masii. The headmen of the locations, who sat in the Council, were to set a limit on the number of stock held by each family in their location. However, even these headmen were not willing to comply[70]. It was out of the reluctance of the LNC to be used as a vehicle to impress government policy upon the people that the idea of coercive measures to compel the Kamba to reduce their numbers of cattle was born. In 1934 however, it was clear to the colonial government that forceful destocking would only lead to “a spirit of discontent and non-cooperation” and thus a need to delay the decision until a time when the circumstances would allow forceful destocking[71].

The government sought to set up a law to limit stock in the reserve compulsorily in 1937 because the LNC continued its unwillingness to pass a resolution limiting the number of stock held by the Kamba[72]. When the government recommended to the LNC that the people be made to pay bride price in money, the Council responded that families did not possess enough money to make such a reform possible. The government hoped that the introduction of money would eliminate the need to use livestock as currency and those new markets of trade and slaughter of stock would lead the Kamba to dispose of their surpluses. The impact of colonialism on the livestock economy of the Kamba was the opposite. Quarantine restrictions coupled with the veterinary control of livestock diseases resulted in a

considerable increase in the size of herds in relation to the available land[73]. The Kamba regarded livestock as protection against colonial exploitation and they were thus reluctant to reduce the size of their herds. To the Kamba cows were indispensable in every way since they provided money for tax and were a source of food in times of famine[74].

In early 1937, some people in Machakos asked for permission to move to Kitui with their livestock. The request that was turned down by the DC saying that the people of Machakos would turn Kitui into a desert just like what they had done to their land[75]. This was due to the fact that the colonial government had a policy to restrict African movement and that the reserves were set up such that only one ethnic community occupied a particular reserve for their administrative purposes and later to control African political activities. Although the Machakos Reserve was overstocked, the families did not own enough livestock to meet their milk and meat requirements. The lands available to the Kamba were limited by land alienation by creating an artificial condition of overstocking[76].

Thus, the 1937 rules were to allow for the compulsory destocking of the Reserve by branding the cattle that were to remain. In some areas out of ten cattle only two were branded. Great opposition to these government actions came from Iveti location. It had high population densities and an emergent landless class was forced to graze its livestock on common land. They could not see the importance of radical and forceful destocking when there was so much land lying idle which had been alienated before the First World War. Such was the dissatisfaction with the destocking policy that the Kamba proceeded to Nairobi on the 27 July 1938, under the auspices of the Ukamba Members Association (UMA). Led by Samuel Muindi Mbingu, they camped in Nairobi for two weeks seeking to be addressed by the Governor over what they termed as an interference with their economic life in an unacceptable way in the background of land alienation.

The colonial government hoped to arrest African political agitation through the LNCs. Nevertheless, it was not unusual for members of the LNCs to join or work with the anti-colonial movements of the time such as UMA and KCA. It is however evident that the LNC did not organise the protest in Nairobi neither did the LNC cooperate with the government in confiscating Kamba cattle[77]. The leaders of UMA were in communication with the LNC over issues of land and soil conservation measures. They thus gave their opinion on what needed to be done for the interest of the Africans in the Reserve. They were against the issues of payment of European staff in roads construction and maintenance as well as in the forest department when it was evidently clear that Africans capable of doing such work were available. It was based on such justification that the LNC objected

and even refused to pay European staff in the government departments operating in the Reserve[78]. UMA leaders such as Elijah Kavula, Isaac Mwalonzi, Kavula Muli, Shem Muthoka, Zakaria Musia, Joseph Mwaka and Jacob Mutiso were arrested by colonial authorities which served as the final blow on the organised political agitation against destocking. However, Iveti Location and Ngelani remained problematic since they did not accept land improvement and conservation measures such as terracing[79].

It can thus be noted that the Kamba were not ready to let go of their livestock without protest and the forceful destocking campaign was halted. The failure of forceful destocking made it apparent to the colonial authorities that the LNC had failed as a rubber stamp institution of government policy. In an attempt to appease the Kamba, the government opened up the Yatta for settlement and helped in reclamation of areas infested by tsetse fly and wild game. This work was done in communication with the LNC as it was the Council which identified the people who settled in the Yatta as well as the number of livestock they would possess to avoid overstocking of the Plateau. Reconditioning, destocking and soil erosion control as well as policies on good farming practices were meant for the good of the Africans in the reserves. Disagreements arose because it was hard to change the Kamba economic life especially in the face of taxation, unpaid forced labour and above all land alienation.

By 1946, agenda of the LNC meetings became bulkier at each meeting and the minutes longer and more detailed<sup>[1]</sup>. Unexplained shortages of funds, however, arose from 1946. This was mainly due to the increase in the budget of the LNC involving larger sums of money which made accounting difficult. There was also lack of enough qualified staff to engage in accounting work. In fact, the DC's were unable to concentrate on LNC accounts during and after the Second World War due to war demands<sup>[2]</sup>. The Kamba economy was so devastated in 1949 that the question of overstocking was not part of the discussions in official government circles<sup>[3]</sup>. However, the LNC continued with environmental recovery efforts through the construction of dams, tree planting as well as control of soil erosion through terracing of farms.

### **Conclusive Summary**

Once the British declared their interests in what was to become Kenya, they endeavoured to establish a system through which they could exploit the resources of the region as well as exert their imperial

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<sup>1</sup> KNA/DC/MKS/1/1/30 Machakos Annual Reports 1946-1952.

<sup>2</sup> O.I. Peter Munyae, 29 July 2015.

<sup>3</sup> KNA/DC/MKS/5/1/4 Machakos LNC Minutes 1945-1948.

influence. Therefore, the IBEAC was quick to set up administrative boundaries (locational, divisional, district and provincial) and appoint 'chiefs' to represent imperial interests in these areas. There was great conflict between the British and the Kamba people in Machakos arising from external authority, payment of taxes, land alienation and labour requirements. It is evident that at the end of the First World War the British system of local administration in Kenya had largely failed. Therefore, LNCs were set up. LNCs were to curb African protests by acting as an avenue through which Africans would express their dissatisfaction with the British administration without interfering with the central government.

However, socio-economic development was the main concern of the Machakos LNC since its inception. It was involved in the construction and maintenance of roads and bridges, construction of dams, schools, dispensaries and hospitals, reforestation and

the setting up of market areas and their maintenance. Such works and activities were approved through discussions in the LNC meetings. The major source of revenue for the LNC was the local rate of sh.2/-. Additional sources of revenue included rents for temporary occupation licences for bazaar plots in Machakos town and Nziu trading centre, fines under the Native Authority Ordinance, expenses regarding carrying out the Sugar Ordinance, balance of Native Tribunal fees after payment of members, grazing fees on the Yatta and maize and sisal cess. LNC had enough money to carry out its work and pay its staff. The years during World War II were years of great conflict between the Kamba and the government which manifested themselves in the operations of the LNC. Environmental degradation and soil erosion due to shortage of land were the main issues of contestation. However, the LNC did not lose focus on improving the socio-economic conditions of the Africans.

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