



Labor in Colonial Kenya after the Forced Labor Convention, 1930–1963

Opolot Okia



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CHAPTER 1

Introduction: Communal Forced Labor as a Mask of Tradition

INTRODUCTION

During the colonial period in Africa, Africans worked either due to market forces, the demands of taxation or because of the implications of a threat. In regard to this threat, most Africans would have had, at the very least, a passing familiarity with the coercive labor apparatus of *bula matari*.¹ At the time of the passage of the Forced Labour Convention in 1930, forced labor was permitted by legislation in most British colonies including Nigeria, Gold Coast, Sierra Leone, Gambia, British Cameroon, Nyasaland (Malawi), Togoland, Kenya, Uganda and Tanganyika. For the rest of Africa, colonial rule was equally synonymous with forced labor.² And yet, Elliot Berg writing in his classic study of labor force development in Africa came to the conclusion that overall in Africa,

After 1930 resort to forced labor of either the direct or indirect type came to play a role of steadily declining significance. It by no means disappeared. But the trend clearly was toward increasing freedom in the market.³

Berg is almost correct. In British colonial Africa, government paid forced labor was already gradually declining by the mid-1920s and continued along this downward trend after 1930. However, as the historian Alexander Keese points out, this turn of events in the early 1920s has given the false impression among scholars that the British completely did away with forced labor in their Africa colonies by this early, date with the

exception of wartime and emergencies.⁴ In this sense, the Forced Labour Convention is construed as an epistemological break with the past that created a new threshold for conceptualizing acceptable labor practices.⁵

However, Berg failed to account for the widespread use of so-called “traditional” labor in colonial Africa, before and after the passage Convention. “Traditional” labor was a type of unpaid forced labor that was used primarily for infrastructure development projects that were supposed to directly benefit the local community required to do the work. It was intended to represent a continuation of customary, reciprocal, collective labor in the village areas. In French colonies it was known as *prestations* while in the British colonies it was usually called communal labor. In regard to the Forced Labour Convention then, far from being an epistemological break, the discourse of “traditional” labor, reflected in the exemptions to the definition of forced labor found in the Convention, represented continuity.

“Traditional” labor has been described as somehow outside the orbit of traditional forced labor practices. In regard to colonial Kenya, scholars have tended to see communal labor as a milder coercive labor practice.⁶ Regardless of the way “traditional” labor has been interpreted, the work, itself, hovered around the shifting boundaries of involuntary servitude. Although “traditional” labor was not defined as forced labor, there were penalties for noncompliance that could include fines, imprisonment or even corporal punishment. In addition, the “traditional” carapace of communal labor, as a purely reciprocal labor arrangement, hid the economic utility of the work as a labor process that allowed the colonial state to extract surplus from the peasant sector. The lack of recognition of the pervasiveness of “traditional” labor, as well as its fiscal importance, reflect gaps in the scholarship on forced labor in colonial Africa and the impact of the Forced Labour Convention.

African labor history has traditionally focused on labor migration, proletarianization, slavery, forced labor, worker resistance and unionization.⁷ Scholars dealing with the colonial forced labor have usually paid more attention to forced labor for private purposes due to its more immediate association with the slavery.⁸ However, coercion was clearly not restricted to the private sector. Colonial administrations also forced Africans to work for state purposes. Although carried out with greater frequency, coercion for the material needs of the colonial governments has received less attention in the literature on forced labor in colonial Africa.⁹ And, out of these various case studies of government forced labor, the focus

has tended to emphasize the paid form of this type of labor and the machination of administrative policy.¹⁰ In regard to Kenya, scholarship on forced labor¹¹ during the colonial period has also primarily focused on state and private actors due to its tumultuous history as an “African colony” dominated by European settlers.¹²

Anthropologists have long studied communal labor in Africa as a feature of the domestic economy.¹³ More recently, scholars have focused more attention on voluntary, or altruistic, labor performed in service of a common goal.¹⁴ Though voluntary labor was, essentially, a rebadging of communal labor, the meaning of the work changed, to a degree. Voluntary labor was supposed to be given freely and, unlike communal labor, the local communities exercised more control over the work projects. However, the work could also be coercive, when controlled by central political authorities, and it also could reinforce social inequalities.¹⁵

In 2015 the *African Studies Review* devoted an issue specifically to this topic.¹⁶ Although there has been less scholarly work on voluntary labor in Africa, post-independent states in Africa, for example Tanzania and Kenya, harnessed voluntary labor as a development model rooted in self-reliance.¹⁷ With this “reinvention” of communal labor, voluntary work became linked to concepts of work, citizenship and development.

In Tanzania, Emma Hunter’s work on voluntary labor showed how the postcolonial government borrowed and reconstructed the colonial era communal labor practice, known as *kazi ya kujitolea*, or “voluntary work,” into tangible notions of self-reliance as “voluntary work in nation building” under the national development program called *ujamaa* or “familyhood.”¹⁸ Similar to Hunter, Kara Moskowitz’s work on Kenya’s post-independence self-help program, known as *harambee*, or “let’s pull together,” showed how it was justified as a continuation of traditional communal work ethos but transformed into a vehicle for strengthening citizenship in local communities. But, *harambee* was also a contested institution that engendered inequality of access to resources while strengthening the power of local politicians.¹⁹ Moreover, the state, at times, employed coercion to make people contribute money to self-help projects or would withdraw funding.²⁰

Outside of anthropological works, there has been little historical work done on communal labor by scholars focused on labor history. Babacar Fall’s *Forced Labour in French West Africa, 1900–1946*, is a general history of forced labor in French West Africa that also delves into the issue of *prestations*.²¹ My own 2012 work, *Communal Labor in Colonial*

Kenya: The Legitimization of Coercion discussed the pervasiveness of communal labor during the early period of Kenya Colony but did not give significant treatment to the time period after 1930 and the impact of the Forced Labour Convention.

Although African labor history has largely ignored communal labor, with the rise of Global Labor History since the 1990s, there has been an attempt to situate regional or local working-class formation and labor processes as part of the larger global trajectory of commodification of labor linked to the maturation of capitalism.²² Marcel van der Linden writes that “Global Labor History focuses on the transnational-and indeed the transcontinental-study of labor relations and workers social movements in the broadest sense of the word.”²³ However, even with the ascendancy of Global Labour History, there is a tendency to describe the development of labor processes in Africa, or the work experience, as a unique phenomena apart from Global Labor History.²⁴ More specifically, Willem van Schendel, asserts that labor historians have actually struggled to find a place for communal labor in Global Labor History.²⁵ He contends that communal labor, at least in the case of India, was not commodified since it did not involve wage labor nor lead to production of commodities.²⁶

However, the Global Collaboratory on the History of Labour Relations, 1500–2000, taxonomy of global labor relations contends that, globally, there are four types of labor: nonwork, reciprocal, tributary and commodified.²⁷ Although precolonial forms of village collective labor would fall under the reciprocal labor category, with the attendant division of labor rooted in the household unit and the community, the use of “traditional” labor under colonial rule clearly does not firmly into this typology so neatly. Labor relations and the commodification of labor could take many forms beyond the extraction of surplus value primarily from wage labor.²⁸

The issues surrounding the commodification of communal labor indicate that the actual economic role, or the value, of unpaid government forced labor within the colonial economies has been clouded in mystery. With the recent flowering of the “New Institutional History,” as labeled by Anthony Hopkins, economic historians have begun to employ large data sets to more keenly assess the impact of colonial institutions in Africa.²⁹ This econometric reassessment of colonial institutions in Africa has also encompassed a valuation of “traditional” labor. Marlous van Waijenberg has detailed in her study of *prestations* in French West Africa,

how the “traditional” labor functioned as a labor tax that augmented the revenue stream into the colonies.³⁰ Though not based upon large data sets, my own work on traditional unpaid labor in colonial Uganda, “Virtual Abolition: The Economic Lattice of *Luwalo* Forced Labor in the Uganda Protectorate,” discusses how the central colonial administration used “traditional” labor as means of filling budget shortfalls for local administrations.³¹ After the passage of the Convention, the administration continued to rely upon this *luwalo* unpaid forced labor but eventually converted it into a cash tax.

Since the publication of *Communal Labor in Colonial Kenya*, there have been more recent studies that attempt to assess the impact of the passage of the Forced Labour Convention in Africa on the use of various types of coercive labor practices.³² Placing the spotlight on indirect rule, Sarah Krunkel argues that in the Northern Territories of the Gold Coast, despite the passage of the Forced Labour Convention, the administration was able to work with African chiefs to carry out “hidden strategies” that ultimately promoted forced labor for road maintenance. Communal labor enhanced indirect rule. These “hidden strategies” included increasing reliance upon direct taxation and the reclassification of various roads as local roads which allowed chiefs to use communal labor for maintenance thereby escaping the surveillance of the Forced Labor Convention.³³ In a parallel study of the Gold Coast, Alice Wiemers research also discusses how in the 1930s and 40s chiefs who were able to mobilize more unpaid labor for road work, were seen as “progressive” by the British and subsequently received more development funds as a result.³⁴

Similarly in Kenya, communal labor also enhanced the power of colonial chiefs as they wielded it as an element of their power. However, the communal labor situation in colonial Kenya also reflected the limits of chiefly power as well. Chiefs who went too far in the direction of enforcing communal labor risked resistance and protest which then undermined their authority.

After WWII European colonial powers turned to Africa with a renewed sense “internationalization of colonialism” as they now sought to foster cash crop production and an improvement in the standard of living in their colonies under a mantle of development that ultimately benefited economic recovery in Europe.³⁵ The intensification of commodity production and concomitant infrastructure development resulted in the amplification of work performed under a threat

or penalty. Frederick Cooper's 1996 work, *Decolonization and African Society: The Labor Question in French and British Africa* examines how both the British and French fashioned African development around the issue of labor stabilization which then, paradoxically, provided African workers better opportunities to organize and protest for better working conditions.³⁶ Cooper sees British support for the International Labour Organization (ILO) Forced Labour Convention as an ideological criticism of coercive labor regimes.

In 2017 *International Labour and Working Class-Class History* devoted a special issue to the topic of African development during the colonial and postcolonial periods. Going beyond Cooper, the various papers in the issue explored the impact of the Forced Labour Convention and the retention and co-option of coercive labor practices.³⁷ According to Benedetta Rossi, colonial and postcolonial regimes were able to refashion unpaid forced labor concepts like "voluntary participation," "self-help" or "human investment" under the mantle of development to evade the strictures of the Forced Labour Convention.³⁸ Although this was not Rossi's focus, despite the legalistic terminology, the colonial and postcolonial states continued to, in essence, commodify the value of the unpaid work as a labor tax.

In the Nigerien Sahel Rossi further asserts that after the abolition of forced labor in 1946 the French used the language of "human development" to promote "voluntary" participation in development projects that, similar to communal labor, were justified as benefits to the local community.³⁹ This continued after independence under the military regime of Seyni Kountché as impoverished women of slave origin now toiled under "project work" for the Development Society without remuneration.⁴⁰

Portuguese Africa was notorious for its reliance upon forced labor due to its "outsourcing of empire" through concession companies.⁴¹ However, paralleling French West Africa, Zachary Kagan Guthrie showed that in colonial Mozambique during the late colonial period Portuguese development discourse reversed course and now promoted rural agricultural development and the suppression of forced labor.⁴² Despite this progressive turn against forced labor, the impoverishment of the colonial state forced it continue to rely upon coercion but justified, this time, as a response to famine.⁴³ This allowed coercion to fly under the radar of the Forced Labour Convention, which Portugal only ratified in 1956.⁴⁴

The preservation of coercive labor practices after the passage of the Forced Labour Convention could also be construed as a recognition of the ambiguity of defining the, seemingly, discrete categories of “free” versus “unfree” labor.⁴⁵ According to Elisabeth McMahon in colonial Zanzibar former slaves would have had to endure a working life that covered both categories due to the overall demands of clove production and the infrastructure needs of the administration.⁴⁶ After 1930, loopholes in the Convention ensured that these, very same, workers would remain vulnerable to coercion.⁴⁷ Although McMahon does not expand on these loopholes, as we shall discuss later, the inclusion of the various exemptions to the definition of forced labor, coupled with the continuance of forced labor by chiefs and the colonial administrations for infrastructure development and emergencies like WWII, ensured that coercive practices would continue. Despite the end of WWII, the colonial State in Zanzibar continued to justify the use of compulsory cultivation for the greater good of development, in clear violation of the Convention.⁴⁸ By the early 1960s, this development discourse, still predicated upon coercive labor practices, now included allusions to self-help and “voluntary” labor which transitioned into references to “nation building” after independence.

The use of forced labor in Liberia after the passage of the Convention mirrored Zanzibar. Development and coercive labor practices went hand in hand. In this case, Christine Whyte contended that, despite the passage of the Convention, a 1949 labor regulation required all males citizens to work on forced labor for public works.⁴⁹ The justification was that the duties performed were part of tribal duties. The use of coerced labor helped fuel development but did not significantly change the conditions for workers.

The continuity of coercion in colonial and postcolonial Africa after the passage of the Forced Labour Convention was, perhaps, not surprising. Marxist scholars have argued that in the developing world, various modes of production were in multilinear articulation with each other.⁵⁰ Communal labor could be construed as a vestige (the relations of production) of the domestic economy that was preserved and harnessed to the capitalist mode of production through coercion. With that said, it would be difficult to argue, historically, that many of peasant workers on communal labor details had not, in fact, already been “captured”⁵¹ by capitalist relations, like migrant workers for example. What the administration preserved with communal labor was the system of production.

The difference being that, during the colonial period, the administration, with the extensions of capitalistic relations of production, now controlled appropriation of surplus through institutions.⁵² It was ironic that the introduction of wage labor was intended to free labor from communal obligations while, at the same, time communal labor intensified these social ties at the village level.

COMMUNAL LABOR IN COLONIAL KENYA

As we emerge from the historiographical terrain, the picture of communal labor clarifies. In colonial Kenya communal labor was a ubiquitous type of “traditional” labor that functioned as state coercion of African labor at the local level. It was construed as a continuation of traditional village duties that Africans would have owed to their chief or headman. Mostly performed without pay, communal labor jobs included grass thatching of administrative buildings, road maintenance, agricultural work and various other duties at the village level. Local communities were supposed to be consulted first regarding the work, which was also intended to be in the interests of the village supplying the labor.

In Kenya communal labor was unearthed as a tribal relic; the hieroglyphs of the long-lost communal text now deciphered by the British and given back to the people through coercion. *Kazi ya umoja*, as communal labor was called in Kenya, was another timeworn colonial “invention of tradition.”⁵³ As Mahmood Mamdani has written, British preoccupation with African tradition was part of their overall colonial ideology that viewed Africans as perpetual “child peoples,” locked in their atavistic culture and incapable of accepting change.⁵⁴

However, Thomas Spear cautions against a, sort of, fatalistic over reliance upon colonial reinvention.⁵⁵ He argues that traditions were usually more complex and were continuously contested and reinterpreted by both colonized and colonizer in a dialectical relationship.⁵⁶ Although communal labor can be seen as another “reinvention” of tradition, as we shall discuss, Africans in Kenya also took to it, when given more control over the types of duties they were required to perform. Ideologically, then, communal labor also represented one of the “tensions of empire” in the sense that the communal ethos represented one of the colonial visions for African development that was equally contested by the very people who were supposed to receive this reeducation.⁵⁷

Although tradition could be reinvented and subsequently contested, it had to have roots in some cultural field of legitimacy that allowed it to be reproduced. Even though the specific traditional legitimacy of colonial communal labor was not so readily transparent, there did exist in precolonial Africa, among most ethnic groups, cooperative social mechanisms involving simple redistribution of labor surplus. Traditional cooperative labor mechanisms, or mutual labor, usually operated at the village household level and were not directed by formal state structures.⁵⁸ Typically, the labor usually involved the construction of domiciles or providing extra labor during harvesting. Unlike its colonial reinvention, communal labor, the labor requirements were more casual and were not binding. The workers were not coerced and were usually paid with food and/or beer. This traditional collective labor had different names. Among the Kamba people of eastern Kenya it was known as *mwet-hea*. The Luo in Western Kenya called it *saga Luo*. The Luyia Batsotso people also organized reciprocal labor among kin that was known as *obwasio*.⁵⁹ Contrastingly, the Gusii people organized nonkin cooperative work parties known as *risaga*.⁶⁰ In the central highland region of Kenya the Kikuyu called their cooperative labor *ngwatio*. Despite the ethnic group, cooperative labor functioned in similar ways.

Due to its traditional filaments, the administration in Kenya justified communal labor as a less objectionable form of labor organization. The governor of Kenya, Sir Joseph Byrne actually referred to it as “no more of a hardship than village haymaking in England.”⁶¹ And yet, communal labor was a punitive, coercive labor practice that sometimes led to peasant unrest and protest in the rural areas. The most dramatic example of this was the “Revolt of the Women” in 1948 in Murang’a District in Kenya.⁶² Moreover, in opposition to this benign picture of communal labor, in 1959 the African Member of Parliament (MP) for Central Province, Dr. Julius Kiano, stated in a Legislative Council debate in Kenya concerning the abolition of communal labor, “there is hardly any distinction between communal labour and forced labour ... in fact the two are one.”⁶³

The administration in Kenya shrouded communal labor under a mask of tradition, but there was an awareness that the application of *kazi ya umoja* was not always consistent with African tradition. In commenting on a complaint about the use of communal labor in Kenya by the London Group on African Affairs, the Governor of Kenya, Joseph Byrne, admitted that communal labor was not really sanctioned by African

tradition, but he felt that the work was not oppressive and did provide a social good.⁶⁴ As he stated,

in our endeavors to develop native societies from savagery to civilisation it is not always in their best interests to venerate native custom as something inviolably sacred... In particular I cannot admit that work has been done greatly in excess of anything which could be regarded as 'for the benefit of the community to which such able-bodied men belong.'⁶⁵

Byrne's response to the London Group on African Affairs shed light on the legalistic definition of communal labor that hid the degree to which it functioned as an instrument of accumulation for the state. The administration used communal labor in several ways that differed from tradition. For one, the initiative for communal labor trickled down from the administration officer to chiefs and then the local populace. In most cases, it was the chiefs that directed forced labor. With this authority to exact communal labor came the power to penalize people for non-compliance, which also represented another departure from tradition. Usually, traditional collective labor was more haphazard and not routinized throughout the year. However, communal labor was systematically performed every year for up to 24 days. Lastly, because of the way that it was used, communal labor actually undermined communal ethos and could promote individualism.

In general, the question of how Africans viewed communal labor hinged upon how much control they could exercise over the actual work projects. In Kenya one cause of protest against communal labor grew out of the heavy handed way it was carried out. People were not adequately consulted before being forced to work. As a result, they contested the ability of chiefs to manipulate these traditional powers by resisting through traditional means or, ironically, through the very modernizing venues provided by the colonial state.

Resistance, for the most part, was individualized and local, representing an example of so-called "everyday" resistance.⁶⁶ They wrote protest letters and petitions, worked with organizations and politicians who promoted their interests or simply failed to turnout for the work. However, Africans who sought to challenge various aspects of communal labor through administrative channels were sometimes undermined by the very structures through which they sought redress. At this point, as we discuss later, some forms of protest against communal labor also

took on broader implications, particularly in the context of Mau Mau. On occasion, African men also protested against the use of their women-folk for communal labor. But, in certain respects, what they were really protesting was the administration's appropriation of surplus household labor, which previously was mainly exploited by the male head of the household.

Conversely, communal labor functioned more smoothly in areas of Kenya, where the African District Councils exercised more control over some of the jobs performed. This led to more support for work projects that included building houses for school teachers, public latrines, dispensaries, cattle kraals, etc., utilizing communal labor. And, as Van der Linden has noted about mutual labor, it is not a coincidence that the labor that went into the construction of public use buildings, like dispensaries, resulted in a shared communal product.⁶⁷

More knowledge of the functioning of government forced labor during the colonial period gives us greater understanding of the impact of communal labor on the lives of Africans. Wealthy Africans and salaried elites could normally get out of the labor requirements. African men engaged in migrant labor outside of their reserve areas for long durations during the year. This ensured that poor peasants, women and children did the communal work.

After 1939, the labor historians Anthony Clayton and Donald Savage argue that communal labor had "ceased to be a serious burden on the African population."⁶⁸ However, with the decline of paid forced labor, punctuated by the passage of the Forced Labour Convention in 1930, the administration doubled down upon communal labor as a cheaper method of exploiting African labor for certain infrastructure development projects. As mentioned earlier, the process of subversion occurred in other British colonies in Africa, like the Gold Coast.⁶⁹ Although scholars assert that with the rise of a money economy the resort to mutual or collective labor usually declines, in Kenya Colony, this was not quite the case.⁷⁰

SCHEME

Chapter 2 briefly discusses the early history of forced labor in colonial Kenya. In Kenya the state extracted surplus from the African peasants through alienation of land, appropriation of livestock, new systems of taxation, forced labor and unequal transporting and marketing of

produce. In this process artifacts of the precapitalist modes of production, were not destroyed, but recast in new ways as an apanage of the emergent colonial economy. The reinvention of communal labor by the colonial administration represented one such element of this process. Communal labor represented the inability of the British administration in East Africa to finance infrastructure development without free labor and, as such, was a reflection of its economic weakness.⁷¹ It was an instrument of accumulation.

In colonial Kenya capitalist penetration transformed precapitalist modes of production, proletarianized labor and extracted surplus. The hut and poll taxes, coupled with the Master and Servants Ordinance worked to force Africans into wage labor while unpaid communal labor played the role of a labor tax that extracted surplus from the peasant sector. Under communal labor, the precolonial reciprocal or collective labor organization was not redistributed among peasant households but instead used to make the colonizing mission cheaper. The administration did not have to pay a wage to the workers, and most communal labor projects were within walking distance of the worker's homes. In essence, the more well off Africans in Kenya could afford to pay taxes while the impoverished had to also submit to extra coercion.⁷²

Chapter 3 discusses the impact of the Forced Labour Convention. By 1930 international human rights standards no longer viewed forced labor for private purposes as an acceptable method of labor organization because it was equated with slavery. The Forced Labor Convention was supposed to mark the end of a particular era of colonial labor manipulation, symbolized by naked coercion, and the beginning of new system of labor extraction, based upon market forces. Ideologically, the convention was the culmination of the free labor project that began with the abrogation of the transatlantic slave trade in the nineteenth century and the subsequent renunciation of slavery in the West.⁷³

The 1930 Forced Labour Convention defined forced labor was "all work or services which is exacted from any person under the menace of any penalty for its non performance and for which the said person has not offered himself voluntarily." Along these same ideological fault lines, however, the ILO excluded communal labor and other coercive labor practices from the definition of forced labor.⁷⁴ Communal labor was defined as "minor communal services," by the forced labor convention. It was interpreted as an artifact of community intended to be performed in the direct interests of, and after prior consultation with, the communities involved.

The legalistic definition of communal labor by the ILO and by colonial administrations was a recognition of the ambiguities involved in defining unfree and free labor against the reality of the practice on the ground. The ILO definition of communal labor allowed signatories to the Forced Labour Convention, like Great Britain, to use it with impunity in their colonies. The passage of the Forced Labour Convention essentially pushed forced labor underground.

Although the punitive manipulation of communal labor by colonial administrations could result in criticisms by the ILO. The ILO response to possible violations of the Forced Labour Convention were often muted and reflected the impotence of ILO in terms of its ability to enforce conventions among member states.

In Chapter 4 we examine the administration's use of forced labor during WWII. Coercive labor was permitted by the Convention, during emergencies. However, in tandem with the legal coercion of Africa labor, the administration also pursued what it called "assisted recruitment" of African laborers for private European plantations. The episode was short-lived but further exposed some of the problems associated with forced labor.

Chapters 5 and 6 examine the issue of communal labor and soil preservation in the African reserve areas of colonial Kenya. The time period after the passage of the Forced Labour Convention encompasses the late colonial period in Africa. In the waning hours of colonial rule, European colonial powers attempted to redevelop their colonies by increasing funding for infrastructure development and commodity production in addition to restructuring African labor organization.

Under the umbrella of its Colonial Development and Welfare Acts (1929, 1940, 1945) Britain mushroomed soil conservation work in its colonies, in addition to infrastructure expansion, as part of an overall push for development in their colonies.⁷⁵ During the 1930s the colonial state in Kenya began to aggressively try to address the issue of soil erosion in the African reserve areas. To facilitate anti soil erosion campaigns, the state ramped up the use of communal labor. The augmentation of communal labor was also part of the new language of African improvement.⁷⁶ African resistance soon erupted against it in areas where the administration used it with more regularity. However, although there was continuity, the nature of resistance to communal labor varied, to some degree, according to the region of Kenya.

Historians have written about the connections between forced communal labor and the development of Mau Mau, but have not really delved into the actual manipulation of communal labor during the war as an instrument of punishment. Chapter 7 examines the recalibration of communal labor during Mau Mau as a disciplinary tool. In the 1950s the Mau Mau anti-colonial rebellion shook the foundations of British rule in Kenya. In response to the threat, the British increased the use of communal labor as a punitive measure against civilian populations involved in the war. This Emergency communal labor, as it was called, relied heavily upon women, was for a longer duration than regular communal labor and resulted in much heavier fines and imprisonment. British use of communal labor during Mau Mau was a violation of the Forced Labor Convention, but the ILO response to these violations was diffident. The Kenya administration only complied with ILO pressure at its own leisure or evaded it successfully.

The final chapter concludes this study and examines the apparent demise of communal labor toward the end of colonial rule and its resuscitation after independence as self-reliance. Similar to India where the independence state also retained communal labor, the postcolonial state in Kenya sought to recapture the collectivist spirit of communal labor through *harambee*.⁷⁷

CONCLUSION

This book is ultimately about paradoxes. It is about Kenyan history, but the narrative thread was actually found in all of the British Colonies in Africa, including Kenya's neighbors Uganda and Tanganyika. It is about an innocuous sounding type of government forced labor that was used widely in East Africa but was not technically defined as forced labor in Kenya or by the ILO. It covers a time period when coercive labor practices were seemingly outlawed or in decline after the passage of the Forced Labour Convention but nonetheless proliferated. Communal labor was part of the discourse of tradition, but it also played an important role in the ideology of development surrounding the administration's attempts to develop Kenya after WWII. As a consequence, it also represented modernization. Finally, although communal labor is a little researched chapter in colonial Kenyan history, it offers a wider lense into colonial labor practices. Ultimately, this research attempts to relocate communal labor from "traditional" labor artifact to a coercive labor practice that was bounded historically.

NOTES

1. As Crawford Young explains, the moniker, *bula matari* or “breaker of rocks” was originally applied to the nineteenth century Anglo-American explorer Henry Morton Stanley by his African workers as a testament to his cruelty and hard-driving nature. However, with the imposition of colonial rule, it was later used as a metaphor for the oppressive nature of the colonial state. Crawford Young, *The African Colonial State in Comparative Perspective* (New Haven, CT: Yale University Press, 1994), 43–47, 77–102.
2. Peter Gutkind, Robin Cohen, and Jean Copans, “African Labour and Colonial Capitalism,” in Peter Gutkind, Robin Cohen, and Jean Copans, eds., *African Labor History* (Thousand Oaks, CA: Sage, 1978), 7.
3. Elliot Berg, “The Development of a Labor Force in Sub-Saharan Africa,” *Economic Development and Cultural Change* 13 (4/1) (July 1965): 411.
4. Alexander Keese, “Slow Abolition Within the Colonial Mind: British and French Debates About ‘Vagrancy’, ‘African Laziness’, and Forced Labour in West Central and South Central Africa, 1945–1965,” *International Review of Social History* 59 (2014): 383. For example, Keese points out that Fredrick Cooper’s *Decolonization and African* does not mention forced labor in British Africa after WWII. Frederick Cooper, *Decolonization and African Society: The Labor Question in French and British Africa* (Cambridge: Cambridge University Press, 1996). See, also, Paul Mosley, *The Settler Economies: Studies in the Economic History of Kenya and Southern Rhodesia, 1900–1903* (Cambridge: Cambridge University Press, 1983), 131–132.
5. For more on “epistemological acts and thresholds,” see Michel Foucault, *The Archaeology of Knowledge*, trans. A. M. Sheridan Smith (London: Routledge, 2010), 4.
6. Anthony Clayton and Donald Savage, *Government and Labour in Kenya, 1895–1963* (London: Frank Cass, 1974), 139.
7. For some classic approaches in African labor history see, Bill Freund, *The African Worker* (Cambridge: Cambridge University Press, 1988); Fredrick Cooper, *On the African Waterfront: Urban Disorder and the Transformation of Work in Colonial Mombasa* (New Haven: Yale University Press, 1987); Gutkind, Cohen, and Copans, *African Labor History*; Giovanni Arrighi and John Saul, eds., *Essays on the Political Economy of Africa* (New York: Monthly Review Press, 1973); Kenneth King, *Jua Kali: Change and Development in an Informal Economy, 1970–1995* (Athens: Ohio University Press, 1996); Cooper, *Decolonization and African Society*; Keletso Atkins, *The Moon Is Dead! Give Us Our Money! The Cultural Origins of an African Work Ethic, Natal, South Africa*,

- 1843–1900 (Portsmouth, NH: Heinemann, 1993); Claude Meillassoux, *The Anthropology of Slavery: The Womb of Iron and Gold* (Chicago: University of Chicago Press, 1992). For more recent contributions also see, the special issues of “African Labor Histories,” *International Journal of Labor and Working Class History* 86 (Fall 2014) and *African Economic History* 44 (Fall 2016).
8. For example, see, James Duffy, *A Question of Slavery: Labour Policies in Portuguese Africa and British and British Protest, 1850–1920* (Oxford: Oxford University Press, 1967); Charles van Onselen, *Chibaro: African Mine Labour in Southern Rhodesia, 1900–1933* (London: Pluto Press, 1976); A. T. Nzula, I. I. Potekhin, and A. Z. Zusmanovich, *Forced Labor in Colonial Africa* (London: Zed Press, 1979); Francis Wilson, *Labour in the South African Gold Mines, 1911–1969* (Cambridge: Cambridge University Press, 1972); Allen Isaacman, *Cotton Is the Mother of Poverty* (Portsmouth, NH: Heinemann, 1995); Jeanne Penvenne, *African Workers & Colonial Racism: Mozambican Strategies & Struggles in Lourenco Marques, 1877–1962* (Portsmouth, NH: Heinemann, 1994); Steven Rupert, *A Most Promising Weed: A History of Tobacco Farming and Labor in Colonial Zimbabwe, 1890–1945* (Athens: Center for International Studies Ohio University, 1998); Adam Hochschild, *King Leopold’s Ghost: A Story of Greed, Terror, and Heroism in Colonial Africa* (New York: Mariner Books, 1999); Ibrahim Sundiata, *Brothers and Strangers: Black Zion, Black Slavery, 1914–1940* (Durham, NC: Duke University Press, 2003); Eric Allina, *Slavery by Another Name: Life Under Company Rule in Colonial Mozambique* (Charlottesville: University of Virginia Press, 2012); Jeremy Ball, *Angola’s Colossal Lie: Forced Labor on a Sugar Plantation, 1913–1977* (Leiden and Boston: Brill, 2015); Catherine Higgs, *Chocolate Islands: Cocoa, Slavery, and Colonial Africa* (Athens, OH: Ohio University Press, 2012); Abebe Zegeye and Shubi Ishemo, eds., *Forced Labour and Migration: Patterns of Movement Within Africa* (London and New York: Hans Zell Publishers, 1989); Todd Cleaveland, *Diamonds in the Rough: Corporate Paternalism and African Professionalism on the Mines of Colonial Angola, 1917–1975* (Athens: Ohio University Press, 2015); Zachary Kagan Guthrie, “Forced Volunteers: The Complexities of Coercion in Central Mozambique, 1942–1961,” *International Journal of African Historical Studies* 49 (2) (2016): 195–212.
 9. However, for scholarship on government forced labor see, Babacar Fall, *Le Travail Forcé en Afrique Occidentale Française, 1900–1946* (Paris: Karthala, 1993); Clayton and Savage, *Government and Labour in Kenya*; J. A. Kamchitete Kandawire, *Thangata: Forced Labour or Reciprocal Assistance?* (Zomba, Malawi: University of Malawi, 1979); Michael Monson, “Working on The Railway: Forced Labor in Northern Nigeria, 1907–1912,” in Peter Gutkind, Robin Cohen, and Jean Copans, eds.,

- African Labor History* (Beverly Hills, CA: Sage, 1978); David Northrup, *Beyond the Bend in the River: African Labor in Eastern Zaire, 1865–1940* (Athens, OH: Ohio University Center for International Studies, 1988); Holger Bernt Hansen, “Forced Labour in a Missionary Context: A Study of *Kasanvu* in Early Twentieth-Century Uganda,” in Michael Twaddle, ed., *Wages of Slavery: From Chattel Slavery to Wage Labour in Africa, The Caribbean and England* (London and Portland: Frank Cass, 1993); Kwabena Akurang-Parry, “Colonial Forced Labor Policies for Road-Building in Southern Ghana and International Anti-Forced Labor Pressure, 1900–1940,” *African Economic History* 28 (2000); James Jones, *Industrial Labor in the Colonial World: Workers of the Chemin de Fer Dakar-Niger, 1881–1963* (Portsmouth, NH: Heinemann, 2002).
10. For example, see Jones, *Industrial Labor in the Colonial World*, 25–33; Clayton and Savage, *Government and Labour in Kenya*; Fall, *Le Travailleur en Afrique Occidentale*; Northrup, *Beyond the Bend in the River*; Jones, *Industrial Labor in the Colonial World*; Monson, “Working on the Railway,” Akurang-Parry, “Colonial Forced Labor Policies for Road-Building.”
 11. Clayton and Savage, *Government and Labour in Kenya*; R. M. A. van Zwanenberg, *Colonial Capitalism and Labor in Kenya* (Nairobi: East African Literature Bureau, 1975); Sharon Stichter, *Migrant Labor in Kenya: Capitalism and African Response* (London: Longman, 1982); Marjorie Dille, *British Policy in Kenya Colony* (New York: Taylor and Francis, 1966); Raymond Buell, *The Native Problem in Africa* (New York: Macmillan, 1928); Gaving Kitching, *Class and Economic Change in Kenya* (New Haven, CT: Yale University Press, 1980); Robert Tignor, *The Colonial Transformation of Kenya: The Kamba, Kikuyu, and Maasai* (Princeton: Princeton University Press, 1976); J. Forbes Munro, *Colonial Rule and the Kamba: Social Change in the Kenya Highlands 1889–1939* (Oxford: Oxford University Press, 1975); Bruce Berman and John Lonsdale, “Crises of Accumulation, Coercion, and the Colonial State: The Development of the Labour Control System in Kenya, 1919–1929,” *Canadian Journal of African Studies* 1 (41) (1980): 55–81.
 12. On the issue of paramountcy in Kenya see, Robert Gregory, *Sidney Webb and East Africa: Labour’s Experiment with the Doctrine of Native Paramountcy* (Berkeley: University of California Press, 1962).
 13. Leif ole Manger, ed., *Bergen Studies in Social Anthropology* (Bergen: Department of Social Anthropology University of Bergen, 1987); Leif ole Manger, “Communal Labour Among the Lafofa,” in Leif Manger, ed., *Bergen Studies in Social Anthropology* (Bergen: Department of Social Anthropology University of Bergen, 1987), 88–116; Pamela Maack, “The Waluguru Are Not Sleeping: Poverty, Culture, and Social

- Differentiation in Morogoro, Tanzania,” Ph.D. diss., Northwestern University, 1992; Frode Storås, “Food for Work, Beer for Work, or Just Fellowship for Work. About Communal Labour Among the Pari and the Acholi of Southern Sudan,” in Leif Manger, ed., *Bergen Studies in Social Anthropology* (Bergen: Department of Social Anthropology University of Bergen, 1987), 116–136; Joachim Ziche and Mohamed Salih, “Traditional Communal Labour and Rural Development: Examples from Africa South of the Sahara,” in Leif Manger, ed., *Bergen Studies in Social Anthropology* (Bergen: Department of Social Anthropology University of Bergen, 1987), 136–158; Ladislav Holy, “Decline of Reciprocal Farm Labour Among the Berti,” in Leif Manger, ed., *Bergen Studies in Social Anthropology* (Bergen: Department of Social Anthropology University of Bergen, 1987), 26–53; James Faris, “Communal Labour in Southeast Kordofan: Some Considerations of Change,” in Leif Manger, ed., *Bergen Studies in Social Anthropology* (Bergen: Department of Social Anthropology University of Bergen, 1987), 69–88; Abdullahi Osman El-Tom, “Religious Communal Labour,” in Leif Manger, ed., *Bergen Studies in Social Anthropology* (Bergen: Department of Social Anthropology University of Bergen, 1987), 51–69; Dean McHenry, “Communal Farming in Tanzania: A Comparison of Male and Female Participants,” *African Studies Review* 4 (25) (December 1982).
14. Hannah Brown and Ruth Prince, eds., *Volunteer Economies: The Politics and Ethics of Voluntary Labour in Africa* (Oxford: James Curry, 2016). See also, Grahm Kerr, “Voluntary Associations in West Africa: ‘Hidden’ Agents of Social Change,” *African Studies Review* 3 (21) (December 1978): 87–100; Martin Hill, *Harambee Movement in Kenya: Self Help, Development and Education Among the Kamba of Kitui District* (London: Athlone Press, 1991); Priya Lal, “Self Reliance and the State: The Multiple Meanings of Development in Early Post-Colonial Tanzania,” *Africa* 82 (2) (2012): 212–234.
 15. Hannah Brown and Ruth Prince, “Introduction: Volunteer Labor—Pasts and Futures of Work, Development and Citizenship,” *African Studies Review* 2 (58) (September 2015): 32.
 16. Brown and Prince, “Introduction: Volunteer Labor—Pasts and Futures of Work”; Ruth Prince, “Seeking Incorporation? Voluntary Labor and the Ambiguities of Work, Identity, and Social Value in Contemporary Kenya,” *African Studies Review* 2 (58) (September 2015): 85–109; Emma Hunter, “Voluntarism, Virtuous Citizenship, and Nation-Building in Late Colonial and Early Postcolonial Tanzania,” *African Studies Review* 2 (58) (September 2015): 43–61; Hannah Brown and Maia Green, “At the Service of Community Development: The Professionalism of Volunteer Work in Kenya and Tanzania,” *African Studies Review* 2 (58) (September 2015): 63–84.

17. Hunter, "Voluntarism, Virtuous Citizenship, and Nation-Building," 45–55.
18. Ibid.
19. Kara Moskowitz, "Sweating to Help Themselves: Self-Help and the Contradictions of Citizenship and Development in Decolonizing Kenya," *International Journal of African Historical Studies* 50 (1) (2017): 35–58.
20. Ibid., 47.
21. Fall, *Le Travail Force en Afrique Occidentale Francaise*, 201–217.
22. Marcel van der Linden, "The 'Globalization' of Work and Working-Class History and Its Consequences," *International Labor and Working Class History* 65 (Spring 2004): 140. For more studies that could be categorized as Global Labor Studies see, Dipesh Chakrabarty, *Rethinking Working Class History: Bengal 1890–1940* (Princeton: Princeton University Press, 1989); Jan Lucassen, ed., *Global Labour History: A State of the Art* (Bern: Peter Lang, 2006); Marcel van der Linden, *Workers of the World: Essays Toward a Global History* (Leiden: Brill, 2008). See also the special issue of *History in Africa* 41 (2014) devoted to Global Labor History and Africa.
23. van der Linden, *Workers of the World*, 6.
24. Karin Hofmeester, Jan Lucassen and Filipa Ribeiro da Silva, "No Global Labor History Without Africa: Reciprocal Comparison and Beyond," *History in Africa* 41 (2014): 259.
25. Willem van Schendel, "Beyond Labor History's Comfort Zone? Labor Regimes in Northeast India, from the Nineteenth to the Twenty-First Century," in Ulbe Bosma and Karin Hofmeester, eds., *The Lifework of a Labor Historian: Essay in Honor of Marcel van der Linden* (The Hague and Boston: Brill, 2018), 206–207.
26. van Schendel, "Beyond Labor History's Comfort Zone?" 204.
27. Leo Lucassen, "Working Together: New Directions in Global Labour History," *Journal of Global History* 11 (2016): 68. The Collaboratory taxonomy was created in 2007 at the Research Department of the International Institute of Social History in Amsterdam and represents an attempt by various international scholars to come up with guiding principles of an international data set of global labor relations.
28. van der Linden, *Workers of the World*, 20.
29. For general discussions of the recent explosion of work on African economic history see, Jeremy Adelman and Jonathan Levy, "The Fall and Rise of Economic History," *Chronicle of Higher Education* 1 (December 2014); Anthony Hopkins, "The New Economic History of Africa," *Journal of African History* 50 (2) (2009): 155–177; James Fenske, "The Causal History of Africa: A Response to Hopkins," *Economic History of Developing Regions* 25 (2) (December 2010): 177–212; Gareth Austin