

Culture and Gender

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Introduction

Culture is the backbone of any community in the World. This becomes clear particularly when culture is defined as 'the totality of people's way of life' including customs, values, attitudes, behaviour patterns, belief systems, systems of production as well as social and political organisations. Culture is also dynamic and adaptive and is learned by individual members through the process of socialisation. Socialisation is the process through which societal values, beliefs, norms, attitudes, behaviour and customs are transmitted and learned by an individual in a society, in an attempt to fit into the society's organised way of life. It is a continuous life-long process. It can be assumed that culture includes all approved actual behaviour. Culture has, therefore, been changing to suit the needs and requirements of people at different times. These changes come about through interaction with other cultural entities either in the form of migration or intermarriages or even through tribal warfare, establishment of new settlements and neighbourhoods or trading activities.

Culture is historical because it is primarily inculcated through learning or enculturation (Kilbride 1990:26). Indeed, culture is the learning property of a social group, and it also diffuses from one society to another. Historians have argued that cultural diffusion and incorporation of many cultural traits is as a result of 'population movements across ethnic boundaries' (Were, 1982). Because of diffusion, cultural similarity is also in evidence since culture in general is adaptive (Kilbride, 1990:53-54). However, there are of course considerable differences among ethnic groups which constitute cultural diversity.

Gender is a concept which is used to refer to the socially constructed roles ascribed to women and men in the social processes. Therefore, gender, both as an analytic category and a social process, is relational. Jane Flax adds:

'gender relations' is a category meant to capture a complex set of social processes. That is, gender relations are complex and unstable processes (or temporary totalities in the language of dialectics) constituted by and through interrelated parts. These parts are interdependent, that is, each part can have no meaning or existence without the others (1989:44).

Through gender relations, two types of persons are created: woman and man. The creation of women and men is the property of culture. The actual content of being woman or man is designed and conditioned by the cultural requirements in individual societies prevailing at the time. And Salvatore Cucchiari adds:

associated with each category is a wide range of activities, attitudes, values, objects, symbols and expectations. Although the categories - man and woman are universal, the content of the categories varies from culture to culture (Cucchiari, 1988:32).

Therefore, the categories of women and men are highly variable across cultures and historical periods. Culture defines the role to be performed by both women and men in individual societies. For example, among the Maasai, the process of becoming an autonomous elder depends in part on obtaining property-wives and cattle, in this context, the period of male transition from property less to propertied is ritualized and takes on great cultural glamour (Llewelyn-Davies, 1988:5). These ritualized roles of becoming a male elder is culturally defined and controlled and in a way creates gender differentiation between women and men.

Gender roles are learned over time and vary

considerably within and between cultures. Roles are sets of expectations impinging upon an individual occupying a social position. The role which individuals play in social organisation and the rewards which they reap, tend to differ depending on the societal systems under which they operate, as will be discussed later. Sherry Ortner argues that there is a universal tendency in cultural thought to align male with culture, and female with nature. Men, Ortner adds, control the sphere of wider social coordinations, while women occupy the sub-units being coordinated (1972). Rosaldo's contributions to culture and gender ideologies make the most significant point when she suggests that, 'nearly universally, men control the 'public domain' and women are confined to the domestic domain charged with the welfare of their own families (1974). This sets the basis for gender domination and marginalisation.

Gender relations have been relations of domination. This domination is worse given the fact that one can be only one gender, never the other or both. Flax correctly argues that 'gender relations are defined and controlled by one of the interrelated aspects-the man' (1989:45). Because culture is created by men, they have tended to give themselves the best values in society. For example, there is the cultural tendency which defines men in terms of status and role-categories like (warrior, hunter, statesman, elder, etc.) - which have little to do with men's relations with women. Women in contrast are defined in relational terms, usually pertaining to kin roles (wife, mother, sister, etc.) and all these centre around women's relationships with men. Clearly, gender categories are hierarchically arranged with the masculine valued over the feminine. In fact, the moment a child is born, gender identity is clearly marked out by the rituals, celebrations and offerings made. Among the Agikuyu women ululate five times when a male child is born and three times when a female child is born (Kenyatta, 1982). The number of ululations also indicates the value attached to a

particular gender in the society concerned. Male children have a higher cultural value compared to female children.

Even in naming, which are usually elaborate occasions, gender differentiation in terms of rituals performed is strictly observed. Among Babukusu, this is an occasion to enjoy a variety of traditional foods, beer, and meat. It is a great moment when clan elders gather to discuss their past heroes, reflect on their history and achievements (Nasimiyu, 1985). However there are no special ceremonies which are organised specifically to name girls. Girls, are no-persons. They are not recognised at all. Similarly, the naming of Kalenjin children is gender ascriptive. The term 'Kip'... stands strictly for a male child, while 'Chep...' stands for a female child. The mere mention of a name enables one to know what gender the particular person belongs to.

The period of a mother's seclusion after birth varied with the gender of a child. A mother who gave birth to a baby girl among the Luo would stay indoors for three days. Among the Agikuyu, whatever was eaten during the seclusion period, be it potato peelings or sugar cane were not disposed off until that period was over. For a baby girl, the peelings were kept on the left side of the doorway and the same were kept on the right side for a baby boy. Presents given particularly by the husband also varied with the gender of the baby. Clearly, gender differentiation and gender identities start right from the time when the child is born.

Similarly, important cultural observations, lessons and obligations are implemented from the moment a child is born. It is important to mention the fact that gender relations have a history which can only be uncovered by examining the culture of a particular community. This also means that to get an accurate picture of gender relationships, it is necessary to examine different societal systems.

Societies have been organised either along matrilineal or patrilineal systems. Under these societal systems, the matrilineal system empowers

women more than the patrilineal societies. Similarly, under the matrilineal system of social organisation, the relationship between women and men tended to favour women. Descent is reckoned through women: 'that married partner who does not leave the clan after marriage.' In addition, the system of inheritance is subordinate to that of descent. In the matrilineal system, a child does not inherit from his father: he inherits from his maternal uncle. Indeed, in a matrilineal system, a woman 'was more fitted to transmit the rights of inheritance, than man' (Cheikh Anta Diop 1962:129). Thus, the gender relationship between the wife and husband in a matrilineal social structure gives the woman (wife) more autonomy compared to the husband (man) because the husband is usually the stranger among the woman's kin group. The power enjoyed by women in the matrilineal social structure was supported by their culture. Whether in matrilineal or patrilineal social structure, the conclusion of a marriage is the affair, not of the two parties involved but of the entire community and therefore, both parties must observe the cultural requirements and obligations of the community in which they belong.

The authority of the women in the matrilineal societies stems from the fact that even after marriage they still remain among their own kin groups. Second, the authority of the husband is absent because children born within wedlock are answerable to their maternal uncle: the symbol of authority. The father is a non-entity. The maternal uncle aids his sister, or is her representative everywhere and this also in sense reduces the autonomy of the women. Therefore, it can be argued that although women command a certain degree of autonomy in matrilineal societies, their authority is not total because there is also a male figure whom they are answerable to. Sons in matrilineal societies control the inheritance of property. Therefore, gender relations even in matrilineal societies are characterised by the domination of women by men. Matrilineality is

not equivalent to matriarchy.

The situation is different in a patrilineal social structure where patrilineality is equivalent to patriarchy. Here, the man has total authority over his property, which includes wives, children, herds of cattle, if any, and other dependents. Some scholars, like Patricia Stamp, have cautioned against the generalised use of the concept because although some communities have characteristics which seem to be patriarchal in nature, they have weak structures. Stamp argues that, 'a society such as the Kikuyu has traditionally been considered patriarchal, but an analysis of its gender relations demonstrates that the concept of patriarchy cannot be uncritically applied' (Stamp, 1989:7). This concurs with the views of Thomas Weisner and Susan Abbot who contrasted the Kikuyu and Luyia urban market women, noting that a strong patrilineal structure limits the independence and enterprise of women, while a weaker patrilineal structure places fewer constraints on Kikuyu women' (Weisner and Abbot 1977: 421-1). Similar studies have revealed that 'patrilineal an ethnic-group ties among Luo and Luyia men are much stronger and provide a more powerful social control over women's behaviour than those of the Kikuyu. Even Luo women working in the formal sector more passively accept their husbands' decisions than do Kikuyu women' (Buzzard 1982). The power of the patriarch is culturally defined and has the autonomy to control kinship structure because descent is reckoned through the male line. The wife is usually the stranger in her husband's clan because residence is patrilineal. Second, for a marriage to be recognised as a valid and regular union, there is always the payment of an indemnity by the family of the husband to that of the wife as compensation to the girl's clan for taking away one of its members. Feminists have taken issue with this cultural requirement and in most cases have misinterpreted its cultural meaning to suit their own campaigns.

Bridewealth provides the bond of unity for the

two previously unrelated clans. Among Babukusu, a sub-section of the Luyia community, most of what was paid as bridewealth was eventually returned through a series of cultural ceremonies performed in accordance with the marriage requirements of these people. There are however, occasions when bridewealth payment has been used by the male gender to impose negative social relationships between the wife and husband in the community, as will be shown later.

Gender Relations in Production Processes

Gender relations of household-based production are frequently analyzed within the framework of a communal or primitive communist mode of production (Hindess and Hirst, 1975). In this framework, the unit of production may be a single household or a group of related households, but whatever the size, all individuals born into extended kinship culturally and ideologically structured production units were expected to have equal access and rights to community resources. But, in reality, men were recognised as the heads of households who, in turn, arranged for women and children's access to the means of production, land. Male control over female and children was facilitated by male control over the means of production, land and cattle. Land was never owned in the Western sense of the word. In fact, the concept of ownership with reference to land was unknown to Africans. Land was a communal property. However, land-use and land administration were vested in clan elders who were usually male, even though 'the power of allocation was not equivalent to ownership' (Okoth Ogendo, 19:134). This was mainly a result of a combination of patriarchal and patrilineal traditions which characterised many African societies.

Many scholars and policy makers have assumed communal possession of the means of production implies that there was no basis for denying any family member, either on the basis of gender or

any other consideration, that is, marital status, free access to the means of production. Thus, there was no material basis for gender and intra-household exploitation and inequality. This paper argues that gender relations at the level of production enabled male elders to control and dominate women and children.

In a critique of the communal mode of production, Jeanne Henn has argued: 'if the communal mode of production is to be legitimately employed in the analysis of family, household, or lineage-based production, communal possession of the means of production must be demonstrated rather than merely asserted. One would expect communal possession to denote situations in which all adult members of a community participate in decisions concerning the use of the means of production' (Henn, 1988:37). The point being underscored here is the fact that powers of land allocation were conferred on men alone, which bears testimony to the patriarchal ideology of patrilineal societies. This also reinforced the importance of patriarchal structures in African societies and affected the system of rights of inheritance.

The pre-colonial communal systems recognised women's crucial contribution to food production and provided land for that activity. This contributed significantly to women's economic security and stability in land use rights but these rights depended on their role as wife and mother and were allocated and controlled by men.

The allocation of land to individual male members of the clan or lineage was determined by the cultural traditions of individual kinship/clan or lineage groups. In practical terms, however, the family plot was not owned by the family per se. Ownership of the family plot finally passed into an exclusive ownership by the head of the family because the bulk of important land use and disposal capabilities lay in the hands of individual male household heads. Women used land but never controlled it. To demonstrate gender relations and

the problems of land ownership and allocation, this paper will use examples from the Luyia community in Western Kenya.

The Abaluyia of Western Province are a patrilineal community. The power of land use administration was conferred on male elders (*Omwami we lichable* among the Bukusu and Liguru among the Maragoli and other Luyia communities in Kakamega district). Land was strictly allocated to male adults of the clan or lineage. As the committee on native land Tenure stated: 'each family has exclusive rights of occupation and usufruct over its own holding, and these rights pass by inalienable right from father to son.' Therefore, although land continued to be treated as communal property, the administration of parcels allocated to individual households for use was the responsibility of men in their capacity as heads of households. Obviously, all rights in land were derived from clan membership and inheritance.

Certainly, male elders exercised considerable control over land and cattle. They controlled women's access to both. Male elders' control over land included uncultivated land which was considered as the clan's possible area for future expansion.

Dora Earchy's study on women's land rights observed that, in a patrilineal society such as the Lenge, women did not have formal power. This compares well with the situation of women in western Province. For further analysis, see Dora Earchy, *Valenge Woman*, (London: Frank Cass, 1968).

As a result male elders enjoyed a powerful status in society. Indeed, as Wagner observed among the Abaluyia of Western Province, 'only men can own land, just as only men can own cattle' (Wagner, 1970:86). In addition, C.W Hobley (1967: 279) explained that, 'each wife in an African family usually has dedicated to her particular use a certain number of cattle, they are not her property, but she has the sole disposal of their milk for use of her children.' Again, a woman's cattle rights were usually usufructuary and, therefore, limited

to consumption. Thus, women enjoyed usufructuary rights in land and cattle. As a result, the committee which investigated the system of land tenure among the Abaluyia of Western Province stated:

...No woman can hold personal occupation rights over land. Any rights which she may exercise in respect of the land of her own clan are derived from her male relations, and in respect of land belonging to her husband's clan, from her husband. A widow cultivates parts she has previously cultivated while her children are growing up.

This process of land administration created inequality between women and men in society. Clearly, gender relations in terms of access to land and cattle and any other valuable property in the community were not balanced. Therefore, gender inequality was culturally approved and supported as proper¹.

Luyia culture encouraged polygyny. In the case of polygynous households, the husband was expected to allocate sufficient land to each wife. As Wagner in his study of pre-colonial and, therefore, traditional behaviour stated:

In a polygamous family each wife is apportioned a separate field, the *Omlimi gwa guga* (ancestral land) usually being allotted to the great or senior wife and plots of decreasing size to the junior wives, although adjustments would later be made in accordance with the number of children in each house. (Wagner, 1970: 49, 86).

Under this system, women's security of tenure was enhanced by the fact that as wife she was entitled to a parcel of land over which she had paramount authority as a cultivator. Therefore, land was not allocated to women as individuals by clan elders but through their husbands.

In a polygynous family each wife in time established her own separate household which was the primary unit of production. The work group within the household consisted of the wife and her children, with occasional support from the

¹Report of the Committee on Native Land Tenure in the North Kavirondo Reserve, p.6, para.22. In addition, see KNA, File No. DC.NN/10/1, Political Association, 1926-40.

husband and extended relations. Children in a polygynous family were grouped with their mothers and they ate and also shared primarily in the house and garden-work of their mother's household. In Western Province, especially among Babukusu, co-wives often cultivated their gardens jointly. Indeed, women in polygynous households had several advantages as Stamp's vivid summary reveals.

...the polygamous household may offer women a basis for solidarity and task-sharing. At the household level, co-wives co-operate to organise production, consumption and child care. Although friction between co-wives is widely reported, many studies stress the economic and political advantages of polygamy, including the autonomy made possible by shared responsibility (Skamp, 1989: 77).

The wives, argued Jean Hay, provided the economic surplus necessary for extensive entertaining and for acquiring a reputation for generosity. Wealth, which was defined in terms of cattle, wives and numerous children, was a fundamental proof for political leadership and prestige. Clearly, in terms of gender relations, additional wives and numerous offspring improved the social status of male heads of households.

In Western Province, the Luhya women had total control over the crop pattern and disposal of the surplus grain for *kamabumbi* and *kamakunda* fields. In fact, as some informants reported, 'industrious women *barunda* (i.e exchanged their surplus grain for chicken, goats or sheep) which they later exchanged for cattle, (Johnstone Khisa and Luke Namulala: Personal Communications).

Women have suffered because accumulation of surplus was best held as cattle, and that was not a mechanism that they could control. It was at this point that women diverted, perhaps for lack of an appropriate system of property accumulation, because culturally and from their own historical traditions women could not own cattle. Therefore, women who accumulated cattle without their husbands' interference used them for the payment of their sons' bridewealth and later when schools

were introduced, sold them to pay school fees for their sons and sometimes their daughters.

Sometimes, a husband could also dispose of the wife's cattle without consulting her. In some extreme cases, a man used his wife's cattle to pay bridewealth for subsequent wives. This was the most oppressive mode of male appropriation of women's property. Women's limited access and control over valuable property, such as cattle was a key means of social control which significantly contributed to their low economic status in society. Therefore, the gender relationship at the level of property ownership also placed women in an inferior position. Culture played a significant role in this. Women's independent cultivation of *kiamabumbi* and *mwikunda* fields was another strategy to protect their interests within the constraints of male control over allocation of land use and disposal of property. But, because of lack of an appropriate mode of accumulation of surplus, women's property eventually might be appropriated by male heads of households.

Gender relations in Kinship and Marriage

Mature girls (marriageable ones) were allocated land to cultivate by their fathers. But they had limited control over the products of their labour. Hence, the committee on land tenure in the then North Kavirondo observed:

When the girl grows up her father may allot to her some of his *mugunda* (land) to cultivate separately, but the produce must be taken to the family grain store. Should the girl wish to sell or barter any of it, she must get her father's permission.

(Co 5 33/409/17, p.6, par 23)

Among Babukusu, girls were given their own gardens at about the age of fourteen. The crops they raised were stored in a special granary which after their marriage, were ceremoniously 'opened' by their fathers-in-law and served to give them a start in their own household (Wagner, 1970) Girls did not dispose of the surplus from their strips of

land. The produce from their strips of land was stored separately from the mother's. In case of famine, the father of the girl would exchange the girl's produce for an animal. Such animals were usually given names such as Nasiaki (granary). If this happened, the acquired animal belonged to the father and not to the girl. This shows that the Luyia society was, and still is, very patriarchal. Although young men were also exploited by elders they, at least, received a small share of what they produced. Bridewealth was always paid for them by their fathers, usually in cattle. Cattle were used because they were the traditional bank, the main form of wealth recognised by the Abaluyia. As a result, ownership of cattle was restricted to the class of patriarchs, which placed male heads of households in a better position to control the female and male dependants. The value of cattle as a measurement of wealth, and as a status symbol was extended to represent a measurement of labour value provided by women and their reproductive capacity.

The distribution of women was regulated through the payment of bridewealth. Large numbers were usually required for the bridewealth payment. In order to obtain the necessary cattle, young men had to work for male elders. Thus, control over marriage arrangements gave patriarchs the means to control the labour and appropriate the surplus value generated by male dependants. At the level of ideology, traditions required that a son should show respect to his father, do his bidding and fear him. However, behind these traditions were concrete gender relations of production which by the end of the 19th century had changed to means of appropriation and exploitation. Ironically, the father's payment for his son's bridewealth was produced by the whole extended family, but its disposal was determined by the father alone.

In practice, the payment of bridewealth justified male appropriation and control over women and their children. Similar observations were made by Margaret Jean Hay (1976) among the Luo. In

addition, Barbara Rogers (1980:31) has specifically pointed out that 'among most cattle-owning peoples of Africa, for example, marriage is legalised by the transfer of cattle from the husband's lineage to the wife's'. Marriage ceremonies reflected the labour value of women and their children. In both cases marriage was sanctioned by the payment of bridewealth. Observations made by Jean Hay among the Luo underscores the importance of women's labour value in any marriage arrangements:

Women's labour was the critical element in determining the standard of living of the household, and marriage thus represented the most significant form of investment for a man requiring as it did the experience of considerable capital in the form of bridewealth. (Hay, 1976: 93).

The payment of bridewealth was a form of labour compensation to the extended family of the girl. Cattle ownership, J. Depelchin (1977) adds, determined the form of surplus appropriation because cattle owners resorted to a mechanism of cattle exchange or transfer to consolidate a relationship between two previously unrelated families. Consequently, domination of females and their subordination is more thorough among cattle owning societies.

The economic importance of women was the basis of polygynous marriages in Western Province and elsewhere in Africa. Additional wives were considered a source of extra labour: they themselves and the children they would bear were seen as a source of wealth, that is, producing grain which could be exchanged for cattle and reproducing daughters to marry off, also in exchange for cattle. In fact, the economic importance of women was also influential in a man's choice of a wife. In explaining the qualities a man would look for in the choice of a wife, one informant stated: 'cultural expectations of what society considered as the ideal woman, hard working and generally industrious' (Luka Namulalai personal communication). Therefore, a woman's marriage triggers a social

expectation that she will perform the labour tasks culturally defined as the obligations of a wife and mother.

While marriage liberated young men from exploitation by the privileged elders in society, it intensified the exploitation and domination of women in society. Before a woman marries, Wagner (1970) reported about the Abaluyia, her father (or his substitute) is her legal guardian. After marriage the guardianship is divided between the father and the husband. At the level of production, gender relations were clearly characterized by male domination and subordination of women and children.

Gender Relations and the System of Property Inheritance

The system of redistribution of the products of family labour discriminated against women and daughters. Laws of inheritance and property rights worked to their detriment. Women, who were still and are the major producers, did not receive a share of what they produced. Jeanne Henn underlines the gender differentiation in terms of young male and female exploitation in society when she states, 'female dependence on patriarchy is ideologically defined as permanent and male dependence is temporarily limited to the early years of their life cycle. Thus, in terms of gender relations, the female segment of the subordinate class is more thoroughly dominated and exploited than the male segment' (Henn, 19:39). Therefore, it can be argued that women's limited access to the productive resources in society combined with their own labour power weakened their ability to accumulate wealth. This also weakened their status in society compared to men.

In addition, women's ability to accumulate their property was inhibited by their inability to inherit property, and their lack of free access to productive resources. Clearly, in patrilineal and exogamous societies like the Abaluyia, men

enjoyed a higher social status and commanded more power than women. Patriarchal cultural traditions gave them a privileged position over women and children. Male appropriation of female and child surplus labour value was, therefore, culturally defined and defended, and translated into severe limitations on women's ability to accumulate property themselves.

Gender Relations and the Laws of Property Inheritance

Because of the patrilineal nature of the Abaluyia society, the laws of inheritance of any form of property were largely defined along male lines of descendants. Basically, the status of sons and daughters differed with regard to the inheritance of family property. When a man died, his land was divided among his sons and not among his daughters. From the father, a cow or a parcel of land was passed over to his sons and later to his grandsons. In fact, this was what Wagner (1970) observed in 1939 when he stated: 'men had an upper hand in inheritance.' Women's rights of inheritance were further eroded by the system whereby women were also inherited as if they were part and parcel of the property. Wagner has explained this with regard to the Abaluyia when he observed:

Claims to inheritance extended: (a) to the property of the deceased in livestock (cattle, goats, sheep); (b) in land (c) in utensils of personal and domestic use (weapons, tools, implements and ornaments & c and d) to the rights which the deceased possessed in respect of his wife or wives (on the strength of having paid marriage cattle for them) Wagner, 19: 84)

After the father's death, the sons of the senior wife (especially in polygynous families) may 'inherit', i.e., marry the junior wife (Wagner 19). The payment of bridewealth provided the right to such 'inheritance.' Furthermore, some women were inherited as if they were part of the deceased man's property, which reduced their ability to inherit

property themselves.

The legal position of the wife was also inferior to that of the husband with regard to her property rights as well as her claims over her own children. She had no ownership status whatsoever. Thus, the system of bridewealth helped to consolidate male authority over the wife and her offspring. As Wagner very adequately argues:

The low status of the wife with regard to property is paralleled by the fact that she has no rights over her children in her capacity as a mother. If the marriage is dissolved, even if entirely owing to the husband's fault, the wife can under no circumstances claim any of her children, in the sense that she would have a right to take them with her to her father's house or to her new husband and there bring them up (Wagner 1970:46).

In fact, the system of patrilineal inheritance was also related to women's contribution and participation in rural economies. Among the Abaluyia, the allocation and the distribution of productive resources was influenced by the gender division of labour in society. Hence, land arrangements recognised women's usufruct rights in land they were assigned to cultivate. But such allocation of property, like land and cattle, did not give the woman the right to inherit. It appears to have only affected the position of her male children. Land and cattle allocated to individuals were for the production of food for their households. However, property - land, cattle, goats, sheep and any moveables or both - assigned to a particular wife was inherited by her sons. Indeed, property allocated to individual houses was protected by the customary law which recognized women's usufruct rights in land and cattle. Therefore, while inheritance was patrilineal, specific rights in the patrimony were transmitted through women, whose status as wives was important in determining the inheritance of their sons. Among the Abaluyia, land cultivated by an individual woman was thus distributed to her sons.

Similarly, in patrilineal descent systems, the laws of inheritance and property rights follow the

house-property complex (Goody and Buckley, 1973). The house-property complex recognized the fact that the sons of one woman as opposed to sons of a co-wife, might have specific rights connected with the distribution of that part of the husband's property which their mother herself has worked. Certainly, the house-property inheritance pattern was a characteristic feature of polygynous households. Under the house property system, all cattle allocated to a house by the head of family or acquired through exchange or barter of surplus grain by household members became the property of the house and could not be alienated or transferred by the family head to another household. Thus, as some informants stated, 'a woman had a theoretical possession of all the cattle she milked. If a man had more than one wife, his cows literally belonged to the children of the respective wives (Luka Namulala and Timeteo Wepukhulu: personal communication). This was also true about land. Thus, T. Hakansson (1989:121) concludes, 'although a woman has no property rights of her own, she is a trustee and manager of her house's property and exercises a great deal of independent decision-making in daily affairs.' In reference to the Luo, Pala Okeyo (1980) pointed out that 'women's security of tenure under customary law' was based upon 'their structural role as lineage wives.'

The most significant point about the house-property complex was the fact that it constituted a kind of social recognition of women's participation in economic production. However, in reality, the house-prosperity complex was part of the male patriarchal management strategies formulated by male elders to camouflage and enhance male control over women and their children. Women could not inherit property but transmitted property to their sons.

Customary laws recognized and protected women's usufructual rights in land and cattle. However, the same laws made it impossible for women to own and inherit property. Whatever

social prestige women gained from the system as long as they failed to control the means of production in partnerships with males, their status would remain subordinate, dangerously exposed and subject to changing economic and cultural circumstances.

Patriarchal systems of authority made it easier for men to take away the land use rights of women, either as sisters, daughters or wives. Thus, men are defined as non-producer-owners in patrilineal and patriarchal societies in contrast with women, who as wives in their husbands lineages, were defined as producer-non-owners.

Gender Relations and Changes in land Tenure

Changes in land tenure introduced by the Swynnerton Plan formalized the erosion of women's usufructural rights. Land was already owned by men anyway. Small wonder then that land title deeds (certificates) were issued to men. This systematically strengthened patriarchal authority in Kenyan societies. Thus, as individual male control over land advanced, women were placed in a structurally more subordinate position.

The individualization and registration of land did not take into consideration women's usufruct rights in land. With the spread of commercialization of agriculture, argues Kitching (1980), male rights of disposal of the usufruct of the whole land (including its cultivated portion) was still successfully asserted. In Western Province, land titles were specifically granted to men. This was as a result of the pre-colonial patrilineal and patriarchal traditions which vested the administration of land and other productive resources in male elders.

In polygynous households, less industrious women lost substantial quantities of their plots because those which were not utilized by individual wives were immediately acquired by the husband for the production of cash crops. The decision to grow cash crops like coffee or expanded maize

production rested entirely with men as heads of households. The resources allocated to women, even in rural female-headed households, were insufficient. As a result, women's participation in rural development was made difficult. Since women were responsible for food production, a change to cash crop production significantly diminished their ability to produce food crops. Hence, the production of cash crops undermined women's use rights in land and by extension, their responsibility in the production of food crops. Changes which took place as a result of the Swynnerton Plan had a significant impact on the situation of women vis a vis men. In the first place, women's economic rights were undermined through the process of land consolidation. Second, lack of collateral in the form of a land title made it impossible for women to get credit. In fact, the control of land and all its products was and still is, of critical importance to women.

There were, however, a few unique cases where women managed to get land title deeds. Conversely, changes in the land tenure system provided an indirect opportunity for women to purchase and own land in their own right and terms. This is an area for future investigation. Future research should focus on women who managed to purchase land, especially with the rise of land buying companies in the newly established land settlement schemes. But during the colonial period in Kenya, due to financial constraints, a very limited number of women managed to purchase land. Through purchase of land, women have become owners in their own rights.

In fact, it can be argued that while women's ability to purchase land is not widespread, these changes could lead to a major cultural revolution which might lead to the emergence of matriarchy. At the level of the family household, the existence of single female headed households could spearhead this revolution. Single female-headed households provide similar hints and indications on the trend towards a matriarchal system. There

are significant indications, which suggest that African societies are currently going through a very important stage of cultural transition. Gender relations are also beginning to show some positive signs, which is also a reflection of this cultural transition.

Conclusion

In pre-colonial times women were far from being the equals of men. The Abaluyia were patriarchal and patrilineal, with all that implied in gender relations. While bridewealth cemented a social system, it also categorized women as property. However, the system was mitigated in that land was plentiful and the role of women was honoured in that plentiful food meant women and children of quality. With the coming of colonialism gender inequality increased. Relations which had been primarily social became predominantly economic. Rapidly land became scarce, women's access to it restricted and it took on a value which accrued mostly to males. Gender relations in patrilineal societies favoured men over women. In matrilineal societies, although women enjoyed a certain degree of authority, in the final analysis they were also answerable to their brothers who were the overall authority in matters of property inheritance. But, at the moment, there are indications which suggest that perhaps there could be a major cultural transition to matriarchy. The activities of women's movements nationally and globally must be examined very carefully because they could be instrumental in this cultural revolution to a matriarchal system.

References

- Cucchiario, S.
1988. *The Gender Revolution and the Transition from Bisexual Horde to Patrilocal Band: The Origins of Gender Hierarchy* in S.B Ortner and H. Whitehead (eds) *Sexual Meanings: The Cultural Construction of Gender and Sexuality*, Cambridge, Cambridge University Press
- Deplchin, J.
1977. African History and the Ideological Reproduction of Exploitative Relations of Production, in *African Development Vol II*.
- Earthy, D.
1968. *Valenge Women*, London: Frank Cass,
- Hann, J.K.
1988. *The Material Basis of Sexism: A Model of Production Analysis* in S.B. Stichter and J.L. Parpart (eds), *Patriarchy and Class: African Women in the Home and the workforce*: Boulder, Westview Press
- Hakansasson, T.
1989. "Family Structure, Bridewealth and Environment in Eastern Africa: A comparative study of House - property system" in *Ethnology: An International Journal of Cultural and Social Anthropology*, Vol. 28 no. 2
- Hay, M.J.
1976. "Luo Women and Economic Change During the Colonial Period" in N.J Hafkin and E.G Bay (eds) *Women in Africa: Studies in Social and Economic Change*, Stanford, Stanford University Press
- Hindess, B. and P.Q. Hirst
1975. *Pre-Capitalist Modes Of Production*, London, Routledge and Paul Kegan.

- Hobley, C.H.
1929. *Kenya From Chartered Company to Crown Colony*, London, Oxford University Press.
-1967. *Bantu Beliefs and Magic*, London, Frank Cass.
- Humprey, Norman.
1947. *The Liguru and the Land: Sociological Aspects of Some Agricultural Problems of North Kavirondo*, Nairobi, Government Printer.
- Kitching, Gavin.
1980. *Class and Economic Change in Kenya: the Making of an African Petite-Bourgeoisie, 1905-1970*, New Haven, Yale University Press.
- Llewelyn - Davies, M.
1988. Davies "Women, warriors and Patriarchs" in S.B. Ortner and H. Whitehead; *Sexual Meanings: The Cultural Construction of Gender and Sexuality*, Cambridge, Cambridge University Press
- Okeyo, A.P.
1980. Daughters of the Lakes and Rivers: Colonization and the Land Rights of Luo Women in M. Etienne and E. Leacock, (eds) *Women and Colonization*, New York, Praeger.
- Okoth- Ogendo H.W.O.
1978. The Changing System of Land Tenure and the Rights of Women" in Achola Pala, et al (ed.) *The Participation of Women in Kenya Society*, Nairobi: Kenya Literature Bureau.
- Ortner, S.B.
1972. Is Female to Male as Nature is to Culture? in *Feminist Studies Vol. I*
- Pala, Achola.
1976. *African Women in Rural Development: Research Trends and Priorities*, (OLC Paper No. 2), Washington D.C; Overseas Liaison Committee, American Council on Education
- Parpart, Jane, L. and Sharon Sticher (eds)
1988. *Patriarchy and Class: African Women in the Home and Workforce*, Boulder, Westview Press
- Rogers, B.
1980. *Domestication of Women: Discrimination in Developing Countries*, London, Tavistock Publishers
- Rosaldo, M.Z. and L. Lamphere
1974. *Woman, Culture and Society: A Theoretical Overview in Woman, Culture and Society* (eds), Stanford, University Press
- Sorrenson, M.P.K.
1968. *Origins of European Settlement in Kenya*, Nairobi, Oxford University Press.
- Stamp, Patricia.
1989. *Technology, Gender and Power in Africa*, Technical Study 63e, IDRC, Ottawa
- United Nations
1986. *World Survey on the Role of Women in Development*, New York,
- Wagner, Gunter.
1970. *The Bantu of Western Kenya*, Vol. 1, London, Oxford University Press.
- ...1956. *The Bantu of North Kavirondo*, Vol. 2 The Economic Life, London, Oxford University Press.

MILA (N.S.) Vol. 1

Wagner, G.

1956. *The Bantu of Western Kenya Vol. II, The Economic Life Oxford*, Oxford University Press

Wagner, G.

1970. *The Changing Family among the Bantu of Western Province Vol I*, London, O.U.P

Were, G. S.

1967. *A History of the Abaluyia of Western Kenya*, Nairobi, East African Publishing House.

Weisner, T. & S. Abbot,

“Modernization, Urbanization and Stress: A controlled comparison from East Africa” in the *Journal of Anthropological Studies* Vol. 35, No. 4 (1977:421-51).