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Map 3  Distribution of homesteads and gardens of the Lihambo lineage

Lihambo

Shiamwana

Chikati

Shilikha

Liula

Mukoko

Fig. 1  Outline of the Lihambo lineage
I. FEATURES OF ISUKHA CLANS

Clans and lineages in Isukha used to be the core of the social system in the pre-colonial era. It is possible to describe the traditional Isukha clan and lineage system as segmentary in the sense that the society was divided into segments along the cleavages of clans and lineages and there was no institutionalized central authority. After the first contact with the Western powers in the late 19th century, through the colonial period to the present independent era, the Isukha society has undergone a considerable social change.

The national and local government system has created new institutions at village level. The introduction of formal education and Christianity has had a great impact on the traditional belief system and has led to the abandonment of various customs and rituals. The market and monetary system, cash crops, wage labour and vocational employment, etc., have exerted substantial influence on the traditional subsistence economy. The development of the transportation and communication systems, such as cars, roads, bridges, radios and newspapers, writing systems and postal service, have widened the horizons of village life.

What has happened, then, to clans and lineages, which used to be the core of the social system, the source of the ritual and belief system and the framework of economic activities? This was one of the subjects that attracted my attention, when I carried out field research in Isukha Location, Kakamega District, Kenya.¹ It is easy to see at present that clans and lineages are still of vital importance to the everyday life of common villagers. They are, however, under heavy pressure from the new institutions and are also going through an adaptive process to keep up with the times, so to speak. In this paper I would like to describe this aspect of the clan system, especially in the political domain.

Isukha Location is situated in the east central part of Kakamega District.² To the east it is bordered by the Nandi Escarpment and to the north there is Kakamega Township. It is an almost flat highland (around 1,500m above sea level) divided only by narrow but sharp edged valleys. The land is fertile and is inhabited fairly evenly except in the dense Kakamega Forest near the Escarpment. It is one of the most thickly populated locations (301/km², population 73,000, according to the 1969 census) in Kenya and there remains little uncultivated land. The inhabitants, who are the Visukha, are a part of the Bantu people of Western Kenya known as the Baluyia as a whole.

Map 1 shows the distribution of the Isukha clans. I have excluded places beyond Kakamega Forest as far as the Escarpment, mainly because those parts of the location are areas of recent immigration by various people. The clan (luthia, pl. tsimbia) is patrilineal and exogamous without totems, and it is localized with a defined territory. Some clans have two or more separate

¹ The research was undertaken in 1977-1978 and in 1979-1980, for about 18 months in all, in collaboration with a working group (represented by Prof. Nobuhiro Nagashima, Hitotsubashi Univ.) which concentrated on social science research in Western Kenya.
² I would like to express my sincere gratitude to the chief, the assistant chiefs and the makuru of Isukha Location and to all villagers who kindly helped my research.
² When I was still at work there in late 1979, the location was divided into two, ‘East Isukha’ and ‘West Isukha’, for administrative reasons.
territories because of their historical immigration patterns. I have mapped out 27 clans in all. They are.

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<td>Vasalwa</td>
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There are some other clans which are very small and ‘hide’ in the territories of bigger clans, though their identity is none the less distinct. Examples of these small clans are the Vasheleli in the Vatsunga territory (Vutsunga), the Vakhonyi in Vutehelı and the Vashikali in Vwitsende. I do not know the precise number of such small clans in Isukha.

A few areas are inhabited by mingled people belonging to various clans because of recent secondary migrations. Notably in the Varuli territory (Vuruli), many small fractions of clans other than the Varuli are also settled.

The boundaries of the clan territory may be a river, a path or a watershed, but sometimes they are just boundaries between neighbouring farms or homesteads. Each boundary of nearby clans is well known, because territoriality is one of the distinctive features of Isukha clans. Consequently, a clan has the character of a corporation. A clan is regarded by outsiders as having stereotyped uniformity. For example, the Varuli are commonly known as viranyi, that is, blacksmiths, as if they were all in the same vocation. In fact they have a tradition of the blacksmith’s art from their original place, Samia, but only a handful of people are really practising the work. In the same way, the Vayokha are called vashieni – the ‘doctors’, – and the Vichina are called vahuri – the fishermen.

On the other hand, a real corporate activity performed by a whole clan is rare, unless the clan is very small. Even a funeral, which is the biggest ritual occasion today, is not supposed to be attended by all clansmen. There is no overall political organization of a clan. However, the tie of clanship always remains as a potential bond of corporate actions. Two clansmen whose lineages are only remotely related, for instance, may behave like real lineage mates to each other if they come to live in the same place.

As I will examine in detail later, all the clans acknowledge the history of their immigration from outside of Isukha, and they can trace their origins patrilineally to particular ancestors who may or may not have been the first settlers in Isukha. As far as I know the longest genealogy contains 13 generations (eg. the Vichina, the Vakhaiwa), and the shortest one contains 8 generations (eg. the Vasalwa). Nowadays people do not seem to care about genealogy. Only a few elders remain aware of it, but, as I tried to work out genealogies, I found that even among these elders confusion and discrepancies always occurred. For the common people, ancestors’ names, rather than genealogy, are only necessary to show lineage identity, as a lineage is designated by its apical
ancestor or founder.

I think that it is possible to distinguish three levels of lineages (*inzu*, pl. *tsinzu*) within a clan, though apparently this distinction cannot be uniformly applied to every clan due to differences in scale, historical depth and other particularities.

The major lineage, something like 8 generations in depth, is a large subdivision in a clan. A clan called the Vatsunga, for instance, consists of three lineages of this kind. These are the Vakarila, the Vawiseya and the Vamusonga named after three sons of the clan founder, Natsunga. Wiseya was the first son and Karila the second, but the status of Musonga is controversial. The Vamusonga themselves claim that he was the third son, while others claim that he was a son of Natsunga’s daughter, thus regarding the Vamusonga as being dependent upon the clan. I have mentioned the example to show that the lineage at this level usually has a distinct identity.

However, these lineages rarely have corporate activities. There is no recognized leader among them and no ritual to be held by each of them. The only possible occasion known to me in which the Vatsunga people split themselves according to the division of the major lineages is at funerals of other clans in order to share meat or money offered by the family of the deceased (*nukulukha*). It is held that these major lineages have 8 generations in depth (according to Mr. Angote Mutoole) and tend to be concentrated in certain areas without defined territories.

The medium lineage, with 5 to 6 generations in depth, is a real corporate group. It usually has a defined territory and has a body of elders who govern it. As I will examine in detail later, its political and economic corporateness is under various strains.

The minor, or minimal, lineages are discernible within a medium lineage. It may consist of 3 generations, or more typically, of living patrikins descended from a dead family head. The actual collectivism among members of this lineage is stronger, but to emphasize it openly could be an infringement on the unity of the medium lineage. It seems, however, that the tendency towards the independency of this kind of lineage is becoming more and more clear, especially in the economic domain, as the individualistic way of earning a livelihood becomes prevalent.

The descent rules and marriage regulations are, as I see it, the most salient feature of the present Isukha clan and lineage system. They are strictly followed by members whether they are living inside or outside Isukha.

A child born to a wife belongs to her husband regardless of the physical paternity. The husband, however, should pay at least a part of the bride-price (*rukhwi*) to the wife’s kin by the time the second or the third child is born. Without it he might not be able to retain rights over his children as well as his wife. The same is true of a child borne by an unmarried woman. The man should pay at least two head of cattle (also called *rukhwi*) to the woman’s parents in order to obtain rights over that child. If he does not pay anything, the child remains at the woman’s home. The child, though, is potentially a member of his or her father’s clan, because the child never belongs to the mother’s clan. The child is called *khotsa* (sister’s child) by the mother’s brother (also called *khotsa*) and remains as an outside kin throughout his or her life.

Clan exogamy and a prohibition of marriage with all members of the (real) mother’s clan are the most elementary marriage rules. Then there is a rule which prohibits marriage with the members of the medium (or at least, the minor) lineage of the father’s mother and of the mother’s
mother. Furthermore, there is a rule which prohibits marriage with members of the minor lineage (at least) of any spouse of one’s own minor lineage (at least).

Rules about descent and marriage are, though I have described them very briefly, crucial for understanding the clan and lineage system. They appear to be the most decisive keys by which people identify themselves with their own clan against other clans and with their lineage against other lineages within a clan. There are few exceptions and little ambiguity about the rules. There is, in fact, an argument among people about the levels of lineages, but it is rather a matter of definition than a matter of confusion in practice. The argument itself would be illuminating in understanding the concept of a lineage, but I shall refrain from reproducing it here. At any rate the rules, which have been unaffected by recent social changes, are the most constant element in the ideology of the clan and the lineage.

II. CLANS IN THE PRE-COLONIAL ERA

More than 80 years after a drastic social change, I found it difficult to reconstruct the political system or the clan organization of the pre-colonial era in Isukha. What kind of unity did the people of Isukha, or the Visukha,3 have before the creation of the location system? As long as I am concerned with the ‘change’, these are inevitable issues to be considered.

In the first place, the oral traditions of the Isukha clans show their diverse origins. For example:

Vakhaiwa – The eponymous ancestor, Shikhaiwa, came from the direction of the Nile River. His son, Khayo, went through present Marama Location and died in Idakho. His grandson, Wisungwa, was the first clansman to settle in Isukha, where at the time of settlement they fought against the Vamilonje (according to Mr. Zakayo Chumba).

Vamilonje – The first ancestor called Chivololi, who was a ‘Masai’ of Uashin Gishu, came from the direction of the Nandi country (according to Mr. Shiema Matasiyo).

Vichina – They used to be ‘Vaseve’ (perhaps the Kalenjin) living among the Wanga. A man called Kamulembe went from there to Idakho where he became the first founder of the Vichina. The Vichina have three different territories in Isukha now, because his great-grandsons came and occupied places there separately (according to Mr. Benjamin Isiaho).

Varimburi – Chilonya, the first ancestor to come to Isukha, was a Nandi at Nyang’ori, where there is still a parent group called the Ndimbuli. The reason for the migration was overpopulation. After they came to Isukha they adopted the customs and language of the Visukha completely (according to Mr. James Luvulela).

3 Sometimes spelled as Bisukha or Abisukha. I would like to use ‘Isukha’ as the place name instead of the more correct ‘Vwisukha’, following the conventional or administrative location name.
Vakhombwa – They arrived from Samia through Idakho with the Varuli and the Vatula. They still use the circumcision knife of the Idakho type (single-edged) instead of the Isukha type (double-edged), (according to Mr. Joel Khamadi).

Varuli – They were originally a clan in Idakho where they are called the Vasilwia. The name ‘Varuli’ means ‘those who came in’. They also use the Idakho type circumcision knife (according to Mr. Paulo Inyende).

Vasa1wa – The first ancestor was Navayo who lived in Samia. When they came to Isukha, they made an alliance with the Vateheli and occupied the area from where the Varimburi had evacuated due to raids by the Nandi (according to Mr. Angote Liyayi).

Vasheleli – This is a small clan in the Vatsunga territory. The ancestor called Nakumba came from Bunyala (Kabras) where he committed homicide and was expelled. He was helped by the Vatsunga and married one of their daughters. This was why they live among the Vatsunga. There are no Vasheleli in Bunyala now (according to Mr. Steven Shiema).

Vayokha – The first ancestor was Marewa who lived at Bukulu in Butsoto. His son, Atsulu, first came to Musingu in Isukha near the border of Idakho. His descendants went to Museno, and then some of them proceeded to Matala. These two places are the present two territories of the clan (according to Mr. Matias Ngaira).

Vasakala – The ancestors lived at Namasakali in Uganda, where part of the descendants are still living. They migrated to Shiakule Hill in Kisa, then to Idakho and to Isukha. The first man to come to Isukha was called Cheche (according to Mr. Matinyu Muhambe).

From these instances we can easily guess that the Visukha are not a people of a single origin but a composite of clans, whose origins were the BantuS mainly from the west and the Kalenjins from the north and the east. It is also fairly evident that the former were the main body of the Visukha to which the latter were assimilated. The time of immigration was different among the clans according to oral traditions, although what I have described above is far from being comprehensive. However, there are enough oral traditions to make it certain that the process of immigration was a series of wars in which new-comers had to fight against clans which had been already settled, like the case of the Vakhaiwa against the Vamilonje. Even Map I shows the fact of the Vamilonje being cut in by the Vakhaiwa.

What, then, was the unity of the Visukha and the common ground of the present Isukha Location? I am not sure how the present border was created and even why the people were called the Visukha. At least it is possible to say that the present border with the Idakho Location was artificial, because there is little difference in customs and language between the Visukha and the Vidakho, who are the people in Idakho Location. There are many Isukha clans which claim that they originated from Idakho clans, where some of them still have the parent group. Indeed at first the Visukha and the Vidakho were lumped together and called the ‘Vakakamega’ by the colonial administration.

I am sure that the common grounds of the Visukha used to be the mutual ties of kinship and marriage and the fairly homogeneous languages and customs, but I think that the Visukha as an exclusive ‘tribe’ (or ‘sub-tribe’ as usually designated) is a product of the modern administration.
This seems to be the case with most of the other Baluyia ‘tribe’.4

There are already studies about the political systems of the various Baluyia tribes in the pre-colonial era, notably by G. Wagner (1940 and 1949) and G. S. Were (1967a and 1967b). According to Were’s *Historical Texts* (1967b), there are some tribes which seem to have had an office of chief with a centralized authority like the Abatachoni, – not to mention the Nabongo of the Wanga, who was a kind of ‘sacred king’.

As to the Visukha, it is certain that there was no single political leader who exercised authority over all clans. First of all, there has never been a clan which has been inherently superior or dominant to the others. Every clan has been independent and equal by all standards. Only bigger clans seem to have been influential because of their sheer size.

**Traditional Authority**

There was, and still is, a certain system of authority within a clan. In the first place, there is an authority of elders (*vasakhulu*, male elders). In Isukha, the older a man gets, the more he is thought to receive mystical powers such as the ability to curse and immunity from certain taboos. Backed by these powers, they exercise substantial authority in settling troubles, making political decisions and performing rituals. If their power were entirely secular, it would have been easily eroded on the advent of school education and the modern governmental system; but as it is, the elders, as heads of domestic groups and as fathers, still retain their power over their clan, lineages and the younger generations.

A leader of any kind here is called *mulindi* or *mwimili*, which is a commonplace term applied not only to the location chief or a headmaster of a school but also to a leader of a voluntary group. *Mulindi* also includes a person who looks after somebody, like a nurse, and does not originally mean an office holder but a caretaker. Likewise elders have been held to be *valindi* (pl. of *mulindi*) of a clan or a lineage.

I do not think that there used to be a particular *mulindi* who governed a whole clan by himself, but Were reported that ‘Every clan of the Abesukha (i.e. the Visukha) had its own ruler know as the *oonukali’* (1967b:56). As far as I know, *oonukali* simply means an important man, and any influential man, especially an elder, can be called *mukali* or *mundo mukali*. I have not found any instance of a single *mukali* who was responsible for all the clan affairs.

There was, however, another kind of leader known as *mwami*. He was above all a war leader (*mwami wilthe* as he was called), and seemed to be respected to a great extent. As Isukha was a part of a zone where the Nandi used to raid chronically, war or defence activities were a vital part of the early history.

There is an oral tradition such that a *mwami* of the Vitsende called Shitakhwa was a great warrior who fought successfully against raids of the Nandi. His followers were not only his own

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4 A political historian also tells us: ‘What appears to have been occurring throughout the 1920s and 1930s in Abaluyia politics is that even at the locational level, the establishment of colonial administrative units was having a certain effect on group identity and social consciousness’ (Lohrentz 1976: 249).
clansmen, but also those of neighbouring clans like the Vakhombwa, the Varuli, the Vichina, the Vatula and the Vayokha. Their relations with the Nandi were not always belligerent. Now and then they made a peace pact based on a ritual, in which they brought a dog to the border and cut off its head in order to splash blood. The place then became a market where barter took place between the Nandi’s cattle and the Visukha’s crops.

The Vitsende used to be famous for their vaami (pl. of mwami) and vilihe (warriors). They fought also among the Visukha themselves, especially against the Vatsunga and the Vamilonje, but, when they fought among themselves, they never used spears and swords, which were only for the Nandi; instead they used clubs (tsindovoshi).

When the colonial administration took over Isukha, the Vitsende resisted its orders. The colonial power punished them by not giving them the newly created office of chief, but giving it and also 8 guns to Chivini of the Vakhombwa.

These stories reveal certain aspects of the traditional mwami system. Firstly, the status of a mwami, it appears, was attained by one’s bravery and leadership in war, not on a hereditary basis nor by an appointment of any kind; neither was it an office attached to a clan. C. W. Hobley, the first District Commissioner at Kakamega, mentioned ‘chiefs’ of 11 clans in Isukha at the turn of this century (1902: 48), including Shitakhwa of the Vitsende, Chivini of the Vakhombwa and Mambiri of the Vatsunga whom I can ascertain to be vaami of this kind. Interestingly, some clans are mentioned as having more than one ‘chief’, such as the Vakhulunya having four and the Vakusi having two. This seems to show that the position of mwami was more situational than institutionalized. More significantly, Hobley, while mentioning 18 chiefs of 7 clans in Idakho, writes that ‘there is no chief of any importance’, suggesting the chiefs’ feeble political power (loc. cit.). Although it is a description about the neighbouring location, I think that circumstances in Isukha were more or less the same.

Secondly a powerful mwami had influence over other clans than his own, as the case of Shitakhwa clearly indicates. This could have been a lasting military alliance among several neighbouring clans. However, it could not be extended to the whole of Isukha, because Shitakhwa’s influence was limited to just the southeast part of Isukha. Even the alliance might have been only against the Nandi, without whom as an external aggressor the situation would have been only that ‘the various clans quarrel a great deal with each other’, as Hobley writes (loc. cit.).

Thirdly, I am not sure about the political role of the mwami other than that in war. Judging from the importance of military activities in traditional Isukha, I assume that he was also one of the most influential elders in clan politics, but not ‘the ruler’. The mwami too was a kind of mulindi of war.

At this stage I would like to examine an interesting account about the pre-colonial Isukha social composition recorded by Were, which goes as follows. (1) The first ancestor of all of the Visukha was Mumwamu. His son, Mwisukha, had 19 sons, who then became the founders of the 19 clans of Isukha (1967b: 55). (2) ‘We have no tradition of any migration. Our clan has never been anywhere else’ (‘Evidence to the Committee on Land Tenure in North Kavirondo, 1945’ cited in Were ibid: 55 note 3). (3) The entire Visukha tribe was ruled by the omusatlist (ibid: 56).

All of these three points are contradictory to my evidence and quite untenable. I am rather
interested in the reasons why these claims came about. Point (2) perhaps derived from the fear that, if the villagers had admitted any immigration, they would have been deprived of their lands. Point (1) is a newly created myth which expresses the recent unity of modern Isukha. I myself once heard another version of this kind of myth. Point (3) is intriguing. Musalisi was an elder who specialized in the sacrificial rituals and had, I believe, nothing to do with tribal politics. Why then did some Visukha suggest that musalisi was a ‘ruler’? It is my guess that, because the musalisi was one of few positions held on a hereditary principle, which had a certain religious character, people were contented to liken it to a Nabongo type ‘sacred king’.

I understand from these claims that the people of Isukha became more and more aware of their new political identity and unity after the colonial and national structure was established. The Visukha as a congregation of clans was given a new political entity, which then had an immense impact on the belief, as well as the social, system.

Introduction of the Chief’s Office

The chief’s office is not only a seat from which all the administrative power is exerted but also a symbol of the unity of modern Isukha. It would be worth considering here how it came into being, especially in the minds of the people of Isukha.

After 1895, when the permanent administrative district of North Kavirondo was set up at Mumias, ‘tribes’ of the Baluyia were incorporated into the administrative system one by one. It seems that this process has not been the same in all of Buluyia, and I do not still know precisely about the series of changes in titles and their numbers in the Isukha local government.

From an early stage there have been three ranks of officials, that is, the location chief at the top, assisting chiefs in the middle or in sub-locations and semi-official village leaders at the bottom. The office of the location chief has changed little except that at one time there were two chiefs, and now from 1979 there are two again. The sub-location chief was called at first ‘headman’, then ‘olukongo’, and again ‘sub-chief’, and now he is called ‘assistant chief’, of which there are 14 at present. The village leader was called at first ‘mutiango’, then ‘sub-headman’, and now he is called ‘likuru’ (pl. makuru). There are 87 makuru in Isukha, that is, 6 makuru under an assistance chief on average.

There is a clear difference between the nature of the office of the chief and assistant chief on the one hand and of the likuru on the other. The former post is a part of the formal local government of Kakamega district. The office holder is appointed by official screening. Above all, he is paid. The latter is a semi-official and unpaid post. A likuru is elected or rejected by villagers, and appointed or dismissed by the chief. The humbleness of the likuru’s position has however, a crucial signification in the whole work of the local government. I will touch upon this later.

The chief is the most powerful and authoritative figure in modern Isukha. Almost all problems of an administrative or a judicial nature are handled by, or through, him. He can have people arrested by his askari (police attached to his office) or by calling the state police from Kakamega. He can remove an improper assistant chief or likuru from the office. His baraza or public gathering is the last stage of a judicial hearing for villagers and only through it they can proceed to the law
court at Kakamega. The *baraza* is also an important channel for all administration from the prohibition of liquor brewing or the castration of bulls to village hygiene.

The immediate effect of the imposition of the chief’s office on the Isukha clans has been obviously a reduction of their autonomy. The power of clan elders to handle domestic clan affairs has been, partly at least, taken over by the chief’s ultimate power to decide matters and to impose orders from outside. The clan boundaries have been superseded by the sub-location boundaries. In short, the Isukha society is no longer segmentary due to the effective administrative hierarchy of the *likuru*, assistance chief and chief.

How did the clan system become conformable to this new condition? I will examine certain relevant aspects in the following chapters on voluntary associations and the *likuru*. Here I will just mention an ideological peculiarity about the political leadership in Isukha.

Because of his vast and strong power, the chief is the most respected, as well as feared, public person. The assistant chiefs are more or less the same in this respect. Significantly, they are called *vaami* and their position and power is called *vwami* by common villagers. This suggests that in people’s minds there is certainly a continuation of authority from the traditional *mwami* to the modern chiefs. There is nothing strange about this since the traditional *mwami* was the most respected and influential leader. I think this supposed continuation of authority is meaningful because it is actually supporting the newly introduced administrative chiefship.

People talk about these chiefs’ offices as if they belong to the present holders’ clans. I often heard the Vatsunga who used to have famous *vaami* like Mambiri saying that these days *vwami* has changed hands to the Vamilonge, a member of whom retains the assistant chiefship of the common sub-location of the Vatsunga and the Vamilonje.

I once attended a funeral of an assistant chief who had died in a car accident. I was much impressed by its martial nature. It was attended by a large crowd from all over Isukha. The chief and the assistant chiefs, other government officers and policemen with guns were present. The policemen fired a salute of guns when the coffin was buried. This reminded me of a special funeral known as *shilembe* for a war hero who has killed enemies (the Nandi). The *shilembe* is the last and foremost occasion of honouring *mwami* and any such heroes.\(^5\) The Visukha in general have always esteemed the warrior quality of a political leader. Although the funeral of the assistant chief was different from the *shilembe* in appearance, I thought that the way and the spirit of honouring a feat were very similar.

These instances are only superficial indications of the ideological continuity of the *vwami*, but I am sure that the efficacy of the modern chiefship is backed by the traditional concept of the *vwami* of the clan system too. It also suggests that the Isukha clans have a certain compatibility with a centralized governmental system.

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\(^5\) For the *shilembe*, refer to Nakabayashi 1978.
III. PRESENT SITUATION OF THE LINEAGE SYSTEM

Now I would like to inquire more specifically into present-day social change and its consequences on the lineage system. For this purpose I have chosen a medium lineage called ‘inzuyiLihambo’ (the lineage of Lihambo) of the Vatsunga clan. Fig. 1 shows the skeleton of its genealogy excluding women, unmarried children and those who have immigrated from the lineage homeland. Map 2 shows a sketch of that homeland with a distribution of the members’ farms, in which their homesteads are also contained.

The symbols from X1 to X6 do not represent homesteads, but show that their owners belong to other lineages of the Vatsunga.6

I have also used alphabetical symbols to represent widows who have remained at their houses to live nearby their children. (C1, D1, E1, H1, K2, N1, S1, T1, V1, and there is one such widow in X3). Some of them are ‘inherited’ by their husbands’ lineage brothers, but do not move to their new husbands’ home places. Actually it is a very common custom for widows to remain with their (especially married) sons. All other symbols show adult men with their wives and children, except two (K5, H3) who have never married. Several symbols on the same piece of land mean that, in a certain way, occupants are sharing a plot which is not yet divided by inheritance. A1 and D3 have got separate lands which are shown near the river on this map. (All the data here are as of December 1979)

A common homestead consists of a husband and a wife, or wives, and their unmarried children. In the case of a polygynous family, each wife has her own house and a portion of land. Adolescent children have their sleeping hut beside their parents’ house. There are also attached kin in a household, usually on a temporary basis, such as a once divorced daughter’s children or the household head’s sister’s children.

The lineage can be regarded as having 6 generations in depth from Lihambo, the founder, to most of the unmarried children (e.g. D4’s children). As two sons of Lihambo’s youngest son (Shiamwama) are still alive in their eighties, I would guess that Lihambo was born at the beginning of the 19th century. This means that the lineage has developed during the past 150 years. Judging from the present distribution of farms, it is almost certain that the land was at first divided among 5 sons of Lihambo in long strips running from the main road to the river, but it is not possible for me to reconstruct the original division exactly. The original strips have been not only subdivided among their sons and grandsons but also have changed hands.

As I have already explained the genealogy is only that of members who remain in the lineage homeland. The map shows only two or three married sons who are remaining on the father’s land. It means that the other sons had to get out of the homeland. In fact, the foremost problem here is apparently land shortage and overpopulation. Nowadays the father’s land is not enough for all the sons, and even for those who remain in the homeland land it is not sufficient to support their

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6 X1 – 1 homestead, Wanga lineage. X2 – 2 homesteads, Mutoole lineage. X3 – 2 homesteads, Kitale lineage. X4 – 1 homestead, Mutoole lineage. X5 – Owner’s homestead is outside. Wanga lineage. X6 – Owner’s homestead is outside. Tsitumule lineage.
families. The farm is used throughout the year without fallowing, that is, the long rainy season for cultivating maize and the short rainy season for cultivating beans. A part of the land should be used for planting tea-plants or sugar-canies in order to each cash, without which life is impossible these days.

Over-population has already brought serious consequences to the Lihambo lineage. The first is immigration. The process of getting away from the lineage homeland had started from Lihambo’s grandson’s generation (among Mukoko’s 4 sons two had immigrated), but the real exodus is taking place in the 4th and 5th generations. When the present younger generation want to marry and have their own family, more than half of them should have to leave their father’s place, buying lands somewhere else. There is little land available in Isukha except in the place beyond the Kakamenga Forest known as Ileho.

This means that the lineage members are dispersing not as a sub-division of the Lihambo lineage but as individuals who buy lands in Ileho or other locations one by one. The lineage is, as a matter of fact, losing its members because, once they leave their homeland, it is inevitable for them to lose everyday interactions with the lineage people. The membership remains, but the actual exercise of rights and obligations becomes more and more infrequent and difficult.

On the other hand, in the homeland a ‘natural’ process of lineage growth is obstructed. While the depth of the lineage increases, the width or scale cannot be expanded in the homeland. In other words, as the separation of sub-lineages does not take place clearly, the Lihambo lineage as such continues to stay in the shape of a skeleton and the genealogical relations among its members become more and more distant.

Here there are now some ambiguities about the lineage identity in the minds of its members. Most people do not know, or do not care for, the actual genealogical relations among themselves. There are disagreements in the members’ opinions about the marriage regulations. Some have an opinion that a man cannot marry a sister of any lineage mate’s wife, while the others insist that D4, for instance, can marry a sister of the wife of J2, or even of E4.

Generally speaking, the dispersion of individual members and the outgrown genealogical depth have already begun to threaten the corporateness of a lineage of this kind.

These two consequences of over-population are only effect on the structural aspects of the lineage. There are still more indirect but more profound consequences, of which I like to mention two, namely the changing patterns of land ownership and of getting a livelihood.

The present land ownership pattern in the Lihambo homeland might be marked by three characteristics. Firstly, the land or farm is subdivided into small pieces which seem to be almost the smallest amounts that can sustain the occupants’ families. Actually the plots like those of D6, C1, C2 and B2 in the Map 2 might be too small to sustain each family. No one at present has a homestead there. The owners have their houses on their father’s or father’s brother’s land, and they themselves are practically absent because of employment outside.

Secondly, selling and buying land becomes a very common practice. If one wants to sell a part or all of one’s land, the reason is either an urgent need of money for some purpose or a plan to get more land somewhere else. A person wants to buy land mainly because his own land is not enough for his family or for future distribution to his sons. The deal should be done among the lineage
mates or at least among the clan mates. There is little room for landlordism or land accumulation. As a result of these dealings, the Lihambo homeland is now inhabited by members of other lineages, like in the plots of X1, X2, X3 and X4. Even the owners of the plots X5 and X6 are absent as their homesteads exist in their own lineage places. These owners and their families are outsiders inside the Lihambo homeland. The people of the Lihambo lineage have a close neighbourhood relation with the families of the plots of X1 to X4, but have little intercourse with those of the X5 and X6 plots. The situation in which the neighbourhood and the lineage relations are intermingled has thus become prevalent in present Isukha.

Thirdly, as the area of land per family becomes smaller, getting a livelihood other than from cultivating farms becomes increasingly necessary, for which to have a job is the best alternative. I have statistics on the employment of the Lihambo people. There are 61 adult males in the homeland (including those belonging to other lineages). 27 of them have jobs somewhere in large towns in Kenya and 8 of them in or near Isukha (mostly school teachers). Only 26 of them are farmers on their own lands. Even for the farmers there is irregular paid work, such as trading cattle, liquor brewing, medicine selling, etc. Those who are working in large cities like Nairobi have to sacrifice their family life, because they can spend only half a month or so a year at home with their families. Wives are left at home during the rest of the year cultivating their farms and raising their children. Among young villagers there is an intense aspiration to get a job, which actually reflects latent unemployment because jobs are very scarce. The main type of economic differentiation today is that of between those who are employed and those who are not.

Insufficient land, economic differentiation and individualism, the absence of household heads and presence of outsiders, these are all elements that affect the villagers' life considerably.

Social Change and Lineage Unity

A medium lineage like that of Lihambo used to have a real corporate character, but it has naturally been affected by the recent changes in the patterns of village life. Here I will give an account of the lineage as a corporate body and its alteration with regard to lineage unity briefly in 5 points.

a) The mediation of troubles among the lineage members and their families

There is an explicit norm that troubles and conflicts among themselves should be settled by the arbitration of the lineage elders as much as possible. To bring out 'home troubles' to outsiders' ears is not desirable because it may publicize shameful quarrels among themselves. When the elders try to settle a dispute, they gather at the homestead in which troubles such as quarrels or stealing have taken place, and they discuss the problems and advise both parties. If their mediation is successful and a compensation, when it is necessary, has been agreed upon, a small ceremony for reconciliation called khusemehana is held. It is a kind of a communal eating by the concerned persons and elders as well. After this ceremony, the elders are paid money or given hens to share as a reward for their efforts.

This kind of settlement is called a shiina of the lineage. These days it seems to be consulted
less frequently than before. People do not hesitate to bring forth even troubles between a husband and wife, or a father and son to the likuru's shiina. Though the elders at the likuru's shiina are somehow annoyed with these 'home troubles' and advise people not to try the case, they know it is a common practice now. This is, I estimate, a result of loosening lineage unity as well as of the increasing effectiveness of the likuru system.

b) Ritual obligations mutually observed by the lineage people

It is now difficult to decide in what kind of rituals the people of the medium lineage had to take part traditionally, but today funerals are almost the only ritual occasions which compel all the lineage people to observe obligations. Other rituals such as the feast for the spirits of the dead and the circumcision ceremony require the attendance only of members of the minor lineage as their duty.

The funeral obligations include resting from work, a vigil beside the coffin, attending the funeral ceremony and paying a condolence contribution (vuluhia). However those who have a business or those who are employed cannot rest from their work and cannot always attend the ceremony, to say nothing of the employees outside Isukha. The responsibility to organize a funeral too is nowadays removed from the lineage to the church to which the deceased had belonged.

These recent irregularities together with the enormously widened neighbourhood relations and other social relations have changed the character of the Isukha funeral.

c) Mutual economic assistance

There is a plain norm of mutual economic assistance among lineage members in case of famine, fire or illness. People also admit that school fees for children or bridewealth can be mutually aided. This help is never done by a lineage as a whole, but is done on a truly individual basis of kinship and good neighbourliness. I do not know how much the custom has been in decline recently, but I did rather come to notice a discrepancy between what they claim about mutual assistance and what they actually did. I attribute this to a growing individualistic economy among the villagers. Many lineage people are getting money as a salary, which can be regarded as a result of the merits of individuals on many senses. Nowadays there also remains little joint ownership of property. Each piece of land is registered at the government office in Kakamega under the name of the household head with a serial number. Even slopes of valleys and dry river beds are included in the registration. There is no communal grazing land for cattle keeping. Cattle and other animals are owned individually. There is practically no 'surplus' of crops because all of them can be sold at the market. The only communal feeling about property is in the case of selling land. When someone wants to sell his land, he should offer the deal first to his lineage mates, then to other clansmen of his own. To sell it to other clansman than his own is still difficult.

This is the situation of property holding. Certainly economic individualism is a trend which will continue to spread.
d) To unite against the affines

This is a case of lineage unity against outsiders and one of the most remarkable occasions for showing its solidarity today. Conflicts between affines are very common in Isukha, resulting from bridewealth transactions, divorce, the death of a wife under troublesome circumstances, suspicion of witchcraft and so on. When a real trouble happens, all the people of both lineages of the husband and the wife take the side of their own member. In the case of the problematic death of a wife all the lineage people of the woman come to the funeral place in order to protest. Sometimes real fighting takes place. It usually happens that they fetch her body to her natal homestead and bury it there.

For the bridewealth negotiations many lineage elders are called to help in the discussion. When the cattle of the bridewealth arrive from the husband’s place, the lineage people of the bride are called to attend a feast, although this custom is apparently declining.

e) To observe certain taboos in the incident of homicide where lineage members are implicated

This is about taboos and avoidance rules called isila between the lineages of the killer and the killed. This is also a case of lineage unity against outsiders. These are the avoidance rules: not eating and drinking together, not visiting and greeting each other, not fetching water from the same source, not buying food from the same shop and not grazing cattle in the same place. After a killing happens, these rules are imposed upon all members of both lineages of the killer and the killed, together with directions about where to fetch water, to buy meat, to grind maze and so on. If one infringes these rules, a mystical punishment (disease) may follow.

The isila is a traditional custom to prevent feud. The feud, that is, the collective responsibility of retaliation for a murder, has been constrained by the government, but the feeling is still strong at the level of the minor lineage. Interestingly enough, the isila is felt too cumbersome to observe these days. Once I heard at a baraza an argument in which some people complained about it and insisted that it should be imposed on only the ‘families’ concerned (i.e. the minor lineage) instead of on the medium lineage. The argument, however, was dismissed in the end.

IV. VOLUNTARY ASSOCIATION AND LINEAGE

I have explained in the previous chapter about the various consequences of over-population on the lineage system. If I add more elements of social change like differences among people in the degrees of school education, in membership of various Christian denominations, in careers in business or government offices and so on, it will be more apparent that the homogeneity which is supposed to be the grounds of lineage unity is declining.

Significantly, however, there is a thrust in reaction to restore co-operation among lineage members. It is not so simple as re-establishing its loosening unity, but it takes new shapes to re-adjust the situation. The likuru system is, as I will examine in the next chapter, the one which
works in the political realm of the clan system. In the ritual realm a once suppressed ritual for the
spirit of the dead is reviving in the form of a Christian ceremony. In the domestic sphere voluntary
associations called shiana or lisunga are flourishing.

There are several types of shiana, but a common characteristic is that they are formed voluntarily for the
purpose of mutual assistance and the welfare of their members. Their relation to the
lineage and the clan is crucial to my argument.

Firstly, the real shiana is organized on a voluntary basis. Therefore it differs from a clan or
a lineage which is non-voluntary in nature, but most shiana are organized within a clan or a lineage
in principle. In this case the shiana and a clan or a lineage are reinforcing each other. Secondly, a
few shiana are organized on a neighbourhood base. I think that even in this case the unity of an
association is closely related to that of clans and lineages, as the latter invariably offer a base for
neighbourliness or territoriality in Isukha. Thirdly, even a clan or lineage itself acts in certain
circumstances as if it were a shiana.

Let us study some instances.

a) ‘Shiaviilanga Welfare Association’

Shiaviilanga is the name of the place where this association is mainly organized. The place is
situated in a part of the territory of a clan called the Vatsunga. Actually, the predecessor of
this association was called ‘Shiama shia vanyerere shi-Vutsunga’ (shiana of the youth of
Vutsunga), which was broken up because of its inefficiency. Therefore members of the
present association, who number more than 200 persons, are mostly Vatsunga, but membership
is not limited to this clan. People of neighbouring clans, especially the Vamilonje, also
participate in a large number. It has a chairman, a clerk and an accountant. Participants
should be a husband and wife (or wives), mostly young, paying 4 shillings per month jointly
(or 2 shillings per person). This means that unmarried persons are excluded from membership.
Though elders are not excluded, most members are in their thirties and forties. The association
can be seen as generational, that is, of middle-age, and really it has the aspect of a concentra-
tion of power of middle-aged people since the present chairman is a young ambitious
local politician.

The collected money is deposited in a bank, and, when a member is in need of money, it is
lent with interest. Another important activity is the contribution of money for a member on
the occasion of his family’s funeral, bridewealth payment, a fire and so on. The money is
collected on each occasion in the amount of 50 cts. to 1 shs. from every couple in the associ-
ation.

There are many shiana of this type in Isukha. Their common traits are; 1. clan-centred, 2. of
middle-aged persons, 3. for the purpose of contributions at funerals.

b) ‘Shiama shia Rechina’

This is a shiana of housewives. Rechina is the name of its leader. The 9 members are all wives
of the Lhambo lineage of the Vatsunga clan, except one who is an unmarried (divorced)
daughter of a member. They work together on farms which belong either to their own mem-

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bers or to a non-member when they are asked. They are paid 5 shs. altogether per day for cultivation or other works on the member's (husband's) land, and 15 shs. on a non-member's land. The earned money is pooled at the home of the clerk, who is anonymous to outsiders in order to avoid theft and other money troubles. The collected money is shared among the members according to their working-days at the end of the year with a small feast. They can use their shared money for their personal or family needs. When a member is really in need of money, she can borrow it from the shiama's money without interest. The shiama also contributes money in the amount of 5 shs. in total with the help of food, milk and tea-leaves at a member's family's funeral. It has a leader (mulindi) and a clerk. The success of this kind of group depends on the leader, who should be reliable, fair and admired by the members. That is why, I think, the shiama is usually called by its leader's name.

There are numerous shiama of this kind in villages. They are, above all, working groups, and consist of housewives (vashiele) whose husbands usually belong to the same lineage or, at least, who are neighbours.

I should add here that there is a separate mutual aid group for the funerals of housewives in the Lihambo lineage. It is called 'Shiama shia Vashiele viLihambo', which has no purpose of working together.

c) 'Lirhanda Youth Association'

This association is for unmarried young men and women of about 16 to 20 years old in the Lihambo lineage. Lirhanda is the name of the place where the lineage is situated. The number of members is 29 (15 boys and 14 girls). The purpose is mainly for holding a Christmas party inviting guests from other places. For that the members should contribute 15 shs. each. Also if there is a funeral at a member's home, other members come to help his family.

This type of association is for youth's recreational purposes, especially for holding a party. Young people are really interested in throwing parties on certain occasions. The group of participants in a party may be formed only once or may be formed with an enduring membership like in this case of a shiama.

d) 'Shiama shia Lukango'

Lukango is the name of a major lineage of the Vakhaiwa clan. The clan is divided into three major lineages, each of which tends to be concentrated in an area, but not an exclusive territory. This particular shiama was formed recently after the assistant chief asked all Vakhaiwa to raise a fund for developing a harambee (non-governmental) primary school in Vukhaiwa. The school is regarded as the Vakhaiwa's, though the school children are not all Vakhaiwa. They decided to use the framework of their major lineages as units for collecting money. In the Lukango lineage they picked all 84 adult males with a homestead and assigned them 10 shs. each. Interestingly, this association is not so voluntary because the names are automatically enlisted from all the lineage members, and the contribution is compulsory in principle. However the money collecting is not so coercive as it appears, as every one knows that some never pay any money because of their poverty or for some other reasons. At any rate, the
‘harambee school’ has been developed with the assistance of those who need it and those who think it beneficial to that area. The shiama has, then, inherently a voluntary character. This type of association is a single-purpose group aimed at a particular assignment for a mutual benefit. It may be dissolved after achieving the assignment. It is more closely bound to a lineage and less voluntary. I found this kind of shiama not so common, but significantly there is another shiama with another clerk in the same Lukango lineage, which is also called ‘Shiama shia Lukango’. It is for mutual aid at funerals. Every member of the lineage (husband and wife) pays 50 cts. for every funeral in the lineage. Its purpose is very similar to that of the type (a), but it is less voluntary because it is bound to a lineage. The organizational principle is the same with this (d) type.  

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e) The ‘vuluhia group’

This is not an association in a strict sense; nor has it been called shiama at any time. It is so because the vuluhia (it may be also translated as ‘clanship’ since luhtia means a clan) is conceptually the condolence gift from all homesteads of a clan to a family which has lost a member. To pay vuluhia is a fundamental duty for a homestead head in a clan. I use a word ‘vuluhia group’ because, when a clan is too large, the people are divided according to the makuru’s areas for paying vuluhia mutually. Each likuru keeps a notebook known as shitavu shiavuluhia, in which all the names of contributors at each funeral are recorded.

For instance, the Vatsunga are divided into 3 ‘vuluhia groups’ according to 3 makuru areas, but not according to any major lineage division which is not exactly territorial. The makuru are made to keep the vuluhia books for convenience sake. In one of the Vatsunga makuru areas there is a part called Vuruli where there is a relatively small clan called the Varuli. These Varuli have their own vuluhia book independently. It means that the likuru’s area is not always coterminous with the ‘vuluhia group’ and the vuluhia book is not always kept by the likuru.

Also the likuru is not the one who is responsible for collecting vuluhia. When a funeral takes place, a responsible clerk sits behind a table in the courtyard of the funeral place. When a clansman comes to mourn, he first pays his vuluhia to the clerk, who then writes down the amount (1 sh. or so) in the payer’s column. As I saw in the book, not every one pays at every funeral. Most people pay at nearly all, but not all, funerals, while some pay at fewer funerals. The vuluhia is an obligation by rule, but it cannot be enforced. What clan people do to adjust to this situation is to reciprocate vuluhia. A man knows exactly, by the vuluhia book if necessary, who had paid for his family’s previous funerals. It is they whom he should pay in case of funerals at their homes.

Though the vuluhia is not a voluntary contribution, and the ‘vuluhia group’ is not based on voluntariness, the actual practice at present is destined to be a reciprocal contribution. As a

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7 Also in this shiama members do not always pay at every funeral. In this point, as well as in respect of the purpose, this shiama is very similar to the ‘vuluhia group’ in the next type (e). The real difference between them is that the latter is always organized on a clan basis. The Bakhaiwa as a whole have their own ‘vuluhia groups’ apart from the lineage shiama.
result, the ‘vuluhia group’ becomes very similar to a shiama, especially of the type (a) or (d). The idea of using a vuluhia book clearly presupposes the existence of a number of people who, for one reason or another, would not pay vuluhia at particular funerals. The idea also apparently presupposes that the more one pays at an other’s funeral, the more one will be helped at one’s own family’s funeral. It is here that the ‘vuluhia group’ and the shiama share common ground.

What is the shiama? — A summary

Generally speaking, the voluntary association in present Isukha is not limited to the above mentioned types. There are also such associations as the church congregations of all denominations, the farmers’ cooperatives, the political party and commercial guilds. Compared with these associations, the shiama proper has some conspicuous traits. Its membership is centred upon a clan or a lineage, or at least upon neighbourliness. It is also organized on the bases of sex, generation or familial status. It is most concerned with domestic or familial affairs. These traits are what make me assume that the shiama works where the unity of a clan or a lineage is loosening. I will try to illustrate this point further in the relation of funerals to the shiama.

It is noteworthy that almost all types of the shiama, even that of the youths for enjoyment, have something to do with assistance for the funeral of a member’s family. As one of the most densely populated places in Kenya, attending funerals is almost a part of everyday village life. I estimate that the average person attends, in a year, about 20 funerals, of clanmates, of affines, of the mother’s lineage and other kinsmen, of neighbours and close friends, of his or her own church members and so on. Apparently women go to more funerals than men. There is a great difference in scales of funerals, but the common one ranges from 200 attendants to 1,000 on the ceremony day.

The Isukha funeral is the most important occasion for social intercourse. People put much value on attending funerals of others and also on their own family’s funeral being attended. The immediate effect of the holding of a funeral is an economic burden. The family holding the funeral needs to provide food, beer or tea for those who come to mourn, and also to provide facilities necessary for people who come from far to spend several nights until the ceremony day. Moreover, there is a special custom to give all the clansmen, affines and kindreds a certain amount of money called mukulukha, of which the total sum ranges from 100 shs. at the minimum to more than 1,000 shs. These expenses bring an extreme burden on the family’s economy.

On the other hand, there is a complicated system of contributions to the family of the deceased. A free form of contribution known as isataka is frequently offered individually, or as members of a clan or of a church. The amount is usually only 10 cts per person at a time. Then there is the above mentioned vuluhia. However, these contributions are far from enough to cover the funeral expenses. This is one of the most important reasons why the shiama thrives.

One can hear at the end of a funeral an announcement from the organizer of the funeral, concerning the amount of contributions of this kind. Then one can easily understand that the more members of the family participate in the shiama, the more they are helped at their funerals.
Villagers really regard the *shiama*, especially of type (a), as an insurance against funeral expenses.

It can be argued that the *shiama* is formed to reorganize cooperation in diversified neighbourhood relations. The boundary of a clan or a lineage has been much confused by the *likuru*’s area, land sales and other movements. Certain numbers of clan and lineage members are either entirely absent because of immigration or temporarily absent because of employment elsewhere. The *vuluhia* group and book are a device especially for that situation because the group is ready to absorb outsiders, and the wife of the absent husband can continue to pay *vuluhia*; moreover those who would not pay are effectively excluded from the group. The *shiama* can be a group by which the tie of a clan or a lineage is utilized to cope with enormously widened social intercourse as seen at funerals.

When looking more closely, we can notice that the *shiama*’s activity is specific in relation to the clan or the lineage in the sense that it is economic, or rather, it is concerned with money, like raising funds (d), collecting contributions (a, c, e), earning cash (b), and making financial reserves (a). It should be noted that all the *shiama* are very much concerned with the financial problems of funerals. The institution of the *shiama* is deeply rooted in the present situation where the money economy has penetrated into the village life.

It goes without saying that the money economy was alien to the traditional Isukha society. Wealth was represented in the forms of crops and cattle and other animals, which are, however, still in use for various gifts and payments on the occasions of marriage, funeral, ritual for the dead, homicide compensation and simple help. These traditional forms of wealth are seen as congruous with the lineage and the kinship system. They have a path for circulation in the social structure. For example, cattle given in exchange with one’s daughter in marriage either remain as bridewealth at hand or further circulate to the son’s wife’s native place as bridewealth again.

On the other hand, the money economy is not only new, but also incongruous, it seems, with the lineage and kinship relations. Money is too impersonal in its appearance, too diverse in its sources from which it is earned, too general in its way of use, to fit properly to the traditional exchange path.

I assume that the most important function of the *shiama* is to control the situation brought about by the money economy. In the case of collecting contributions the *shiama* works as if it were a channel of money, irrespective of its source, from outside to a lineage or a clan. In the case of the working group it governs the members’ work and earnings collectively. In other cases, the *shiama* seems to bridge a gap between the collectivity of a lineage or a clan and the individuality of the money economy on a voluntary basis.
V. THE LIKURU AND HIS LUHIA

Looking into the hierarchy of offices of the local government in Isukha, I have found that the role of the likuru is crucial to the efficacy of the system. The likuru is an indispensable link between the clan and the lineage system and the centralized administrative system. Without its mediatory role, so to speak, the whole hierarchy will not work.

First of all, the likuru’s office is just half way between that which belongs to the clan and that of the Government. A likuru is elected by people in the allocated area. The likuru should be an inhabitant of this area. There is no specified term of office, as a likuru can hold it as long as the people support him. I know a likuru who has held office since 1947. There are makuru, on the other hand, who are rejected from office only a month or so after their election.

The likuru is a kind of mulindi (caretaker) applied to the present situation of the clan. People like to think of the likuru as a leader of the clan people, and co-operate with him, or act against him, as if he were a representative of their clan. In reality, it is not so simple. Unlike a chief and an assistant chief, the likuru has an unpaid position. Nevertheless an elected likuru should be approved by the chief and the assistant chief. Even the latter can dismiss the likuru from his office in their own capacity. In this regard the likuru is put in a semi-official position.

The relation of the likuru to the clan is also not straightforward. For example, the people of the Vatsunga clan usually say that they have 3 makuru, but it is a conventional view at best. One of the makuru is actually responsible for not only a part of Vutsunga but also a small territory of the Varuri (Vururi). In other words, the Varuri have no likuru of their own because their clan territory is included jointly in the area of the Vatsunga’s likuru. Another likuru who is representing another part of Vutsunga is not really a member of the Vatsunga, but a member of a very small clan of the Vatsunga, which is ‘hiding’ in Vutsunga. Interestingly, he is the one who has held office since 1947. I should also add that the three areas of the Vatsunga makuru do not reflect any cleavage of lineages. In the same way, the Varimbuli clan has 4 lineages and 4 makuru, but each likuru does not represent a lineage because people nowadays live intermingled.

In general, the area of a likuru is defined by a compromise between principles of clanship and neighbourhood. Inhabitants of the area are, therefore, those of a main clan and of small clans or fractions of clans. There are a few cases in which a small clan has a likuru of their own. The Vasalwa, for example, have only one likuru for their about 50 households.

The work of a likuru is diverse. In accordance with the dual character of his office, he works as a caretaker of a clan or of a neighbourhood and as a representative of the terminal office of the local government. He attends every funeral as a likuru as well as a clansman and a neighbour. He is responsible for the order of the place, but the organizers of the funeral itself are church people. When a quarrel or a fight happens, he is the one who stands and orders people to desist. He also organizes people for small public works such as clearing paths and repairing water facilities. He announces the place, time and who must come.

The likuru’s leadership of this kind is based more on neighbourliness and less on outside authority. Acting for the local government, he is a real link to villagers. Almost all orders and instructions from cattle breeding to the election of the MP come through him. The real exercise
of administrative power, like checking illegal liquor brewing or collecting money for a public construction (harambee) is also done by the likuru. As a matter of fact, villagers as well as the likuru himself often admit in speeches at luhia, or a public gathering, that the likuru uses the power of the government (‘khurunishila serikali’). In this regard his authority is a part of mwami or chiefship. It is also a commonplace that people complain about his excessive use of the power.

Essentially, the likuru’s authority is not based on the traditional authority of vasakhulu (elderliness). Makuru are often too young to be real elders. Still his power is different from that of the chief and of the assistant chief from the villagers’ point of view. It is controllable to a certain degree. To call for his removal from his position is a definitive measure. It is also an object of tactics and bargaining from the side of the villagers. I will examine this aspect of the likuru in his most important work of holding a luhia.

Composition of Luhia

Every likuru is supposed to hold a gathering on a fixed day in a week. It is called luhia (which also means a clan), and the meeting place is called haIuhia which is also a fixed place usually under the shadows of trees. The time and the place are changeable, but the necessary condition for a luhia is the presence of the likuru. A likuru usually has several assistants called askari, who work as a kind of guard at luhia and messengers at their home places. He also has a clerk who advises him and takes notes of the luhia.

Anyone in a likuru’s area, man, woman and young person, can attend a luhia and express his or her view. Even a person of another area can do the same. I once saw a likuru’s election in which men who lived in another area could participate without any objection. Attendance at a luhia is always voluntary unless one is under accusation there. There is neither any minimum level of attendance nor any voting. The number of participants varies from only 10 persons to 100 persons or so, according to the extent of the villagers’ concerns. Even if 100 persons attend a luhia, they are only a part of the inhabitants. The luhia is not supposed to be attended by all people but only by interested persons.

Nevertheless there is a structural dimension in the composition and process of a luhia. Its most important component, apart from the likuru, is a group of vasakhulu, or male elders. They represent the traditional authority of a clan or a lineage. Also in the process of argument and decision at a luhia we can easily recognize the commanding power of the elders. Even sitting positions at a luhia show the structure of authority. The likuru and his assistants sit in front and with them the elders make an inner circle. The number of younger men fluctuates very much according to the problems under discussion, but in any case they sit behind the elders, sometimes making an outer circle. They rarely speak out unless they are involved in the problems. Women only attend when they themselves, or their near relations, are involved in a case.

It is not easy to define who are the elders sitting in the inner circle. They must be not only interested in neighbourhood issues but also well-acquainted with them. They should also have a certain degree of influence over others and ability in speech. As a result, not all elders are regular members of the luhia, and significantly, very old men, who are otherwise indispensable for settling
matters in their own lineage, tend to be absent at the luhia. The 'real' elders who might be over 60 with a strong power to curse seem to be too old to participate actively. The elders at a luhia are mostly in their forties and fifties, which matches the likuru's age. Younger married men in their twenties and thirties are either in the inner circle or in the outer circle, and at any rate they appear to sit uncomfortably. A latent antagonism between these two generations is perceivable, as sometimes quarrels between them emerge.

In brief, there is a certain structural opposition which is peculiar to the luhia as a system. The luhia is not a council proper to the clan, just as the likuru is neither. It is, first of all, placed at the bottom of the administrative assemblies of local people. The assistant chief and the chief hold regularly (once a week as a rule) their own baraza, where administrative orders and instructions come down to the luhia and judicial suits go upward from it. This aspect of the luhia is exhibited in the opposition between the likuru and the elders. Various instructions from the government are explained by the likuru in the first half of a luhia. There may be questions from villagers. This is a very important function, and sometimes the assistant chief himself appears there to explain matters.

On the other hand, the luhia is also very much concerned with domestic affairs, that is, settling troubles among villagers of the area. It is a kind of judicial litigation or arbitration called shiina in general. The shiina takes place in the latter half of the luhia. Structurally speaking, this aspect of the luhia's function can be seen as being represented by the presence of a body of the elders. The latent opposition between the elders and young men, or between the elders and mostly absent housewives (vashiele), is also evident. It is a more traditional aspect of the luhia, though it cannot be seen as a simple clan council as I have already said. At any rate, the present luhia is a junction of the clan system and the centralized local government.

**Process of the Luhia**

I think that a close study of the process of the luhia, especially that of the shiina could throw a light upon the likuru's position in the political system. The litigation, or shiina, at the luhia is only a step from an informal lineage shiina to that of the assistant chief's and chief's baraza, and then to the law court at Kakamega. Yet the litigation at the luhia is the most essential part of the Isukha judicial system. The luhia is the first formal place to appeal a case for common villagers, and no one in a village can go straight to appeal at the chief's baraza without appealing at the luhia, or at least consulting the likuru. Only at the luhia can people gather and discuss evidence fully, because the elders as neighbours know well both parties of the accuser and the accused, and their troubles with their backgrounds. No one else can know more about them. For this reason a conflict extended over two luhia areas is sometimes brought into the luhia of the accused, instead of being treated at the chief's baraza.

Cases brought into the luhia range from petty thefts and quarrels to more serious land dispute (The real criminal cases such as homicide and serious injury are in the police's hands). I have a list of the cases disposed of in a Vulkhaiwa luhia from February to December 1977, and have made the following table in order to show what kinds of troubles were discussed.
a. Quarrels between husband and wife ........................................... 8
b. Fights among villagers .............................................................. 6
c. Petty thefts (hens, crops, thatching grass, etc.) .......................... 6
d. Damage to crops eaten by cattle .............................................. 5
e. Troubles about sold articles ....................................................... 4
f. Disputes about ownership of cattle .......................................... 2
g. Land disputes ................................................................. 1
h. Troubles about payment for herdsman ...................................... 1
i. Troubles from money lending .................................................. 1
j. Troubles from leasing land ...................................................... 1

Total 35

These are all actual accusatory cases ('khusitaka shiina'), which means that 1) the accuser has paid the ‘starting money’ called magada (10 shs. or so) to the luhia, 2) the accused is present, 3) evidence and witnesses are provided. Failing any one of the three conditions, it becomes a mere report (called ripoti) and does not become an issue for a serious discussion, although people do not neglect it. The ripoti has its own importance because it is a first step for publicizing a trouble and also a warning to the wrong-doer. It has a special function in the case in which the presentation of evidence is difficult like in a witchcraft accusation. There are always more ripoti than real cases in a luhia.

Paying magada is an interesting custom, which gives an assurance of the seriousness on the side of the accuser. It is a kind of incentive to the elders at the luhia, because after the luhia the collected money is shared by the elders and the likuru. Women and young men are excluded from sharing. This shows clearly that the litigation at the luhia has the character of the elders’ court or the ‘neighbourhood court’. In fact, the likuru usually does not speak up much. Cross-examining and refuting the accused and the accuser, giving advice and giving more evidence are mainly in the hands of the elders. After reaching a decision the likuru authorizes it by repeating it himself.

This procedure is possible and effective only because of the elders’ ability of self-government and their acquaintance with the troubles. They may know the particular conflict beforehand, or they may know the history and the background. Their decision is comprehensive and is not confined to the particular point at issue. In brief, the decision is moral and conciliatory. Actually the most desirable settlement seems to be a reconciliation (khusemehana). Even after reaching a decision of admitting the accuser’s point and of defeating the accused, people at the luhia want a little ceremony of reconciliation. It is done by both parties shaking hands and a prayer by one of the elders. There are cases in which no one wins and people demand only khusemehana.

This kind of process is difficult in the litigation at the chief’s and the assistant chief’s baraza. It is more authoritative and less conciliatory. In one baraza I saw an assistant chief caning the accused. The inquiry and judgement are mostly in the hands of the chiefs, and the likuru is the one who gives an explanation of the trouble. People who attend the baraza are allowed to give their opinions, but they may not know the precise nature of a conflict.

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Compared with the chief, the likuru at the luhia appears to be powerless. It becomes especially evident when the loser of a litigation, usually the accused, does not admit the luhia’s judgement. The loser protests one way or another, and normally leaves the place showing his disagreement. Enforcement of the decision in this case is difficult. The likuru, as well as the elders, fears to use physical power, since it could cause another conflict or provoke sorcery. Even people admit that, unlike the chief, the likuru has no power to arrest a villager.

There are two ways for the accuser to continue in this case. He appeals to the luhia repeatedly (magada is not needed again); or he brings the case to the assistant chief. However, sometimes the enforcement of the decision does not matter so much for the winner, because he has won and his position is publicly recognized as just. The pressure of the decision on the loser should be apparent.

The likuru at the place of the luhia is conspicuous in that he does little. It might be seen as an affected neutrality, but I think that it is a result of conforming himself to the way of the elders’ court. In other words, he assumes a role of a real mulindi, or a caretaker, of a clan in the traditional sense. This is indeed an aspect of the likuru’s position that the clan system has accepted of its own accord. I think also that this aspect is real ground for the likuru’s existence.

There is, however, another aspect of the likuru which is distinctively different. It is an authoritative aspect derived from a personal deal between the likuru on the one hand and the accused or the accuser on the other. Before a case is actually discussed in the luhia, there is a certain procedure undertaken between them. It is here that the litigants should meet the likuru personally. The accuser must report the incident, such as theft, fighting, a dispute with his affines or any other troubles he has suffered from, as soon as possible. The likuru or his assistants go to the accused with or without the accuser to inquire into the affair. Then they decide what to do next.

There is a possibility of arbitration on the spot without bringing the case to the luhia. This is a settlement of a trouble by the likuru alone or with his assistants. When it is successful, he or they are rewarded with a certain amount of money by the accuser in accordance with reparations received by the latter as a result. It is not illicit as any successful arbitrator can expect a certain kind of reward. However, the likuru is not a simple arbitrator, because he has a considerable influence over common villagers as a semi-official staff directly connected to the local government. If his influence or power is biased against the accuser or the accused, or if it is used with a certain personal interest, his mediation becomes an annoyance to one of the parties, or even to both parties.

This kind of annoyance or complain against the likuru also becomes apparent in cases which are brought into the luhia court. His biased influence is felt by the litigants, whether the accuser or the accused, in his way of handling evidence or of leading the course of the luhia court. People sometimes suspect that the likuru is bribed for the advantage of the accused.

I saw several times at the luhia agitated people who accused the likuru and his assistants of their unfair handling of particular cases. On one occasion the luhia was very confused as people insisted that the likuru had destroyed materials used for witchcraft or sorcery (litoko) by a notorious witch, which were handed over to him as evidence. I was not able to be sure whether or not it was true, but the villagers were highly suspicious of bribing behind the scenes. On another occa-
sion, people became very irritated because a notorious young man, who was a thief and cheater, had never been punished by sentencing at the luhiba on several occasions. He was never caught to attend the luhiba. People thought that the likuru was biased because the young man belonged to the likuru’s lineage and was therefore his ‘son’.

In general, complaints and suspicions against the likuru are prevalent among common villagers. There are two measures for those who feel that they have always been treated unfairly by their likuru. One is to avoid him from the beginning and to appeal directly to their assistant chief bypassing the likuru. It is not usually accepted by the assistant chief, but the complainant can get a letter or a message from the assistant chief, which subsequently may put pressure on the likuru.

The other is to express their readiness to appeal to the upper court, that is, the assistant chief’s baraza, disregarding the decision of the likuru’s luhiba. It should be noted that appealing there is not necessarily assured to be advantageous, but it could be a symbolic action of the complainant’s resistance against the likuru’s power.

These interactions between the likuru and the common villagers show the latter’s view that the likuru’s power is controllable and should be controlled. Strictly speaking, the likuru’s office is not directly tied to any particular clan or lineage, and therefore he is not responsible to any corporate group. People cannot bind him by using a lineage tie or a clanship in case of his deviation. When people want to manipulate him, they take advantage of the likuru’s semi-official and lowly position in the administrative hierarchy. They reject him, bypass him and try to neglect him, by having recourse to the upper office.

This makes clear the paradoxical position of the likuru. The rejection of him does not mean the rejection of centralized authority itself. Rather people tend to link themselves to the upper authority by bypassing him. The result is that the likuru as an office by being rejected connects the clan system with the local government. Naturally this is only a feature of the triangular situation of villagers, the likuru and the upper office, especially in the conflicting case. It goes without saying that there is a more harmonious case in which the likuru represents villagers at the chief’s office. What I have tried to depict is the likuru’s manifold mediatory position between the clan system and the local government, without which the whole political system will not work.

VI. SUMMARY

I have tried to analyze what have been the consequences of the recent social changes on the Isukha clan and lineage system. I have particularly taken up two social systems, the shiana (voluntary association) and the likuru (village leader) as illustrations. The shiana seems to come into being in a sphere where the lineage corporateness and the individualistic money economy meet. It mostly utilizes clanship or lineage ties to form the group on the one hand, and it excludes those members who are not competent for that kind of economy on the other.

The office of the likuru is put at the bottom of the newly introduced hierarchy of the local government. The likuru becomes a part of the traditional clan political system especially by his
role of presiding over the elders’ court called *lubia*. However, as a semi-official staff of the local government he can exert a certain power on common villagers. These two aspects of the *likuru* have created complex interactions between villagers and the local government.

These two systems, I would suppose, can be properly analyzed in the context of a confrontation of the clan system with a new economic and political situation in modern Isukha.

Reference


