

**The ‘liberatory value of indigenous institutions’¹:
Cultural practice as resistance in the British Colony of Kenya**

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The bodies of indigenous women and girls in Kenya during the colonial period were contested sites of cultural identity and expression for both indigenous communities and their colonisers. The ritual and the results of Kenyan women’s body modification have served as markers of difference, not only between Kenyans and colonists but also across indigenous Kenyan cultures. Indigenous women’s agency is often elided in discussion of their bodies – lost in a tendency to use the contest for control over women’s bodies to explore the dynamics and pressures of the colonial encounter. This approach necessarily aggregates women’s experience to build a picture of their collective experience, and to track the rise of popular resistance movements through women’s actions. Discussing women’s collective action is useful in understanding the larger narrative of indigenous resistance to colonial oppression, and significant historical work has been done on the centrality of women’s bodies in the struggle against colonial rule in Kenya (Thomas 2003; Kanogo 2005). However, this work does not often examine the embodied experiences of these women.

In this paper, I will reframe the ‘female circumcision controversy’ 1928 – 1931, focusing on locating Ratna Kapur’s ‘erotic subject’. I will try to restore the agency of subaltern subjects, particularly Kikuyu women at the centre of the ‘controversy’. Kapur develops the terms ‘sexual subaltern’ and the ‘erotic subject’ in order to trouble the boundaries of, and ultimately expand the category of the legitimate, rights bearing subject (Kapur 2005). Searching for the voices of these disruptive subjects also compels fresh interrogations of the gendered, colonised subject. I will examine dynamics of the ‘female circumcision controversy’ in the Colony of Kenya, and explore the ways in which the battle for control over women’s bodies disrupted the Imperial project in East Africa.

A brief history of the East Africa Protectorate and the Colony of Kenya introduces the events of the ‘female circumcision controversy’. This is followed by an analysis of Kikuyu women’s protest and the ways in which women mobilised cultural practice in rejection of the colonial desire to mould a newly ‘civilised’ colony through policing women’s bodies. The ‘female circumcision controversy’ will then be analysed through Kapur’s concept of the ‘erotic’ subject.

The Colony and Protectorate of Kenya

The British had established a controlling presence in East Africa in the 1880s, and by an Order in Council dated 11 June 1920, the East Africa Protectorate was annexed to the British Dominions under the name of the Colony of Kenya (The Colony and Protectorate of Kenya, 403). The government of Kenya declared all the land in their territories the property of the Crown, and between 1900 and 1920 alienated, without compensation, portions of land to Europeans previously belonging to and occupied by Kikuyu, Kamba, Nandi and Wanyika

peoples. The government also moved the Maasai out of the Rift Valley to clear the area for incoming settlers (Buell 409).

By the time African associations were formed in the early 1920s to articulate their grievances against the colonial government, the list was extensive. The proximal causes, however, were the introduction of forced labour for women as well as men; the establishment of the *kipande*, a system of labourer registration which compelled male labourers to carry cards bearing their fingerprints to enable settlers to keep track of their labourers; and the doubling of Hut and Poll taxes (Mungheam 127; Wipper 302). The first East African advocacy organisation was the Kikuyu Association, established in 1920 by chiefs and headmen – men who owed their positions of authority to the colonial government. Due to its membership, the Kikuyu Association failed to inspire confidence in the wider Kikuyu community (Ingham 280). The following year, the Young Kikuyu Association was established, but was quickly renamed the East African Association (EAA) in a bid to appeal to a broader African constituency (Mungeam 127; Ingham 280; Wipper 301). As the original name suggests, the EAA was formed by young, educated Kikuyu men, unconvinced that the chiefs and headmen of the Kikuyu Association were capable, or indeed, inclined to lead the kind of radical advocacy for Kikuyu and African interests they felt necessary (Ingham 281).

One of the founders, and secretary of the East African Association was the young, mission school educated Kikuyu, Harry Thuku. Thuku mobilised support for the East African Association both in Kenya and in England, and travelled through rural areas speaking to large gatherings with an increasingly vehement anti-government message (Wipper 302). The issue of forced female labour was particularly serious – at the request of a settler, the District Commissioner would task local headmen with providing the requisite number of women and girls who would be selected by the headmen's enforcers and forcibly taken from their communities to work on the commercial farming interests of English settlers. Many of these women returned from forced labour pregnant, often as a result of assaults by headmen's officers (Wipper 112; Thomas 112).

Thuku and the EAA campaigned against both the forced labour and rape experienced by African women and girls as part of their political platform. Thuku's championing of women during the forced labour campaign earned him the popular title amongst the Kikuyu, 'Chief of Women', and Kikuyu women returned his commitment with deep loyalty (Wipper 304-305).ⁱⁱ Thuku and the EAA succeeded – forced labour for women was abolished in 1921 and by the beginning of 1922, Thuku was encouraging men to burn their *kipandes* and only pay a fraction of the required taxation. It was clear that Thuku had very quickly become a direct threat to colonial rule and he was arrested on 14th March 1922 (Wipper 303-305). The popular demonstrations following Thuku's arrest became violent when a woman, Mary Muthoni Nyanjiru loudly criticised the (all male) African delegation's acquiescence to the government's request that the crowd disperse. The colonial guard fired on the surging, unarmed crowd, killing Nyanjiru and several other protestors (Wipper). Recalling the incident later, Harry Thuku noted that "the death of the woman Mary showed that women were in the forefront of Kenya's fight for freedom"ⁱⁱⁱ (Wipper 316).

Seven years later female initiation, and female circumcision in particular, would come to explicitly occupy the Colony's political consciousness. In 1926, in response to pressure from missionary groups and a level of official concern regarding the prevalence of clitoridectomy, governors of the East African dependencies met, to develop a strategy to combat the practice. The governors favoured a shift from the 'brutal' practice of removing "the entire external genitalia" to a simple clitoridectomy (Pedersen 647). The decision was adopted by the meeting, and regulations were circulated to native councils. Three years later in 1929, the decision by some missions to enforce this regulation by "refusing communion to all Christians unwilling to forswear the practice led to the largest outbreak of popular protest among the Kikuyu that the British Government had yet faced" (Pedersen 647).

The Female Circumcision Controversy

The crisis which became known as the 'female circumcision controversy' began when three key protestant missions issued a formal declaration which they required all their African followers to sign – a simultaneous disavowal of the practice of female circumcision and of membership of the proto-nationalist Kikuyu Central Association (KCA). KCA members were typically educated, urban Kikuyu, including their secretary, the young Johnstone (later Jomo) Kenyatta. The African response was swift. The KCA argued that the ban on female circumcision "was but the beginning of an assault on all Kikuyu traditions" (Natsoulas 140). Almost immediately, Kikuyu communities boycotted mission schools and churches, and soon formed independent schools and seven years later, independent churches (137-138).

Missions across the colony had been campaigning against female circumcision in Kenya for several years (Kanogo 73-90). The importance of this particular declaration was the way in which a cultural practice and membership of an African political organisation were both identified as acts of dissidence. Linking membership of an explicitly political organisation like the KCA, with female circumcision confirmed what Kikuyus already understood – that personhood through initiation is the attainment of a both political and personal identity, physically expressed through ritual markings (Njambi 696).

Female initiation through circumcision organised generational age-sets (*mariika*) and engendered solidarity through enduring the ritual cutting and healing process together (Robertson 622). Enduring the ritual of initiation and clitoridectomy is a foundational experience for many women – and Pedersen reminds us that, "[w]omen thus understandably often identified clitoridectomy as the most important – if also the most painful- experience of their lives" (Pedersen 649). But, although initiation fostered unity across *mariika*, is it important to note that these organisational structures operate through exclusion and hierarchy (Thomas 17).

Although a significant proportion of the KCA's natural constituency – educated, urban Africans – were in fact *against* female circumcision, the KCA advocated *for* female circumcision in a strategic decision which allowed them to mobilise a previously disengaged, conservative, rural base. The announcement by protestant missions was interpreted by the KCA as a direct attack on the integrity of Kikuyu cultural systems and values. The KCA used this to their advantage, characterising the ban as a "political conflict uniting all Kikuyu against the combined forces of British imperialism" (Pedersen 662). As "the standard-bearer

for clitoridectomy, the KCA [Kikuyu Central Association adopted] a hard-line and increasingly nationalistic politics [and] ... equated the perpetuation of the custom with the continued wellbeing of Kikuyu nationhood." (Kanogo 90)

In the face of the erosion of traditional forms of cultural authority; the alienation of tribal lands; the establishment of 'native reserves'; and restrictive taxation systems, initiation stood as one of the powerful remnants of Kikuyu cultural identity and social organisation (Pedersen 648). The combined ban on both female circumcision and membership of the KCA reenergised the Kikuyu tradition of female initiation, situating the practice, and the circumcised Kikuyu woman at the centre of an increasingly politically aggressive cultural nationalism. Defence of *irua*, "the sign of a 'true Kikuyu' ... came to be seen as a mark of loyalty to the incipient, as yet imaginary, nation" (Pedersen 144), thus women's sexuality became a central element of the new, modern ethnic community proposed by the KCA and other African rights advocacy groups (Kanogo 89).

This new association of a pre-colonial, cultural practice with an expressly modern, proto-nationalist movement, "endowed this ostensibly timeless and immutable practice with new, and highly political, meanings" (Pedersen 663). Yet simultaneously, as Thomas observes, the reinvigorated, politicised practice of *irua* demonstrated that "even the lives of 'the modern' could never be fully detached from older hierarchies rooted in local notions of gender, generation, and wealth" (186).

The KCA further politicized the circumcision issue by linking it to the land grievances of the Kikuyu, suggesting that this attack on Kikuyu tradition would jeopardise the tribal organisation of land. Uncircumcised girls could not be married by Kikuyu men, the intergenerational ownership of land would be broken, and Kikuyu land and unmarried girls would both be taken by Europeans (Natsoulas 144; Thomas; Kanogo).

In September 1929, a missionary's refusal to grant communion to those who had not rejected circumcision sparked large demonstrations. The *Muthirigo* became a popular protest song in Kikuyu areas (Thomas 25), the lyrics of which illustrated "how a defence of sexual order became entangled with a revolt of younger Kikuyus against British and their African collaborators." (Pedersen) The song claimed the Church was collaborating with the colonial government to "corrupt Kikuyu customs, to seduce young women, and take away the land" (Pedersen 653). Indeed, many African Christians were confused by the missionary suggestion that one could not be a good Christian and respect African customs. The Kikuyu translations of the Bible distributed by the missions themselves, "often used the terminology of initiation rites to describe Christian rituals" (Pedersen 652), and the Old Testament contained practices familiar to this East African audience – polygamy, animal sacrifice and circumcision (Natsoulas 145).

Thus, in the late colonial period, the physical and figurative terrain of the body of the Kikuyu woman was a primary site of the ideological battle between colonial and anti-colonial forces. In this context, the cultural and organisational power of *irua* was immense. In the midst of these cultural and national struggles, Kikuyu women continued to organise themselves using

the one of the “central cultural institutions” available to them – the rituals of initiation and circumcision (Kanogo 73).

The contemporaneous and later critical analysis of this period situates women’s bodies at the centre of an existential conflict. In these retellings, the bodies of Kikuyu women express the struggle against imperialism and the survival of Kikuyu society. Although some significant work has been done to reinscribe these larger narratives with the voices of the women involved (Davidson; Thomas; White), the framework developed by Ratna Kapur in her book, *Erotic Justice* provides valuable insight into these cultural conflicts.

Erotic and resistive subjects

Erotic Justice critiques the discursive strategies of women’s rights advocates in India, and their reliance on a combination of liberal internationalism, and strategic deployment of cultural conservatism to further their advocacy goals.

It has become almost prosaic to point to the ways in which colonial regimes and histories misrepresent and dismiss subaltern women. Rightly and heavily criticised for their didactic and cultural imperialist approach to non-Western women’s sexuality, feminists from the Global North have worked to develop a more inclusive frame of reference for their politics.^{iv} Initially responding to a dire need for African women’s voices in debates dealing with women’s rights in the Global South, and to counter scathing and uncontextual criticisms of non-Western cultures, a variety of discourses have developed among African feminists and activists who sought to restore the value to African cultures and cultural practice (see for example, Oloka-Onyango; Ampofo, A. A., Beoku-Betts, J., Njambi, and Osirim; Mikell; Nzomo; Tamale). This work navigates a course through conservative cultural forces at home, and critical voices abroad. Elements of this project, particularly those focusing on women’s rights have been guided by a liberal internationalism, espousing universal rights, derived from an apparently neutral, Liberal philosophy.

Central to her argument is Kapur’s critique of liberal internationalism which, she argues, seeks to provide a “universal remedy for the injustices experienced by women around the world” by applying a post-colonial feminist critique^v. However, as Kapur demonstrates, Liberalism itself is grounded in the Imperial endeavour, and its greatest exponents were committed to a racialised hierarchy of rights access. For example, citing J. S Mill’s seminal text, *On Liberty*, Kapur reminds us that Mill excluded the colonial subject from accessing the right to freedom of speech based “partly on the argument that this subject lacked the capacity to reason” and had not attained “civilizational maturity” (Kapur 17).

Kapur contends that while feminist legal theory more broadly has challenged some the assumptions about gender and sexuality upon which law is based “it is not evident that its radical analysis has translated into anything other than the reinforcement of a liberal agenda” (11). A liberal agenda which Kapur argues continues to fetishize the third-world woman, treating her only as an object of study or rescue (4). In response to the failures of liberalism to adequately address women’s rights agendas, theorists of post-coloniality, including Kapur, pose several challenges, including: the rejection of progressive narratives of history; the relationship between power and colonial knowledge production; and “the

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foregrounding of the complex and layered subject produced in, and through, the colonial encounter” (Kapur 10). Finally, Kapur advocates a path of inquiry which moves past the oppositional dyad of cultural essentialism and anti-essentialism. In its place, she suggests focusing on the “erotic desire of the subaltern subject”. This shift away from arguments of cultural legitimacy and toward understanding the embodied subject of the debate focuses attention on the embodied experience and agency of the post-colonial subject – in this case, the Kikuyu woman (91).

Applying these principles to the ‘female circumcision controversy’ is useful in re-locating the female subject who is at the centre, and simultaneously, also at the margins of these narratives. The symbiotic imperatives of incipient national consciousness, and control of women’s bodies and sexuality have shaped the long Kenyan century from colony to independence. As Thomas reminds us, “few participants in twentieth-century Kenyan politics were ever able to neatly separate issues of land, labour, and political control from those of gender, sexuality and reproduction” (Thomas 6).

The ‘female circumcision controversy’ was mobilised by the Kikuyu Central Association in a calculated attempt to energise a disengaged rural constituency, and was characterised as a grand conspiracy on the part of the protestant missions to destroy Kikuyu culture and identity. Just as Kapur has observed in the Indian context, the KCA relied on culture as a reflex gesture in a moment of political advantage. In seeking to physically and politically embody a modern, cultural nationalism, both for themselves, and their community, Kikuyu women relied upon a ‘traditionalist’ practice which had been remade as a mode of strategic anti-colonial resistance.

The failure of contemporaneous British advocates to curb the practice, is due in large part to the silences around the physical, emotional and cultural elements of Kikuyu women’s sexuality. As Pedersen observes, the colonial campaign against clitoridectomy encountered the “dilemma of imagining a way to defend a ‘thing’ – the clitoris – that was, in the august corridors of the Colonial Office, ‘unspeakable’” (666).

Although British advocates against clitoridectomy utilised the culturally acceptable discourses of “maternalism and ‘racial hygiene in which to couch their disapproval”, these were inadequate when attempting to engage with the much talked of distinction between ‘simple clitoridectomy’, and ‘the more brutal form’. That the discussion was incapable of engaging with the most obvious ramifications of ‘simple clitoridectomy’ – the diminution or loss of sexual feeling for women – exposes “a virtually unfathomable degree of ignorance and silence about women’s sexual response” (Pedersen 666) both in British colonial policy, and domestic political debate. For, as Pedersen asks, “[h]ow could one oppose ‘simple clitoridectomy’ without discussing sex?” (666). Utilising Kapur’s approach, focusing on Kikuyu women’s erotic desire allows us to challenge her representation as victim and recognises the subjectivity of the sexual subject (91) – we are now compelled to ask, given the apparently obvious negative effects, why were young women continuing to demand *irua*?

Although the international literature on female genital cutting is significant, similarities in descriptions and debates around of female circumcision in Kenya can be traced through the colonial and post-colonial periods. In the 1920s, the years immediately preceding the ‘female circumcision controversy’, advocates defending the right of African peoples to practice their culture and eager to eschew claims to cultural superiority soon began to trivialise the practice itself, variously describing clitoridectomy as “‘an eminently religious custom’, [and insisting] that ‘the medical case against it had been ‘ridiculously exaggerated’” (Pedersen 663-664).

In 1938, Jomo Kenyatta explained that “a girl had her clitoris trimmed... to prevent girls from developing sexual feelings around that point” (156-158). Similarly, Robertson in 1996 explains the ritual of initiation as including, “genital mutilation in the form of clitoridectomy, which could vary from a minor nick to complete removal of the clitoris and some of the labia” (620). Writing in 2007, Njambi describes the historical rite of circumcision thus: “for women, what seems like a purely physical process of cutting the tip of the clitoral hood through *irua ria atumia*, when combined with oath taking, forms the necessary requirement for taking an additional oath later in life, including the oath to become a Mau Mau resistance fighter” (Njambi 700). All these accounts trivialise the effects of clitoridectomy to some extent. By claiming a harmless minimum – the clitoris is “trimmed”; the tip is cut; the operation could consist of “a minor nick” – these accounts become apologists for a practice which is defended on the grounds cultural solidarity and identity. Throughout, the subject remains silent.

For comparison, in his eponymous biography of Kenyatta, the English historian Jeremy Murray-Brown describes the experience of a colonial official sent to investigate female circumcision ceremonies during the period of the ‘controversy’ and report their experiences. Murray-Brown relays the following report:

“Hearing screams from a banana plantation, he found the village women engaged in the traditional method of treating young girls after their operation. They were holding down each one in turn and forcing her legs apart so that one old woman could spit into the wound and swab it out roughly with chewed banana leaves. ‘The girls suffered intensely and the cries she emitted as her wound was treated in this way denoted an agony which shattered her self-control... there was no doubt in the mind of the observer about the ‘obvious sufferings’ of the girls and the futility of a passive approach towards ‘education’.” (Murray-Brown 136)

This horrific vision of old women holding young women down on the ground, while they scream in agony is a stark contrast to the silence surrounding the descriptions of initiation which were in defence of circumcision. The clinical silence describing the method and extent of cutting is far from the spit and blood of the banana plantation. Kikuyu women do not speak in either account. In the first, women calmly inscribe their bodies with the mark of nationhood and maturity; in the second – women scream in pain, inchoate, while senior women wordlessly inflict mutilation on the new generation of ‘uneducated’ Africans.

Conclusion

In this examination of the ‘female circumcision controversy’, we can see that the control of women’s sexuality is central to the creation and protection of a robust cultural identity, and by extension the longevity of the nation state. The Kikuyu woman had become, and in these discourses remains, “the symbol of the incipient ... nation” (Kapur 29). In these readings, the identity and roles of Kikuyu women are narrowly and violently defined, bounded by a triumphal Kenyan nationalism and Kikuyu cultural proscription – illustrating “the difficulty of disentangling nationalism from sexuality” (Pedersen 663). The Kikuyu woman is caught between a modern nationalism borne of organised resistance against colonial power on one hand, and a momentary and selective cultural essentialism on the other. Further, this cultural essentialism is used by Kikuyu leaders to reaffirm normative female (and Kikuyu) sexuality. This reinforcement of normative sexuality erases women’s subjectivity. Kapur develops the idea of the ‘resistive subject’ to counteract this erasure, one who “produces resistance in coercive circumstances, a deeply layered and multifaceted subject” (26).

But these women often chose to participate in these rituals and “as alien as that choice may have seemed to the colonizers and may still seem in the light of modernity, [this was] a way of choosing an identity, of becoming ... Kikuyu” (Kanogo 83; Robertson). For Kikuyu women, cultural expressions of resistance required sophisticated individual consciousness. The decision to participate in circumcision rituals during the ‘female circumcision controversy’ involved political engagement and cultural awareness. This agency was also expressed later in the *Ngaitana* (I will circumcise myself) movement in response to an attempt by the *Njuri Ncheke* (the men’s council drawn into the colonial administration in the 1930s) in Meru to ban female circumcision in 1956 (Thomas Chapter 3).

Even where women actively participate in political action, through public protest, or body modification, their motivations are often attributed to external forces – the demands of political resistance, or the internal imperatives of communal organisation. Women must often fight from the cultural assumption of their lack of agency and therefore have difficulty proving they articulated a forceful intellectual position about their own body.

The “ritual unmaking and reworking of women’s bodies became so central to the construction of national identity (Pedersen 647)” the autonomy of the rights bearing, female subject, always under threat, became almost completely obscured. While the legitimate, rights bearing subject is subsumed into these larger debates, women existing outside the restrictive bounds of cultural legitimacy are also lost – the existence of the legitimate sexual subject is only possible through the process of exclusion and cultural illegitimacy (Kapur 91-92).

Historically, the circumcised woman, the Kikuyu warrior mother, has been continually reinscribed into the Kikuyu identity – at a communal and individual level. But what of the resistive, erotic subject? “Her exclusions, erasure, abjection and her constant disruptive return impel a reconstitution of both the legitimate sexual subject and the cultural space which the legitimate subject inhabits” (Kapur 91). So we return to the fundamental questions - how can women constitute and control their own identities? And how can post-

colonial feminist discourse expand the legitimate sexual subject to acknowledge this resistance?

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ⁱ Tamale, S. 2008 ‘The Right to culture and the culture of rights: A critical perspective on women’s sexual rights in Africa’, *Feminist Legal Studies* No. 16, pg 61-62

ⁱⁱ Wipper’s seminal paper on the Harry Thuku disturbances, ‘Kikuyu women and the Harry Thuku Disturbances: Some Uniformities of Female Militancy,’ remains the key paper on this issue. As she prefaces her own research “women’s role in the Thuku ‘riot’ is the least known, ... and the events [of the Thuku Riot had] never before been examined from [the perspective of women’s militancy]” (301). The following overview of the events leading up to, and including the riot, are based on Wipper’s analysis.

ⁱⁱⁱ “The official casualty figures given at the inquest were 21 Africans killed [including four women, and further twenty-eight wounded]” (Wipper 316).

^{iv} For a mechanistic analysis of the relationship between female genital cutting at HIV/AIDS see Yount, K., M. & Abraham, B., K. 2007, ‘Female Genital Cutting and HIV/AIDS among Kenyan Women’, *Studies in Family Planning*, Vol. 38, No. 2 (June), Population Council.

^v Kapur critiques Martha Nussbaums’ embrace of Liberalism – “thus, the specific liberal tradition referred to by Nussbaum not only incorporates arguments about freedom and equal worth, it also incorporates arguments about civilisation, cultural backwardness and racial superiority.”