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978-1-107-01218-9 - Witchcraft and Colonial Rule in Kenya, 1900–1955

Katherine Luongo

Excerpt

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I

Introduction

“FICTIVE NARRATIVES” IN COLONIAL EAST AFRICA

Before embarking on her well-known series of autobiographical novels, the white Kenyan writer Elspeth Huxley was the author of a cycle of crime novels set in Chania, a fictional East African colony modeled on interwar-era Kenya. In her 1937 mystery, *Murder at Government House*, the plot of which centered on the strangling of Chania’s governor, Huxley included a lengthy, elaborate anecdote about another high-profile murder case in the colony, the “Wabenda witchcraft case.”¹ Chania’s secretary for Native Affairs recounted the local narrative of the “Wabenda witchcraft case” to the detective in charge of investigating the governor’s murder:

The Wabenda, among whom witchcraft was more strongly entrenched than among most Chania tribes, had put to death an old woman, who, they alleged, was a witch. The woman had stood trial before the elders and the chiefs of the tribe, had been subjected to a poison ordeal, and found guilty of causing the death of one of the head chief’s wives and the deformity of two of his children. Then, following the custom of the tribe, she had been executed, in a slow and painful manner.... It was a horrible death, but meted out after due trial, and for the most anti-social crime in the Wabenda calendar.²

After outlining the circumstances surrounding the witch-killing, the secretary for Native Affairs turned to how Wabenda and British

¹ Elspeth Huxley, *Murder at Government House* (1937. Reprint, London: J. M. Dent and Sons, 1987), 56.

² Ibid.

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conceptions and processes of justice collided in the context of the case. He elaborated,

The chiefs and elders were put on trial for the murder of the old witch. Forty-five of them appeared in the dock – a special dock built for the occasion. They did not deny that the witch had died under their instructions. They claimed that in ordering her death they were protecting the tribe from sorcery, in accordance with their obligations and traditions. They were found guilty and condemned to death. There was no alternative under British law; the judges who pronounced sentence did so with reluctance and disquiet.³

But as the secretary for Native Affairs noted, the “Wabenda witchcraft case” was not easily resolved by the sentencing of the forty-five Wabenda in the British courts. He noted,

The Government was in an awkward position. It could not, obviously, execute forty-five respectable old men, many of them appointed to authority and trusted by the Government, who had acted in good faith and according to the customs of their fathers. In the end it had compromised. Thirty-four of the elders had been reprieved and pardoned. Ten had been reprieved and sentenced to terms of imprisonment. In one case, that of the senior chief who had supervised the execution, the death sentence had been allowed to stand.⁴

Finally, the secretary for Native Affairs addressed some of the ways in which the case was figured in additional “judicial settings”; in the Supreme Court of Chania, in the governor’s Privy Council, and in the equally salient “courts of opinion” of various metropolitan and Chanian publics.⁵ He explained,

The case was not yet over. The sentenced chief, M’bola, had appealed to the Supreme Court, lost, and finally appealed to the Privy Council. Feeling in native areas ran high. Agitators had seized upon the case as an example of the tyranny and brutality of British rule. Administrators feared serious troubles should it be carried out.⁶

The detective to whom the story of the case had been addressed nodded in assent to the secretary’s explanations, noting that the events were “familiar” to him as well as to “every European in the colony.”⁷

³ Ibid.

⁴ Ibid.

⁵ David William Cohen and E. S. Atieno Odhiambo, *Burying SM: The Politics of Knowledge and the Sociology of Power in Africa* (Portsmouth, NH: Heinemann, 1992), 11.

⁶ Huxley, *Murder*, 57.

⁷ Ibid.

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At first glance, the description of a witch-killing and the administrative-judicial dilemmas it invited may seem to be something of a literary non sequitur in a novel otherwise in keeping with the general conventions of genre and period. Within the strict context of *Murder at Government House*, the story of the “Wabenda witchcraft case” operates loosely as a plot device to forward the metanarrative of the simmering unrest that serves as the backdrop to the governor’s strangling. Nonetheless, the inclusion of such an elaborate anecdote invites questions about the “culturally reasonable conjecture” that Huxley would have been able to ascribe to her readers.⁸ What sort of knowledge would British readers in Kenya and the metropole have brought to bear on their readings of these events in Chania? Why would a story of witchcraft, law, and the colonies have resonated with British reading publics at home and abroad?

As was the case with the secretary for Native Affairs and the detective, the events of the “Wabenda witchcraft case” would likely have seemed familiar to Huxley’s audience because the fictional events mirrored the terms of the most high-profile witch-killing case of the colonial era, the “Wakamba Witch Trials,” which had taken place in Kenya fewer than six years before the publication of Huxley’s novel. The Wakamba case, in turn, formed part of a long-standing, circuitous, imperial story of African witchcraft beliefs and practices challenging the ability of colonial states to achieve law and order in the British African Empire.

In the course of the 1931–1932 Wakamba Witch Trials, sixty Wakamba men were sentenced to death in Kenya’s highest court for killing a neighbor woman whom they believed to have been a “witch.” Like the fictional Wabenda, Kamba people carried (from the perspectives of black Kenyans and white colonials alike) a reputation as being steeped in witchcraft and, although the Wakamba Witch Trials did not necessitate the construction of a special dock, the number of participants exceeded the capacity of the Supreme Court and proceedings were played out in the theater of Nairobi’s Railway Social Institute.⁹ Like their fictional counterparts, defendants in the Wakamba Witch Trials asserted that they had done nothing wrong in killing the alleged witch but, instead, had been carrying out *king’ole*, the Kamba institution of justice directed against social malefactors like recidivist witches and thieves.

⁸ Ann Laura Stoler, “‘In Cold Blood’: Hierarchies of Credibility and the Politics of Colonial Narratives,” *Representations* 37 (1992): 53.

⁹ “A Strange Setting for a Murder Trial,” *East African Standard* (EAS), 2 February 1932.

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However, under the 1930 Kenya Penal Code, the justices had no other recourse than to sentence the sixty Kamba men to death. Like the Wabenda chief, M'bola, the Kamba men appealed their case, but the Court of Appeal for Eastern Africa struck down the appeal while recommending clemency to the Governor-in-Council who ultimately overturned the death sentences, substituting varying terms of hard labor. Although neither oral nor written sources offer a record of Kamba people's reactions to the Wakamba Witch Trials, a range of documents reveals that the Wakamba Witch Trials formed the nucleus of widespread, virulent debates in Kenya and the metropole over what constituted justice, law, and order in the African Empire.

As events in Chania were tied into a wider context of witchcraft-related unrest, so did the Wakamba Witch Trials form the center of a broader situation of witchcraft-driven disorder in Kenya. While the Wakamba Witch Trials stood out because of the unprecedented number of defendants and the resultant international attention that the court proceedings garnered, the basic circumstances surrounding the case were by no means unique or even atypical in the bureaucratic annals of colonial Kenya. Indeed, from the beginning of the colonial period to the eve of independence, colonial documents are replete with discussions of witchcraft beliefs and practices and their relationship to disorder. Taking the Wakamba Witch Trials as a starting point, this book demonstrates the ways in which an anthropological analysis of witchcraft “in a small part of Africa” can tell us broad stories about the messy intersections of culture and crime, violence and law, the state and the supernatural.¹⁰

Despite the furor they produced during the 1930s and their lasting impact on Kenyan jurisprudence, the Wakamba Witch Trials have been generally neglected in historiography. Yet this neglect is largely unsurprising for a variety of reasons. First, witchcraft in Africa, formerly the domain of anthropologists, has only recently emerged as an area of inquiry for historians, particularly those concerned with the development of colonial states. Second, witchcraft in areas outside the Kenyan coast has been of little interest to social scientists working on Kenya. And third, historiography on Kenya has overlooked Kamba people, places, and things as scholars have focused on the more politically powerful Kikuyu, Luo, and Kalenjin groups.

¹⁰ Richard Rathbone, *Murder and Politics in Colonial Ghana* (New Haven: Yale University Press, 1993), 1.

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In contrast, this book breaks with such historiographical trends by treating contests over crimes related to witchcraft among the Kamba as a central, critical means by which to investigate and understand the construction of state power in Kenya. It argues that the continuous problem of violence related to witchcraft has consistently posed practical and epistemological challenges to the state's authority from the early twentieth century to the present day. This book traces the development and refinement of anti-witchcraft law and anthro-administrative practice in the opening decades of colonial rule, examines the local and empire-wide ramifications of the Wakamba Witch Trials, analyzes case law and sentencing protocols in World War II-era cases of witch-killing, details how and why colonial authorities ultimately broke with the long-standing policy of *not* officially engaging witchcraft-related methods and actors to combat witchcraft-driven challenges to state authority during the Mau Mau era, and traces the contemporary reach and resonance of witchcraft.

Accordingly, the following core questions frame this study: What sorts of practices and beliefs has witchcraft encompassed? How has witchcraft operated as a category of understanding for state officials and Africans? How has the state developed and brought to bear anthro-administrative knowledge of witchcraft? How were witchcraft-related criminal cases used by the state to define violence and to designate those who could employ it legitimately?

THE LEXICOGRAPHY OF WITCHCRAFT, *UOI*, AND *UWE*

Writing on reproduction in the Congo, Nancy Rose Hunt traces the development of a “colonial lexicon,” a compilation of the vocabularies and vernaculars tied up in the shifting ways that Congolese women have negotiated state interventions into pregnancy, parturientcy, and parenthood during the twentieth century.¹¹ The colonial lexicon, Hunt writes, offers “a vocabulary list open to abstract, bodily, and spiritual [phenomena],” words that were “alive as speech in a context of language and colonial power, a context of complex hierarchies and differential translations.”¹² In Hunt's analysis, colonial and Congolese vocabularies pertaining to reproduction reflected not only how birth rituals were changing but also how the terms of debate surrounding reproduction shaped outcomes.

¹¹ Nancy Rose Hunt, *A Colonial Lexicon of Birth Ritual, Medicalization, and Mobility in the Congo* (Durham: Duke University Press, 1999), 12.

¹² Ibid.

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Accordingly, this book attends to the significance of the *terms* through which colonial and Kamba actors struggled over witchcraft. While dead and damaged bodies produced by competing forms of juridical violence offered the primary focal points of colonial and Kamba contests about witchcraft, these contests hinged on living, lexical words. Each side had its own vocabularies for talking about invisible malevolence (and its remedies): the “supernatural,” “magic,” and “witchcraft” in English, and *uoi* and *uwe* in Kikamba. Both regarded witchcraft as wrapped up in discursive violence. Colonial authorities read the witchcraft accusation as violent. Kamba people regarded the thought and spoken words necessary to mobilize *uoi* as violent. As the following chapters demonstrate, these competing perspectives and their corresponding articulations emerged in especially high relief in the space of the courts as British authorities developed vocabularies to entrap and contain the complexities of witchcraft in flattened administrative and legal discourse while Kamba people, in turn, wrestled to translate the perilous experiences “of living in a world with witches” from their own nuanced lexicon into a language that had insufficient words.¹³

The terms through which Kamba people have understood and discussed the people, powers, and objects glossed as the “supernatural,” “magic,” and “witchcraft” in the colonial lexicon have been significant to the sociopolitics of twentieth-century Kenya. Kamba discourse has readily employed *uoi* and *uwe*, Kikamba words loosely translatable as “witchcraft-for-harm” and “witchcraft-for-healing.”¹⁴ Eschewing the sharp binaries drawn by “black magic” versus “white magic,” each Kikamba term carries the implicit understanding that neither can ever be completely severed from the other.¹⁵

Further, *uoi* and *uwe* entail subtleties collapsed by the catchall “witchcraft” or the blanketing “supernatural.” Colonial-era documents and contemporary ethnography concur that *uoi* has existed in two basic varieties, embodied and “bought,” and that while embodied *uoi* has been

¹³ Adam Ashforth, “On Living in a World with Witches: Everyday Epistemology and Spiritual Insecurity in a Modern African City (Soweto),” in *Magical Interpretations, Material Realities: Modernity, Witchcraft, and the Occult in Postcolonial Africa*, ed. Henrietta L. Moore and Todd Sanders (London: Routledge, 2001), 206.

¹⁴ This book employs the terms *uoi* and *uwe* in discussing Kamba attitudes, actions, and objects; it uses the “supernatural,” “magic,” and “witchcraft” in discussing colonial ones. In doing so, it consistently underscores the contested, contingent character of colonial terms and engages the subtleties of Kamba ones.

¹⁵ Harry G. West, *Kupilikula: Governance and the Invisible Realm in Mozambique* (Chicago: University of Chicago Press, 2005), 7.

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practiced primarily by post-pubescent women who have mobilized an inborn capacity, the bought variety, requiring paraphernalia, has been used by adults of both sexes.

In contrast to the undefined “witchcraft,” *uoi* has entailed a complex nomenclature corresponding to how *uoi* has affected its victim. For example, the sort of *uoi* alleged in the course of the Wakamba Witch Trials to have been deployed by the deceased is called *ndia* in Kikamba. The practitioner’s envy has been typically regarded as driving the exercise of all varieties of *uoi*.

Uwe, in turn, has carried more complexity than “witchcraft” or even “white magic.” *Uwe* has been conceptualized as a vocation requiring inborn power, external paraphernalia, and a significant period of apprenticeship in how to use both. The primary work of *uwe*, carried out by male and female specialists, has been identifying the origins of *uoi* and treating its ill effects.

For Kamba people, *uoi* and *uwe* have been both lived realities and ways of making order out of disorder. Writing on “witchcraft,” or *uwavi*, in postcolonial Mozambique, Harry West explains that *uwavi* is a “discursive genre” through which the Muedan people have “comprehended and – even if euphemistically – commented upon the workings of power in their midst.”¹⁶ In Ukambani, *uoi* and *uwe* have worked similarly as a discursive genre, *uoi* situating and naming particular kinds of “badness” and *uwe* (sometimes) proffering remedies.¹⁷

West rightly cautions that to overstate the discursive aspect of witchcraft risks eliding the lived realities of witchcraft.¹⁸ Among Kamba people, *uoi* and *uwe* discourse has lent coherency, shape, and voice to the fraught *experiences* brought about by “living in a world with witches.”¹⁹ Experience and expression have been enmeshed with belief and knowledge.

In the Kamba context, what mobilizes a knowledge of *uoi* and *uwe* – whether it be the knowledge that *uoi* or *uwe* resides in one’s own body or in the instructions accompanying the paraphernalia one has obtained – is

¹⁶ Harry G. West, *Ethnographic Sorcery* (Chicago: University of Chicago Press, 2007), 11. For an analysis of how Maragoli widows have made sense of and interacted with power through the sentimental discourse of *kehenda mwoyo* during the twentieth century, see, Kenda Mutongi, *Worries of the Heart: Widows, Family, and Community in Kenya* (Chicago: University of Chicago Press, 2007).

¹⁷ James Howard Smith, *Bewitching Development: Witchcraft and the Reinvention of Development in Neoliberal Kenya* (Chicago: University of Chicago Press, 2008), 5.

¹⁸ West, *Ethnographic Sorcery*, 24.

¹⁹ Ashforth, “On Living,” 206.

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belief in the efficacy of *uoi* and *uwe*. Further, many people who claim to have no direct knowledge of *uoi* and *uwe* themselves readily believe that others do and that each variety works. Overall, completing the cycle of efficacy is Kamba people's belief in the "knowledge" that they share their environment with malevolent actors who can and do deploy invisible powers against ordinary people and with benevolent actors who harness invisible powers to undo *uoi*. Thus, as Adam Ashforth cogently explains in writing on witchcraft in twentieth-century South Africa, "The point is not *that* they believe, but what they believe, how they believe it, and with what consequences for the conduct of their lives."²⁰

Throughout the first half of the twentieth century, "witchcraft," the "supernatural," and "magic" were key terms in the lexicon that colonial actors employed in describing and analyzing sociopolitical situations in Kenya and across the British African Empire more generally. "Supernatural," widely conceptualized as unseen power, offered colonial authorities a broad rubric under which to lump a range of "local" attitudes, actions, and actors that they could not otherwise effectively manage or efficiently explain away. And within the African imperial context, colonial characterizations of someone or something "supernatural" did dismissive work as well, distinguishing the supernatural person, practice, or object from the nexus of the normal/natural/visible valorized by a colonial power-knowledge complex centered on "reason" and "science."²¹

Colonial actors also frequently employed the term "magic" when describing and analyzing local beliefs and practices or when characterizing local people whom they had difficulty disciplining and whose powers they aimed to ultimately deny. In colonial discourse, magic stood for the wielding of power attributable to supernatural forces or to the use of means imbued with such power. Further, magic was typically modified as "black," that is, "harmful," or more infrequently as "white," that is, "healing." In either instance, the term "magic," like "supernatural," did

²⁰ Adam Ashforth, *Witchcraft, Violence and Democracy in South Africa* (Chicago: University of Chicago Press, 2005), 122.

²¹ See Georges Canguilhem, *The Normal and the Pathological* (New York: Zone Books, 1991), 125. In a discussion of "the normal" he writes, "(1) normal is that which is such that it ought to be; (2) normal, in the most usual sense of the word, is that which is met with in the majority of cases of a determined kind, or that which constitutes either the average or standard of a measurable characteristic. In the discussion of these meanings it has been pointed out how ambiguous this term is since it designates at once a fact and 'a value attributed to this fact by the person speaking, by virtue of an evaluative judgment for which he takes responsibility'."

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evaluative work, distancing magical people, practices, and objects from the “disenchantment” of modernity.²²

In colonial parlance, “witchcraft” denoted an embodied capacity, an object, or a practice that mobilized an invisible, malevolent power in order to harm the person, psyche, property, or kin of another. Less often, colonial actors used “witchcraft” to mark the abilities, modes, and means used to counter the effects of malevolent “witchcraft” as described. “Witchcraft” was mobilized in much the same way as “supernatural” and “magic,” marking people and practices as irrational and atavistic. It also bore another layer of meaning, indicating the violence that witchcraft ineluctably wrought or remedied.

Overall, witchcraft was a discursive genre for colonial authorities too. While these officials discounted the ability of witches to actually do magic, they recognized the power of the *beliefs* in the efficacy of supernatural practitioners and their concomitant powers to challenge the authority of the state. Witchcraft thus offered intelligibility, form, and articulation to what might be termed “official misfortune” – the inability to establish order and implement policy – occasioned by “living in a world with witches.”²³ This book’s anthro-historical analyses of witchcraft as a matrix of discourse, experience, knowledge, and belief for black Kenyans *and* for colonial authorities alike constitutes one of its primary interventions into the literatures on witchcraft and on governance in Africa.

HISTORIC AND HISTORIOGRAPHIC CONTEXTS

This book originates from a question posed by a Labour member of Parliament (MP) to the secretary of state for the Colonies in the House of Commons in 1932, asking about the fate of sixty Wakamba men sentenced to death for the murder of an alleged witch in Kenya.²⁴ Tracing the circumstances surrounding this passing question led to an ever-widening web of evidence about the prevalence and significance of witchcraft-driven

²² Michael D. Bailey, “The Disenchantment of Magic: Spells, Charms, and Superstition in Early European Witchcraft Literature,” *American Historical Review* 111.2 (April 2006): 383. In his historical analysis of the Weberian thesis of Western “disenchantment,” Bailey writes, “Magic and cultural perceptions of the magical occupy a critical place particularly in sociological and anthropological conceptions of modernity, and issues of ‘magical thought’ and ‘superstition’ in opposition to ‘scientific rationalism’ frame discussions not only of the modern West but of instances in which Western modernity confronts the traditional beliefs and practices of other world cultures.”

²³ Ashforth, “On Living,” 206.

²⁴ House of Commons Debates. 10 February 1932. Volume 261. 857–858.

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challenges to state authority in the British African Empire. Using conflicts over witchcraft as a lens, this book makes important contributions to and interventions in scholarship on administrative policy and practice, law and order, and the constitution and deployment of anthropological knowledge spanning Kenya and across British Africa more generally. It is also the first monograph-length treatment of Kamba history in more than thirty-five years and offers a rare historical treatment of witchcraft, a subject most often the domain of anthropologists.²⁵

Scholarship on colonial governmentality in Africa and elsewhere has demonstrated that far from being hegemonic, administrative control was often contradictory, tenuous, and ad hoc.²⁶ The objects, technologies, applications, effects, and appropriateness of administrative control were sites of struggle.²⁷ This was certainly the case in the British African Empire where the Lugardian model of Indirect Rule – a system in which British rule was to be effected through African institutions and African intermediaries overseen by British officials – ultimately tasked colonial officials with instituting, in Sara Berry's famous phrase, "hegemony on a shoestring."²⁸

In Kenya, a settler colony, the multifarious sociopolitical "fissures" existing around "race, class, and clan" further complicated the colonial situation.²⁹ As Bruce Berman and John Lonsdale have ably demonstrated,

²⁵ J. Forbes Munro, *Colonial Rule and the Kamba: Social Change in the Kenya Highlands, 1889–1939* (London: Oxford University Press, 1975). On "witchcraft," see John Middleton and E. H. Winter, eds., *Witchcraft and Sorcery in East Africa* (London: Routledge and Kegan Paul, 1963).

²⁶ Ann Laura Stoler and Frederick Cooper, "Beyond Metropole and Colony: Rethinking a Research Agenda," in *Tensions of Empire: Colonial Cultures in a Bourgeois World*, ed. Ann Laura Stoler and Frederick Cooper (Berkeley: University of California Press, 1997), 1–57. See also, Nicholas Dirks, ed., *Colonialism and Culture* (Ann Arbor: University of Michigan Press, 2004).

²⁷ David Scott, "Colonial Governmentality," *Social Text* 43 (1995): 191–219; Peter Pels, "The Anthropology of Colonialism: Culture, History, and the Emergence of Western Governmentality," *Annual Review of Anthropology* 26 (1997): 168–183. Clifton Crais, ed., *The Culture of Power in Southern Africa: Essays on State Formation and Political Imagination* (Portsmouth, NH: Heinemann, 2003).

²⁸ Sara Berry, "Hegemony on a Shoestring: Indirect Rule and Access to Agricultural Land," *Africa* 62.3 (1992): 327–355. See also, Frederick Lugard, *The Dual Mandate in British Tropical Africa* (London: W. Blackwood and Sons, 1922).

²⁹ Bruce Berman and John Lonsdale, *Unhappy Valley. Conflict in Kenya and Africa, Book One: State and Class* (Oxford: James Currey, 1992), 2. See also, Bruce Berman, *Control and Crisis in Colonial Kenya: The Dialectic of Domination* (Nairobi: East African Educational Publishers, 1990), 67–69. M. Georges Balandier, "The Colonial Situation: A Theoretical Approach," in *Africa: Social Problems of Change and Conflict*, ed. Pierre L. Van den Berghe (San Francisco: Chandler, 1965), 34–61.