In Dhako Moromo? Femininity, gender relations and livelihood vulnerabilities in the fishing villages of southwestern Kenya

By

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Abstract

Southwestern Kenya has faced multiple social and livelihood vulnerabilities ranging from dwindling farm yields, economic marginalisation, decline of fish from Lake Victoria, family fragmentation due to high HIV/AIDS prevalence and high unemployment rate. This thesis explores how women cope with gender relations during such unstable times among inhabitants of fishing villages along the shores of Lake Victoria. As an ethnography investigating gender and livelihoods in a volatile setting, the thesis analyses how women utilize various strategies to access resources and opportunities for means of living. Uncertain livelihoods drive men and women to settlements along the lake where they pursue day-to-day survival as well as long-term aspirations for better lives.

As part of a focused ethnographic study carried out between November 2015 and August 2017, in-depth interviews, focus group discussions, a review of archival records and observations were carried out in five fishing villages in Homa Bay County.

Gender practices in conformity with norms of acceptable femininity – in Dholuo, *dhako moromo* (complete woman) – emerged as a significant cultural context that shape women's access to resources and other livelihood means. As part of attempts to be a *dhako moromo* and as a strategy for accessing livelihoods, women build expedient short-term relationships that produce what I call vulnerable navigation. Entry into marriages and marriage-like multiple unions which provide relative privileges, and laying claims to land, provide means and spaces through which livelihoods can be sustained. Yet starkly unequal power relations persist. This dissertation contributes to the scholarship on the nexus between gender practices and unstable places and how it shapes relationships, people's self-understandings, livelihood strategies and outcomes.

Key words: Livelihood vulnerabilities, femininity, land, gender relations, navigation, Homa Bay

Dedication

To my dear mother, Rose Nkio Bariu, and my late grandmothers Joyce Cioetirikia Ntomubuika and Maria Ciokiambati Ntoitobi, who epitomised the true definition of femininity.

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List of Abbreviations

BMU	Beach Management Unit
CEDAW	Convention on the Elimination of All Forms of Discrimination against Women
FTLRP	Fast Track Land Reform Programme
FAN	Forest Action Network
HIV/AIDS	Human Immunodeficiency Virus/Acquired Immuno Deficiency Syndrome
ICCPR	International Covenant on Civil and Political Rights
ILO	International Labour Organisation
NACC	National AIDS Control Council
NACOSTI	National Commission for Science, Technology and Innovation
NGEC	National Gender and Equality Commission
NASCOP	National AIDS/STI Control Programme
NGOs	Non-Governmental Organisations
STI	Sexually Transmitted Infections
UDHR	Universal Declaration of Human Rights
UNDP	United Nations Development Programme
UNICEF	United Nations Children's Fund
WHO	World Health Organisation

Glossary of Dholuo and Swahili Terms and Phrases

Agulu	A gourd but also used to mean a savings group
Amanya manya	Searching
Ber	Good
Bure	Swahili, meaning useless
Chiru	Market
Dala/oti	Home/house
Dhako	Woman
Dhako moromo	A complete woman
Doho	Customary Luo polygynous marriage
Jaboya	A sexual partner with whom female fish traders ally
Jadeng'o/jodeng'o	Ja (singular), Jo (plural) small-scale fish traders
Jakambi/jokambi	Large-scale fish trader or boat owners
Jaluo/joluo	Luo people
Kanga	East African wrap cloth
Mabati	Iron roofing sheets
Moromo	Complete
Nam	Lake or water, Jonam – people of the lake
Omena	Dagaa fish
Piny tho	Land is dying
Simba	A house built by a young man inside his fathers homestead
Yawa	An expression of wonder or panic

CHAPTER 1

INTRODUCTION: THE AIMS AND CONTEXT OF THE RESEARCH

Amanya Manya: Seeking a Livelihood Amidst Volatility

Widowed at 26 years and with four children to fend for, Aoko's life in Nyagina fishing village had turned into something she hadn't imagined. Her husband had died from one of the fishing accidents from a capsized boat that had killed all the crewmembers. Fishing in these perilous weather conditions had become a risky job for most men, and fish catch had also dwindled over the years but this was the only livelihood option they had. On this morning, Aoko had woken up at 4am and walked to the lakeshore to wait as the fishing boats landed from a nightlong mission. The memory of her husband moved her. Through many struggles, he had provided for their family, as a man would do, having migrated from Siaya to this place. The thought of what she had planned to do this morning sent a gush of warm tears down her scrawny face. Aoko's children had tired of asking for school supplies and for food, which she couldn't provide. She would not wait to see the hopelessness in their eyes again.

When she saw flickering lights from an approaching boat, Aoko brushed her tears away and straightened her blue oversized skirt. Noaz, one of the fishermen from the boat that had landed, gestured with his mouth towards makeshift shelter on the shore. This was not a place to discuss the weather or the poor catch he had got. Aoko knew that although she had money to buy a basin of fish for her business, another offering had to be exchanged to stand a chance of buying, and that was sex with Noaz. After the encounter, Aoko vowed that this indignity would be worth something. The Noaz deal was cut, but would the risks be worth it?

The work of fishermen like Noaz and female fish traders like Aoko illustrate the conditions of fishing livelihoods in the villages along the shores of Lake Victoria. The situation that drives them to fishing work and which shapes the strategies they employ to access means of living are the result of a broader social, economic and political background in southwestern Kenya. The words *amanya manya,* which were repeatedly used by traders in the fishing villages, represent people's view of the current livelihood situation. In response to greetings: 'how are you?' '*amanya manya'* (loosely translated as 'I am searching searching') generally followed. The verb *manyo* (to search), from which *amanya manya* is derived, suggests the effort of navigating uncertainty in an environment that has faced overlapping forms of economic and social volatility. Previous research in this region has described the situation with the euphemism *'piny tho'*, meaning the 'land is dying', to evoke dwindling farm yields and wide-ranging uncertainties in livelihoods (Geissler and Prince, 2010; Prince, 2006).

Southwestern Kenya has undergone considerable stress due to high levels of unemployment (Francis, 1998: 73; Takashi and Jayne, 2004), environmental degradation leading to poor farm outputs (Conelly, 1994; Luedeling, 2011), and reduced fish yields from Lake Victoria (Cohen and Odhiambo, 1989; Kateregga and Sterner, 2008; Medard, 2012; Opondo, 2011; Prince, 2006). Furthermore, high HIV/AIDS prevalence has also produced social and economic strain for the community (National Aids Control Council, 2016; Thirumurthy et al., 2008). Unemployment has had an effect of reducing remittances to rural areas, leaving them dependent on unreliable farm and lake resources.

Due to this scenario, rural settings have been associated with a struggle to survive, an outlook illustrated by the *amanya manya* expression. While the older generation thrived on

the promise of modernity and managed to secure jobs in the urban centres, at present, jobs are not readily available even for those who have some education. Indeed, other research in rural western Kenya has noted the discouragement among the youth who have skills for work but lack paid jobs to sustain their lives (Prince, 2006). These youth spend their time *amanya manya-ing* through unreliable income activities or clutching their school certificates as they move about searching for work.

The disillusionment of unemployment can partly be traced back to post-colonial notions of modernisation, which equated development with industrialisation and urbanisation as ways to achieve progress in the developing world (Berberoglu, 1992). This developmentalism had the effect of stirring new aspirations among rural people who depended on agriculture or natural resources for livelihoods. The pursuit of formal jobs in urban centres formed part of these aspirations, drawing many to cities and reducing the available labour for agriculture (Cohen and Odhiambo, 1989; Fearn, 1961; Hay, 1994). The urban migrants supplemented rural livelihoods through regular remittances (Haggblade, 2010), an arrangement whose viability dwindled due to rising unemployment (Francis, 1998: 73). This idea of modernisation was espoused following independence by most African countries, but it failed to deliver on its promise, leading to disillusionment and social crisis (De Boeck, 1998; Mamdani, 1996; Prince, 2006). Unemployment in the urban centres rose, even compelling some migrants to return to the rural villages, as Prince (2006) shows for Kenya, and Ferguson (1999) describes further afield in Zambia. This also shaped settlement patterns, with migrants settling in sprawling urban slums and rural fishing villages to eke out a living. Kenya has experienced high levels of unemployment, with 39% of the population aged above 15 years being unemployed (UNDP, 2016).

Moreover, as these notions of development and modernisation were disrupted, in turn affecting people's expectations of growth and progress, men and women have responded in different ways (Ferguson, 1999; Francis, 1998, 2000; Geissler and Prince, 2010). For instance, Mojola's (2014) study revealed how the desires of women in western Kenya to be modernised drew them into relationships with older men who could provide for their material needs in exchange for love, mediated through sex.

The problems of unemployment, environmental degradation, and reduced natural resources are not unique to rural Kenya (Francis, 2000; Geissler and Prince, 2010; Nkonya et al., 2016; Takashi and Jayne, 2004). However, the instability of southwestern Kenya has been aggravated by high HIV/AIDS prevalence. Research has shown prevalence as high as 27% in Homa Bay County, one of the hardest hit counties in the country (National AIDS/STI Control Programme (NASCOP), 2009). This has led to reduced productive labour capacity due to high morbidity and mortality. But the disease has also destabilized family arrangements and heightened social and economic insecurity in a broader sense. For instance, women who are widowed as a result of HIV/AIDS have attempted to seek basic security through land ownership claims against the kin of their deceased husbands, but this has led to new forms of family dispute. Of particular importance for such women are the provisions of customary and statutory laws, which protect their land rights, but whose application is uneven. One aim of my study was to *investigate how gender relations influence women's claims to land* in this context.

Furthermore, in southwestern Kenya, increased interest in and competition for natural resources, particularly the Lake Victoria fish stock, has been noted. A situation has developed that some have called a 'social tragedy' occasioned by poor fish yields, despite an increasing number of people, including women, migrating to make a living in villages along the lake

(Lwenya and Yongo, 2012; Medard, 2012: 564). With this migration, new forms of settlements, to which I refer as fishing villages, have emerged. The inhabitants of these fishing villages live and operate within intricate social and cultural contexts that in turn shape their livelihood strategies. The second aim of this research was to investigate *how gender relations shape women's pursuit of livelihoods in a setting characterised by multiple vulnerabilities.*

Significance and Contribution of the Study

This study lies at the intersection of rural livelihoods, power relations, and gender practices in settings of multiple vulnerabilities. Recent research on rural livelihoods has delved into important issues of livelihood strategies with a focus on diversification (Ellis, 1998) vulnerability context and policy milieu (Bahiigwa 2005; Cooksey, 2005; Cross, 2005; Freeman and Ellis, 2005; Kutengule and Cross, 2005; Poulton et al., 2005). However the lion's share of these studies examine the intersection between livelihood strategies and policy contexts that influence livelihood outcomes. Kutengule and Cross (2005) examine the decentralisation of government sectors and the effect of this on rural livelihoods in Malawi. Bahiigwa's (2005) analysis of the problems of rural taxation in Uganda and Cooksey's (2005) investigation of the liberalisation policies of agricultural markets in Tanzania further illustrates the focus on institutional policy contexts. While I recognize policy as an important factor in understanding the context of vulnerability – and indeed I examine Kenya's land laws in this thesis – my study draws attention to an equally significant social and cultural context.

My particular focus on the gendered practices of femininity and on Luo patriarchy reveals how enduring vulnerabilities are produced and how they shape livelihood strategies and outcomes. This study adds to already rich livelihoods research by drawing out the

overlapping and mutually reinforcing effects of gender relations and livelihoods strategies in volatile places. The findings of this research illuminate the interrelationships between vulnerable livelihoods and the context within which people exercise various strategies to eke a living and to build a life they consider good for themselves.

I focus on the region's fishing villages because fishing work is the main occupational mainstay for people in southwestern Kenya. As I show throughout my study, the fishing villages around Lake Victoria illustrate conditions of risk and are unstable places for both men and women who migrate to eke out a living there. But they are unstable in a different way from other unstable places in the region that have drawn the bulk of scholarly and journalistic attention: refugee camps (Rawlence, 2016) and war and conflict-prone settings ((Nest et al., 2006; Vigh, 2006). While less conspicuous, inland fishing villages offer new insights into the contexts within which people's strategies of living are exercised, in a region where most livelihood studies have tended to focus on questions of institutional policy. (Bahiigwa, 2005; Cooksey, 2005; Cross, 2005; Freeman and Ellis, 2005; Kutengule and Cross, 2005; Poulton et al., 2005;).

Furthermore, studies in Lake Victoria and other fisheries in Africa have delved into the effects of ecological change, as well as the strategies used to access fish – particularly sex-for-fish transactions and their connection with HIV/AIDS prevalence (Bene and Merten, 2008; Fiorella et al., 2015; Mojola, 2010; Tuler et al., 2008;). These studies focus on risky sexual arrangements as strategies which women use to access fish. To better understand fishing livelihoods, a wider analysis of the context is needed. This includes how strategies operate on the ground, and how the femininity and gender relations shape these strategies – the particular focus of my study. By looking at power relations and gendering practices, and still wider context such as decline of the fish stocks and migration to fishing areas, I illustrate

how women's livelihood strategies are produced and negotiated. The dynamics of access and survival are determined by a process of social networking, advantageous positioning and redefinition of norms.

In the fishing villages, I discovered, the norms that are especially significant in shaping women's livelihood strategies are those of femininity. These converge around the Dholuo concept of *dhako moromo* (a complete woman). A *dhako moromo* is characterised by motherhood, marriage, domesticity and residence in a marital home. This valued norm of femininity is used as a hegemonic tool of control and marginalisation, especially for women who deviate by migrating away from marital homes to the fishing villages. Even in fishing villages, the value of being a *dhako moromo* creates relative advantages and consequent access to resources, but those who deviate are disciplined through denigration, violence and exclusion from the means of living. Yet, as women attempt to insert themselves in the fishing business, they also try to rearrange and reinvent such norms and practices, as strategies to contend with prevailing power relations. Even so, I argue, while women demonstrate a wide array of strategies including pursuing femininity, these contribute to a deeper precariousness – what I call vulnerable navigation, a phenomenon I describe in Chapter Four.

Women's vulnerability needs to be understood in the context of men's difficulties living up to the traditional role of breadwinner (Prince, 2006). This has had an effect on women's roles and the consequent strategies they employ for making a living. Gender roles in which men were cast as breadwinners and wives as dependent homemakers have changed, as men's ability to provide has been destabilised so that women have had to take non-traditional roles (See also Geissler and Prince, 2010; Verma, 2001, 1999). Yet, at the same time, women continue to adhere to the norms of femininity into which they have been

socialised. They also continue to see advantages to being seen as *dhako moromo* in fishing villages. Nevertheless, while being a *dhako moromo* is seen to produce some advantages, it ends up creating more vulnerability for women as I show throughout the thesis. The gendered context profoundly shapes livelihood strategies and outcomes.

The idiom *amanya manya* (am searching searching) evokes people's uncertain attempts to earn a living in the midst of multiple vulnerabilities. The uncertainty and decline of fish stocks from the lake (see also Mojola, 2010; Omom, 2009) and a broader social flux produce a background within which the survival strategies of men and women in the fishing villages must be understood. Other studies draw attention to people's usage of the phrase *piny tho* (the land is dying) (Geissler and Prince, 2010; Prince, 2006) or *piny onjaore* (the land is messed up) to describe the current situation in relation to a nostalgic view of a better past (Schmidt, 2017). Schmidt observes:

> In counties mainly inhabited by Luo, the underemployment rate is way above the national average, while the unemployment rate is below the national average. Luo participate in the economy without partaking of its fruits or, as the name of a butchery near Kaleko bears testimony to, their 'surroundings weigh heavy' on them (*piny pek*). What could be interpreted as a nostalgic and traditionalist outlook on reality that assumes the moral collapse of a once harmonious rural idyll is thus rather a consequence of the disorder in which jo-Kaleko' (people of Kaleko) find themselves and in which they make sense of the socio-economic situation.' (Schmidt, 2017:278).

Schmidt's observations of 'disordered surroundings' illustrate the flux felt among the Luo of southwestern Kenya. The causes include declining farm outputs due to shortages of land and climatic changes (Ochola 2009); an unpredictable political atmosphere including electoral violence (Mueller 2008); and unemployment. Schmidt illustrates how people attempt to understand the prevailing 'socio-economic disorder' by attributing it to external forces such as the political environment.

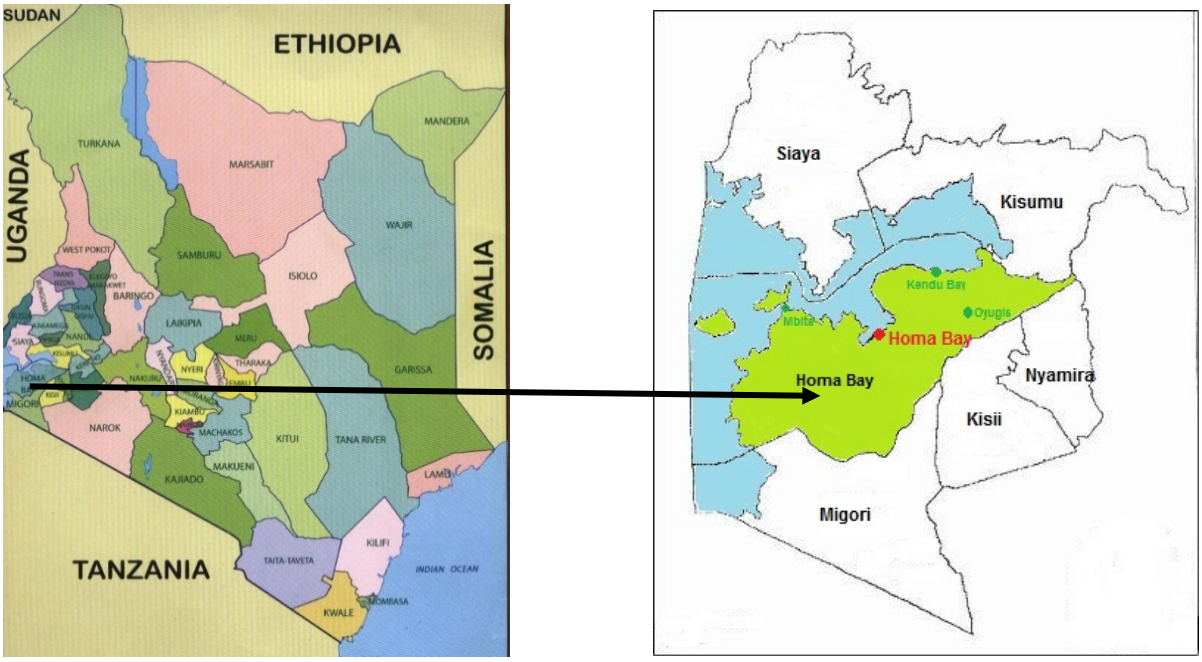
This worldview forms the backdrop to life in the fishing villages, and to men's and women's strategies of survival. But appreciating its significance requires a detailed analysis of the day-to-day lives of fishing village inhabitants. This reveals how people in unstable conditions juggle available options while also contending with a starkly gendered context. Their strategies for survival, which include emphasising the value of femininity, *dhako moromo,* provide a distinct lens for understanding the fishing villages not just as spaces of survival, but also as the crucibles in which strategies are produced.

Introducing *Joluo* and their Family Arrangements

The fishing villages in which I conducted research are on Rusinga Island, which is in Homa Bay County. Homa Bay County is home to the Luo, who are categorised as part of the Nilotic group in East Africa among other ethnic groups such as Kalenjin Samburu, Maasai, Pokot and Turkana (Ongong'a, 1983). The Luo account for a population of 3,692,177 million people living in Nyanza province of Kenya according to the 2009 national census (Kenya National Bureau of Statistics, 2009). This excludes those who live in other parts of the country.

The Luo originated from Sudan along the River Nile and migrated southwards to their current location along Lake Victoria in western Kenya, northern Tanzania and eastern Uganda (Ogot, 1967: 37). The Luo consider themselves as *jonam* (*jo* meaning people of, and *nam* refers to lake or water mass) or as Ogot states, 'people of the lakes and rivers' (Ogot, 1967: 38). The Luo people, also referred to as the *joluo* (plural; singular *jaluo*), are currently dispersed across other parts of the country (Korir, 2008; Ochieng, 1974: 22-28; Odede, 2008: 38; Raburu et al., 2012: 34-35). After Kenya's independence in 1963, administrative

boundaries were drawn based on the regions occupied by different ethnic groups. The Luo occupied Nyanza province and hence that was considered their home province (Berg-Schlosser, 1984). After the promulgation of Kenya's new constitution in 2010, Nyanza province was further divided into four main counties: Migori, Homa Bay, Kisumu and Siaya (Republic of Kenya, 2010).



Source (Omondi, 2011; Information Cradle, 2016)

Figure 1: Map of Kenya showing Homa Bay

The close proximity of the Luo to Lake Victoria, the largest fresh-water lake in Africa (Verschuren et al., 2002), makes fishing and fish-related activities a significant part of their livelihood (Lake Victoria Fisheries Organization, 2014). However, the dwindling of lake resources has shaped gendered power relations in the fishing enterprise leading to transactional sex. This has become known as the 'sex-for-fish' phenomenon (Bene and Merten, 2008; Caldwell et al., 1989; Camlin et al., 2013; Fiorella et al., 2015; Mojola, 2010; Robinson and Yeh, 2011; Wingood and DiClemente, 2000). The increased threat of

HIV/AIDS, which is associated with sex-for-fish transactions, has led to new strategies of coping. These coping mechanisms are exercised within the limits of patriarchal family arrangements.

I found that women and men in fishing villages deviate from some existing socio-cultural norms and obligations while retaining others. For example, norms such as those that define the arrangement of houses in a typical Luo home are not observed in the fishing villages, challenging the importance of a proper Luo *dala. Dala* means home and, to *joluo*, a home reflects patrilineal ideals. These ideals include patrilocal or virilocal post-marital residence arrangements in which a new family is expected to establish a home near the husband's parents' home (Dietler and Herbich, 1993). Forms of neo-locality, in which couples live near neither a man's nor a woman's parents have developed due to new working arrangements.

Living among one's people and establishing a *dala* in the lineage locality still frame *joluo*'s aspirations, because a *dala* is a symbol of belonging and identity (Ogutu, 2007). Besides, marital residence marks the values of acceptable femininity. Unlike settlements in larger towns that are multi-ethnic and have a wider diversity of economic activities, fishing villages are generally homogeneous both in terms of ethnic composition and economic activities carried out there. The livelihood activities are around fishing and related businesses, and everything depends on the success of fishing. Houses in the fishing villages are considered mere temporary dwellings, devoid of lasting sentimental attachments or the symbolism of the *dala*. The fact that establishing a dwelling in a fishing village ignores proper process merely reinforces this distinction. Every young man is required to build a temporary house in his father's homestead called a *simba*. He uses his *simba* as his first

abode with his young family before establishing his own home (Geissler and Prince, 2010; Mboya, 2001; Shipton, 2007: 362). *Simba* and *dala* symbolize a gendered progression towards ownership and maturity, while the houses in fishing villages are acquired through the simple exchange of money by either men or women.

In the fishing villages, women can claim ownership of a house by virtue of paying rent while, in the Luo villages, men own houses as a customary requirement. In the typical Luo home, the woman is 'given' a house by virtue of being married there, and she has no power to claim its ownership outside the marriage contract. Therefore, a woman's tenure of a house through rent in the fishing villages is significant because it accords her the power to make decisions over fishing resources. A woman might also use a rented house to host a fisherman who in turn guarantees her a supply of fish. Although women who host men are disdainfully referred to as *akili nyingi* (women who know too much), they manage to position themselves to benefit from the fishing business by making alliances with younger fishermen over whom they can wield power. However, as I discovered, these women end up exposing themselves to conflict and even social shaming that leave them vulnerable to violence. Thus, besides employing strategies labelled as those of *akili nyingi*, women also try to survive by conforming to existing norms of acceptable femininity – to be *dhako moromo* (a complete woman). Of course, these are also the norms in which they are socialised. However, the obligations attached to being *dhako moromo*, and the consequences of deviation from them, create particular constraints on their livelihoods. A broader context of livelihood vulnerabilities in southwestern Kenya shape these gendered practices.

Southwestern Kenya and Livelihood Vulnerabilities

Livelihood refers to ways of securing a living, and involves access to resources or forms of capital, influence over the enabling structures that regulate such access, as well as the capacity to minimise risks encountered in the course of livelihood pursuits (Haan and Zoomers, 2006; Ellis and Freeman, 2005; Farrington et al., 1999). In scholarship on livelihoods, capital is understood broadly and defined plurally. It includes natural, social, cultural, physical, human and financial forms of capital. In this study, I explore the nexus between the natural, social and cultural capitals in lake fishing livelihoods. Livelihood research in Africa has highlighted both the diversity or multiplicity of livelihood strategies ((Ellis, 2003; Ellis and Freeman, 2005) and the importance of livelihood diversification, particularly in varied poverty situations and conditions (Haan and Zoomers, 2006).

Exploring livelihoods in southwestern Kenya means focusing not only on the activities people engage in for sustenance, but also the circumstances under which livelihoods are pursued: the social and cultural contexts, the conditions for access to, and control over, important natural capital such as the lake and fish stocks, and existing laws (customary and statutory) which shape access to land and water resources as important forms of capital. As described above, the main sources of livelihood for people of southwestern Kenya, particularly those in fishing villages, have been adversely affected by declining fish stocks, poor farm outputs, high HIV/AIDS prevalence, and rising unemployment.

Under these conditions, people's efforts and strategies have a cyclical and mutually reinforcing effect on gender practices and resultant livelihoods opportunities or difficulties. Most people living along Lake Victoria do not have other substantial possibilities besides fishing work (Omwega, 2006). For these people, the need to participate in fishing work is critical. This is against a background where fishing activities are also seasonal and where

access to the resources is heavily dependent on gendered arrangements. For women, migration to the fishing villages to participate in the fishing work may be their only option, yet even there the access to fish for trading is difficult and involves risky strategies. Migration to fishing villages is itself regarded as deviation from acceptable womanhood and exposes women who migrate to denigration and marginalisation. During temporary sojourns at the lake, the lands where their marital homes are situated are targets for dispossession by others. This creates a dilemma, as women risk losing a place to return to during low fishing seasons. A vicious circle deepens women's vulnerabilities: the critical need to participate in fishing work due to lack of other alternative options; the seasonality of fishing work and high competition for fish; dislocation from 'home' and the gendered arrangements that impede access to land.

The fishing villages, as places where people migrate in response to livelihood difficulties and social problems elsewhere, act as places of refuge but come to embody risks for the migrants – as I show in Chapter Three. Multiple vulnerabilities shape people's strategies of survival. Vulnerability has been previously described as 'living on the edge' to describe being prone to adverse situations and unable to cope with sudden shocks:

> This phrase [living on the edge] evokes the sense of a small push sending a person or people over the edge, and it is just this knife-edge between ability to survive and thrive, and sudden loss of ability to do so, that the term vulnerability seeks to describe. Rising vulnerability over time is then a matter of how close to the edge people are being pushed by factors that are outside their control (Ellis, 2003: 2).

Vulnerability represents not only the conditions of living on the edge but also the processes of disentangling oneself that may be uncertain (Prowse, 2003). The concept of vulnerability has commonly been used in relation to disasters to highlight people's susceptibility and hostile living conditions (Bankoff, 2001; Chambers, 1989; Lwenya and Yongo, 2012; Wisner

et al., 2004). Indeed, people's lack of accessibility to means of livelihood and their susceptibility have mutually reinforcing effects. Vulnerability is therefore both a cause and an outcome of livelihood difficulties.

Besides the earlier noted conditions of vulnerability such as the dwindling farm and lake yields, life in the fishing villages is characterised by poor family support, the breakdown of social entitlements and high HIV/AIDS prevalence. These can usefully be viewed as deficits of social capital, something that other studies have associated with poverty and vulnerability (Cleaver, 2005; Kothari, 2002; Narayan, 2002;). Kothari, for instance, argues that migration may sanction or help defeat arrangements that perpetuate chronic poverty (Kothari, 2002). According to Kothari, people who migrate from familial support are exposed to more risks, yet not migrating also hinders exploration of new livelihood opportunities. Migration, such as among women in southwestern Kenya, can therefore be understood as a way to find new livelihood possibilities, although that very migration dislocates them from family networks and exposes them to denigration in the fishing villages. It is easy to see why migration is considered an important livelihood strategy in its own right (de Haan and Zoomers, 2006; Ellis, 2003). As I demonstrate in the chapters that follow, social capital plays a significant role in shaping access to resources in the fishing villages.

Vulnerabilities among the inhabitants of the fishing villages are produced partly by the natural resource depletion on the lake (Kateregga and Sterner, 2008; Lwenya and Yongo, 2012) as well as the effects of constraining social and cultural arrangements such as customary laws, norms and practices, which in turn cause particular difficulties in people's ability to access resources. The dwindling fish catch, occasioned by ecological decline and possible overfishing, creates competition for scarce resources. Due to these changes, 'sexual

transactions'[1] such as what are anecdotally referred as sex-for-fish transactions along Lake Victoria have emerged, where women enter into sexual relationships with fishermen in order to access fish (Mojola, 2010). Fishermen who have to contend with long hours of fishing, with little catch to show for their efforts, create dependencies from the female fish traders who must provide sex in order to get a share. Female traders on the other hand, form relationships with the fishermen to get fish, but they also do so to conform to values of domesticity, within broader norms of femininity. As Mojola (ibid) notes, the risks of HIV/AIDS from these sexual relationships add to the problem in an environment where HIV prevalence has been very high. Yet, as my research shows, entry into these risky sexual relationships – which I call sexual alliances to convey a scope broader than 'transactions' – is one among an array of strategies available for women in coping with difficulties in this place. Indeed, entry into sexual alliances represents an attempt to fit into what is valued and acceptable as proper domesticity, despite the clear HIV/AIDS risks.

The sexual alliances between fishermen and female fish traders come with their own risks of illness and gendered disputes, as my study illustrates. As I show in Chapter Six, the broader social goals embedded in such sexual alliances help in understanding not only the strategies of women but also why they choose what are acknowledged to be plainly risky sexual arrangements. Moreover, the dreams of better lives which initially frame the migrants' work in the fishing villages are quickly revealed as illusory. For instance, the time spent in what would be considered income-related work does not produce commensurate income to meet sustenance needs. Besides, investment in social capital through networks with other

[1] The phrase 'sexual transactions' is limited in describing the sexual relationships that are contracted for the purpose of assessing fishing resources. Instead, in this research, I use sexual alliances to encompass the broader social aims embedded in these relationships.

migrants in the fishing villages produce exploitative arrangements such as those involving tied labour.

In this study, I show how gender relations embedded in social norms intersect with prevailing livelihood difficulties to exacerbate these risks. In small-scale fisheries such as one explored in this research, attention has been on the social-ecological nexus and its effect on vulnerabilities. For instance, Onyango and Jentoft (2010) pay attention to the significance of social values in shaping and mitigating poverty conditions in small-scale fisheries, but they miss the critical context of gender relations. Vulnerable livelihoods are well illuminated by understanding how gender relations and gendering practices intersect with conditions of vulnerability and with what outcomes.

The strategies of women in the fishing villages to cope and to survive include using the very cultural norms of being a *dhako moromo* that underpin the hegemonic practices that marginalise them. This study found that women's efforts to disentangle themselves from conditions of vulnerability involve an intricate balance between deeper risks and opportunities of escape. I encountered a wide range of strategies: migration, laying claims to land, trying to be *dhako moromo,* pursuing short-term advantageous relationships, and entering into marriages to access the privileges of properly married women. Although these strategies may position some women favourably, as I show throughout the thesis, they also often produce vulnerabilities for others. Vulnerabilities are generally associated with shocks, and the confluence of a lack of ability to manage and a lack of options for dealing with difficult conditions (Chambers, 1989; Weckenbrock, 2005;). However, besides these, we also need to appreciate the very means of survival that deepen vulnerability. This dimension is often overlooked (see also Bankoff, 2001; Wisner et al., 2004), even as people actively engage in attempting to free themselves from these situations. Nevertheless, in livelihoods

literature, strategies are categorised as either ex ante to describe mitigating strategies before crisis or ex post to describe strategies during and after the crisis (Prowse, 2003). An exploration of strategies during prolonged livelihood difficulties, as in the case of fishing villages, adds understanding to such understudied contexts, as more attention goes to the more acute crises of natural disasters, refugee cases, and war situations.

My research has relevance in the growing concern about livelihoods in rural settings, particularly the vulnerabilities in non-farm contexts which have received limited research attention (Cooksey, 2005). Although people are driven to the fishing villages to eke out a living by necessity, these villages turn out to be settings of further risks. Adhering to norms of femininity provides relative advantage to some women, while those who deviate from these norms are marginalised – as I show in Chapter Three. Even those who attain the relative status of *dhako moromo* are faced with continued disciplining. And their claims to resources such as land, to which they should be entitled as married women, are not guaranteed. Instead, as men's abilities to provide for their families are threatened by adverse economic conditions, women's claims to land for both production and residential use are perceived as both additional competition for an increasingly scarce livelihood capital. These claims are also seen as conscious attempt to exert creeping influence over the enabling structures, processes and institutions which regulate access to what is a key livelihood capital. This scenario has shaped gender relations, livelihood strategies and people's self-understandings. The unusual settings of fishing villages, which migrants see as places of refuge, but which turn out to be places where risks may be deepened, reveal that livelihood strategies themselves may turn into vulnerabilities, in what I call vulnerable navigation.

The intersection between gender relations and access to resources has previously been studied in western Kenya. Verma's study explored how gender relations influence access to

and proper management of important natural resources such as land (Verma, 2001). In this farming environment, Verma points out that soil management and eventual access to and control of land is gendered, with differing access and control by women and men. Verma's examination of the struggles of farmers over land resources reveals how prevailing social and economic realities bear on everyday lives. In fishing villages, too, power relations and gender practices are found to significantly determine access to resources. As we shall see in the chapters that follow, women have to manoeuvre for their own advantage, constantly re-negotiating social and cultural norms. These strategies shed light on the complex gendered terrain in these villages.

Approaches to understanding and mitigating livelihood vulnerabilities, or even poverty more generally, initially paid limited explicit attention to either the politics of gender or politics more generally. For instance, a cursory examination of the widely used Sustainable Livelihoods Framework (Chambers and Conway, 1992; Scoones, 1998, 2009) suggests that diverse forms of capital provide varied livelihood options and activities and consequent positive outcomes in dealing with vulnerabilities. But while the framework recognises that people have agency to act in transforming capitals via specific activities into livelihood outcomes, it seemingly did not originally recognise the range of ways that the processes and structures implicated might be gendered, although this apparent shortcoming has subsequently been clarified (de Haan and Zoomers, 2006). In any case, the findings of my research reveal that gender, and gender practices, play an important role in livelihood strategies and consequent outcomes.

Equally, Bebbington's (1999) capitals and capabilities approach posits that livelihoods are built on access to resources, the ability to convert these resources into improved

livelihoods, and the availability of networks that ensure access to resources. These are, of course, important factors in ensuring sustenance. But, like the sustainable livelihoods approach, Bebbington's approach does not make explicit reference to the complexity of the gendered terrain that shapes access to assets, or the gendered constraints in using these assets in navigating livelihood vulnerabilities, even though it does advance a textured case for considering access, in its various facets, as a livelihood capital in its own right (Ibid). In a context like that of the fishing villages in my study, it is apparent that one cannot imagine outcomes of livelihood strategies without overtly recognising the gender dynamics that play out regarding access and opportunities to work. This thesis shows how negotiations of a gendered environment, in the midst of multiple livelihood instabilities, shapes inequalities and consequent vulnerabilities.

This study reveals different options available for survival in a starkly insecure setting as well as the difficulties encountered in those attempts. I focus on the strategies of women who migrate to fishing villages, although men's own experiences and risks in this setting are also revealed. Often women's experiences in unstable settings are seen through the lens of powerlessness, given that their choice of available strategies for disentangling themselves from difficult situations is limited in both choice and effectiveness. I explore the world of the women in fishing work, while revealing their strategies of survival. Their utilisation of cultural norms of femininity as a tool of advantageous positioning is shown. Despite norms of femininity being a focus of women's negotiation of their access to land and other customary entitlements, I found gendered land conflicts and dispossession to be common. Leaving the marital home for the fishing villages, for instance, brings with it the risk of losing land to interested family members, yet migration is one of a limited number of opportunities for

women to earn a living. To understand this puzzle, I turn to describe the context of the prevailing social fragmentation due to HIV/AIDS and women's land rights that illuminate livelihood strategies and outcomes.

Women, HIV/AIDS and Land Claims

Land issues have been discussed through a range of different prisms in sub-Saharan Africa. The scholarship has focused on the historical evolution of land from community tenure towards individualised rights (Hilhorst, 2000; Manji, 2006; Platteau, 1996) on population growth and ensuing land conflicts (Migot-Adholla et al., 1991; Moore, 1993), gendered land management (Verma, 1999; Verma, 2001a) and on the enactment and reform of land laws (Coldham, 2000; Manji, 2006; Matondi, 2012; Okoth-Ogendo, 2000; Moyo, 2011b; Shipton, 1988). Verma's studies' shows how gender norms shape land control particularly soil management for agricultural purposes in western Kenya. My analysis of the Luo women and land recognises the critical significance of land and relationships between people through land (Ferguson, 2013b; House-Midamba, 1994; Meer, 2011; Roys, 1995). Land is an important form of natural capital, in which people anchor their livelihood opportunities not only for farming but also as a safety net for women who migrate to fishing villages. Even if they do not depend on land for farming as the case in Verma's study, it is important as a place they root themselves and return to during low fishing seasons, as I show in Chapter Two. The value of a home on marital land also constitutes being a *dhako moromo*, which frames women's aspirations.

In southwestern Kenya, the high HIV/AIDS prevalence affects questions of land rights, because of the large number of widowed women. Existing research in Rusinga's fishing villages found a high percentage of widows living there (Weckenbrock, 2005). The

lost incomes due to HIV/AIDS push widows into fishing work that requires migration from the land attached to their marital homes. Being widowed and a migrant in the fishing villages therefore come with particular vulnerabilities for women in relation to land and land claims. Meanwhile, the decline of fish stocks on Lake Victoria has itself been found to contribute to HIV/AIDS due to the regular movement of fishermen and traders between different fishing villages and the associated sexual relationships (Omom, 2009).

Previous studies have made reference to the effects of HIV prevalence in relation to land disputes (Aliber and Walker, 2006; Dworkin et al., 2013; Seely et al., 2004). Dworkin et al. (2013) have described how the loss of or threats to land rights lead to 'loss of income, loss of livelihood and shelter, and migration to slums, markets, or beaches where the exchange of sex for food, money, shelter, clothing, or other goods was common' (Dworkin et al., 2013: 703). This often happens after women's husbands die. When women migrate to fishing villages to eke out a living, they have to engage in sexual alliances to be able to participate in the fishing business, thereby exposing them to HIV/AIDS. Yet attempting to remain connected to a husband's patriline and to continue to live on the lineage land potentially involves further exposure to HIV. In Luoland, a customary norm known as widow cleansing requires widowed women to engage in a sexual ritual with one of her deceased husband's relatives.

Besides HIV/AIDS, there are other important issues regarding land access that have not received sufficient attention: how the context of persistent multiple social and economic instabilities have shaped land issues; women's options for seeking redress in land disputes, and how these options influence men's understandings of their own masculinities. By investigating women's land claims, my study shows that in a context of livelihood vulnerabilities, men anchor their sense of masculinity in land. Since women's land claims

challenge this, men result to violence as a way of compensating for what they see as threatened manhood. Statutory land laws, which are supposed to ensure equality, also destabilise existing customary land arrangements, as I discuss in Chapter Two, exacerbating men's feelings of emasculation.

In settings like southwestern Kenya, where women are faced with the burdens of HIV/AIDS and family disorder brought by the deaths of men who traditionally have provider roles, some dilemmas ensue. The women are torn between abiding by the acceptable norms of domesticity and migrating to eke out a living away from marital homes. In addition to this, my study revealed that women's pursuit of livelihoods through land claims remains restricted by customary law. While customary laws entrench married women's entitlements to use land, they make it difficult for unmarried women, childless women, and widows to access land. Research has shown that as far as statutory land law is concerned, as low as five per cent of land is legally registered by women in Kenya (Celestine Nyamu-Musembi, 2002).

Other studies have shown that gender, age and marital status influence land rights and they intersect to constrain women's access to land. Verma's study among the Maragoli in western Kenya showed that women who are poor and unmarried face the starkest limitations (Verma, 2001). But the scenario in southwestern Kenya is one in which a provider role that was traditionally reserved for men has shifted to women, and HIV/AIDS has caused family fragmentation and widowhood. Faced by the need to step into these roles, more women have been compelled to seek control over land as a means of securing their livelihoods. However, their land claims, coupled with difficulties in accessing work opportunities, illustrate that gender inequalities still persist and women's strategies of coping and disentangling themselves do often lead to more vulnerabilities. All of this has occurred in a background of policies aimed at mitigating gender inequalities.

Women's Status, Land Laws Reforms and Persistent Inequalities

The historical trajectory of efforts towards equality in land access and control is buttressed within various laws, conventions and constitutional provisions. For instance, the UN's endorsement of the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) in 1979 led to its adoption by over 100 nations of the world (United Nations Human Rights, 2016; World Bank, 2000). In the ensuing years, more women joined the workforce outside of domestic spaces, more girls got an education, women in formal and informal business sectors as well as community and political leadership increased, and more awareness on human rights and freedoms was realised (Kanji et al., 2007). As a way of promoting women's political participation, nations like Kenya enacted gender-affirmative laws as well as founded a National Gender and Equality Commission to spearhead a women's empowerment agenda (Republic of Kenya, 2010).

The history of the land law reforms in Kenya, are part of this trajectory and women's access to and control of land need to be understood within that broader context. During the colonial period, land became a symbol of shared purpose, amidst efforts to reclaim it from colonial masters (Ngaruiya Njambi, 2007). Laws that disenfranchised communities, such as the Land Acquisition Act of 1894 and the Crown Lands Ordinance of 1902, led to the uprooting of populations from some parts of the country to create space for the agricultural interests of the British settlers (Berry, 1992; Syagga, 2011). This caused tenure insecurity and land disputes along ethnic lines, as those evicted encroached into other communities' territories (Githinji, 2017). The eviction of people from their land not only destabilised their livelihoods but also alienated them from ancestral territories in which their social lives were organised. The impact of British settlement has been exacerbated by dramatic population

increase. The population of Kenya in 1960s was about eight million, a fifth of today's 41 million (Kenya National Bureau of Statistics, 2015).

After Kenya's independence in 1963, and in the years that followed, a fast growing population lead to the need for reform of land laws because of conflicts that arose between communities and families over land (Syagga, 2011). The post-independence governments under Jomo Kenyatta and Daniel Moi followed the colonial land policies that espoused individualisation of land tenure. This ensured only male heads of families could be registered to own land:

> Women and younger men were unlikely to be registered and therefore were effectively excluded from controlling land and other resources that go with it. The elder male owners were given immense power through this system, to the extent that they could mortgage or even sell the land without recourse to other members of the family, who although not owning the land legally, had access rights under customary law (Syagga, 2011: 8).

This solidified the male authority over land that was already in evidence under customary arrangements. In both customary and statutory law, women's access to land was through men, because land titles were issued to men while customary inheritance was similarly restrictive (Verma, 2001, 1999). Meanwhile, it weakened the rights that the customary laws upheld for women leaving them more marginalised and insecure (ibid). Land law reforms of a different kind soon followed: not simply focused on registration, but rather addressing the exclusion of women from land ownership and use. These were catalysed by a series of international and regional human rights treaties. Kenya's admission to the United Nations in 1963 opened an opportunity to sign the Universal Declaration of Human Rights (UDHR). In 1976, the International Covenant on Civil and Political Rights (ICCPR) was signed, followed in 1984 by the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), and in 2000 by the Africa Charter on Human and People's Rights (National

Council of Law Reporting, 2016). In being party to these treaties, Kenya undertook the responsibility of eliminating inequality and discrimination against women. One of the areas that these treaties addressed was customary law that was seen to be in contradiction with gender equality goals. The intention was to give international principles of gender equality supremacy over customary norms (Higgins and Fenrich, 2011). CEDAW for instance required the country signatories to:

> Adopt appropriate legislative and other measures, including sanctions where appropriate, prohibiting all discrimination against women; to establish legal protection of the rights of women on an equal basis with men and to ensure, through competent national tribunals and other public institutions the effective protection of women against any act of discrimination; to ensure women have equal rights to conclude contracts and administer property and guarantee the same rights for both spouses in respect of the ownership, acquisition, management, administration, enjoyment and disposition of property (United Nations Human Rights, 2016).

The African Protocol to the Africa Charter on Human and People's rights also advocated for married women:

> The right to acquire her own property and to administer and manage it freely and upon dissolution of a marriage, women are guaranteed an equitable share of the joint property acquired during the marriage. (National Council of Law Reporting, 2016).

These treaties influenced and accelerated the process of land law reform in Kenya.

In 1999, President Daniel Toroitich Arap Moi formed a commission of inquiry into Kenya's land laws. Headed by Charles Njonjo and referred to as the Njonjo Commission, it was aimed at forming a national land policy so as to put together a framework for land administration. In 2003, the Ndung'u Commission was appointed by President Mwai Kibaki to look into the illegal allocation of public lands to individuals. A consolidation of proposals from the Njonjo and the Ndung'u Commissions led to a national policy on land, which among other issues, addressed women's land rights. In 2010, a new constitution was passed

which was informed by these commissions as well as a broader awareness of historical injustices regarding land. The latter included the violation of women's rights (FIDA Kenya, 2009; Njuguna and Baya, 2001).

Chapter Five of Kenya's Constitution focuses on land and environment. Of significance to this thesis is Articles 60 (1) a, b, f and g: Article 60 1(a) that makes reference to:

> …equitable access to land'; article 1(b) roots for 'elimination of gender discrimination in law, customs and practices related to land and property'; 'elimination of gender discrimination in law, customs and practices related to land and property in land; and 1(g) refers to 'encouragement of communities to settle land disputes through recognised local community initiatives (Republic of Kenya, 2010: 41-42).

The inclusion of these direct references to gender discrimination and 'equitable access to land' were informed by the recommendations of the National Commission on Gender and Development of 2004 (Ellis and World Bank, 2007). The constitution also proposed the formation of the National Gender and Equality Commission (NGEC) (The Republic of Kenya, 2010).

Parallel to these efforts, other land-related stakeholders like the Land Surveyor's Association called for the involvement of women in land control boards and land adjudication committees to advance equality goals (Njuguna and Baya, 2001). This was due to the recognition of the core role played by women in agriculture. Following the embodiment of land-related sanctions in the constitution, other laws such as the Land Registration Act and the Matrimonial Property Act were passed by the Kenyan Parliament in 2012 and 2013 respectively (Land Registration Act. 2012; Matrimonial Property Act, 2013).

From this historical outline, it is apparent that gender equality and human rights goals have been central in the land reform process in Kenya. However, as the case of Luo women demonstrates, positive outcomes for women have been minimal. The examples of other Sub-Saharan African countries that have implemented programmes of land reform shed light on this. In Zimbabwe, the Fast Track Land Reform Programme (FTLRP) envisioned equality in land rights. However, as Matondi observes, 'the programme was not radical enough in terms of empowering women and closing the gender gap' (Matondi, 2012). Through the FTLRP, few women got land allocations, contrary to what the government had promised (Sithole, 2002). On the ground, ways to ensure women benefitted from FTLRP were not well implemented (Matondi, 2012), similar to what we see in the Kenyan context. In the Zimbabwean case, Pasura (2010) observed that the failure of the reforms to mitigate problems encountered by women in accessing land were due to the plural nature of the legal system. As Kuenyehia argues:

> While statutory law fully upholds and grants official recognition to custom in some places, in others it is abrogated outrightly. Still some others straddle the two positions by recognizing custom only in so far as it does not run counter to statutory laws. Nevertheless, the fact remains that members of the various communities, whether overtly or covertly, and whether sanctioned by statute or not, regulate various affairs in accordance with custom. Matters such as family relations and inheritance continue to be regulated by custom in almost all parts of Africa, and inconsistencies in these statutory interventions render women vulnerable (Kuenyehia, 2006: 387).

Other countries in Africa also showed this trend. In Tanzania, the poor representation of women in land *barazas* (village meetings) was found to impede equitable land rights as enshrined in various land laws (Toulmin and Quan, 2000). In Uganda, Coldham (2000) highlighted the significance of the Ugandan Land Act for mitigating conflicts related to land ownership in a context of customary land laws, while also noting the potential difficulties in

its implementation. It is in this context that Kenya's land laws reforms can be understood, in relation to Luo women's experiences of land claims. As I show, although women's access to land is buttressed within these laws, crucial manifestations of gender inequality remain firmly in place. These include discrimination in the ownership and control of land, an unequal division of labour in households, and difficulties in accessing paid work.

Furthermore, the inequalities as far as access to livelihood conditions is concerned are apparent in settings such as the fishing villages where women are faced with predicaments of conforming to acceptable norms and obligations of femininity while also trying to seek livelihoods by challenging and redefining these norms. Reproductive obligations that characterise norms of femininity create time burdens for women who spend more time in non-income work than men. Performing femininity as demonstrated by women in the fishing villages has particular relevance in understanding micro-level impediments to desired progress in the goal of equality. This understanding offers a lens of appreciating poor people's strategies, how inequalities are perpetuated, and the status of women's empowerment more generally.

The poor conditions of women's work that we see in the fishing villages are not unique (Koggel, 2005; for Mexico, see Ceron-Mireles et al., 1996; for Bangladesh, see Choudhury, 2013; for Morocco, see Oxfam, 2003). Women tend to participate in low-income jobs, control smaller farms in which low-income crops predominate, and run micro-businesses which yield lower profits (World Bank, 2012). This disparity is partly the result of problems accessing education, which leave them with fewer options, and these are concentrated in unskilled low-income work. The World Bank Report on Gender Equality of 2012 shows:

> That gender differences in time use, in access to assets and credit, and in treatment by markets and formal institutions (including the legal and regulatory framework) all play a role in constraining women's opportunities (World Bank, 2012).

I show in my research how these poor conditions are further exacerbated by the risky strategies which women adopt to survive, such as tied labour arrangements and sexual alliances.

The other concern which shape persistent inequalities besides the conditions of work and problem of access to paid employment, is the importance of decision-making capabilities and bargaining power (Meinzen-Dick et al., 2011). Control of assets such as land ensures bargaining power that is important for negotiating other livelihood opportunities. As the case of the Luo land ownership attests, cultural norms as enshrined in customary laws shape ownership and eventual bargaining power, which is vested in men. Research has shown that when women's control to assets such as land is granted, their vulnerabilities lessen as they have more livelihood options (Meinzen-Dick et al., 2011; Verma, 1999). In addition, this leads to the improved status of women and their households in regard to food security, nutrition and access to education, as well as their self-image and general bargaining power (Kabeer, 2005; The World Bank, 2000).

Conversely, I found that women in the fishing villages are prevented from reducing their vulnerability, because of the prevailing cultural norms that prohibit ownership and control of land. Even though the customary laws grant Luo women rights of use and residence on marital land, there are frequent cases of dispossession. These cases can be understood through the prism of the on-going difficulties experienced by both men and women. As some cases showed, men take advantage of women's absence from their marital land, such as when they seek a living in the fishing villages, to appropriate and sell the land

for their own needs. Woman's bargaining power is limited, where access to assets and even work opportunities are mediated through relationships with men.

Conceptualizing Gender and Power Relations in the Fishing Villages

To make sense of power relations in the fishing villages, I use Connell's theory of gender and power and Bourdieu's theory of practice more generally. The fishing villages reveal social structures entrenched in Luo customary arrangements. According to Connell's theory of gender and power, social structures are patterns within societal institutions which define a society and form limits on people's behaviour and life (Connell, 1987). In *Outline of a Theory of Practice*, Bourdieu argues that structures are a result of social reproduction, meaning that the limitations or constraints to human behaviour (seen in norms) are produced socially through continuous response to situations (Bourdieu, 2010). These structures, according to Connell, manifest in the society as structures of the sexual division of labour, structures of power and structures of cathexis. Structures of the sexual division of labour include constraints such as disparity in entry positions in formal employment, unequal pay on the basis of gender, poor conditions of work that disadvantage one gender in relation to the other, discrimination in skills training, and exclusion from acquisition or ownership of assets such as land. According to Connell, the structure of the sexual division of labour is not limited to how work is shared along gender lines but is also evident in the reproduction of norms which determine who qualifies for work (on the basis of gender), how work is done, and how labour is compensated (Connell, 1987). Connell's framing of the structure of labour is useful in drawing attention to the disparities in accessing fishing resources, the division of women and men's roles, and lower incomes for women in the fishing villages.

Structures of power denote ideologies that produce control and coercion in a way that limits behaviour and practice (ibid, 96-97). Patriarchy as evident in customs is an example of social structure which upholds hegemonic authority both within the domestic sphere of the family and outside (ibid). The fishing villages act as arenas within which the socialisation of patriarchy occurs and where it is exercised and as well as challenged. Domestic violence, the control of behaviour through shaming, negative labelling and restricted access to resources and livelihood opportunities constitute structures of power in the fishing villages.

Power, however, manifests at different levels, all of which were discernible in my study. These include observable features of control where one person makes another person do what they want, but also where one influences the agenda of others (Bachrach and Baratz, 1962: 948). In addition, and critical to my research, is a dimension of power theorised by Lukes, the three dimensions power: power as expressed through the shaping of ideologies or belief systems (Lukes, 2005). Lukes argues that we need to bear in mind features of power that are not necessarily noticeable. Lukes' concept of three dimensions power is helpful in understanding gender relations as they invite us to pay attention not only to behaviour and observable conflicts, as in two dimensions power (Bachrach and Baratz, 1962), but also to how decisions, perceptions, or behaviours are shaped by ideologies and socialisation. In my research, this view brings to light ideas and beliefs that entrench constraining arrangements, and is therefore a useful lens to understand the context of gender relations in the fishing villages.

With Lukes' view of power in mind, Connell's third social structure, the structure of cathexis, sheds further light on norms and practices that are entrenched in patriarchal ideologies. The structure of cathexis, according to Connell, organises social norms and

emotional attachments between people (Connell, 1987; Wingood and DiClemente, 2000). Since people's relationships are centred on emotional attachments to each other, they give force to norms that define what is acceptable or not acceptable. In settings like the fishing villages, structures of cathexis feature in norms and emotional attachments between different actors. The norms of acceptable femininity *(dhako moromo)* disaggregate women, rendering some privileged and others disadvantaged. For instance, women who are divorced or separated are seen to be deviants from acceptable ideals of *dhako moromo*. Emotional attachments such as relationships between female fish traders and fishermen in sexual alliances also reveal structures of cathexis. Decisions over compensation for labour are also shaped by emotional attachments between younger and older female fish traders in tied-labour arrangements.

These social structures – the structures of power, of division of labour, and of cathexis – and their influence on livelihood options and strategies, provide a good lens for understanding gender relations in the fishing villages. In my study, I am aware of the overlapping nature of these different dimensions of social structures in shaping gender relations and the fact that social structures are also being transformed and negotiated.

But negotiation is itself far from straightforward. In the following section, I discuss intra-household bargaining and social navigation as particular forms of negotiation that shape women's lives in the fishing villages.

Negotiation, Bargaining and Social Navigation

I take negotiations to be coping strategies which people use in their day-to-day lived experiences to respond to constraining social structures. The notion of negotiation comes from negotiated order theory, which was advanced to describe social organization as a

product of dynamic lived experiences and interactions between people and not as a fixed arrangement (Callaghan, 2008; Day and Day, 1977). In a society or social organization like a family or a village community, people occupy a range of roles and positions, such as men, women, fathers, mothers, children, buyers, traders, fishermen, miners, farmers and others. They share a social setting, where they seek livelihoods and have a range of other goals. These people also bring different qualities, skills, experiences, and interests, and they constitute different social statuses and hierarchies. As such, they all come with rules or norms that shape how their interests are served, such as how labour is shared, and how resources are owned. Because of the obvious disputes that arise because of these diverse interests, rules become necessary but also insufficient in dealing with day-to-day situations. Therefore, due to the limitations of set rules, some forms of manoeuvring arises in which people devise ways to enable them to carry out their day-to-day lives, and in which existing rules are stretched, new norms formed, positions argued, and interests negotiated.

In this study, negotiations are central to dynamic social interactions in a context where people reinterpret, redefine and attempt to transform existing norms and arrangements. Previous studies have demonstrated that women's negotiations take the form of transforming structures of power in ways that enable them to meet their interests without necessarily challenging power directly (Abwunza, 1997). In family and household settings, these processes of reinterpreting, redefining and transforming social structures take the form of what Agarwal refers to as intra-household bargaining (Agarwal, 1997). Intra-household bargaining is one aspect of household resource allocation, and exploring it illuminates whether household members represent united interests or not. An intra-household bargaining perspective considers household members as individuals who represent diverse interests.

Agarwal argues that 'households/families are recognizably constituted of multiple actors, with varying (often conflicting) preferences and interests, and differential abilities to pursue and realize those interests' (Agarwal, 1997: 3). Gender relations shape bargaining both in households, and more broadly in settings like the fishing villages. Patterns of the division of work, allocation of resources, time use on paid and unpaid activities, and access to information shape and are shaped by bargaining. Intra-household bargaining limits analysis to family and household resource allocation.

However, my study investigates gender relations in the household and in extra-household spaces – the fishing villages. Therefore, although I use intra-household bargaining as a useful lens to understand goings-on in the household, an additional dimension is important here. Since the research context is characterised by substantial instability, including in the very composition of households and living arrangements, this thesis extends the scope of bargaining analysis to how women cope with existing gender relations in the context of multiple vulnerabilities beyond the family per se.

Vigh has advanced one way to understand negotiation, based on a context of war in Guinea Bissau. He shows that, in times of war, when people are faced with constant instability and volatile social, political and economic circumstances, they engage in day-to-day 'social navigation' (Vigh, 2006; Vigh, 2009). According to Vigh, navigation describes 'how people act in difficult or uncertain circumstances as they disentangle themselves from confining structures, plot their escape and move towards better positions' (Vigh, 2009: 419). Social navigation acts as a lens onto how women move through difficult livelihood situations in their households and also in spaces where they engage in income activities outside the home. Social navigation

> …highlights 'motion within motion'; it is the act of moving in an environment that is wavering and unsettled, and when used to illuminate social life it directs our attention to the fact that we move in social environments of actors and actants, individuals and institutions, that engage and move us as we move along. As such, the concept adds a third dimension to our understanding of movement and mobility. Where we normally look either at the way social formations move and change over time, or the way agents move within social formations, navigation allows us to see the intersection – or rather interactivity (cf. Jensen, 1998) – between the two (Vigh, 2009: 420).

In southwestern Kenya, strained livelihoods and HIV prevalence lead to acute social and economic insecurity, and indeed vulnerability comparable to the war that provoked Vigh's perspective. Luo women who migrate to the fishing villages to pursue livelihoods in fish-related businesses engage skilfully in social navigation. They intricately manoeuvre in relation to gender norms, to position themselves in business by doing what is expected of women, such as performing domestic services. They also enter into sexual alliances with men to gain access to fish; they enter into labour arrangements under older women to gain business; and they also ally with younger fishermen through whom they access fish. These webs of relationships and manoeuvres represent strategies through which they navigate constraints, and through which they attempt to survive and thrive in difficult circumstances. Women's attempts to attain acceptable femininity while positioning themselves for advantage are part of this navigation.

Although women's navigation offers some hope to them, it also opens up new vulnerabilities such as conflict, health problems, social shaming, violence and further uncertainty in their livelihoods. While their efforts in difficult times are evident in their navigation, these efforts lead to more risks. I call this vulnerable navigation, as I discuss in Chapter Four.

Methodology

Entry, Fieldwork and Methods[2]

I sought formal authorisation to conduct research from the National Commission for Science, Technology and Innovation (NACOSTI), a body charged with the responsibility of issuing research permits in Kenya. For easier entry into the villages, I sought permission from the Sub-County Director of Homa Bay County who issued me with names and contact information of all chiefs and sub-chiefs representing the villages. Aware of the benefits of seeking authority from community gatekeepers, the villages' leaders, fishing villages' officials and chiefs, I contacted all of them before beginning the research. Individual consent to being interviewed or observed was sought as an ethical requirement.

This study was carried out between November 2015 and August 2016 building on prior understanding of the villages as a result of having been a member of the community for more than 10 years at the time of the research. Furthermore, I had worked as a social worker among girls before in this area and during the fieldwork period. The research was conducted in five fishing villages along Lake Victoria namely: Nyagina, Luanda Rombo, Litare, Kolunga and Sienga, which are all on Rusinga Island.

[2] See data collection tools and procedures in the appendix

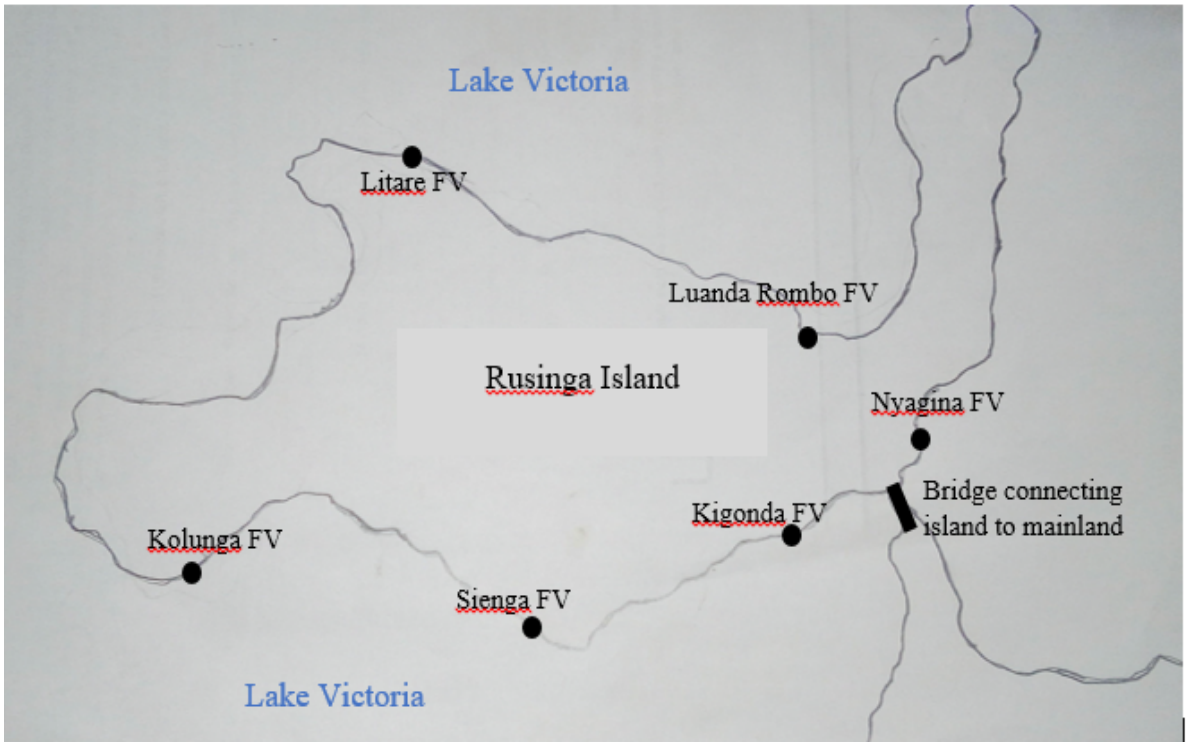


Figure 2: Map of Rusinga Island showing fishing villages (FV)

In order to capture the general population characteristics of people in the fishing villages, I first administered a questionnaire to both men and women from which key informants were selected. The questionnaire provided data on the social demographics, income characteristics and time use of 105 participants representing households. Out of the 105, I purposively selected 32 participants whom I regularly observed and interviewed over the course of the field research. In purposive sampling, a considered choice of research participants is made to ensure that participants who are likely to know something about the matter being investigated are chosen (Fetterman, 2010; Bernard, 2006). As such, I sampled people who represented various family arrangements and various work roles in the fishing villages and those who were willing to be observed.

Two questions guided the research:

1. How do women cope with gender relations and multiple vulnerabilities in their pursuit of livelihoods in the fishing villages?
2. How do women's land claims influence gender relations in their pursuit of livelihoods?

At the beginning of the research, I had planned to interview women and conduct observations in their homes but I realised that most people spent their time at the lakeshore engaged in fishing activities. The beach setting opened up opportunities to participate in everyday activities while observing and interviewing, and also to accompany my participants to their homes at opportune times. Women took it upon themselves to teach me how to process fish and this gave them confidence to participate in my interviews and share their life stories. To understand the day's work cycle, I would join the women on the lakeshore at dawn to collect fish, spend the day processing the fish with them, and then accompany them to the market in the late afternoon. During the field study, I lived in a lodging room in the village, a walking distance from the lake, the fish market and my respondents' houses. This gave me the needed proximity to observe and participate in the activities of the community. Most people would invite me into their homes, which offered a window into their family lives. Interviews themselves produced insights that then enabled me to explore emerging themes through observations, and later in focus group discussions.

Being aware that records from civil and marriage courts can provide data on gendered disputes over resources, I visited the nearby magistrate's court, but there were no records at the court related to issues on which I was focusing. I knew that this did not mean that there were no disputes but rather that people used other forms of redress and arbitration. This prompted a change of plan that led me to the chiefs' and sub-chiefs' offices, where I learnt that many gender-related cases are reported, heard and resolved. I interviewed chiefs and also

reviewed their record books, from which I collected data on dispute cases between men and women. Although I was conscious of the day-to-day disputes that do not end up in chiefs' offices, the records gave a picture of common disagreements.

To explore my second research question, *how land claims influence gender relations in the fishing villages,* I conducted six focus group discussions. The groups were as follows:

1. A group of 17 primary school teachers, 10 men and seven women
2. A group of 18 young adults, 10 women and eight men
3. A group of 15 traders and fishermen, seven men and eight women
4. A group of 11 village elders, two women and nine men
5. A group of 16 women, 13 of whom were widowed women
6. A group of eight health care workers, three women and five men

My plan was to have a maximum of 12 participants in each group but some people whom I invited came along with their friends, whom I welcomed. Eventually, the large groups proved useful in gathering a wide range of responses although the discussions took much longer to allow everyone to have their say. The discussions were about women's land claims, and I used anonymised stories about women that I had gathered in the course of the field research as subject matter for debate. These were as follows:

1. Aoko's story: Aoko was a widowed mother of four who had lived in a levirate[3] union with her brother-in-law, Onyango, after her husband's death. At the time I met her in one of the fishing villages, she had been estranged from him because of frequent violence. Because of the difficulties she had encountered with her children in the fishing village, Aoko had decided to

[3] Levirate custom refers to arrangements in which a widowed woman is taken in by a relative of her deceased husband to perpetuate his progeny and also to take care and act as male guardian of that family.

return to her marital home but had found that Onyango had sold off all her land. Having nowhere to call home, she sought help from the area chief who did not help, as he was an ally of the buyer of the land. What options would Aoko have had?

2. Akinyi's story: Akinyi was a widowed woman who sold land to raise money to pay her son's school fees. Her brothers-in-law contested this decision and threatened the buyer and Akinyi. Why did the brothers-in-law react this way? What options would Akinyi have had?
3. John's wife, Rita, heard from Ruth, Henry's wife, that John had sold their land to Henry without her knowledge. Do you think Rita should have questioned her husband? Why and why not?
4. Atieno and Okinyi were married for seven years and had three children. They used to fight often. Okinyi was a fisherman and Atieno stayed at home with children. On one occasion, Okinyi beat up Atieno and sent her away. What options would Atieno have had?
5. Mara was offered a piece of land by her father. Excitedly, she shared the news with her sister-in-law, Lily. Lily was shocked at the news and expressed to Mara that taking that gift of land would shame her brother. Why would Mara's decision to take the land gift be shameful to her husband?

The stories were real-life accounts of women I had met during the course of the fieldwork, although they were slightly augmented to give a broader context for discussion while still maintaining the actual facts of the real cases. To protect their confidentiality and privacy, names and villages were changed. I also shared the following Kenyan laws to

prompt the respondents to reflect on how these or Luo customary laws might be useful in addressing women's land claims.

1. Land Registration Act:

Includes protections for the land rights of spouses:

> If land is held in the name of one spouse only but the other spouse or spouses contribute by their labour or other means to the productivity, upkeep and improvement of the land, that spouse or those spouses shall be deemed by virtue of that labour to have acquired an interest in that land in the nature of an ownership in common of that land with the spouse in whose name the certificate of ownership or customary certificate of ownership has been registered and the rights gained by contribution of the spouse or spouses shall be recognized in all cases as if they were registered (Land Registration Act, 2012: 58-59).

2. The Matrimonial Property Act sanctions the equal rights of married women 'to acquire, administer, hold, control, use and dispose of property whether movable or immovable as a married man' (Matrimonial Property Act, 2013).
3. The constitutional provision Article 60a sanctions 'equitable access to land'; Article 60f encourages 'elimination of gender discrimination in law, customs and practices related to land and property in land'; and Article 60g encourages 'communities to settle land disputes through recognised local community initiatives consistent with this Constitution' (The Republic of Kenya, 2010: 42).

Information Recording, Storage and Retrieval

To ensure reliability, my notes and interview recordings were carefully documented and transcribed for accessibility (Bernard, 2006; Golafshani, 2003; Perakyla, 2004). Follow-up interviews enabled me to elaborate on questions that arose from observations. During the research, I recorded interviews in an audio-recording phone application and in notebooks. Video recording seemed intrusive and my first attempts proved futile; I noticed that, although

my respondents had consented to participate in the research, video made them uncomfortable. I complimented audio recording with photographs that ensured I did not miss aspects of 'sensory experience' (Murchison, 2010: 72). In some cases where note taking seemed disruptive, I abstained from writing but ensured I wrote as soon as possible after the observations or conversations. Some few participants consented to the use of their real names but most had their names coded for confidentiality in presentation of their responses.

Research Positionality and Reflexivity

My research interest among the Luo women of southwestern Kenya was shaped by various factors including working with Luo women in Nairobi city slums in a social enterprise and in the rural villages of Homa Bay County, and working with schoolgirls through a life-skills development project. Being married to a Luo man for 12 years at the commencement of the research had inspired me to become a true Luo woman, which included participating in community life of my people. Having come from a different ethnic group, my *loka* (foreign) status elicited curiosity from my fellow women who were curious of what I knew or did not know, and what I could do or not do. My position as a *nyaloka* (woman from elsewhere) opened doors for me to learn and to hear life stories from my fellow women.

The stories I heard resonated with what I had heard from women in Nairobi's slums – stories of hope that had spiralled into feelings of hopelessness. The scourge of HIV/AIDS had taken a number of the women I had related to and worked with, some in the Nairobi slums and others in Homa Bay. Young girls, married at 18, were widowed at 21. Teenage girls would be ostracised upon becoming pregnant and would migrate to slums. There were stories of lost school opportunities and regrets about these; stories of domestic violence from women who sought to be 'complete' women (*dhako moromo)*; and stories of women's frustrated

aspirations. These all drove my research interests. Whenever these women talked with me, they seemed to expect me to do something about their situations. They saw my being one of them as a form of hope. Two years before this research (2012), I reduced my involvement with the women's social enterprise project in the Nairobi slums and began to invest time in women in the rural Homa Bay County through initiating a project for life skills development among schoolgirls[4]. The girls' project involved a series of programmes in which their teachers would first be trained as mentors, after which girls' workshops and mentorship clubs were established in public schools. In a series of training sessions, we conducted a brief survey among participating teachers to understand problems facing women in the community and in girls' schooling. The responses of the teachers pointed to the overwhelming impact of gender inequality. This inspired my investigation into how the prevailing social and economic instabilities shaped power relations and how women coped with these.

My standpoint was useful during the fieldwork as women were more open to speak to me and let me into their private lives. In hindsight, however, my position may have influenced some respondents' stories because I was viewed as someone who would initiate action towards change. In attempting to influence me through somewhat overstated information, I saw people who were trying to negotiate opportunities for better lives. Nevertheless, the multi-layered data collection methods, which I described above, ensured that information was verified and substantiated. Throughout the field research, I was conscious of my own effect on the research process as a member of the community and as a female researcher researching about women with whom I share many experiences. Reflexivity is especially crucial in a research project like this (Cousin, 2010; Duncan and Watson, 2010; Macfarlane, 2010). Cousin argues that 'the self is not some kind of virus

[4] The project is County Girls Caucus www.countygirlscaucus.com

which contaminates the research. On the contrary, the self is the research tool, and thus intimately connected to the methods we deploy' (Cousin, 2010: 10), a fact of which I was conscious throughout the research.

Studying the everyday lived experiences of people requires being in the field for extended periods of time, as in the ethnographic methods that I employed in this research. In my research, which involved observing and participating in people's lives and activities, I was aware of my stance and the effects of my presence on those being observed. Knoblauch (2005) draws attention to methodological stances taken by researchers based on 'strangeness and alterity' (Knoblauch (2005). Strangeness is a position of foreignness with the setting or people being investigated while alterity refers to when one who is not a stranger takes a stance of otherness or being different. Being a member of the community and a female researcher meant that I was an insider in some situations in which I had privileged information and common experiences with research participants. This presented unique methodological problems as well as advantages. As a stranger, I was given the benefit of ignorance that ensured my questions were answered elaborately, while as an insider it was sometimes awkward when I asked questions to which people assumed I should know the answer. To surmount this, Knoblauch proposes that an insider often has to take a stance of alterity (Knoblauch, 2005) which I embraced as needed. For instance, my strangeness arose from the fact that I had originated from another part of the country. With the advantages created by strangeness and by adopting alterity, coupled with knowledge of the local Dholuo language as well as Swahili, I was well equipped to conduct a focused ethnography. The focused ethnographic method takes the form of intensive data collection in short-term field visits followed by rigorous analysis of the large amounts of data collected (Knoblauch, 2005).

Chapter Summaries

In Chapter Two, I explore land as natural capital, which has material and symbolic value for both women and men. I discuss the context of women's land claims as anchored in their rights as properly married women, by looking at rights that are sanctioned by customary land laws and statutory laws. In an environment characterised by the marginalisation of women, the dispossession of widows, and familial disputes over land, I show how women's land claims and provisions of statutory laws that espouse equality destabilise the accepted idea that men control land. In a setting of multiple instabilities, men's self-understandings as proper men hinge on their sole right to own and distribute land especially when the other marker of manhood, that of providing for family, is also limited. Faced with this threat to acceptable manhood, they respond through physical violence towards 'their' women.

In this chapter, I also discuss how women's varying social positions influence their security by shaping their access to land, however mediated by men. This variation depends on age and on their performances of acceptable femininity by fulfilling reproductive obligations. Older women whose sons are married and who live in their marital homes have relatively secure positions even though according to custom they cannot own land. Marriage acts as the only opportunity through which a woman's residence arrangement is defined and secured. Unmarried women are regarded as incomplete, lacking the characteristics of acceptable femininity and therefore not recognized as far as land use or residence are concerned. Yet, by discussing the lived realities of widows, I demonstrate that counting on rights, as properly married women may also not offer security. Widows still face physical abuse on, and dispossession of, their marital land. Their limited rights hamper any possibility of using the land as collateral for credit, as other research has shown (Mizrahi and Fraser-Moleketi, 2015).

I argue that despite Kenya's constitutional provision, which outlaws gender discrimination on matters such as land, there is a lack of awareness of these laws and resistance to them. Steep gender inequalities, justified in customary terms but equally the result of recent change, also persist. The overlapping effects of customary land arrangements, statutory land laws, and widespread vulnerabilities are crucial in understanding the gendered nature of livelihoods in the fishing villages and in Luoland more generally.

In Chapter Three, I introduce the fishing villages in detail, as places of multiple meanings and value to the migrants, revealing distinctive differences from other Luo villages. I analyse time-use patterns, income characteristics and social arrangements in fishing villages. I show the distinctive characteristics of people in various positions and their relative advantages and disadvantages. Women's roles range from *jotedo*, the young new entrants into fishing villages who cook for fishermen, to *jodeng'o,* women who engage in small-scale fish trading, to *jokambi,* who own fishing boats and control sales, and *jochiro,* the wholesale traders who may own boats but also supply fish to larger markets outside the fishing villages. Due to uncertainty in accessing fish and income, women pursue both short-term and long-term relationships as a strategy of guaranteeing survival. These relationships enable them to position themselves to their own advantage.

One important aspect of life in the fishing villages is the impact of Homa Bay County's high HIV prevalence, particularly as it intersects with broader livelihood vulnerabilities. Composed of migrants who are driven by the pursuit of fishing-related work, fishing villages offer refuge for men escaping from the emasculating shame of failing to provide for their households elsewhere. I argue that despite the difficulties of life in the fishing villages, women manage to envision good lives for themselves and utilise social and

cultural capital as means for achieving those desires. Although other researchers have presented social capital as insufficient in the survival strategies of the poor, I argue that social capital is significant in people's struggles and offers avenues towards what they consider as good lives. Indeed, networks are ends in themselves but sometimes they also end up providing positions that have advantages as far as survival is concerned.

In Chapter Four, I explore gender practices and how women position themselves by appealing to cultural norms of acceptable femininity. I describe Luo women's configurations of femininity, that of being a complete woman or a *dhako moromo.* The notion of *dhako moromo* shapes women's aspirations as well as expectations by others. The femininity associated with *dhako moromo* is defined by reproductive obligations, motherhood, residence arrangements, marital status, and livelihood roles. Differences of status on the basis of being *dhako moromo* or deviating from such a practice translate into advantages to some and marginalisation for others. Studies in Kenya, particularly in turbulent places, focus on masculinity and rarely on femininity, a gap this study fills. I illustrate the difficulties encountered by women when norms of acceptable femininity limit them from assuming new roles outside their traditional roles when situations compel them to do so. I show how behaviour is regulated by obligations attached to *dhako moromo* and how discipline is exerted on those who deviate, through marginalisation and physical violence. Yet, in this setting, women still manoeuvre to benefit from the fishing work, albeit risky conditions.

In Chapter Five, I describe women's navigation as demonstrated in strategies of advantageous positioning through relationships with fishermen and with female boat owners. I discuss how women enter into sexual alliances to position themselves to participate in the fishing business but faced with the risks of HIV/AIDS, they also adopt other strategies such

as tied-labour arrangements. In tied-labour arrangements, younger women offer unpaid labour to older female boat owners in order to be guaranteed a supply of fish. Although these strategies offer opportunities to the women in the short run, they lead to gendered conflicts, health problems, and still greater vulnerabilities. The result is what I call vulnerable navigation.

In Chapter Six, I discuss marriages and marriage-like unions, showing how women's relative bargaining positions are produced. I show how these unions provide a space for women to negotiate gender relations and how they are rooted both in aspirations to acceptable femininity and in the need to make ends meet. In multiple unions where bride wealth is paid, women possess rights and privileges that are sanctioned by the transfer of wealth. Negotiations of power here are between women, and between men and women. Previous research has tended to paint a negative picture of the practice of bride wealth, particularly in reference to violence (Dery, 2015; Fuseini, 2013; Kaye et al., 2005; Mangena and Ndlovu, 2013; Uthman, 2011;). Rightly so: evidence of violence that can be traced to bride wealth payment is apparent even in my research.

However, threatened masculinity is another crucial cause of violence as men try to compensate for their limitations, in contexts where men's roles as providers for their families have been undermined by economic strains. In this chapter, I illustrate how bride wealth payment makes marriages public, ensuring that wider families are involved. This curtails physical violence and abandonment, which is more common in marriage-like unions which are secretive and where bride wealth is not paid. While a customary practice like bride wealth payment appears to affirm women's subordination, my data reveals that this practice offers relative advantages to women in this setting. I demonstrate this by showing how women

whose bride wealth is paid enjoy privileges and rights that cushion them in times of difficulty and offer relative social security. While there are negative effects where these practices are distorted, their value should not be ignored or disparaged. Yet I also argue that the importance of well-intended familial practices like bride wealth payment and marriages themselves have been eroded by social and economic instabilities in this region.

Overall, in this thesis, I argue that in conditions of livelihood vulnerability, women's strategies of navigating unequal gender relations involve making use of cultural norms of femininity, which offer some short-lived refuge while also producing more vulnerability. The result is what I call vulnerable navigation. The fishing villages act as centres of refuge for both men and women who migrate there to *manya* (search) for livelihood. As such, women engage in a series of distinct strategies for seeking refuge: positioning in relationships such as sexual alliances and tied-labour arrangements; investing in social networks; laying claims to land; and entering into marriages and marriage-like unions. The valued and acceptable norm of femininity, being a *dhako moromo*, plays a central role in these negotiations.

CHAPTER 2

WOMEN, LAND AND LIVELIHOOD WOES

Land, as a crucial form of natural capital alongside the lake and its fish stocks, is key to understanding the available means of living in Luoland. The social fragmentation such as widowhood occasioned by high HIV/AIDS prevalence compels women to leave their marital land and migrate to the fishing villages to compensate for lost livelihoods due to death of their husbands. This migration, though necessary, separates them from their marital home and in effect leaves the land where these homes are situated vulnerable to dispossession by relatives. Additionally, the seasonality of fishing work necessitates moving back and forth between fishing villages to the marital land – where the women's sense of identity is rooted. So, while they live in the fishing villages, their land in their marital homes is important for their back and forth movements and also as a secure place to live when conditions in the fishing villages become unbearable. Threats of dispossession and disputes over land with relatives create insecurity for these women. Without other livelihood options besides fishing activities (see also Omwega, 2006), participation in fishing work becomes critical. Omwega's study found that '83% of fishers found it impossible to quit fishing because they lacked alternative activities to sustain them' (Ibid, 249). Even so, a place of residence outside of the fishing villages provides some security.

Indeed, the fishing villages are like places of temporary refuge and women who live there anchor their hopes in having a piece of land elsewhere, which they can refer to as home. Conversations with women are replete with references to 'home'– a piece of land to go back to when circumstances at the fishing villages become difficult. In this chapter, I focus on women, particularly widows, and their negotiations of land claims beyond the fishing

villages, showing that in spite of the rights defined in customary and statutory laws, marginalisation, dispossession and familial conflicts endure. Women who bank on their rights as properly married women, an important marker of feminine status, still face the threats of physical abuse and marginalisation when it comes to ownership and control of land.

Statutory land laws that are enacted to mitigate land-related conflicts destabilise the existing customary land laws that advantage men. Where men are increasingly unable to provide for their families, their sense of masculinity is threatened (Amuyunzu-Nyamongo and Francis, 2006; Izugbara et al., 2013). In the context of my research, customary land laws that safeguard men's sole ownership of land protect their masculine security. Therefore, women's land claims, and statutory land laws that espouse equality in land ownership, destabilise men's sense of masculinity. As in other settings (Amuyunzu-Nyamongo and Francis, 2006), domestic violence is one response, here further exacerbated by egalitarian land laws and women's land claims. By drawing on the experiences of widows, I show the intersection between land laws and gender relations in a context of strained livelihoods.

Widowhood and ensuing land-related disputes have been a result of family fragmentation due to HIV/AIDS in southwestern Kenya. Regarding land specifically in reference to social instability, studies by Drimie (2003) and Aliber and Walker (2006) have investigated the connection between HIV/AIDS and land rights. Drimie (2003) points to delayed land subdivisions between men as a cause of insecurities among widows and also as a trigger of family disputes. As an effect of HIV/AIDS, rising disputes between widows and in-laws have been reported in other parts of East Africa (Forest Action Network (FAN), 2002; Mugisha and Eilor, 2002). Aliber's and Walker's study indicates that widow's land insecurities can be attributed to their deceased husbands not having been given rights over shared lineage land, which intensifies the difficulties the widows face when making land

claims. In addition, the sale of land to settle medical bills and subsistence needs following the declining health of household heads escalates disputes with extended families. However, Aliber and Walker also show, although HIV/AIDS has caused instability in families, problems of land insecurity are rooted in other concerns. The effects of widespread vulnerabilities besides HIV/AIDS – notably those relating to gender – remain under-investigated.

By closely examining women's negotiations of their land claims and men's responses to egalitarian statutory land laws, I show their complex gendered implications for women who temporarily migrate to fishing villages. Although customary laws protect women's rights to live in their marital land, the mechanism for enforcing such entitlements are weak in many cases especially for women who migrate to the fishing villages. For instance, although women have rights to live and hold land for their sons, the mechanisms for arbitration in case of disputes disadvantage women.

Verma (2001) affirms the effects of gender practices on the management of land in farm-dependent livelihoods in East Africa. She attests to increased gender-based conflicts in relation to shared land resources in which customary rights are challenged but where men remain largely in control. While recognising the strains on livelihoods that have led men not to meet their culturally sanctioned responsibilities, Verma points to growing pressure on women to take on roles and responsibilities which are gender-atypical. These responsibilities include managing farms, an added burden to women who also are compelled to work off the farms to meet household needs. This describes well the burdens faced by Luo women who take on the responsibility of providing for their families by migrating to the fishing villages. Migration further presents insecurities, as their land in the marital homes can easily be claimed by others while they live in the fishing villages. In addition, women strive to live up

to the ideal of femininity, *dhako moromo*, even when migration makes this virtually impossible to achieve. Migration is seen to be a deviation from the qualities of a *dhako moromo* and therefore dispossession of their land is justified on that ground.

In what follows, I discuss the difficulties faced by women as a result of the contrasts between statutory and customary laws. I draw on case studies of individual Luo women, as well as the results of focus group discussions. I look into the difficulties of legal pluralism – that is, the overlapping adherence or reference to more than one set of laws (Griffiths, 1996; Woodman, 2011; House-Midamba, 1994). To set the stage, I describe Luo customary law relating to land.

Luo's Gendered Customary Land Laws

Luo's land, now and then
Oh the soil of my people
Of my living
Of the long gone
Soil that feeds and keeps
No longer feeding,
Just shrinking
Yawa! Where are you?

Once beckoned love
Now beckons yawns and sighs
Once a space of pride
Now twisted
Once our feet danced
Now our fists dance
Yawa! What are you? (Thamari, 2016)

Land among the Luo is more than space and soil. It represents symbolic values such as identity, heritage and power, and meets needs of residence and livelihood. Ferguson notes the value of land beyond people's livelihoods: 'producing agricultural goods is really only

one of many, many ways in which land is used, and not necessarily the most important' (Ferguson, 2013:166). Ferguson laments the tendency of the focus on agricultural use of land, at the expense of land rights, and their contestation and the general social significance of land. In Luoland, too, cultural norms and arrangements are crucial for understanding land issues. These are sharply gendered, and have particular significance for migrants in the fishing villages.

Although some people temporarily leave their marital or ancestral land for fishing villages, its significance remains central to how they imagine their futures. As I show in subsequent chapters, fishing villages are temporary abodes where men and women migrate to eke out a living from fishing related activities. Ancestral and marital homes, on the other hand, represent permanent residence because this is where men own land as part of lineage inheritance, even if they have to move back and forth from the fishing villages. Communal ownership of lineage land has implications on widows' land claims but a widow may have relative ease on land claim if it is self-acquired. Reference to self-acquired land among the research participants was minimal although widows expressed cases of fears of dispossession of a widow's self-acquired land.

Residence in a marital home is one of the markers of a *dhako moromo.* Residing in the marital *dala* (home) confers prestige on a married woman as a feature of a *dhako moromo*, and every woman desires to achieve this goal. Conversely, remaining unmarried, migrating to fishing village or being dispossessed of land increase the chances of chronic insecurity. Within the customary land laws, land for unmarried women is unheard of, because it is expected that every woman should marry and lay claim to her husband's land. Before marriage, the status of a Luo woman is amorphous and transient and she has no rights over any property or land in her natal home. A woman's natal home provides a temporary abode.

It is marriage that gives a woman permanent identity through belonging to her marital family and gaining permanent residence in her husband's home. Once married, women are required to remain in a *dala* to retain land use rights, while men maintain the overall control. Land is thus a source of authority for men, and their sense of pride is defined by this – particularly, as noted throughout the thesis, where their ability to sustain their families is already strained. It is no wonder then that the introduction of statutory land laws, which grant women rights to control land themselves, threatens this authority. As I show in the discussion, the core of men's self-understandings as proper men is attached to land ownership.

Women, particularly widows, face a dilemma: exercising their rights of land control as sanctioned in statutory laws, or retaining a harmonious relationship with their marital families. This is because, according to the customs, land ownership rests with men of the lineage and not with women. Land is closely linked to patrilineal descent. All male members of the lineage are buried on its land to symbolise unity with the forefathers, who have also been buried there. A married woman is also buried on her husband's land, and in cases where the woman remains unmarried, she is expected to go to live on her paternal aunt's land where she is also buried upon death. Deviation from this norm is believed to cause a bad omen to her brother's children. One male focus group participant asserted:

> If, say, I have a sister who has stayed unmarried for long, when she dies we take her to her aunt's home to bury even if there is land in her father's home. So why should the law tell us to keep her when she is alive, if when she dies we cannot even bury her. She can stay in the father's homestead for her entire life, but even if she stays, no matter how long she will stay, she won't be given any piece of land (Male FGD participant).

Women live on and use land conferred on them through a relationship with a husband because they are considered to belong to the families into which they are married. A woman's land rights are limited to use, and sometimes to safekeeping for her sons. If she has no sons,

the land is passed on to her husband's male relatives. Migrating to live in other places, such as the case of women who migrate to the fishing villages, destabilises their marital land claims.

Besides ownership through patrilineal inheritance, land can be given as a gift in rare cases, but it is often claimed back by the sons of the giver upon his death. To avoid conflicts, people who receive land as a gift easily relinquish it. Land gifts are often between male relatives. Gifting to a female relative is unusual. One young man underlined the point: 'land given to a girl is not imagined here.' In most cases when this does happen, the land is claimed back by the lineage, sometimes forcefully:

> In one case a father gave his daughter land but when she died her children were denied the right to claim ownership of that land. The brothers evicted them and took the land back to themselves (Male FGD participant).
>
> Another woman was given land by her father but after father died the brothers claimed it back and chased her away saying, 'you can live in rented houses elsewhere but not in this land' (Male FGD participant).

While the arrangements that ensure women's access to land through marriage are well stipulated in customary arrangements, emerging changes have influenced land relations significantly. As this research showed, customary arrangements that previously supported women's access to land and offered protection for widows are changing – leading to cases of dispossession and perpetual insecurity.

Legal Pluralism: Positive or Detrimental?

Legal pluralism refers to cases where more than one set of laws are enforced among some group of people (Benda-Beckmann and Benda-Beckmann, 2006; Woodman, 2011; Woodman, 2012). This may include the application of customary laws and statutory laws as is the case in Luoland. Both statutory laws and customary laws are applied by people who are

socially recognised, and enforced through well-defined processes although customary laws do not employ 'formal' court methods. Customary laws include norms, rules and regulations that are entrenched within the social context of a particular community and serve the role of controlling and regulating behaviour, relationships and the use of resources such as land (Ubink and Amanor, 2008). Woodman argues that laws are enforced through control wielded by people who are socially sanctioned to do so and they carry specific consequences in case of deviation. In Luo customary law, the enforcement of land arrangements is performed by male family heads or by clan elders, and these laws (Dholuo: *saria*) coexist with statutory legislation.

A range of forms of legal pluralism has been explored worldwide, revealing their prevalence and influence on day-to-day social, economic and political environments (Benda-Beckmann et al 2006). In Africa, the background to legal pluralism can partly be traced to colonial history through which foreign sets of laws were introduced to organise colonies where traditional arrangements already existed (Woodman, 2011). These traditional customs were in some ways transformed by colonial rule by organization that involved appointment of traditional chiefs as part of the rule (Mamdani, 1996). Whereas there existed widespread customary arrangements of order and control, the colonial regime and consequently newly independent states brought a parallel set of laws to which the populace was subjected. Therefore competing claims over land, according to parallel sources of authority, are not new. Such contexts are made still more complex by different actors and their divergent interests (Krueger, 2016).

The existence of multiple sets of laws may be seen as harmful (Ansoms et al., 2014; Unruh, 2008), but they may also be regarded positively. Negative views of legal pluralism in relation to land argue that it produces insecurity among interested parties, creating a 'tragedy

of contested access in which confusion about rights results from land users not being sure about what laws to adhere to (Moyo, 1995; Okoth-Ogendo, 2008: 227; Woodman, 2012: 136). Ansoms et al. (2014) observe how interested parties make use of what they call 'open moments' such as confusion between legal codes, or between law-enforcement institutions, to advance their interests when overlapping legal regimes are in force. These 'open moments' come about as a result of intersecting events or situations: sudden demands on implementation of some laws; inadequate governance structures such as in conflict-prone communities; and emergence of powerful commercial land users who change the prevailing land use arrangements. These factors, as Ansoms et al., argue, provide opportunities for people to renegotiate norms, which in turn either provide space for the rights of the marginalised or entrench prevailing power relations. This is certainly the case among the Luo, where confusion between the provisions of the statutory laws and customary laws prevail creating 'open moments.' These open moments create ground for dispossession of widowed women. For instance customary laws accord men sole authority over lineage land while statutory laws espouse equality of ownership and control of land.

By contrast, some theorists see legal pluralism as advantageous. They argue that it allows adaptability to changes within a community (Krueger, 2016; Meinzen-Dick and Pradhan, 2001; Turner, 2006). Kruger's study in the Nyambene Hills in eastern Kenya found that although state law weakened the customary institutions of elders, it supported the establishment of some of their interests such as protection of forested land (Krueger, 2016). These studies reveal that multiple sets of laws enable people to be more flexible in the face of instability and insecurity than single systems of laws. Turner (2006) observes that plurality means that different norms or ideas are available as people encounter change, offering alternative arrangements if one legal framework falls short.

In my research, I found that, under customary law, lineage land is protected, while statutory law protects widows' rights to land. Furthermore, in customary law, married women have full rights to live on their husband's land even if they do not own it. As my study found, although such rights confer security to women, mechanisms for enforcing such entitlements have been weakening. Yet multiple legal codes cause confusion and conflict. In what follows, I thus show how this state of affairs shapes gender relations. I argue that the multiplicity of legal codes presents more problems than advantages partly because of the extent of everyday livelihood vulnerabilities. One aspect of this vulnerability is the response of men to women's land claims, which are seen as challenges to an already-precarious hegemonic masculinity as men struggle to meet their obligations as providers. This is further exacerbated by the outright dispossession of land faced by women.

Women and the Uncertainties of Land Claims

I investigated how women cope with land claims in the context of customary and statutory land laws, through focus group discussions with women and men in the fishing villages. I had collected stories about women and land during field research, and these provided the basis for conversations in the focus group discussions. They were read aloud to the participants, followed by discussions exploring the options presented by customary arrangements for solving the problems raised in the stories. I then read relevant statutory laws, prompting discussions about whether these laws would mitigate the problems presented in the cases. As part of discussing the options, the participants first outlined customary land law as they saw it – both as abstract principles enshrined in Luo traditions and as practically applicable rules.

Woes of Women's Land Claims: How could she do that without consulting the family

The stories of Akinyi, Rita, Aoko and Atieno formed the basis of the discussions:

Akinyi was a widowed mother of two, a son and a daughter. Before her husband died, she had been shown the piece of land that he owned. When Akinyi's son was admitted to Rongo University, she decided to sell part of the land to raise money for the university fees. Since her farm was adjacent to an all-weather road, she quickly found a buyer, who began fencing his land after completing the payment. When Akinyi's brothers-in-law found out, they attacked the buyer, vowed that he would not occupy the land, and demanded that he get his money back from Akinyi, as she had no right to sell their deceased brother's land.

Rita, John's wife discovered from her neighbour, Ruth, that John had sold land to Ruth's husband. Rita had gone to Sienga fishing village, where she worked as a fish trader, with a new kanga cloth that her husband had bought with part of the proceeds from the land sale. But she had not known about the sale until Ruth teased her over her new dress: 'I can see you are enjoying the land money.' This comment naturally caught Rita by surprise.

These stories provoked animated discussions in the focus groups, particularly Akinyi's case, with some respondents offering similar examples that they had encountered. John's case was dismissed as normal; his wife, they explained, did not need to be upset about that. Going by their responses, cases like Akinyi's, where widows sell land secretly, are common. The discussion participants agreed that it was the responsibility of the brothers-in-law to take charge over widows like Akinyi, including paying school fees for their children. While noting that male in-laws might fail to shoulder such responsibilities, the respondents felt that it is unacceptable for a woman to sell land without consulting relatives, even if for a good reason such as school fees. 'How could she do that without consulting the family?' one

male respondent asked. ‘She ought to tell the brothers-in-law,’ another female participant opined. One man angrily said:

> ‘Usually, according to our tradition, it’s the men that own the land. And if a woman comes with a suggestion that they want to sell the land then you will know who the man is!’

In much the same spirit, another respondent asserted that ‘it’s the man who has the authority’.

Although it was noted during the discussion that the brothers-in-law were obligated to support her in paying the school fees, scorn was soon directed towards Akinyi herself and not towards the neglect she suffered. The serious implications of Akinyi’s choice could be read from the physical expressions of the discussion participants. Men initially shook their heads in silent disapproval; the few who did make statements to the group did so after conferring with their neighbours in hushed tones. Since Akinyi’s husband had acquired his land from the lineage, it was understood to remain the property of the lineage, whatever the Matrimonial Property Act says. That piece of legislation protects the individual rights of women over land as equal to those of men. It constitutes a challenge to customary law, which is premised on the collective ownership of land.

Certainly, when the land remains within the lineage, with restrictions on selling it to outsiders, this protects the security of members’ resident arrangements. While customary law in cases such as that of Akinyi seeks to protect wider kinship rights, statutory laws seek to protect individual women’s rights to own land and use it as they see fit. In cases like this, women are aware that the marital family will resist the idea of selling land and so they do not disclose their intentions. Even in full knowledge of the provisions of the Constitution, which encourages the elimination of discriminatory laws, women in reality still have to abide by customary law. Women like Akinyi are faced with hard choices, including between conflicts with the marital family and an inability to meet basic responsibilities like a child’s education.

The Matrimonial Property Act, which was passed by the Kenyan Parliament in 2013, was to provide specifically for the rights and responsibilities of spouses. It stipulates that:

> A married woman has the same rights as a married man to acquire, administer, hold, control, use and dispose of property whether movable or immovable property jointly owned and acquired during the subsistence of the marriage according to the contribution of either spouse towards its acquisition, and shall be divided between the spouses if they divorce or their marriage is otherwise dissolved (Matrimonial Property Act, 2013).

According to this Act, 'contribution means monetary and non-monetary contribution and includes domestic work and management of the matrimonial home, child care, companionship, management of family business or property; and farm work' (ibid). But there is a substantial gap between this law and popular opinion on the matter in Luoland. In cases like Akinyi's and Rita's, the focus group respondents felt that men generally have the sole right to decide on issues of land. Some respondents nevertheless agreed that there are problems associated with a man disposing of land without the wife's consent, as John did. One male respondent stated:

> You may get these men selling the land without the woman knowing. He just comes with money and you see life continues, you enjoy life but you don't know where the money has come from and how you will live afterwards. But then you know too late, from here he goes to the next (Male FGD participant).

Although the general feeling from the discussion was that there is no need to consult one's wife on land sale decisions, a negotiated solution was proposed. 'They should sit together and agree,' a respondent asserted. 'Maybe a man may use up all the money on *changaa* (alcohol) and other women if the wife is not aware,' a woman added, citing a case where a man sold land and ran off with another woman only to return later, broke and sickly. Yet such negotiation was seen more as a solution to avoid disputes, rather than as a concession to the requirements of national law.

Matters are made more complicated by the fact that Article 60 (1) g of the Constitution of Kenya requires 'an encouragement of communities to settle land disputes through recognised local community initiatives' (The Republic of Kenya, 2010). Among the Luo, the local community initiatives include the village elders and chiefs. The elders are appointed from every village and constitute a council representing various clans. The chief and sub-chiefs are administrative officials appointed by the Office of the President. They have physical offices that are situated in specific locations and sub-locations. The elders, chiefs and sub-chiefs hold regular *barazas* (meetings) where land disputes are heard and arbitrated.

Focus-group participants themselves pointed out that women in cases like that of Akinyi should report the matter to the chief or the elders. However, other respondents noted that since the chiefs and elders operate within the terms of customary law, women like Akinyi would be found to have dishonoured the accepted arrangements and would therefore face disciplinary action. Female respondents particularly felt that the *barazas* are not favourable for them as the majority of the chiefs and elders are men. One woman stated that 'as women, we are only collected to go and put signatures at the chief's office but sometimes we are not'. She was referring to the ways in which women are used to endorse decisions that have already been made – at best, and sometimes not even that – but are not involved in the actual process of decision making.

Women have a range of attitudes to customary norms and institutions, but they still have to accommodate themselves to them. Of the six focus group discussions that I conducted, one of them was a women-only group in which 13 out of the 17 women were widows. After I read out the stories of Akinyi and Rita, there was a long silence, and then the women began sharing their own related stories. From where I sat at the end of the semi-circle

during the meeting, I noted that one of respondents appeared impatient as others were giving their stories. When I asked her to say something, she rose up and began to speak:

> If you are a good lady who has been taught well, after your husband dies you have your brothers-in-law whom you should consult if you want to do something. Because the time you are selling that land you have to explain to them the reason why you want to sell that land. If I were Rita, I would prepare him chai *mopoto* (thick tea with a lot of milk) so he can tell me more about that matter of selling land. I will ask him why he sold the land (Female FGD participant).

'A well-taught lady', according to her, would not be like Akinyi. The lady who spoke appeared to be older than the rest in the group, and it was with the resulting status that she adopted a reprimanding or disciplining tone in her response.

Giving her own example, another woman pointed out that women do not speak out because the land belongs to men:

> My sister's husband borrowed money from a sugar businessman. My sister was not aware about this matter. He couldn't pay so the businessman came for the land and my sister was given three days' notice to vacate. My sister had nowhere to live but found refuge in a church. She did not ask him anything because it was his land. So there is nothing we can say or do (Female FGD participant).

Still another woman said: 'Even if you are not happy, no one thinks you have a right to ask. Just keep quiet.'

The tone of this focus group discussion changed from discussing the cases that I had shared to the participants' own cases and those of other women whom they knew. It was clear that women, and especially widows, face many constraints when it comes to accessing and controlling land. It was also evident that the causes of these constraints are interpreted differently depending on the status of women. Widows who have adult sons have more authority and are likely to have more negotiating power compared to those who have no

children or have younger sons, or those who have only female children. This is why one of the respondents opined that some women face problems because they are 'not taught well'. Her reprimanding tone had to do with her own position, as an older woman who had sons and daughters-in-law, as I came to learn. Her position was more secure, and she thus acted as a defender of her sons' rights. By doing so, she also guaranteed her own security. Her opinion on the woes of younger widows was grounded in notions of 'well-taught' women, and involved rebuking those she considered as deviants. For women with status, customary laws that disadvantage women overall may nevertheless be seen as proper.

Corrupt arbiters? 'When I went to the chief, he asked for a bribe'

The discussions of the following two stories in the focus group meetings revealed the frequency with which widows are dispossessed of land; the violent responses to women's attempts to claim it; and the limits of local arbitration.

Aoko, was a 26-year-old widowed mother of four. Upon the death of her husband Otieno, Otieno's brother, Onyango, took in Aoko through the levirate custom and she bore him one child. Onyango had been a fisherman in one of the fishing villages but had returned to the ancestral home due to unreliable and perilous fishing work conditions. Onyango and Aoko had frequent fights as he complained that she did not cook him good food. The fights were frequent but she would nurse her injuries and continue with life. But one day Onyango beat her up seriously and threatened to strangle her. Seeing that her life was in danger, Aoko moved to live in a fishing village in a rented room. While there, she met Noaz, a fisherman with whom she lived for a short time, but life became difficult in the fishing village,

prompting her to return to her late husband's home. To her shock, she found that Onyango had sold all the land including even the portion where her house stood.

Atieno, a mother of three, lived with her husband, Okinyi, in a village near Nyagina fishing village. Their house was known for frequent fights and Atieno's screams, especially on the nights when Okinyi was on a break from night-time fishing duties. He would drink in the nearby local breweries and then Atieno's yells would follow. She could not bear his beatings and, fearing for her life, she decided to migrate to another fishing village away from her marital home.

As explained above, land ownership and control defines relationships in families, with power vested in the landowner. Since, according to customary arrangements, men own land and women get land use rights through marriage, women who find themselves in unexpected circumstances – widowed, estranged, or dislocated from their marital home – face particular difficulties. Residence becomes a notable problem, particularly in poverty-ridden communities where they cannot afford to rent houses or buy their own land. In the course of the research, I met many women who were in such positions. Such women migrate to the fishing villages. Gender violence, as the cases of women like Atieno and Aoko illustrate, is central to how widowhood and non-supportive relations contribute to migration to the fishing villages.

The focus group discussions about these stories quickly led away from the stories themselves, as participants brought in a wide range of their own experiences. In the discussions, three solutions were offered as ways to mitigate problems of this nature, although they were not simply agreed upon. The respondents offered: 'If I were Aoko, I would take the case to the chief'; 'I would convene a family meeting to arbitrate'; 'Let her go

to the elders as they should follow up her case to get her land back.' From these responses, it was clear that the option of seeking arbitration of the elders and the chief was well known as available. As is custom, arbitration by elders and chiefs involves reporting the matter to them, followed by a hearing in a village *baraza* (gathering). However, the difficulties of women's participation in village *barazas* were pointed out, as one man said: 'They don't listen to women actually. It becomes very difficult for a woman to appear before the *baraza'*. Besides, as I had noted during a focus group discussion that I held with village elders, women were a minority and often quiet. There were two women out of a total of 11 village elders. I noticed that whenever one of the ladies spoke, the chairman would summarise her opinions, sometimes completing her sentences. Eventually, they did not contribute, choosing to nod as the conversations progressed.

From discussion of Aoko's and Atieno's stories, key issues emerged: violence towards women, threats of dispossession or eviction and the corrupt nature of local arbitration mechanisms. It was reported that sometimes these elders and chiefs act as conduits in dispossessing women by allying with wealthier land buyers. They also ask for bribes to listen to cases, thereby making it difficult for women who cannot afford to pay. One widowed woman offered her story:

> Aoko's story is the same as my case. My *shemeji* (in-law) sold land while I was still living there. When I went to the chief, he asked for a bribe. I didn't have it so I had to move away and live in a small rented house in the fishing village. Then one day I decided to go to the councillor who persuaded the chief to intervene. *Shemeji* was threatened and he allowed me to stay even if he had sold most of the land (Female FGD participant).

Corruption thus adds to the frustrations of women who seek for help from chiefs. Another woman reinforced the point by underlining the indifference of the authorities:

> As a mother of ten children I had gone to the chief because my husband said he did not want me anymore. Then one day he moved away with the second wife and left me on the land that he had already sold. The buyer came and evicted me forcefully, destroying my house. I had nowhere to go. The person who bought my land is a rich man and he does not care. He has not even used the land he bought even if he evicted me forcefully and in a hurry. The chief's offices are not helpful. Even the other in-laws do not care about my children and me (Female FGD participant).

A widow whose only son had died lamented, 'I had only one son who died and then the family pushed me away from the land. The elders knew this and no one did anything.' In one case, a widow still faced dispossession even after she had saved her own money to buy the land that she occupied:

> My land was taken away when my husband died. When my husband's grandfather gave me land it was also taken away when he died. Then I bought a piece of land with my savings. There is a problem because they want me to tell them to whom I will give that land when I die because my only son died. I want to give it to my daughters but seeing how hostile my husband's relatives are, I will just sell it (Female FGD participant).

In Aoko's case, the respondents generally felt that according to the custom, Onyango had erred and that Aoko had full rights to live on her late husband's land. This is an indication of the limitations of customary law and the failure of arrangements that should confer security to widows like Aoko. Although customary law protects Aoko's rights to live and hold the land for her sons, it is clear that the mechanisms for enforcing such entitlements are weak in cases where a widow leaves the land. Migrating away from the land leaves the widow at greater risk of losing it to other interested members of the lineage. Migration therefore becomes an 'open moment' (Ansoms et al., 2014) – a point of confusion or flexibility in practice, which here leads to dispossession.

This scenario is not unusual. Speaking of women and succession in Sub-Saharan Africa, Kuenyehia observes that,

> In the past there existed certain sound underlying assumptions for what now seems to be the lack of protection for widows. By custom it was the legal responsibility of the customary successor to maintain the surviving widow and children out of the estate of the deceased. This obligation was discharged with all seriousness by customary successors. In this present individualistic age, however, the interests of the widow and children are more often than not subjugated to the personal interests of the customary successors. It is not uncommon to find widows who have been thrown out of their matrimonial homes upon the intestate death of a husband (Kuenyehia, 2006: 392-393).

While a somewhat generalising view, and one that paints a rather idyllic view of the past, Kuenyehia's observations fit what we see among Luo widows today – as I show here and in Chapter Six. In Zimbabwe, Matondi observes something similar:

> There were cases recorded by the Ministry of Gender in Mazowe where men have 'chased' their deceased brothers' widows with the intention of grabbing the land and other assets left by the deceased. Widows who had not been married long and those who have young children are particularly vulnerable to being 'chased', whereas those with adult sons are in a stronger position to defend their right to the land (Matondi, 2012:203).

What we see in the Uganda, Zambia, Ghana and Zimbabwe, in the work of Kuenyehia and Matondi, is the effect of weakened or compromised arbitration systems. This is also true in Luoland, but in addition women's marginalisation is exacerbated by acute economic instability. While the Constitution of Kenya endorses the use of local arbitration mechanisms to resolve land disputes, clearly this is not working well. The role of elders and chiefs as custodians of history, including information about land boundaries and regulations, is still needed for land subdivision. However, I found that corrupt dealings, such as those reported by dispossessed widows, tarnish their authority as women's hopes for effective mediation are dashed. Furthermore, livelihood difficulties put greater pressure not only on land, but also on how these local arbitration mechanisms actually operate. For instance, bribes are one of the means through which local authorities attempt to meet their own needs, albeit in ways that disadvantage others.

Another significant finding relates to the limits of family obligations. While a brother-in-law is in theory obligated to care for his brother's widow, the reality is that this ideal is often not met. Even when it is, the resulting arrangement may be burdensome for the widow. The inability to fulfil kinship obligations is largely a result of social breakdown and livelihood difficulties. For instance, Onyango subjected Aoko to physical violence due to her inability to provide him 'good food.' This is a typical example of a failed obligation that in fact reveals the difficulties faced by both parties – Aoko was unable to cook 'good food,' while Onyango was unable to provide the means of acquiring it. Onyango's own work as a fisherman had ended, after having lived in one of the fishing villages but later returning to his ancestral home when fishing work become difficult. A younger widowed mother, Nela, whom I met in Nyagina fishing village, had a similar experience. She moved to live in a fishing village near her mother's village because her late husband's brother, who had taken her in a levirate union, would demand food that she could not afford. Living with HIV and caring for her two children was already burdensome enough, particularly because her brother in-law did not support her in any practical ways. Like Aoko, she experienced violence due to inability to provide causing her to run away.

During the discussions, it was generally agreed that Aoko had the right to use and live on her late husband's land and that Onyango should be questioned for selling this land. 'That man had no rights over the land. The land belonged to her husband and her children so that even when this man who inherited her sold the land, he just did it blindly,' one respondent argued, noting Aoko's rights as a mother of sons. Notably, Aoko's hope of repossessing her land was linked to her male children, as another male respondent made clear:

> People also tend to fear male children. Another thing that Aoko could have done is to wait until her children come of age, then when they go back there,

> those people will automatically fear the boys, and they will render themselves weak, and that's how Aoko will possess the land (Male FDG participant).

Another respondent added:

> She should wait for the children to become men because these children are owners of land and a woman just comes back because the children are the owners of land. So you know that should she go to the government, Onyango will be in trouble (Male FGD participant)

The discussions underlined that Aoko's chance of getting justice was augmented by the fact that she had sons. On further inquiry as to what would happen if a woman did not have children, a respondent said, 'if she did not have any children, she should go elsewhere.' 'Going elsewhere', as I learnt from more probing, meant remarrying.

The respondents proposed that women in Aoko's or Atieno's situation could find a solution by marrying again, a sure way of accessing land from another man. 'She should look for another husband. Marry and marry again until you get land through a husband; even women know that they will be married somewhere', a male respondent suggested and others agreed in unison. This may explain why women who find themselves in situations like that of Aoko often move on to other relationships with hopes that they will endure and lead to marriage, and subsequent access to land and a *dala* (residential home).

Beyond sharing Aoko's story in the focus groups, her case became an important one for me to follow during the fieldwork. It revealed that a friend had temporarily accommodated her together with her four children. When I asked her about the option of going back to her father to seek refuge, Aoko looked at me blankly and just shook her head. According to the Luo customs, it is shameful for a married daughter to return to her father's home. 'I would not go because I would even be a bad omen if I died in that place,' she explained. It is expected that a female child only temporarily lives in her father's home,

waiting to go to her own husband from whom she receives land. When women like Aoko are rendered landless despite having been married, they are faced with a choice about whether to forge other relationships, despite the risk of further physical abuse.

According to Kenya's Constitution, Article 60 (1) f, the law requires non-discrimination along gender lines in matters such as land, as noted above. This law particularly speaks to customary laws that hold that female children cannot receive a share of their father's property, as they are expected to marry and access land elsewhere. The spirit and intention of this constitutional provision is to protect vulnerable women who find themselves evicted from homes and from their sources of livelihood. One implication is that it holds out the option of women getting land from their natal homes. In reality, that option is in conflict with customary laws and norms. During the discussions, one male respondent suggested that 'Atieno's father should call her and give her land to settle,' amidst shouts from others who retorted: 'returning to her father to seek refuge is unheard of.' One man irritably explained: 'If my sister is given land to settle by my father, her children will take away the luck of my children. So I won't allow that to happen. I can only help her get land elsewhere.'

This was followed by laughter from the rest of the respondents. 'If a woman dies in her father's compound she will bring bad omens to her brothers', a male respondent insisted, to murmured agreement. The association of returnee women with bad omens, which may have adverse effects on a brother's children, leads women to dread seeking refuge with their fathers when they are dispossessed. No wonder Aoko responded with vehement disapproval when I asked her whether she would consider returning to her father's home. Moreover, as the participants indicated, such a return signals failure and shame on the part of the family of the woman. They are perceived to have raised a stubborn girl who fails to sustain a marriage.

This explains why women would rather choose to migrate to the crowded fishing villages or to urban slums. Since a returnee woman's presence is associated with shame and with bad omens, what natal families often do is rent a house elsewhere for her or support her in paying school fees for her children. In the discussions, most men said they would offer to contribute to school fees for a sister's children, or pay her rent, rather than allowing her to live near their land.

Violence against women: 'We are beaten but not so much'

'If I tell her, go, get of here, get out of my compound, she will just cry and come back to plead but if she has land somewhere else, she will just go.' These were the words of a male participant describing how land ownership by women may change relationships between men and their wives. In the discussions, it emerged that wife beating is one of the means by which men exercise their authority and control. Research in the region attributes violence against women to a crisis of masculinity. Izugbara et al. (2013), Amuyunzu-Nyamongo and Francis (2006), and Silberschmidt (2001) allude to men's tendencies to compensate for threatened manhood through physical violence towards their partners. Actually, in an environment where men's authority as providers is challenged, land ownership remains a significant way to assert male control.

The prevalence of wife beating was well articulated by participants during one of the focus group discussions, which was conducted among male and female traders in the fishing village:

Researcher: I want to hear more about *ngoyo dhako* (wife beating).

> Male respondent: In the past men used to beat their wives. That's their right. I mean, it happens.
>
> Another male voice: Even these days they are beaten.
>
> A female voice: Yeah, but not very much.
>
> Male voices: (Insisting) *Ongoyo, ongoyo!* (They are beaten, yes they are) but the women do not want to accept that fact. (Men laugh)
>
> Female voices: No!
>
> Another female voice: We are beaten but not so much. (Men laugh again.)

On further inquiry about wife beating, I learnt that this is one of the means of maintaining control over women by men. Beating is attached to the fact that a woman's place or residence arrangement is dependent on attachment to her husband and therefore despite the beatings, she would still stay or return even if she runs away. So, ownership of land by a woman is unimaginable as men generally see their exclusive ownership of land as key to the authority they have as men over their women. The ownership of land by women threatens men's existing control, hence the insistence of wife beating as a man's right during the discussion: 'They are beaten, yes they are', asserted the male participants. One man further underlined why it would be unacceptable for women to own land:

> It is not acceptable for a woman to own land because if I beat her, she will just leave and go to live where her land is situated. If she knows she has somewhere else to go, she will not respect me (Male FGD participant).

Men's respectability is attached to their ability to remain as the sole owners of land and for the women to remain dependents in that regard. Many echoed the fear of losing respect and manliness. On whether as a man one would allow a wife to own land, animated debate

ensued, with some men stating: ‘I can’t chase her if I want’; ‘It is tormenting for men to imagine that wife has some property; ‘If wife owns land, you are not somebody.’ Another one angrily asked, ‘what kind of man would that be?’ The responses from participants show the reason why the Matrimonial Property Act remains a major threat to men in this setting.

Men are aware that even when they beat their wives, it is unlikely that they will run away. One man stated, ‘if I beat her and chase her away, she will just cry and plead to stay but if she has land elsewhere, she will just go’. Another one added:

> Traditionally, whenever there is a dispute between a man and a woman, a man will chase his wife away, they will tell them to move out of the compound, or move out of the house. But according to that new land law, [the Matrimonial Property Act] it is clear that I cannot chase my wife out of that land (Male FGD participant).

To women, on the other hand, in the context of poverty and the prevailing ideal of femininity, *dhako moromo*, which defines their value according to the ability to stay married, the thought of eviction by a husband is terrifying. A woman would rather endure violence than face the reality of homelessness and shame. Even women respondents in the discussions were of the opinion that owning land may bring problems with their husbands. One offered, ‘If a woman owns land it might make them refuse marriage or bring problems to their husbands so this matter for me is hard.’

The existence of customary law that excludes women from the ownership and control of land is not the only reason for the poor implementation of new land laws like the Matrimonial Property Act. The preservation of gendered power through threat and violence points to another reason why the new laws are not taking effect in ensuring equity in land access. As other studies have noted, customary law does not essentially hinder statutory land law, but the latter does threaten or interrupt existing power structures (Pasura, 2010). The

Matrimonial Property Act, for instance, amounts to the end of sole male ownership of land by stipulating joint spousal ownership. When it comes to land issues, customary law affirms men's authority and sole ownership of land while statutory laws do the opposite.

Land and Masculinity: 'If a wife owns land, you are not somebody'

From the discussions, women's land was overwhelming linked to marriage. Regarding the options available to women who are not married or who separate from their husbands, focus group participants proposed resorting to marriage and remarriage. 'Marry and marry again' was the refrain. On whether the statutory laws would be helpful to support widows who are dispossessed, the respondents insisted that this avenue is not feasible. 'These laws deny sons their rights and once a woman is married she has a right to enjoy everything including land where she is married,' a female respondent opined. On fathers giving land to daughters who are not married or if they separate from husbands, there were mixed reactions. One response by a male participant was: 'No, not easy unless she fails to marry or maybe I would buy her land elsewhere instead.' Others felt that they would think differently about their own daughters. One man asserted:

> When it comes to matters of my daughters, it becomes very difficult. Sisters may be a bit far, but now my daughter, it's very difficult, it's very personal and I think even if I can't find a piece of land for her in the ancestral land, then I can even decide to look for a way to settle her. If I have land, as a father, I'll have full rights or full control over that land and I'll be the key decision maker over my property. So when I tell my children that, ok, so and so you'll have this portion, then no one will question that (Male FGD participant)

Men in Luo patrilines still largely own land collectively. Indeed, in instances where land is not yet subdivided among the male relatives, it is more difficult for individual men to make decisions regarding the land, including decisions about co-ownership with their spouses

or bequeathing to their daughters. However, as I discuss here, there is more to the problems involved in women's land claims. Women's attempts to claim land rights amount to direct threats to hegemonic masculinity, as one male respondent stressed:

> Usually, according to our tradition, it's the men that own the land. And if a woman comes with a suggestion that they want to sell the land then you will know who the man is! (Male FGD participant).

'Know who the man is' is an assertion of the man's position. 'It's the man to give the authority,' another respondent asserted. Land ownership affirms 'who is the man' and therefore stands as an expression of authority and definition of proper manhood. This is particularly the case in a settings where there has been general decline in livelihood means such as was demonstrated by men like Onyango and other fishermen whose work is uncertain in their villages of origin and also in the fishing villages.

Men's efforts to safeguard their authority and control over land by resisting women's claims was revealed by a final case discussion. This story was about a married woman whose father had given a piece of land. Mara was married to George and they lived together with one of George's sisters, Lily. One day, Mara's father phoned, informing her that he was planning to give her some land as he was sharing his property among his other children. When Mara excitedly shared the news, Lily said that accepting such a gift of land would shame her brother: 'why do you want to shame my brother like this?' She asked Mara. The reason for Lily's response was discussed.

This story elicited heated discussions that alluded to the undesirability of a married woman's access to land in her natal home. After all, proper masculinity is anchored in sole ownership over land. One respondent stated, 'It's tormenting for men to imagine a wife has some land', expressing what he saw as an abnormal situation. This feeling, as I learnt from

the discussion, did not imply that women cannot own land, but it did reveal how men might feel in regards to such rare cases. As one man said, referring to a man who would allow his wife to own land: 'that can't happen unless he [the husband] is crazy, is he really a Luo man?' These sentiments were also shared by women. Indeed, in the story itself, Lily reasoned that Mara's ownership of land would affect her brother's reputation as a man. Most focus group participants dwelt on Lily's reference to shame, suggesting that a woman's acceptance of land from her natal home would minimize her husbands' respectability. Furthermore, the perceived threat to masculinity was also attached to women's access to some of the power which men hold through land ownership, as one man asserted: 'if a woman owns land, she will become superior and have a say on certain issues that they are not traditionally supposed to.'

The second significant marker of proper masculinity that was revealed through the discussion was control and authority over one's wife. This is anchored on bride wealth payment, which transfers a woman from her natal home to her marital family. For a man, bride wealth payment justifies a sense of ownership over his wife and authority over his home. It is for this reason that, in cases like that of Mara, a woman who accepts a gift of land from her natal family weakens the husband's authority. This is because, as one focus group participant argued and others agreed, 'a woman's family expects that a man is to give them wealth not to take it from them'. Partly, paying bride wealth is supposed to demonstrate the man's ability to care for his family. It was because of this that the participants felt that a man allowing his wife to take a gift would show his inability and thus his inadequacy, and hence shame him.

In addition, the respondents were of the opinion that when women own land, their marriages would be unstable due to lack of respect that may arise from such a woman: 'You know there will be problems in that marriage because of lack of respect from the lady towards her husband', one male respondent explained. This is important in regard to men's sense of authority because marriages are considered a measure of proper masculinity and femininity.

In an environment where people are faced with economic and social fragmentation, a significant marker of proper masculinity, that of providing for families, is now hard to achieve. Men are therefore left with the sole ownership of land according to customary laws as a preeminent mark of proper masculinity. When women's land claims, and the laws that sanction egalitarian values, threaten this land ownership, hegemonic masculinity is placed under further pressure.

Conclusion

In this chapter, I have discussed women's land claims in the context of livelihood vulnerabilities and legal pluralism, and how these intersect to shape gender relations. I showed that gendered inequality in the control of land produces vulnerability, dispossession and conflicts. These problems are exacerbated by an already-difficult socio-economic environment and by family fragmentation, particularly widowhood. As this plays out, a lack of awareness and resistance to laws that protect rights, corrupt local arbitration mechanisms, and threats to notions of masculinity complicate the situation for women. The framework in figure 3 below illustrates what I have been describing.

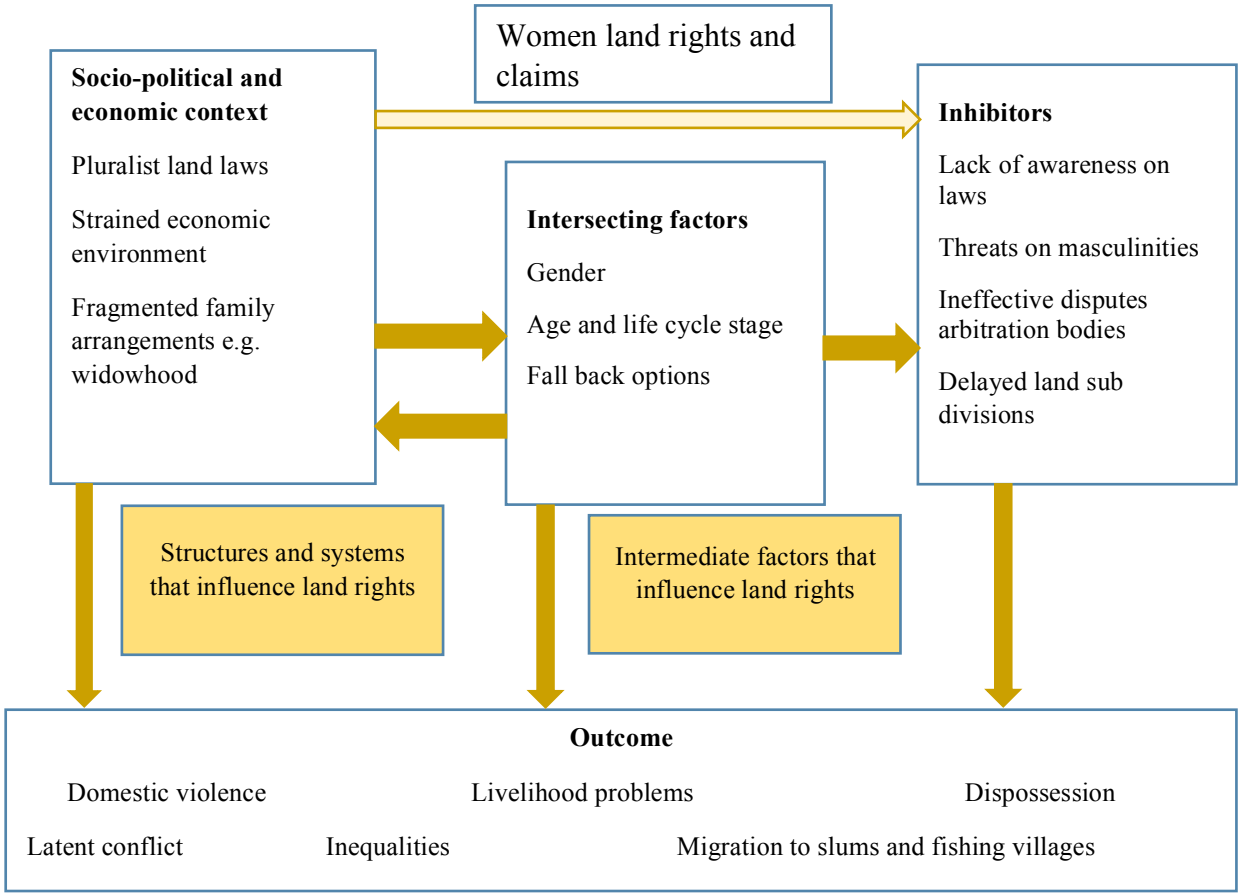


Figure 3: Multiple outcomes of land claims and social structures

I argue that, although women have rights on the basis of being properly married, dispossession, threats of violence and marginalisation still persist. While statutory laws outlaw discrimination on matters of land, resistance to these measures is prevalent partly because of how egalitarian ideals destabilise men's self-understandings. Marked gender inequalities anchored in customary arrangements are further given a new lease of life by the livelihood vulnerabilities that have affected both men and women.

CHAPTER 3

GENDERED TERRITORY AND UNCERTAIN PROSPECTS: VILLAGES OF REFUGE IN DENS OF RISK

In the previous chapter, I discussed women's claims to land as a form of capital in relation to livelihoods, and how they continue to face marginalisation despite their rights being enshrined both in customary and statutory laws. Women who are dispossessed and face land-related disputes migrate to the fishing villages where they find refuge in temporary rented residences while they still remain connected to their marital homes. In this chapter, I describe roles, work processes and the social characteristics of the inhabitants of fishing villages, showing that such spaces act as refuges for men and women but also turn out to be settings of vulnerability. Work processes, roles, income and relationships position people differently in relation to authority and control over important resources.

Migration to these villages is driven by a wide array of aims which include not only a search for livelihoods but also an escape from the shame of unmet obligations elsewhere. In these villages, women attempt to live in accordance with some norms of femininity – or, in Dholuo, norms of *dhako moromo* (a complete woman) – while also defying others. In addition, the fragmentation of families exacerbated by high HIV/AIDS prevalence leads to the intensification of already fragile conditions in the fishing villages. I show how women manage to envision better lives in their circumstances by investing in social capital and in education of their children while still contending with the challenges of day-to-day sustenance. The income and time-use characteristics of fishing villages – a particular focus of this chapter – offer a picture of the lives of their residents. To set the scene, I situate fishing

villages within the informal sector more broadly, and then as a space with distinctive social, economic and political identity.

Fishing Enterprise and the Informal Sector

Fishing and fish-related business forms part of the informal sector in rural Kenya. The term informal sector has commonly been used to imply a wide range of livelihood activities which people engage in outside of regular salaried employment (Hope, 2012; Pahl, 1988). The term informal sector was first used by Hart, an anthropologist, in a study among unskilled migrants in urban Ghana which found that people carried out autonomous activities for income generation outside of formal employment (Hart, 1973). There have been different schools of thought that have attempted to comprehend this sector. The legalists see it as constituted by enterprises that are not protected and not legally regulated in terms of registration with the state and do not require payment of regular permits and taxes (ILO, 1972). The dualist school construes the informal economy as peripheral initiatives that offer income to the poor and that have no relationship with the formal sector. The structuralist school, meanwhile, sees the informal sector as connected to capitalist formal sector and as 'subordinated economic units', which are characterised by small and devolved production units in which workers earn low pay (Castells and Portes, 1989; Moser, 1978).

The rise of the informal sector as a way to understand economic activity came about in a particular ideological and social-political context. In the 1950s and 1960s, developmentalist perspectives emerged in which development economists and political scientists theorised the need for all societies, especially those outside of North America and Europe, to move from being traditional to being modernised or developed (Chen et al., 2004; Reddock, 2000). Urbanisation, the growth of industries, regulated labour and the creation of

jobs were together envisioned as the trajectory of development that would lead to an expansion in waged employment. But, on the contrary, unemployment, poor pay for the employed, and the proliferation of slums in urban centres became a common pattern across Africa. Widespread unemployment raised concerns in the developing world, which led to the commissioning of the International Labour Office (ILO) to investigate the phenomenon in Kenya, Sri Lanka and Colombia (Moser, 1978). From the research mission, there was evidence of growth in both secure and insecure activities (ILO, 1972). In Kenya, the mission found that unemployment was linked to imbalances in opportunities for work and a lack of those opportunities overall (ILO, 1972: ix). In addition, low incomes in self-employment and waged work were identified as a growing trend of the working poor (ILO, 1972:1, 9). The informal sector therefore came to be understood as an all-encompassing category referring to the working poor in urban centres, those in unregulated self-employment, and low wage employment in insecure jobs (Chen et al., 2004; Hope, 2012; Pahl, 1988).

Writing on the Political Economy of Development in Kenya, Hope states that the informal sector:

> Includes all forms of unregistered or unincorporated small-scale productive, vending, financial and service activities, and is also comprised of all forms of employment without secure contracts, worker benefits or social protection both inside and outside informal enterprises (Hope, 2014:1).

Fishing work of the kind I describe below fits this depiction. Despite the apparent instability of such activities, they have increasingly become the mainstay of people's livelihoods in both the urban and rural areas. This is certainly the case with enterprises surrounding fishing, on which people rely for basic sustenance (Barasa and Kaabwe, 2001). Fishing work falls within the informal sector due to its insecure and low pay, uncertain yields, and arduous work conditions in unprotected and unregulated setting. The lack of

regulation has particular effects on people's lives in the fishing villages. For instance, there is little support from the government when it comes to basic social amenities such as health facilities and water and sanitation services (see also Omom, 2009). Wages are also low and uncertain, and workers have no protection. The employers, such as the boat owners who contract fishermen on a day-to-day basis, remain the sole decision makers on rates of pay. Because there are no binding obligations, as would be the case in regulated formal places of work, employer and employee relationships remain open to uncertain and often exploitative arrangements.

The existing regulation in fishing villages is focused on protection of the lake ecology against overexploitation and poor fishing methods (Lake Victoria Fisheries Organization, 2014), rather than on protecting people. Therefore, factors such as pricing are uncontrolled and the fishermen who cannot afford cooling equipment are compelled to accept low prices from traders from outside who have cooling equipment (Weckenbrock, 2005). Studies on Rusinga Island have revealed that essential services such as transport and healthcare are provided by non-governmental organisations (NGOs) and churches, rather than by the government (Omom, 2009; Weckenbrock, 2005). Omom notes that, despite the contribution of small-scale fishing in Rusinga to livelihoods, there has been limited attention to understanding its on-the-ground realities, with more focus on large commercial fisheries (See also Cowx et al., 2003). This neglect has, in turn, meant little capacity to address problems such as the lack of social services, poor roads, and poor fishing equipment (Omom, 2009). Other inland fisheries have seen similar trends, where the fishing communities have poor representation in policy and planning that might protect their rights (Smith et al., 2005).

Although my research was limited to fishing work within the fishing villages and not on the market for fish beyond these villages, other research has shown that informal enterprises such as these are part of a capitalist market (Chen, 2006). The *dagaa* fish, which is common in the villages explored in this thesis, is sold locally for fishmeal production and the rest is sold for food in neighbouring Luo markets (Abila and Jansen, 1997). The owners of fishmeal factories benefit more than the fishers themselves (Abila, 2003), with low-priced fish from the fishing villages underpinning the maximisation of profits in the formal capitalist market. Indeed, the structuralist school sees the informal sector such as the fishing work as connected to capitalist formal sector and with characteristic unequal relations. The fishing villages lack the market information needed to understand the world outside them, and they benefit minimally from the proceeds of their arduous struggle. A study that was carried out in the Lake Victoria fisheries found that:

> Small-scale fisheries in developing countries often fail to perform optimally due to lack of vital market information, leading to inefficiencies in market operations, inequity in sharing benefits (Abila et al., 2011: iv).

The conditions of work and life in the fishing villages are obviously difficult, and people undertake this kind of work because of a lack of other income opportunities. Previous research in the region has shown that education is one of the factors which determines work choices, because education develops human capital by providing skills (Atieno, 2006). Education attainment has been linked with people's ability to transition to more secure occupations in the formal sector (International Labour Conference, 2013; McCaig, 2017). This is significant in understanding fishing work, as my study showed low educational attainment among people in this setting, with most people having only primary education.

What they have within reach is fishing, as a mainstay for day-to-day survival and as a source of hope to improve life for themselves and their families.

The Fishing Villages of Rusinga Island

Rusinga Island lies on the south west side of Lake Victoria in Kenya and is dotted with settlements on its shores where fishing activities are carried out. One approaches Rusinga through the Homa Bay-Mbita road, which ends at the newly constructed bridge that connects Mbita Shopping Centre and the island. This shopping centre is the hub of activity of the people as it houses an open market behind a row of utility shops. Tuesdays and Fridays are the market days during which people from nearby islands of Rusinga, Mfangano and Takawiri meet to trade. From this centre is a bridge entering into Rusinga Island which leads to a dusty road that snakes around, circling the island. Following this ring road, you are led to the main fishing villages beginning with Nyagina and Kigoda, then Chiiru to Luanda Rombo, Kaswanga, then to Litare, Kolunga, Sienga and back to Kigoda.[5] It takes about 45 minutes by car or one hour on a motorbike to go around the island. Other roads that cut across the island go over a steep hill that is not navigable by car but traversable by the more daring motorbikes. There is little activity in the centre of the island save for a few homesteads and small subsistence farms, around which their cattle graze.

Management and Administration Arrangements in Fishing Villages

Rusinga Island lies within Mbita sub-county, formerly Suba district. Within the Island are four sub-locations, headed by four sub-chiefs and one overall chief occupying local administration posts. The role of the chief is enshrined in the Chief's Act 1998/2012 and

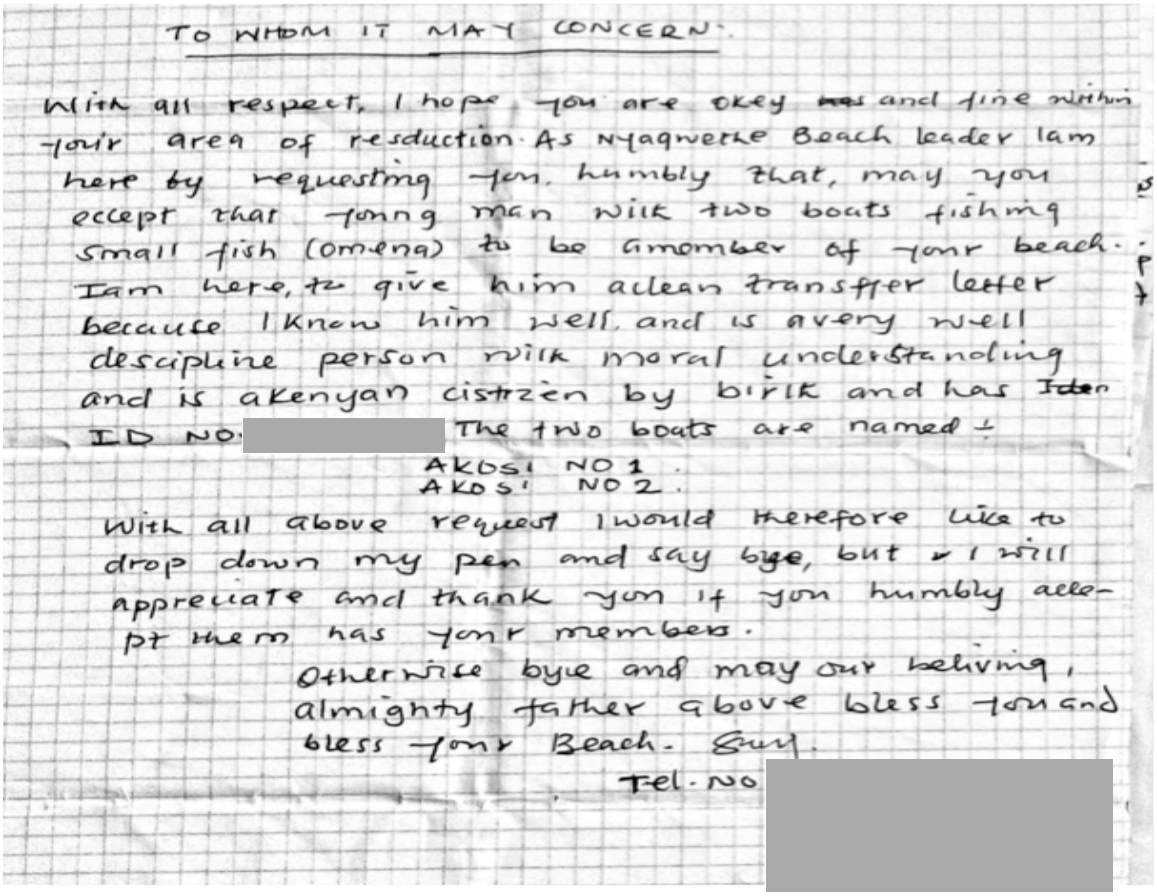
[5] See map showing these fishing villages along the edge of the lake in Rusinga Island.

includes maintaining and enforcing the order of persons residing within the respective location or sub-location in his/her jurisdiction (National Council of Law Reporting, 2016). Sub-locations are further subdivided into villages that are each headed by a village elder. The village elders in each of the sub-locations form a council of elders whose collective role is to hold regular arbitration meetings and listen to family disputes within their areas. The fishing villages fall within these authorities but also have additional administration arrangements that control the beaches, under the Beach Management Unit (BMU). Each of the fishing settlements (beach villages) has BMU officials whose role is maintenance of order and arbitration. According to the Fisheries Management and Development Act 2016, the BMUs are supposed to provide opportunities for the fishing community's participation in fisheries management (National Council of Law Reporting, 2016). This includes keeping records of the fish catch, enforcing fishing bans during non-fishing seasons and 'protection of vulnerable groups, especially youth and women' (Fisheries Management and Development Act). However, as the case of the BMUs in the fishing villages of Rusinga revealed, there is a clear lack of capacity to implement measures to curb overexploitation of fish stocks because of the critical dependence on the lake. For instance, the ban on *dagaa* fishing between 1 April and 31 August every year seriously affects the fishing community, necessitating either a return to ancestral homes or simply continuing with illegal fishing.

The protection of vulnerable groups has also been ineffective, and they have been marginalised in their access to fish stocks. Moreover, as other research has noted, there is a lack of trust between fishing communities (and their BMUs) and the Lake Victoria Fisheries Department, leading to non-compliance with conservation regulations (Mutunga 2002). Despite the Fisheries Department requiring the BMU to enforce its regulations, the state of neglect of these villages – including the lack of cooling equipment and of essential social

services – creates a sense of disenfranchisement leading to indifference about conservation (ibid).

Nevertheless, all people who participate in the various fishing activities and other businesses in the fishing villages – fishermen, fish processors, boat owners, net menders, boat builders and traders – remain under the authority of BMUs. Although entry into the fishing villages is unrestricted, new migrants, and especially fishermen and boat owners, are required to report to the BMU office on entry. The boat owners in particular are required to present a letter from the fishing villages where they worked previously, to be granted permission to operate in the new place (see figure 4). They also must declare any members of the fishing crew whom they bring along.



TO WHOM IT MAY CONCERN:

With all respect, I hope you are okey and fine within your area of resduction. As Nyagweke Beach leader Iam here by requesting you, humbly that, may you accept that young man with two boats fishing small fish (omena) to be amember of your beach. Iam here, to give him allean transffer letter because I know him well, and is avery well descipline person with moral understanding and is akenyan cistizen by birth and has Ider ID NO. [redacted] The two boats are named ±

AKOSI NO 1.
AKOSI NO 2.

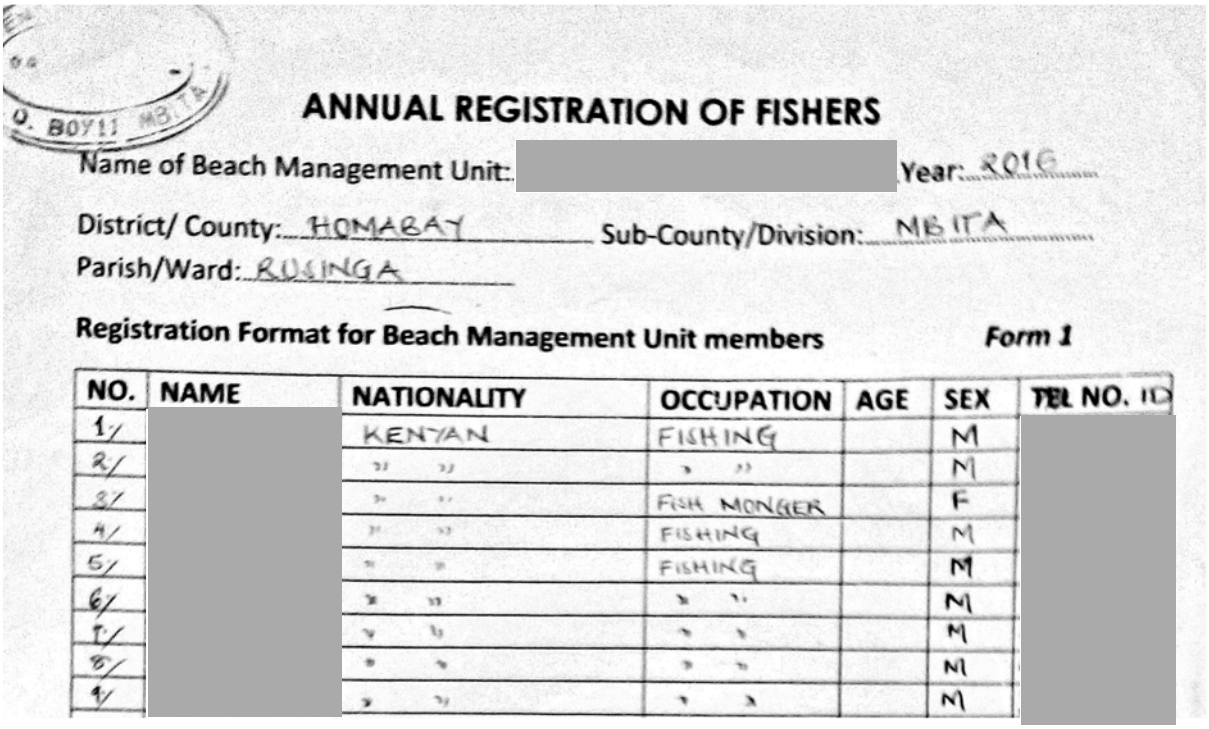
With all above request I would therefore like to drop down my pen and say bye, but I will appreciate and thank you if you humbly accept them has your members.

Otherwise bye and may our beliving, almighty father above bless you and bless your Beach. Guy.

Tel. No [redacted]

Figure 4: Recommendation letter of a boat owner

It was curious to note that female traders are not required to present any letters from where they had been previously although, once they settle, they are required to register (see figure 5 below).



ANNUAL REGISTRATION OF FISHERS

Name of Beach Management Unit: [redacted] Year: 2016

District/ County: HOMABAY Sub-County/Division: MBITA

Parish/Ward: RUSINGA

Registration Format for Beach Management Unit members Form 1

NO.	NAME	NATIONALITY	OCCUPATION	AGE	SEX	TEL NO. ID
1/	[redacted]	KENYAN	FISHING		M	[redacted]
2/		" "	" "		M	
3/		" "	FISH MONGER		F	
4/		" "	FISHING		M	
5/		" "	FISHING		M	
6/		" "	" "		M	
7/		" "	" "		M	
8/		" "	" "		M	
9/		" "	" "		M	

Figure 5: Annual registration of fishers (excerpt)

Livelihood Activities and Forms of Capital in the Fishing Villages

Fishing work is the main livelihood activity among the population on the Rusinga Island. Within the fishing villages on the edges of the island, there are diverse activities that rely on it. These include boat building, the sale of fishing nets and lamps, running utility shops, motorbike transport, second-hand clothes businesses, drinking establishments and cinema halls. Though farming was once a key alternative economic activity, it has declined due to poor soils and unreliable climatic conditions, and it is no longer dependable. In any case, I found that the majority of people on the island mentioned fishing work as their main income activity and a main motivator for living in the fishing villages.

57% of the 105 people interviewed for this research originated from within the county of Homa Bay and 43% from other neighbouring Luo counties. Some of those from Homa Bay also originated from various other places outside of the Rusinga Island. Migration from village to village by fishermen is common (Odipo et al., 2015). As such, the composition of the fishing villages is made of people from other Luo villages who migrate to diversify their livelihoods. For similar reasons, other research has also noted migration to the urban centres of Kisumu, Nairobi, and nearby Homa Bay and Migori towns to seek work (Weckenbrock, 2005). With high unemployment in Kenya, migration to towns where jobs are hard to secure leads some to prefer the fishing villages. In the study, 87% of the people interviewed were between the ages of 20 and 40 years – largely adults in productive years. Lwenya et al.'s (2009) study revealed a similar trend of an average age of 36 years across the population of fishing communities in Kenya.

Fishing work functions as a significant mode of livelihood, among other rural livelihood options such as farming. However, the people who migrate to the fishing villages take fishing as their mainstay. Poverty and livelihood analysis have attempted to understand the small-scale fisheries. Studies of ‘small-scale fishing work’ overwhelmingly associate fishing work with the work of the poor (Bene, 2003; Smith et al., 2005). Open access to fish has been linked to steep competition and over-utilization of the lake resources. Although this is plausible, it does not illuminate the complex nature of access arrangements in this setting. Access is not as open as it appears, and social and cultural capital affect the extent to which people can take advantage of the natural capital of the fish stock and the lake.

A number of dynamics shape the livelihood activities and their outcomes in these villages. As a feature of livelihoods, access to assets is vital for the fishing community. The

most apparent is natural capital, which includes land, discussed in the previous chapter, and the fish stocks from the lake. Before delving into the lake and fish stocks, I will first outline the other forms of capital to which people have access to in the fishing villages.

Physical capital in the form of temporary shelters in which members of the fishing community reside characterise these villages. These temporary houses have one of two different layouts. The majority of them are made of iron-sheet walls and roof with either cement or earthen floors. The others are mud-walled with iron sheet roofing and are mainly earthen floored. These houses are normally built in long rows along the fishing villages with open spaces between the rows where fish is processed. To gain access to these houses, a lease is negotiated at a monthly rate of between Kshs. 200 and 1000 (£1.5 and 7.6) depending on the size and layout. These houses are owned by people outside of the fishing who can rely on a steady demand for shelter from migrant fishermen and fish traders. Others are owned by wealthier boat owners who also use some as storage for their processed fish. Besides the houses, other items of physical capital include fishing equipment, which are critical assets. The availability of electricity is also part of the physical capital available in some fishing villages, while it is lacking in other villages on Rusinga Island. The road network that connects fishing villages is mainly all-weather dirt road. There are mobile phone networks, which also aid in money transfer. Sanitation facilities are disturbingly scarce in these villages, with about one latrine toilet serving a whole village. There is no water on taps in any of the houses, so people wash and bath in the lake with two sections set apart as bathing areas for men and women.

Social capital (Isham et al., 2002; Woolcock, 2001) includes networks, relationships, and self-help groups (in Dholuo, *agulu*) in the fishing villages. These form a significant

context determining access to fish and income. The strategies that women employ in their attempts to participate in fishing work depend on relationships with fishermen or other female boat owners. The outcomes and strengths of various forms of social capital in the fishing villages are discussed in Chapter Five.

Closely related to social capital is cultural capital which denotes cultural knowledge – the norms, practices, behaviour, beliefs and ideologies that are valued and which aid in offering some advantage in the society (Bourdieu, 2011). Of importance in the fishing village are the Luo customary arrangements, gendered practices of acceptable femininity and masculinity and norms of reciprocity. These act in mutually reinforcing ways to shape how fishing work, land and income are accessed and controlled.

Financial capital takes the form of income from business, wages, remittances, and the savings and credit facilities (Goodwin, 2003). Income from fishing activities is the most common financial resource in the fishing villages. My analysis of incomes, detailed below, reveals low returns given the time and effort invested in fishing-related activities. But income is also highly unequal, pointing to the importance of social and cultural capital in this setting.

Having reviewed the wide range of forms of capital that contribute to livelihoods, I now return to the natural capital of Lake Victoria's fish stocks. This, after all, draws people to settle along the shores. The settlements host people who have migrated from their ancestral villages in other parts of Luoland to engage in fishing-related activities. It is here that men and women make a living as fishermen, boat owners, cooks and traders. But it is crucial to understand the labour processes through which fish stocks are accessed and used. The working cycle in the fishing villages takes the whole day and night. Men go to the lake from

evening around six o'clock, and return the next morning, while women take on the task of drying, packaging and selling fish throughout the day. These tasks are interspersed with domestic and social activities. The fishing businesses and activities associated with them provide opportunities for building relationships, which are helpful for daily sustenance. This happens in the midst of daily struggles around competition for lake resources, which have been in decline over the years. To introduce this situation, I describe one particular morning during my fieldwork.

It was six in the morning in Nyagina fishing village, where a group of women gathered by the shores of the lake waiting for the boats to land from an overnight fishing expedition. I could see flickers of light far off in the lake, revealing the approaching vessels. It was windy, and water splashed on the few boats that were packed near a sprawling bush. Mona, a 37-year-old widowed mother and one of the fish traders, explained why these boats had not been used the night before. The previous week's efforts had realized little yield from fishing, leading some fishermen to down their tools on some nights. The female fish traders who carried plastic basins for transporting fish began to walk towards the lake when they saw two of the boats nearing the shore. There were four men in each, two rowing and the others looking far off in the distance. They did not look happy or sad, just tired and wet from the nightlong fish hunt. They wore jackets made from waterproof polythene material, and no shoes. Their hands were cold, ashen and wrinkled from being soaked while at work all night. As if to fight off the cold and the fruitless hunt from the night before, one of the fishermen began to speak, loudly stating that they had not caught much, to the disappointment of the women who waited. From one boat, they scooped out about half a basin of fish and from the other, one full basin. The women just walked further away from the shore to wait for other

boats, which were still making their way. Six more boats arrived with tired fishermen and nothing more than a basin of fish from each boat. The women, who totalled about 35, began to disperse, clutching empty basins on their hips while others stayed on to wash clothes and utensils by the lake.

Desperation was evident on the face of Odhul. On this morning, he carried a bowl in his hands and seemed to be in a deep argument with the fishermen. Because this was a poor fishing season, Odhul would not get fish as he was not a businessman and the fishermen wanted to maximise profit from their catch by selling to traders. I moved closer to the boat where Odhul was and greeted him. I told the fishermen that I wanted some little fish too. They agreed to my request because, as I later came to learn, according to Luo norms, it would be shameful to turn down a visitor who asks for food. I picked up Odhul's bowl and extended my hand to one fisherman, who dutifully filled it in exchange for the five 20-shilling coins that I had in my purse. As Odhul returned his money in the pocket, his frustrated face changed into a grin when I handed him the fish and, as we chatted, he invited me into his world. Odhul remembered his earlier days in Nyagina beach where he spent most of his time as a fisherman, together with his father.

> We would get good fish – mbuta (Nile perch), tilapia and we didn't bother with omena (dagaa) which was also plentiful. These days even to get enough to supply the kijiji (fishing village) is a problem. The little fish which they get from the lake are sold to traders first and some seasons are just bad (Odhul).

Fishing missions in the past, according to Odhul, did not take all night, although they used only hand-rowed boats in comparison to the current times when there are some that are motor-powered. He explained that there were more people living in the fishing villages than before, yet the fish yields from the lake had reduced considerably. Over time, Odhul's life

had turned into something he had not expected. Lacking a son meant that his fishing career ended with him, and there was no one to depend on to ensure fish for his own subsistence. As was evident on the morning we met, Odhul was the oldest of all men at the shore, and he did not have a particular boat from which he was guaranteed fish. The poor catch, which many fishermen lamented, only exacerbated what was already a difficult life for someone like Odhul.

Figure 6: A man with a basin of dagaa fish

This decline of fish yields has contributed to the phenomenon of sexual alliances between female fish traders and fishermen, which is evident on Lake Victoria and the other great lakes in Africa (Bene and Merten, 2008; Caldwell et al., 1989; Camlin et al., 2013; Fiorella et al., 2015; Mojola, 2010; Robinson and Yeh, 2011; Wingood and DiClemente, 2000). The so-called sex-for-fish transactions represent a strategy of accessing business and creating the social networks required for profitable participation in fishing work. In this chapter, I briefly discuss this phenomenon in relation to the high HIV prevalence, as part of

the unstable environment that characterises life in the fishing villages. But a detailed discussion and analysis of sexual transactions and other strategies through which women negotiate gender relations is offered in Chapter Five.

Figure 7: Picture of a female fish trader and boats docked at lakeshore

Gendered Territoriality and Access Arrangements

The background described above has obvious implications for the kinds of people who live in the fishing villages, and for the relationships that determine access to fish stocks and income. Fishermen and female fish traders have generally had only limited access to education, with 84% having attained primary education and only 16% secondary education. As indicated earlier, entry into the world of fishing is open to all, although fishermen in particular have to bring letters of introduction if they are moving from another fishing village. Migrants from elsewhere in Luoland, both men and women, are only required to register with the BMU

office on arrival. As I show throughout the thesis, access to fish stocks is highly gendered, with men having direct access by virtue of their fishing role, while women have to depend on relationships with men and older female boat owners in sex for fish and tied labour arrangements in order to access fish for trading. These relationships operate within an intricate social and cultural context, including gendered practices and norms. Other research on fishing communities around Lake Victoria has shown that women encounter obstacles to accessing assets and resources and that these rights of access are acquired through marriage (Lwenya and Yongo, 2012).

The dynamics of access have shaped the identities of the fishing villages as places that operate through markedly gendered arrangements. Men carry out the main activity – the direct extraction of fish from the lake – thereby creating a sense of legitimacy and control over fish stocks. This has implications for dependent relationships with women traders and boat owners in ways that create marginalisation along gender lines. Fishermen view the fishing villages as men's territory and act as gatekeepers of the fish stocks even when they may not own the boats they use for fishing. By attaching themselves to these men, women are able to secure access to part of their catch for sale and consumption. The fishing villages and grounds are therefore socially produced gendered spaces – a point I return to regularly throughout the thesis.

Research has shown how in situations of political instability and societal breakdown, territoriality becomes a significant tool of control (Lang and Sakdapolrak, 2015). Territoriality refers to how people claim ownership of a place at the exclusion of others by asserting their legitimacy and defending that ownership for the purposes of control (Sack, 1983). The research shows how such control can be used to reinforce racial segregation in housing, for instance (Bolt, 2013; Gordon, 1977). Bolt's (2013) case study of a farm worker

compound on the South African-Zimbabwe border illustrates how a place shapes people's lived experiences and survival in a starkly volatile environment. Similarly, the fishing villages under study here are (re-) produced as gendered territory which both influences and is influenced by people's lived experiences and livelihood outcomes, with housing arrangements, for example, reflecting control of place and people based on gender.

The villages represent spaces where competition for resources and the exercise of power and authority result in the marginalisation of one group that is women by another, men. Writing about the making of place after political violence in Kenya, Lang and Sakdapolrak (2015: 70) demonstrate how people from one ethnic grouping make attempts at excluding others by claiming authority and asserting their control over a previously contested place. They argue:

> Opposing interests in territorial control and contested sovereignty over space or a place can result in attempts at mutual exclusion, leading to overemphasised identification with territorial belonging, group mobilisation, processes of othering and demonization of opponents, and violence.

Certainly, the making of fishing villages as men's territory both denigrates women in-migrants and disadvantages all women, excluding them from direct access to fish and thereby limiting their income earning potential. This exclusion is rooted in the broad norms that define who and what a proper woman ought be. Certainly, a woman swapping a marital home for life in the fishing villages is considered transgressive, so that women's very presence in the fishing villages delegitimises them, and grants men the authority and control of a space they consider theirs.

In the following section, I describe the work processes and roles in the fishing villages to further illustrate how men and women make a living in this place.

Work Processes and Roles in Fishing Villages

The work process in the fishing village begins in the evening when fishermen leave for their night-long fishing missions. Preparations require mending torn fishing nets, and charging electric lamps or fuelling kerosene ones. Every boat has a team of four fishermen who have different roles: the captain (in Dholuo, *madhar*) is in charge of the whole crew, the *jangila* is in charge of lamps, and the remaining crew members, referred to as *jonanga*, are in charge of the fishing nets. The expedition ends at dawn with boats docking at the shore, where fishermen find boat owners waiting to inspect the catch and traders waiting to purchase it. Women huddle around boats with plastic basins, each carrying a piece of folded *kanga* cloth which they use as a cushion to carry basins of fish on their heads. At the shore, the conversations are in low tones, unless a boat returns with an unexpectedly low catch, or if lamps or other fishing equipment are lost. In such cases, there are suspicions that the fishermen may have sold off the catch or the equipment on other islands. Loud quarrels, sometimes followed by physical brawls, may ensue.

Although most traders have prior arrangements and seem to know from which boat to get fish, they still have to compete because of unpredictable and frequently low catches. After the fish is counted in large troughs for retailers, what remains is sold off to small, non-commercial buyers who wait in a queue. Once the fish is bought, it must be carried off from the shore to the drying area. It is spread out on nets on the ground and turned repeatedly throughout the day. Many women who enter the fishing villages often help with the carrying and drying of fish in exchange for some of the catch. The wives of boat owners who sometimes engage younger women to help also undertake this work. When dried, fish is packed in gunnysacks and transported to the market.

The business in the fishing villages does not, of course, operate in a vacuum. Domestic life comes with household chores such as meal preparation, caring for children, and washing up – all of which fall on women. And women juggle these with the activities surrounding the daily fishing cycle. Early in the morning they carry troughs of clothes and utensils to clean at the lakeshore while waiting for the fishing boats to land. These roles are carried out concurrently, as the morning schedule of Mona, a 35-year-old widowed mother, reveals.

Mona lived about a kilometre away from the lakeshore in a two-room house (a bedroom with two beds and a sitting room with a sofa). Adjacent was a kitchen house, which she used for cooking and storing dried fish. After evening meals, she would pile all the utensils into a big plastic basin ready for next morning's trip to the lake. On the trip she would carry another basin of dirty clothes. As she explained, 'I do not need to carry water from the lake to wash all these here. I carry them to the lake to wash as I wait for fish.' On reaching the lakeshore, Mona would place her utensils and heap of clothes on a grass patch and proceed to the boat with her two basins to collect fish. It would take about 20 minutes to secure her day's supply – one trough full of fish. While the fish dried, she would tend to her washing chores as she chatted with other women. The work process, and the roles it generates for female fish traders like Mona and the fishermen, create differences in position between women and men, and between categories of women, as I show in the following section.

The Fishermen

The work of the majority of men in the fishing villages involves the actual catching of fish from the lake. The work of fishermen is tough. The experiences of five of them whom I interviewed and observed – Enry, Calvince, John, Noaz and Oraza – underscore the

challenges involved. Disputes over fishing territories often occur, and these sometimes escalate to physical fights. And they are vulnerable to the theft of fishing equipment, and to unpredictable, potentially fatal weather conditions (Chamberlain et al., 2014; Omollo, 2017; Omoro, 2017). The already arduous task is made harder still by unpredictability due to the dwindling fish population, the consequent likelihood of a poor catch, and a large number of fishermen in relation to the number of fishing vessels. This creates competition over strained resources, with limited opportunities to secure regular work and meagre incomes. Furthermore, driven by high unemployment and declining agricultural outputs, many more young men are compelled to engage in fishing work, which in turn results in intensified competition. Low and unpredictable earnings create yet more instability. It is against this backdrop that their work and interactions with small-scale female traders *(jodeng'o)* and boat owners *(jokambi)* are understood.

The particular fish that is commonly fished in Rusinga's fishing villages is dagaa (in Dholuo: *omena*). Fishing dagaa requires light that attracts it to nets and therefore lamps are necessary during fishing. Darker nights are better as the dagaa gather around the fishermen's light. Once caught it is sold to traders who dry it before selling to fishmeal processors and in nearby shopping centres. On average, one boat brings about seven basins of dagaa on a good day, priced at 700 Kenya shillings per basin and therefore earning 4900 shillings per trip. From the total of 4900, the costs of fuel, charging lamps, and the crew's food – 500, 400 and 400 Kenya shillings respectively – are deducted, leaving a balance of 3600 shillings. The boat owner receives a commission of 30% of the 3600, which is 1080 shillings. The balance of 2520 is then shared between five – the four-crew members and the boat owner – with each getting 504 shillings. However, these payment arrangements are not this exact and change

from time to time. On a good day, therefore, a fisherman earns about 500 shillings and some additional *pocho*. *Pocho* is some amount of fish which every fisherman receives to take home as food after a fishing expedition.

The Jodeng'o

Jodeng'o (singular, *jadeng'o*) are small-scale female traders who get their fish supplies by moving from boat to boat. The term *jadeng'o* comes from the word *adeng'o*, which means little by little, characteristic of the manner in which these traders collect their fish. They constitute the majority of women in fishing villages, and their access to fish and consequent earnings are dependent on relationships with older female boat owners through tied-labour arrangements or sexual relations with fishermen. In tied-labour arrangements they offer labour, which includes carrying and processing fish, in exchange for an opportunity to purchase fish. This arrangement ties the *jodeng'o* women to the female boat owners as they have no other means of accessing fish other than working for them. I discuss tied-labour and sex for fish arrangements in detail in Chapter Five. For now, what is important to understand is the uncertainty involved in either case, due to competition. As John, one fisherman indicated: 'these ones just suffer as they move from boat to boat looking for supplies. Some get and others don't, especially if they don't have a husband or a friend in the boat.' I illustrate the life of a *jadeng'o* through the perspectives and experiences of two women, Nusco and Teline.

Figure 8: A jadeng'o returning from lakeshore and dagaa fish drying in the background

Teline had a difficult childhood after losing her parents before she was ten. She moved to a fishing village to live with her sister and continued with school there, but she dropped out after becoming pregnant at 14 years. Teline began a relationship with a fisherman who later married her as his second wife, and before long the husband married another woman. As a fisherman's wife, she had an easy supply of fish, but conflicts with her co-wives arose. Their lives started becoming more difficult as he could not provide for all of them, prompting each to fend for her own household. Their husband also took guardianship of two widows from his family, adding to the already strained family responsibilities. Seeing that her children were struggling to remain in school due to the lack of money for school supplies, she decided to move to another fishing village to begin a new business. At the new fishing village, Teline had no connections. She would make early morning trips to the boat-landing site but would not get any fish. Everyone else seemed to be networked, and every boat had its clients, rendering Teline incapable of continuing with business. She then opted to cook for fishermen for a small price, and sometimes in exchange for fish, a task she only did for a few weeks before she coupled up with one of the fishermen who made it possible for her

to get fish. This seemed like a happy ending to her story as she narrated it to me. But Teline soon demonstrated otherwise. She unrestrainedly broke down in tears saying, 'I do this for my children. I know I can get a bad disease [HIV/AIDS]'.

Nusco, a 35-year-old trader *jadeng'o* lived in Kolunga fishing village. Her home, a room in a row of mud-walled houses, was easily noticeable because of a pink *shuka* (cloth blind), which hung on the door. Outside her house was a large fish-drying field where, on the morning when I interviewed her, two other *jodeng'o* women were busy processing fish with their two children playing nearby. The fish belonged to a *tajiri* (a wealthy one), as they preferred to refer to the woman for whom they worked. Business had been erratic and sometimes lacking and Nusco's partner who was a fisherman had been drinking alcohol heavily. With hardly any money to purchase food, Nusco could not afford to eat well and also to raise her bus fare to the district hospital to collect her anti-retroviral drugs, as she was HIV-positive. A paltry daily earning of 200 shillings (£1.5) on a good day, typical for a *jadeng'o*, was insufficient to meet her medical and basic food needs. She had hoped her partner could help meet some of these needs, but assistance did not materialize due to his heavy drinking habit. Nusco arrived in the fishing village as a result of unfortunate circumstances. Having been widowed, her brother-in-law had taken her in according to Luo customs of widow guardianship (see Ambasa-Shisanya, 2007), but she had run away when her daughter was raped by one of the family members. On arrival at Kolunga fishing village, she began to offer her services by carrying and drying fish, before she met her current partner who initially made it possible for her to access fish for business.

Nusco and Teline offer insight into the circumstances that characterise the lives of *jodeng'o*: uncertain work, low and unpredictable earnings, and erratic short-term

relationships into which they enter in the hope of finding some security. Dagaa is also seasonal and needs to dry before being sold. Therefore during rainy seasons the *jodeng'o* struggle to make money. During the rainy months of March, April, May, August and September, they suffer losses and the dagaa require long periods of dying. Some women nevertheless manage to move from *jodeng'o* to the better role of a *jakambi* (boat owner, plural *jokambi*).

The Jokambi

Men and women who own boats are referred to as *jokambi*, a role that was previously a domain of men, but is now occupied by some women. Compared to the *jodeng'o,* a female *jakambi* has easy access to fish as they have some control over what is caught using their equipment. *Jokambi* depend on *jodeng'o* for carrying and drying work through tied-labour arrangements. While *jokambi* have more privileges than *jodengo*, as the experiences of Eta show, some insecurity still exists as they manage relations with fishermen.

Eta, a 42-year-old woman, was a *jakambi* who migrated to Litare fishing village after trying her hand at selling cereal grains, which had failed following a period of drought. Her tin sheet-walled house was part of a row of similar structures on the back street of the village, which was useful because its door opened onto a space from which she processed her fish while maintaining close proximity to her house. Inside her single-roomed dwelling was a collection of fishing equipment including lamps, fishing nets, and lamp holders, which occupied edges of the room. We sat on plastic chairs close to the door to keep guard against great egret birds that scavenge fish. Eta had been in the fishing business for five years, having been a *jadeng'o* for two of those years. According to her, business was profitable, but she mistrusted the fishermen she worked with. Since women are prohibited from going on fishing

missions, Eta complained that 'the fishermen sometimes sell fish from my boat to other beaches and then come and say they did not catch anything.' Since there is no way of female boat owners knowing the actual catch, suspicions between them and fishermen abound. Eta works with Lora, a young widowed *jadeng'o* who helps her to carry and process fish in a tied-labour arrangement.

Holding gender-atypical roles, as female *jokambi* do, offers some privileges relative to other women, but also some disadvantages in comparison to male *jokambi*. Their control over the proceeds from their fishing equipment is limited because they are excluded from the actual fishing missions. The fishermen control a substantial part of the fishing process, the actual catching of fish, so they can decide how much of the catch to declare to *jokambi.* Despite the disputes and the mistrust, they must depend on each other daily. From the point of view of fishermen, the dangerous task of venturing into the lake every night justifies their control of the fishing process and its proceeds. In my conversations with fishermen, I often heard complains about hard conditions at the lake and low earnings in comparison to the earnings of the female boat owners. Boat owners were also accused of practising witchcraft in order to maintain a regular supply of fishermen. Noaz, one of the fishermen complained: 'how can one work in these difficulties if there is no *dawa* (witchcraft); these people make us to go to the lake every night and we just keep doing it even when we earn nothing.' Given the mistrust, it is understandable why fishermen, in an effort to regain their control, sometimes engage in pilferage by selling off the catch to people on other beaches. The power relations between *jokambi* and fishermen shifts: during the day, *jokambi* have more control by virtue of their power to hire fishermen, while at night, the fishermen have control over the actual catch and opportunities to manipulate the catch inventory and sales.

Figure 9: Jakambi's house and jadeng'o at work

Other studies have shown that when women occupy positions which are not consistent with gendered norms, their positions are seen as less legitimate, making it difficult to have authority and control in relation to men (Ridgeway and Berger, 1986; Ridgeway and Smith-Lovin, 1999: 198-199). For female *jokambi,* the issue is more complicated because their control is limited to only one part of the fishing process —that of hiring fishermen while the fishermen control the actual fishing. While gender-atypical roles are constrained due to lack of control of the actual fishing, the *jokambi* still hold some control over their fishing equipment and hiring of fishermen.

From the above description of the fishermen, *jodeng'o* and the female *jokambi,* it is clear that fishing work depends on the relationships between these actors. Accessing resources and work depends on relationships that, as I show below, generate different positions and shape life in fishing villages in important ways.

Intersecting Positions

The differences between the female traders, both *jodeng'o* and *jokambi,* are shaped by the relationships they build and the privileges which those relationships bring. To have a relationship with a fisherman or a boat owner guarantees access to fish for the *jodeng'o*. The *jodeng'o* who are unattached occupy the lowest position followed by those who have relationships with *jokambi*, then those who have relationships with fishermen. The most privileged are *jodeng'o* who have relationships with fishermen as well as with *jokambi.* These relationships have to do with the positioning that makes it easier for the *jodeng'o* to have easy access to fish for trading. Moving between these positions takes time, but can be accelerated by already-existing relations, such as whether a woman has any relatives within the fishing villages. For instance, if a woman migrates to a fishing village where her brothers or cousins are fishermen, or where other relatives are already trading, they are more likely to forge new relationships easily.

Among the *jokambi,* I discerned three categories: the boat owners (labelled as JK1 in Figure 10 below), the wholesale businesswomen who also own boats (JK2), and the wholesale businesswomen who are boat owners and also have relationships with particular hard-working fishermen (JK3). The JK3 have higher incomes because they have control over the fishing by virtue of owning boats, and their special relationships with promising fishermen guarantee good fish yields. At the other end of the scale, JK1 only have control over their boats, granting them limited control over the market. Ownership of fishing equipment grants some control and authority but this control is augmented especially by close relationships with fishermen.

There are also different positions among the fishermen. The *madhar*, the boat captain, holds the highest position among the fishing crew and determines to whom the fish is sold. He is also paid more money than other fishermen. However, the role of *madhar* is fluid, as any fisherman can adopt it on a given day depending on his relationships with boat owners. Most women, particularly *jodeng'o,* prefer relationships with *madhar* to those with other members of the fishing crew. These roles and the power they carry are well understood by people. Fishermen who have relationships with older female traders have the least control. This is because older female traders control their income and others disdain these fishermen. The JK3 wield power over the labour of *jodeng'o* whom they engage in processing and selling their fish, and they have authority over fishermen whom they hire in their boats.

In summary, the *jokambi* occupy the highest position followed by fishermen and then at the bottom are the *jodeng'o*. These positions between *jokambi, jodeng'o* and fishermen and within these categories intersect to produce an aggregated order – albeit an unstable one – that influences access to fishing resources and income. As I show in figure 10 below, control is shaped by access to resources, control of the work process and relationships:

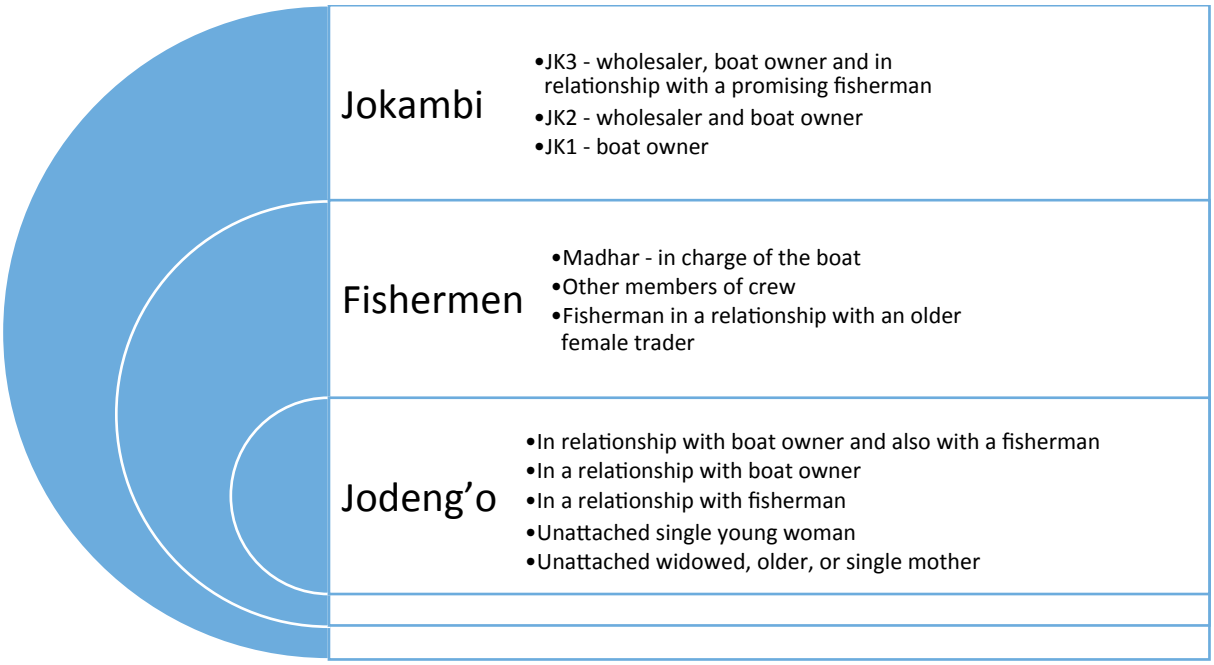


Figure 10: Different positions of control

In a context of acutely limited resources, these ordered arrangements create ways in which some people can manoeuvre for advantage, while others are subjugated.

The gendered division of labour as illustrated in the fishing villages influences positions of advantage and disadvantage among the actors. These positions are based on shared norms, which relegate *jodeng'o* to disadvantaged positions, thereby compelling expedient relations with fishermen and female *jokambi* in order to survive in this setting. This is in a context in which *jokambi* and the fishermen are also engaged in daily competition. At the centre of the relationships among *jokambi,* fishermen and *jodeng'o*, therefore, are exploitative undercurrents on the one hand, and opportunity on the other. Both aspects inflect these unequal arrangements. However, despite these asymmetries, women continue to build dreams of what they consider as good lives for themselves in relation to their goals in migrating to the fishing villages.

Before setting the scene further, a brief note on the way I initially came to understand its realities. To understand the general social demographic characteristics of the population – income, age, household features, and education – I conducted a survey among 105 purposively selected residents of the five fishing villages in November 2015. This was during a high peak period for fishing when there were relatively more people in the fishing villages. The survey acted as an entry into the fishing villages and also as a way of identifying respondents who would become key informants in the course of the fieldwork. I asked twenty-two general questions, followed by a set of another three questions specific to women's work (see the questionnaire in the appendix). I discuss the results of the survey, including patterns in time-use and income, in the sections that follow.

		Frequency	Percent
Gender	Female	66	63
	Male	39	37
Age of respondent	20-30	40	38
	31-40	47	45
	41-50	14	13
	51-70	4	4
Origin of respondent	Within the county	60	57
	Outside the county	45	43
Current marital/ relationship/ union status	Monogamous - one union	51	49
	Polygamous - multiple unions	18	17
	Single (Never been married, separated, divorced, widowed	22	21
	Widowed and in levirate union	14	13
Household size	0-4	37	35
	5-8	54	52
	9-15	14	13
Number of children	0-4	69	66
	5-8	34	32
	9-15	2	2
Level of education	Primary	88	84
	Secondary	17	16

Table 1: Social demographic characteristics

Since the focus of the research was women, I contacted 66 women and 39 men although that number does not reflect the gender ratio in the fishing villages. The majority of the people, 87%, were between the age of 20 and 40 years, which is a reflection of a population largely comprised of young adults. Notably, too, unlike in typical Luo villages which comprise of people of same lineage, the fishing villages are comprised of people from unrelated lineages within Homa Bay County and other neighbouring Luo counties such as Siaya and Migori.

Goals of Survival and Dreams of Better Futures

In this setting of multiple vulnerabilities, aspirations become significant as people pursue livelihoods to survive on day-to-day basis and also to live well – according to what they consider as a good life. In the survey, women were asked about their goals in migrating to the fishing villages. The responses were categorised in five key goals. Their most common responses were: to support their children's education, to build a home, to expand business, and to meet daily needs as shown in figure 11 below:

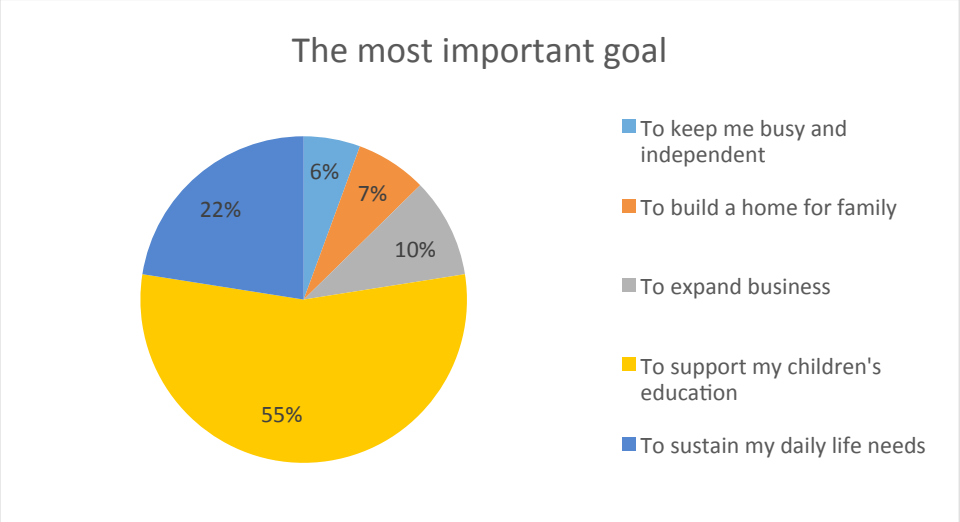


Figure 11: The most important goal

Banking on Family Reciprocity: 'I do this to educate my children'

The survey indicated low levels of education among my research participants, which I show in Figure 12 below.

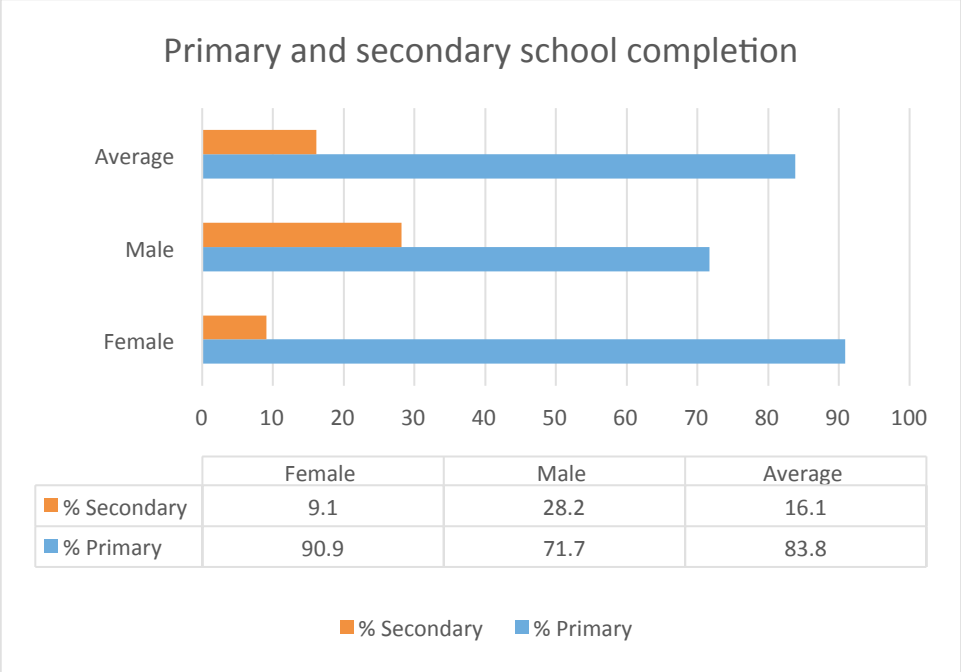


Figure 12: Primary and secondary education completion

Figure 12 above indicates that although 84% completed basic primary education, only 16% had completed secondary education. This is contrasted with the national average of 96.1% of primary school completion and 40.55% of secondary completion (UNICEF, 2013). This finding is in line with broader trends in the Luo Nyanza region, which has seen a decline in both primary and secondary school completion according to previous national demographic surveys (Kenya National Bureau of Statistics, 2009a; Jayoro, 2013). It is apparent that while more girls than boys completed primary school, their secondary school completion remained low. As has been noted in previous research, gender norms which place the burden of domestic chores on girls constrain the time they are able to devote to school-related activities,

leading to high attrition (Mungai, 2002; Chege and Sifuna, 2006; Juma, 2013). Primary school completion provides basic literacy and numeracy skills, but does not offer sufficient skills for formal employment within the county or in other parts of the country. Those opportunities for employment in public schools and health facilities that do exist remain out of reach for many. This may partly explain why girls are left with limited options, including migration into the fishing villages where they are faced with the reality of poor fishing yields and the exploitative transactions that result.

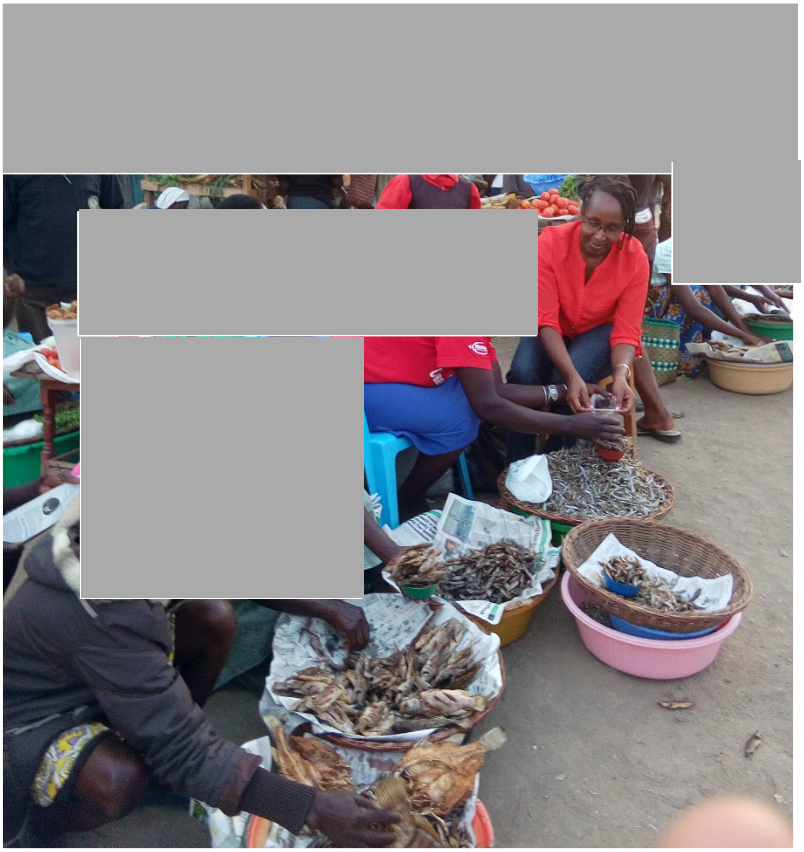


Figure 13: Researcher with jodeng'o women in the market

As just mentioned, to gain some understanding of the goals of women who migrate to fishing villages, I conducted interviews among 71 women, eliciting responses about what goals they saw as most important in relation to their work, and the problems they encountered in achieving them.

According to figure 11 above, most women, 55%, reported that their main motivating goal of migrating to the fishing village was to support their children's education. This goal is noteworthy, given the limited academic achievements of inhabitants of fishing villages, shown in Figure 12, which indicated that only 9.1% of women had completed secondary education. 22% of the women mentioned meeting their daily needs as their most important goal, while others aimed to build homes, expand businesses and also achieve a sense of independence. As for obstacles to their goals, they listed the following: low supply of fish due to poor catches, lack of a ready market to sell the fish, inadequate money for supplies, long working hours in poor weather, pressure to have sex in order to access fish from fishermen, and fear of ill health from carrying heavy loads of fish.

The goals which women mentioned represent on the one hand the desire to achieve day-to-day sustenance, and on the other hand aspirations to achieve long-term change. Aspiration refers to the ambition to change one's life. Debraj argues that aspirations should be understood in their multi-dimensional nature:

> Individuals aspire to a better material standard of living, but there are other aspirations as well, some a bit more sinister than others: dignity, good health, recognition, political power, or the urge to dominate others on religious or ethnic grounds. Depending on one's place in the socioeconomic hierarchy, these many-faceted aspirations may complement one another, or they may be mutual substitutes (Debraj, 2006: 411)

In places of instability like the fishing villages, this multidimensional nature of aspirations is demonstrated. For instance, goals like 'to support my children's education' encompass other wide-ranging prospects, which include familial reciprocity. Women want better lives for their children, but they also hope to be looked after by their children in the future. As Shipton has shown in his study among the Luo, social life is organised around obligations of 'borrowing and lending' through exchanges throughout life and through

different non-monetary forms. In these exchanges special bonds between givers and receivers are created which carry obligations (Shipton, 2007). In the case of parenting, children know that they have an obligation to care for their parents in their old age as part of returning what was already given to them. It is in the context of this socialisation that children who get educated carry the responsibility to reciprocate. Investing in children's education thus makes particular sense.

Following the survey, in-depth interviews with women confirmed this rationale behind educating their children. 'I do not want my children to be like me', Teline, 31-year-old female elaborated. She explained how her life had taken a difficult path when she became a mother at 14 followed by marrying as a second wife to a fisherman. At the time of interview, Teline had two children in secondary school about whom she spoke often. I met her some six months after she had separated from her husband and settled in Litare fishing village. She felt a sense of hope not only that education would improve her children's lives, but also that they would later support her. 'I want to do this business to pay school fees for my children. When they complete, they will look after me, then I can go back home to rest', she stated. Mona, a 35-year-old widowed mother of three also echoed the same sentiments, suggestive of the view that when her children are educated then their lives and those of their parents would change. In this setting, aspirations are bolstered by investments made in children.

Aspirations Beyond View: 'To build a home'

The goals of building or owning a home for family, as reported by some of the women, are thought provoking given the fact that women do not build or own homes according to the Luo customs as discussed in Chapter One. Though these women live in the fishing villages away from typical villages, they still envision having a home. Even in cases where women aspire to have homes as a means of securing their residence arrangements, these are not regarded as proper homes according to the understanding of *dala*. *Dala* (home) is not merely a house but a dwelling whose value is sanctioned by marriage. For them to say their goal is to build a home may therefore imply some aspiration for marriage as it is through marriage that women claim to get homes. But for women who are already married, this may imply a desire to return to their homes outside of the fishing villages. This aspiration is shaped by values attached to *dhako moromo* because a woman who has a home through marriage is considered proper or complete.

Women's aspirations are shaped by their immediate context and also by visions of a life outside of the fishing villages. For instance, a new entrant into the fishing village looks up to others who are better off – these could be more established fish traders or boat owners. This was the case with young women fish traders, who look up to older boat owners. However, it is not only people in one's setting who determine an individual's aspirations but also ideas, values, and norms of what is considered as a good life. In the fishing villages, even relatively successful traders and boat owners live in temporary homes and with unpredictable lake yields. In a fragile environment like this, people also extend their aspirations beyond immediate circumstances. Especially important here are their back-and-forth movements between other Luo villages and the fishing villages. What shapes their

aspirations are broader values of femininity: *dhako moromo*, which includes having a *dala*, a home. Having a home is a long-range goal that holds out the possibility of family stability and proper status. Although fishing villages are characterised by fragmented family arrangements, people still make reference to home – either one which they hope to have or one which they have left behind. It is for this reason that aspiring to have a home cannot be understood outside of norms of home ownership and what home symbolises. As described in Chapter One, a *dala* (home) is properly established among a man's own lineage or a woman's marital place. An ideal *dala* of this kind is contrasted with rental houses that people may live in, including in the fishing villages. Having a home constitutes being *dhako moromo* and, although such a goal may not be within view or present in a fishing village, it still shapes how people envision better lives. I describe *dhako moromo* more in detail in subsequent chapters.

The dreams and experience of women in this place are shared by other communities living in unstable situations, such as in Nunzio's (2012) study among street youth in Ethiopia. Nunzio shows how young people employ various forms of trickery to get by even while they still hope for long-term stability. While their strategies do not easily lead to these dreams of better lives, they continue trying - but end up being more marginalised just as in the case of the women in the fishing villages.

Survival or Aspiration? 'To meet daily needs':

In the survey, 22% of the women said their goal was to meet daily needs. This appears a short-term goal, but offers some insight into their vulnerability. Women who migrate to the fishing villages to participate in the fishing economy do this to escape from social and economic difficulties elsewhere, as I described in Chapter One. Their stay in the fishing villages is temporary, as they remain connected to their origins in other Luo villages, either

by virtue of ‘owning’ homes there or by envisioning owning homes. Life in fishing villages is understood to be ephemeral, and work goals are therefore focused on surviving as a legitimate end in itself and also as a means to better lives. In a setting where people’s daily sustenance is difficult to secure, their day-to-day activities are geared towards survival while at the same time holding on to dreams of substantial change. Take Nusco, a 37-year-old female fish trader for example.

Nusco’s day would begin at dawn, but sometimes later on days after she had frequented the local beer brewers. She would walk about 100 metres from her house to the lakeshore to buy a basin of fish that she processed and sold, earning a profit of about 200 shillings. On some days, especially when her partner was not part of a fishing expedition on any of the boats, Nusco returned to their rented house with nothing. This state did not, however, wipe out her dreams of how her life would be outside of this setting. She proudly described her marital home from where she had migrated, and the *mabati* (roofing iron sheets) that she had put together to renovate it. Nusco excitedly showed me the roofing sheets, which she kept under her bed. Although daily survival occupied her activities, dreams of finally returning to her marital home still persisted.

Fischer (2014) argues that although possessions or resources such as income are significant in people’s dreams, they also desire other non-material markers of what they consider as a good life. People therefore pursue dreams not only for material goods but also for opportunities to pursue a life that is valued in their social context. To understand Luo women’s life pursuits in the fishing villages, we need to recognise that for them a good life is not only measured by the income they get from fish businesses, but by aspirations for a better life outside of the fishing villages. Indeed, Fischer points that ‘a good life involves the arduous work of becoming, of trying to live a life that one deems worthy, becoming the sort

of person that one desires' (Fischer, 2014: 2). As I show in the section that follows and the other chapters, conditions in the fishing villages are difficult and the income gains are minimal even with high labour and time investments. However, people still continue dreaming beyond their current circumstances. Indeed, business relationships are shaped by the community's own conceptions of what they value. For women, the acceptable cultural norm of being *dhako moromo* (complete woman) shapes their desires, how they discipline themselves, and how they relate with each other and with the men. Their relationships in the fishing villages and strategies of survival are influenced by what they see as a good life for themselves and their families.

This conceptualisation of people's lives has received limited attention in settings like the one explored here, while development studies research tends to quantify people's quality of life on the basis of income and other material conditions (Laidlaw, 2007). The goals of migrating to the fishing villages transcend income. Income from fishing work is only a part of a bigger picture in which people hope to reach their desired ends. Social cultural norms play a big role in shaping what people consider as good and how they strive to achieve it (Appadurai, 2013). Through women's desires of owning a *dala* (home), educating their children, and struggling for daily survival so as to make longer-term goals possible, we see their pursuit of what they see as better lives for themselves despite living with far-reaching precariousness. This pursuit involves adopting social arrangements that are considered unusual in relation to Luo customs while retaining others, as we shall see in the next section. In this place, such unusual arrangements are common. Yet people still discipline each other according to Luo customs that are also generally seen as ingredients of a good life.

Unusual Arrangements and Visions of Stability: 'Here, you do what you want'

Persistent livelihood vulnerabilities can significantly shape the identity of a place as well as the ways in which it is viewed by its occupants and by others. The identity of a place is shaped, among other things, by its perceived attractions and meaning for its inhabitants as well as outsiders (Lang and Sakdapolrak, 2015). As Saar and Palang (2009: 5) observe, places like the fishing villages represent a 'combination of objects and meanings that differs somehow from its surroundings, regardless of scale'. Women who migrate to these villages, aware that they are looked down upon, seek the trappings of belonging by attaching themselves to men and practising gendered norms that are locally acceptable. Nonetheless, fishing villages remain places of livelihood opportunity, refuges where people go to recover, to regain self-worth and to try out a fresh start in life following widowhood or other destabilising circumstances. The women try to forge substitute or replacement identities defined in relation to the fishing villages, their new places of work and residence (Jorgensen and Stedman, 2001, cited in Saar and Palang, 2009).

Besides, the fishing villages are also seen as settlements with long-term prospects of becoming more desirable places, maybe even small towns. For instance, electricity is available in some of the villages, which also have telecommunication services which serve neighbouring villages. As small towns in the making, they also act as local business centres providing basic necessities and are thus important not only to their inhabitants, but also to those in neighbouring villages without the services on offer in these fishing settlements. Beyond their service and market functions, however, fishing villages are first and foremost settlements located in Luoland and inhabited overwhelmingly by Luo living according to Luo customary norms and practices. Nonetheless, being somewhat geographically and socially

removed from some of the social and cultural constraints anchored in kinship and evident elsewhere in Luoland, fishing villages represent places offering the opportunity to renegotiate and redefine such norms and practices. Here Luo customs are often acknowledged in the breach, as individuals and groups seek to negotiate improved access to a variety of resources in the everyday pursuit of livelihoods. In reality, these negotiations are integral to long-term processes of place-making, involving the creation and continuous refinement of a distinctive identity for the fishing villages based on a combination of natural, social and cultural characteristics (Saar and Palang, 2009).

Life in fishing villages demonstrates people's attempts to redefine existing norms in order to cope with an unstable environment. This redefinition of norms is something about which the inhabitants of the fishing villages are aware, and about which they talk regretfully as challenging Luo customs. One example is what they call 'unclean marriages'. Oraza, one of the fishermen in Kolunga, explained this:

> In fishing villages, it is rare to find a clean marriage. Many people in unions within these villages are on their second and third partners. It is true that those who live here on the lakeshore have unclean marriages, which means that if you look for someone who has married just one woman, it will be difficult. Sometimes, you will find a woman has run away from somewhere and she couples up with someone here. You will find a man has lived with five women at different times here and a woman has lived with two men, one after the other. Women here mostly are on their second husband, not the first. (Oraza, 2015)

This depiction of unions differs from Luo arrangements in which marriages are sanctioned by wider families through payment of bride wealth. In fishing villages, relationships are entered into through short-term arrangements in which sexual alliances guarantee business. Such alliances may end up as marriages but, because of the non-participation of the clans in the

arrangements leading to such unions, there are more cases of separation. Meanwhile, short-term 'unclean marriages' also persist:

> There are many marriage-like unions here that are broken, not serious. This is a place to hide to start life again. Here there are many men who come with their wives, but then the wives see more hardworking men and run to them. Like if I have my wife here and we disagree and I just slap her, she may take action and leave to live with another man. This is not normal, but it happens here on the beach but not in the other villages. (Oraza)

Nusco, a female fish trader who had been widowed but later remarried, also said, 'It's a common occurrence here for a man and wife to separate; they get other partners and no one questions that. No one cares about this. Here, you do what you want' (Nusco). Noaz, a fisherman who had lived in Kolunga fishing village for six years, had this to say about these family arrangements:

> There is a thing we know about this beach and other beaches, which I have seen and heard from many people. Men and women live here in unusual ways like marriages here are false *(za uongo si za kweli);* maybe someone has run away from their ancestral home and has come here to hide. When they come here they meet maybe a woman who was widowed and is also here and they live together without knowing each other well. (Noaz)

To live in the fishing villages is to accept the status of separation not only from the wider family but also from some customs. It is also in some way a space of freedom to reinvent norms such as those that define marriage arrangements, to aid in making life bearable. For instance, the expectation of enduring marriage, according to Luo customs, is changed by the adoption of short-term unions. These forms of unusual 'marriages' are therefore part of such reinvention.

The fishing villages do not function only as places of refuge for the persecuted and dispossessed looking for a fresh start. As a kind of no-man's land occupied by unrelated people from different parts of Luoland, the villages also attract fugitives from justice

elsewhere seeking anonymity. When a new person migrates to the fishing village, as Noaz explained, it is difficult to know why they are there and who they are because, unlike the typical Luo villages where everyone is known by their family lineage, people in these villages live as strangers.

> We were working with a certain fisherman who was a runaway thief but none of us knew about his past. This man from Sakwa had killed someone and then ran to hide here until the police found him. (Noaz)

Enry a fisherman in the same village as Noaz offered a supporting example:

> Another day a man was caught here having stolen a cow and we heard he had also run away from his village and people there would burn him if he returned. (Enry)

People like Noaz, Enry, and other fishermen live in the fishing villages with a sense of responsibility to provide for their families. However, given the high population of men in the beach villages in comparison to the number of boats and the size of fish yields, it appears that these places not only act as places for work but also as hideouts. They run away not only from crimes committed, but also from the glaring reality of deprivation in their home areas, where expectations to provide for kin are high, and where honour or shame accompany a failure to fulfil these expectations. However, even if they escape these, in the fishing villages, obligations to provide for the temporary marriage-like unions still persist. The men in the unions ensure their partners access fish for business while the women ensure duties in their temporary households are carried out. But in this setting, the unions (and obligations) can easily be broken and others formed, as Nusco, a female trader explained: 'It's a common occurrence here for a man and wife to separate.'

Having set out work processes and relationships in the fishing villages, as well as how people see themselves and their lives, I describe how they actually spend their days. For this, I turn to a discussion of time-use patterns.

Time-use Patterns in Fishing Villages

Time-use characteristics have been used to understand a wide range of livelihood issues such as how work is shared between men and women, and how time-use patterns influence the everyday economy (Blackden et al., 2006; Charmes, 2006; Harvey and Taylor, 2000; Hirway, 2010; Kes et al., 2006). These studies have shown the inadequacy of viewing poverty only in terms of income deprivation, and demonstrate that time use is a critical dimension of poverty. An account of how men and women spend their time on daily activities offers insight into their strategies of coping with limited resources and other difficulties in order to survive. As I show here, although these villages attract people who are seeking daily sustenance through income from fishing businesses, time spent on direct income activities does not necessarily translate into income. This, as I discuss below, points to other priorities that define life here, such as social returns on individual relationships and larger networks, which in turn enable survival.

In the survey, respondents were asked to recall all the activities they undertake on a typical day. The list of activities was then grouped into three categories: personal care activities (PC), household work activities (HW) and direct income-generating activities (IG). Being aware of overlaps and difficulties in demarcating these time spheres quantitatively, I used these categories simply as a guide to show an overview of time-use of the respondents. Here are some excerpts of daily activities representing a fisherman, a female boat owner, and a female fish trader:

Period	Activities	Time in hours
Dawn: wake to 8 a.m.	Arrive from night fishing; weigh fish and then breakfast	2 IG 1 PC
Morning: 8 a.m. – 10 a.m.	Sleep	2 PC
Mid-morning: 10 a.m. - noon	Sleep	2 PC
Midday: 12 noon – 2 p.m.	Lunch and talk with others	2 PC
Afternoon: 2 p.m. – 4 p.m.	Prepare boat and fishing net	1 IG 1 PC
Early evening: 4 p.m. – 6 p.m.	Bathe, rest, eat, play cards, talk with others	2 PC
Evening: 6 p.m. – 8 p.m.	Go to the lake to fish	2 IG
Night: 8 p.m. – onwards	At the lake until dawn	9 IG
Total time		***14 IG*** ***10 PC***

Table 2: Fisherman time-use (Noaz, 32 years)

Period	Activities	Time count in hours
Dawn: wake to 8 a.m.	Go to the lake to wash utensils and to get fish from fishermen	2 HW 2 IG
Morning: 8 a.m. – 10 a.m.	Wash fish and lay it to dry	2 IG
Mid-morning: 10 a.m. - noon	Prepare lunch	2 HW
Midday: 12 noon – 2 p.m.	Sort fish, bathe and wash utensils	1 IG 1 HW
Afternoon: 2 p.m. – 4 p.m.	Remove fish from the sun and wait for buyers	2 IG
Early evening: 4 p.m. – 6 p.m	Look for fishermen to go fishing with my	2 IG

	boat Prepare fishing supplies	
Evening: 6 p.m. – 8 p.m.	Prepare supper	2 HW
Night: 8 p.m. – onwards	Sleep	8 PC
Total time		***7 HW*** ***9 IG*** ***8 PC***

Table 3: Female boat owner time use (Adipa, 34 years)

Period	Activities	Time count
Dawn: wake to 8 a.m.	Prepare breakfast and sweep the house; take clothes and utensils to wash in the lake as I wait for fish	2 IG 1 HW
Morning: 8 a.m. – 10 a.m.	Wash and lay fish to dry	2 IG
Mid-morning: 10 a.m. - noon	Continue turning fish in the sun (*looko*) and deep frying for market	2 IG
Midday: 12 noon – 2 p.m.	Prepare lunch	1 HW
Afternoon: 2 p.m. – 4 p.m.	Bathe then go to the open market	1 PC 1 IG
Early evening: 4 p.m. – 6 p.m.	At the market selling	2 IG
Evening: 6 p.m. – 8 p.m.	At the market	2 IG
Night: 8 p.m. – onwards	Prepare supper and then sleep	1 HW 8 PC
Total time		***3 HW*** ***9 PC*** ***12 IG***

Table 4: Small-scale female fish trader's time use (Mona, 37 years)

The figure below shows the average time use on the three main activities drawn from the 105 male and female respondents who represented people in the fishing villages.

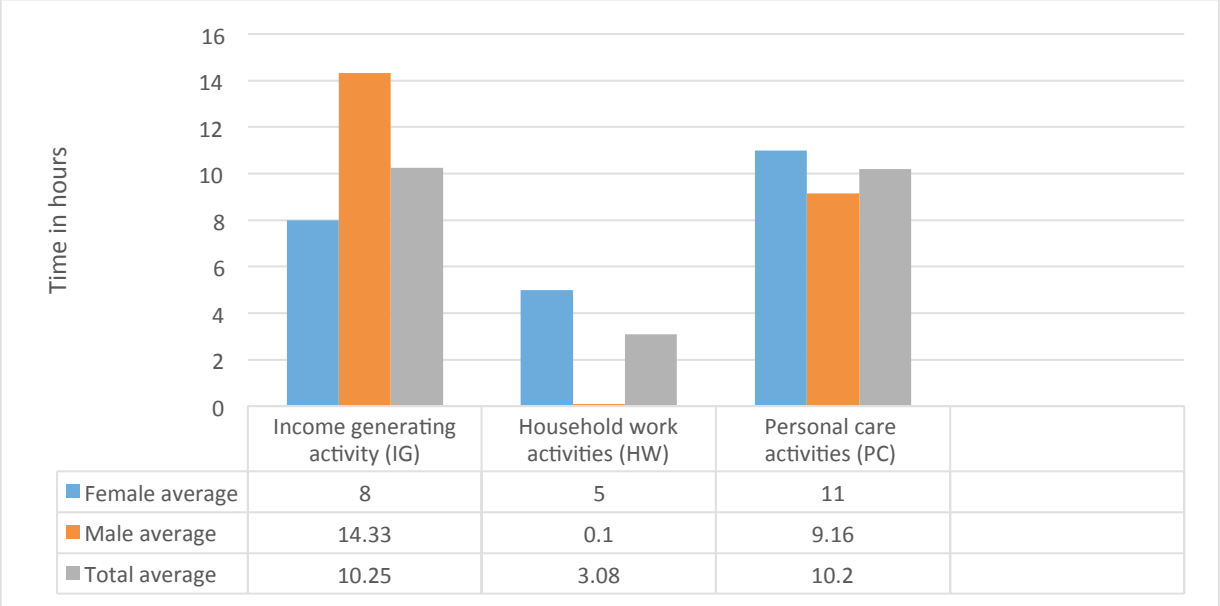


Figure 14: Gendered time-use features

Figure 14 above shows that women spend about eight hours a day on direct income generating activities which is almost half of the time men spend. The gendered aspect of time-use is also reflected in men's time devoted to household activities, which is very low compared to women. This trend is not unusual, as other studies have shown that women spend more time on household activities, a situation which has been linked to a reduction of their income generating time (Medeiros et al., 2010). The essential time used in childcare, food preparation and house maintenance activities fall under women's roles. The minimum amount of time which should be spent on such essential household activities is what Harvey and Taylor (2000) refer to as household overhead time. They argue that less household overhead time helps households to allocate more time on income-generating activities or recreational activities. In our case, a higher household overhead time indicates an investment in the valued practice of being a *dhako moromo.*

Of particular importance in this study are customary ideals which inform women's desires and expectations from the community, and which may explain the significance of time spent on non-income generating activities. Time spent on household work activities and on feminine roles in non-domestic spaces constitutes proper femininity, *dhako moromo.* Being a *dhako moromo* includes a wide array of obligations and expectations, such as motherhood, domesticity, marital residence and marriage, which I discuss in the following chapter, but in relation to time-use it encompasses time spent on domestic roles such as washing up, cooking and general housework. Being *dhako moromo* is not just important as an ideal way to behave. It has strategic implications, increasing the chances of good business for women and establishing relationships, which may be beneficial in their livelihood pursuits. In some way, time spent in household and personal care activities may appear to limit women's opportunities to participate in income work, but it is part of negotiating better positions and better business prospects. Furthermore, *dhako moromo* represents the good life in itself.

This time survey also offered insights into likely time burdens on women and their daughters. For instance, Mona, a 37-year-old widowed mother (see table 4 above), spends up to 12 hours on income generating activities. Her household work time as she reported it was only three hours – in this case an indication that her household overhead time is allocated to another member of family, her ten-year-old daughter. As has been reported regarding girls' education in Homa Bay, heavy household chores contribute significantly to girls' school attrition (Jayoro, 2013; Juma, 2013). This was the case with Teline, a small-scale fish trader who had to drop out of school in order to offer more support to her mother with household chores. Teline regrets this, saying, 'I do not want my children to be like me.' Women like Mona and Teline, who are overburdened with work, have to allocate some household work to someone else in the household and that person is often the girl child.

I now turn to describing the income characteristics of men and women in the fishing villages.

Income Characteristics

The survey indicated that 88.6% of the respondents got their income from fish-related occupations such as fishing (for fishermen), fish processing, mending boats and nets, and trading in fish. 9.5% were involved in other businesses such as grocery stalls, utility shops and alcohol bars, while 2% depended on remittances, employment in shops, and farming near the beach villages.

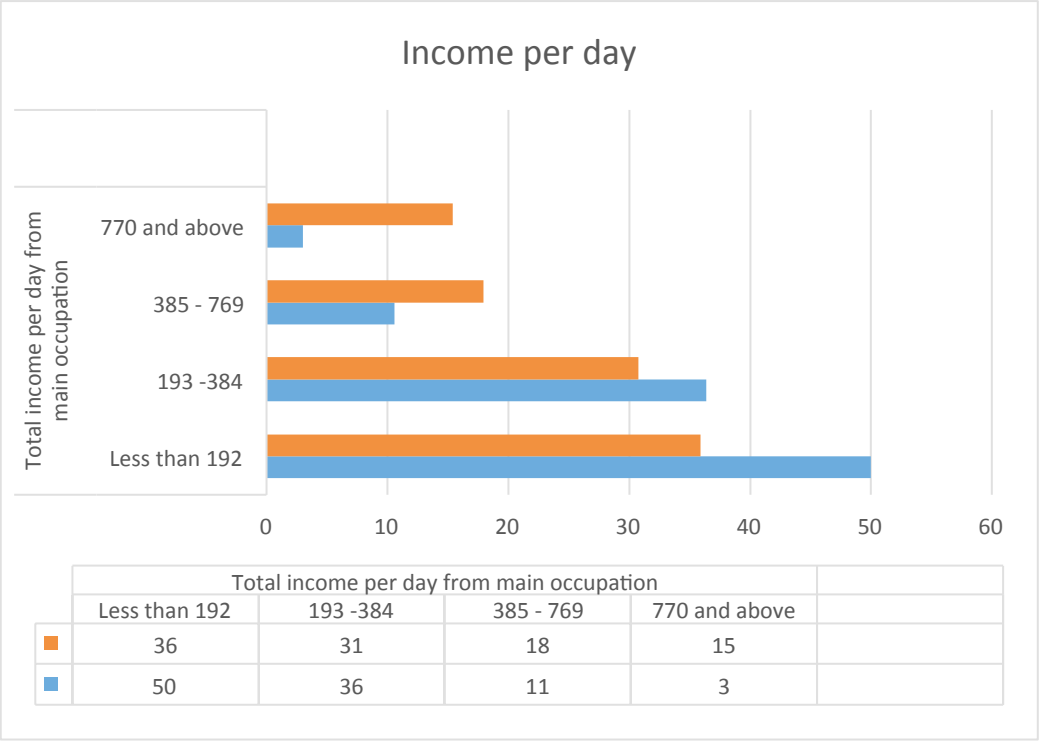


Figure 15: Income per day from main occupation

It is apparent from figure 15 that most people earn 385 shillings or less (about £3) a day – 86% of women and 67% of men. Also, while most people have low earnings, the survey

showed that far fewer women than men earned about 770 shillings a day (about £6) or more, 3% and 15% respectively.

As discussed in the previous section, time-use patterns have important implications for seeing income in broader perspective, as well as for understanding how different actors position themselves. By comparing income earned in relation to time spent, we can further appreciate the lived experiences of members of the fishing community.

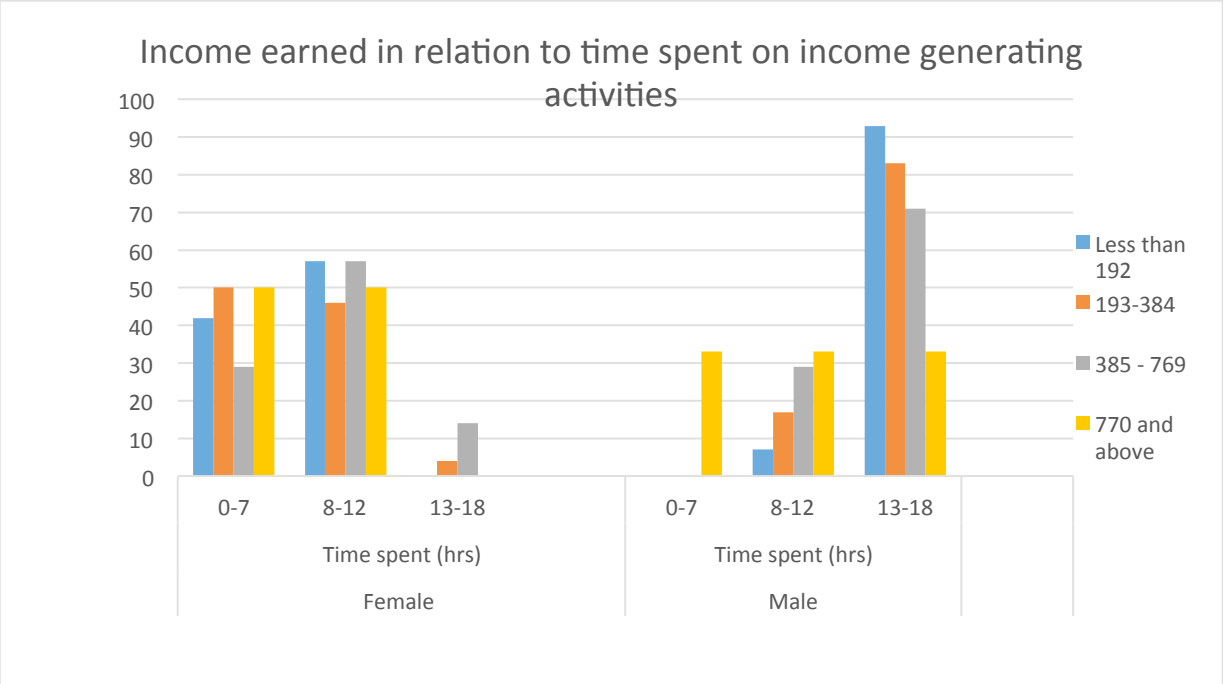


Figure 16: Income in relation to time spent per day on income generating activities

The data above, showing average daily income in relation to time spent, suggest the following:

A higher percent of men than women spend the majority of their time in income-generating activities, as indicated in the 13-18 time range. Despite that, more men who spend 13-18 hours a day earn less than 192 shilling a day. This shows that the individual time investments in income generating activities do not necessarily translate to higher income.

This is the case with women who earn 770 shillings and above despite some of them spending up to 7 hours and others spending 8-12 hours a day. Similarly, an almost equal number of women earn 193 – 384 shilling a day despite some spending up to 7 hours and others 8-12 hours a day. Very few women spend 13-18 hours a day on income generating activities and their earnings are on the middle-income ranges of 193-384 and 385-769 shillings. The relationship between time and income shows that the prospects of income in this setting are uncertain and cannot be correlated with time investment for both women and men.

Although these villages are characterised by fluid arrangements and the constant redefinition of norms, women still attempt to find forms of stability by pursuing *dhako moromo* status, and particularly the norms of domesticity. Yet, as I note above, it appears that it makes no significant difference to income whether someone spends more or less time in activities that are domestic or income activities. While their migration to the fishing village is to seek refuge from the difficulties of day-to-day sustenance, it appears that their work here turns out to be unrewarding drudgery, as far as direct income is concerned.

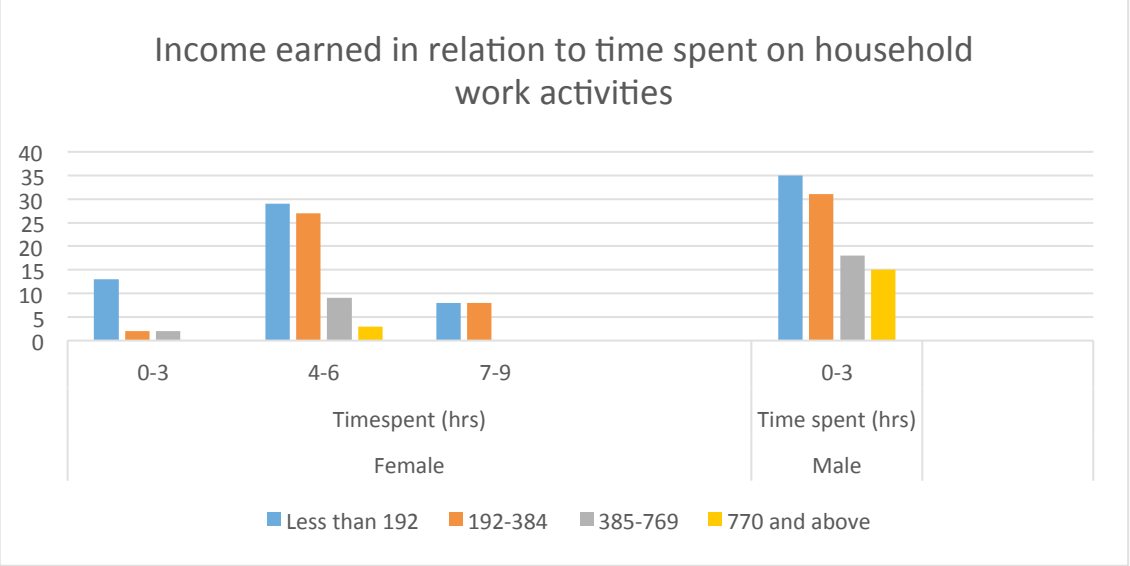


Figure 17: Income in relation to time spent on household activities

The figure above shows that no men spent more than three hours a day on household activities. The majority of women spent 4-6 hours a day on household activities but very few of them earned 770 shillings. The income of the women who spent the highest time range of 7-9 hours a day on domestic activities was on the lowest income ranges of less than 192 and 193-384 shillings a day. This implies that spending more time, in our case 7-9 hours on household work, a marker of a *dhako moromo*, does not necessarily have significant advantage on income.

It is apparent that direct income returns are dismal and uncertain for both women and men, compelling them to buttress these by seeking other social returns. One is creating and building relationships towards marriage or remarriage, which are seen to open opportunities for security for widowed women like Mona and estranged women like Teline. These factors have significant relevance in understanding the uncertain prospects of fishing-related work. Everyday vulnerabilities are further exacerbated by the high prevalence of HIV/AIDS, which I discuss below.

Contending with HIV/AIDS Prevalence

'After my husband died my daughter was sexually abused. It was hard to stay, so I moved here. Now I live with this man who is also HIV positive'. These were the words of a widowed lady called Nusco who was living with HIV. At the time of research, Nusco had been living in a marriage-like union with a fisherman. According to the Kenya National AIDS Control Council (NACC), the HIV/AIDS prevalence rate in Homa Bay County is 26% and is the highest in the country (National Aids Control Council, 2016). The figure below, taken from the NACC, compares the prevalence in 2013 and 2015.

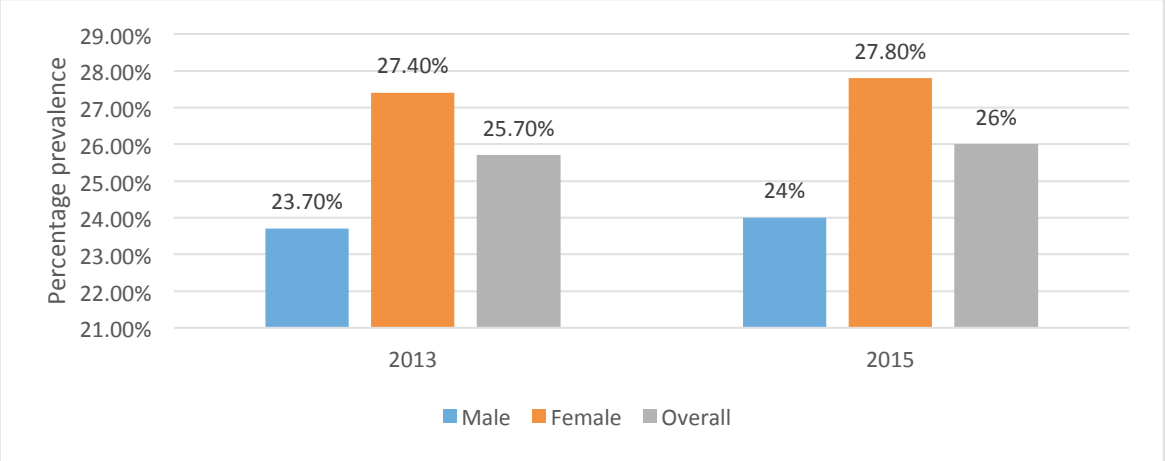


Figure 18: HIV/AIDS prevalence in Homa Bay County (Adapted from NACC)

High HIV prevalence is significant in discussions of gender and livelihoods because of the instability it brings to families in relation to the number of widows and orphaned children, as well as the strain on financial resources and time invested in caring for the sick. Besides, in a setting like the fishing villages where women's participation in livelihood activities is also negotiated by sexual alliances, their risks of contracting HIV are heightened. Even though the women are aware that the risks of HIV are heightened by sexual alliances, these alliances persist. The women's work is carried out under constraining conditions of

access that disadvantage women and exacerbate uncertain prospects — hence they not only contend with unreliable lake yields and a search for customers for their businesses, but also with the very risks of HIV/AIDS. Teline, one of the women who had been in a sexual relationship with a fisherman argued, 'I know there is a disease but I must do this to educate my children. I do not want them to be like me.' Teline and other women like her see themselves as having no option but to engage in sexual alliances in spite of the potential health risks. They justify their decisions on the basis of getting resources from fishing activities, which would educate their children and offer the prospect of improved lives for the children and for themselves.

Another critical issue in reference to gender and livelihoods in the context of HIV, as already alluded to, is the time spent on caring for the sick, which reduces time available for livelihood-seeking activities. Studies have shown that women take on the greater part of caring for the sick (Akintola, 2010), a situation which is exacerbated if they are ill themselves. Furthermore, the responsibility to care for orphaned children follows. Previous research has shown that 20.9% of orphans in Homa Bay are due to HIV/AIDS deaths (National AIDS/STI Control Programme (NASCOP), 2009: xxiii). When the responsibility to care for orphans falls on infected household heads, resources become strained, causing some members of the family, particularly girls, to drop out of school to help. This was the case for Mona, Adeka, and Teline who had to abandon their educational ambitions after being orphaned early. Mona explained that no one compelled her to drop out of school, but she saw the struggle her sickly mother was going through, feeding them and supporting their education. But why is education significant in relation to HIV/AIDS and life in the fishing villages?

When women like Mona stop going to school, the likelihood of being infected by HIV/AIDS increases, as previous research has shown that women with post-primary secondary education have lower incidence than those who drop out of school earlier (De Walque, 2002; National AIDS/STI Control Programme (NASCOP), 2009). This is because those who stay in school longer have 'increased ability to understand HIV prevention information, better access to health services, reduced social and economic vulnerability that exposes women to risky activities and a higher likelihood of participation in community groups that foster protection against AIDS' (World Food Program, 2006: 2). This is significant in our case because a majority, 90.9% of women in fishing villages, attended primary school but only 9.1% had post-primary education. This has implications for the vulnerability of the inhabitants in the fishing villages. And the nature of sexual alliances between female traders and fishermen is likely to worsen the vulnerability.

An apt example is that of Nusco, a 37-year-old fish trader. Nusco's single-roomed home was nested along a row of other mud-walled houses in Kolunga fishing village. Nusco had become my guide and she updated me often about her HIV treatment. She was living here with a partner, after the death of her husband four years before. When her husband died of HIV/AIDS, Nusco stayed at his home with her two children — a daughter from a previous relationship and a son with her deceased husband. Hers had been a harrowing story:

> One day one of my late husband's relatives raped my daughter and threatened to beat me if I questioned him. I stayed there while my daughter was being abused because they said she was not their relative. This was hard for me. I sent her to my sister then moved to Kolunga where I now live with this man. He is also HIV positive.

Nusco had been on treatment, but the declining fish business had compromised her efforts to meet her daily nutritional needs, and also led her to discontinue medication because she could not afford travel fares to get medication from the sub-county hospital. One day when I visited

her, she had been at the local brew den, judging by the smell of alcohol around her. She complained of her partner, as he was no longer giving her any money for food, a fact that was evident from her emaciated look, which was also partly due to her declining health.

Like Nusco, Mona, a fish trader introduced earlier, also lives with HIV, which she attributed to a relationship with her brother-in-law after her husband died: 'I got this disease from my *shemeji* (in-law) who inherited me after my husband died. He has also died together with his wife.' Nusco's and Mona's stories echo those of other female fish traders. Later in the thesis, we will meet Nela, a widow who had to run away from her in-laws due to frequent beatings; Aluthi, who takes care of her sickly husband; and Seba, a widow whose two male relatives who inherited her died one after the other from HIV/AIDS complications. Despite living with HIV, these women still carry the burden of supporting their families in a context of dwindling lake resources and difficulties earning sufficient incomes.

The experiences of these women resemble those in other studies, which have shown that illness has direct and indirect impacts on families (McIntyre et al., 2006). On the one hand are the indirect costs of time spent caring for the sick, as well as destabilized households, and on the other is the direct cost of medication. In most cases, the indirect costs are higher than the direct costs (Asenso-Okyere and Dzator, 1997; Attanayake et al., 2000; Germann, 2005; Munthali, 1998; Mutyambizi, 2002; Russell, 2004; Sauerborn et al., 1996). For people who depend solely on daily wages like Nusco, the loss of a day's wage due to ill health is significant. In addition, as already noted, the role of caring for the sick falls on the women (Akintola, 2010), which further reduces their productivity in income work. Women's migration to fishing villages may be fuelled by the need to replace livelihood options after the death of a primary breadwinner like a spouse.

In addition, the impact of HIV/AIDS has deepened gender inequalities in ways that have affected generations of people. This is illustrated by the case of Teline. Teline's parents died of HIV/AIDS before she became a teenager, which led her to drop out of school to care for her siblings before going to live with her elder sister. Her life became more difficult when she married as a second wife to a man who later abandoned her. In a teary narration, Teline recounted her life story, vowing to do whatever it takes to educate her children. After a series of sexual alliances, Teline had settled down with a partner whom she now considered her 'man', in an arrangement that she felt gave her a better chance of raising money from the fish business to educate her children. Aware of the risks of HIV/AIDS, Teline reflected unhappily, 'what will I do? I know there is a disease but I must do this to educate my children.' Mona's story is similar. Like Teline, when her father died of HIV/AIDS, leaving their mother with the burden of educating and raising the family, Mona opted to drop out of school to compliment her sickly mother's labour and also ease the load of school fees. This led her down the same vulnerable path as her mother and now she is also a widowed mother living with HIV/AIDS.

Conclusion

In this chapter I have presented the livelihood context and different layers of vulnerability within which men and women navigate. I have argued that the fishing villages present a setting where men and women pursue day-to-day sustenance as well as aspirations for what they consider to be a good life for themselves and their families. An analysis of income and time-use characteristics revealed the uncertain nature of income returns in relation to time spent on income activities. Yet it also suggested that people invest in social returns beyond

income itself. As I show in chapters that follow, social returns form an important part of strategies of survival. In this difficult setting, which is exacerbated by high HIV/AIDS prevalence, new norms are created and old ones transformed as part of both survivalist strategies and attempts to strive for better lives. Women's goals of migrating to the fishing villages illustrate struggles for survival, but also dreams of a good life – one rooted in the value of a *dhako moromo* (complete woman). In the following chapter, I discuss this notion of femininity and its effects.

CHAPTER 4

DHAKO MOROMO: NEGOTIATIONS OF ACCEPTABLE FEMININITY

While the fishing villages provide refuge for women who migrate there to make a living, these villages turn to become centres of risk and uncertainty for the migrants. However, they place their hopes of survival and long-term improvement in the cultural norms of femininity. As I illustrate in this chapter, the valued and acceptable norms of femininity – in Dholuo, *dhako moromo* (a complete woman) – is used as a tool in power negotiations. Meanwhile, deviation means disadvantage and marginalisation. Being *dhako moromo* covers a wide range of expectations and norms, from reproductive obligations, to motherhood, to residence arrangements, to marital status, and to the responsibility to provide for others materially. Deviation from the ideal of *dhako moromo* leaves women open to being labelled as useless, neglectful, *akili nyingi* (shrewd) and immoral, which disciplines their behaviour and legitimises enduring inequalities. This context of gendered practices has obvious implications for access to resources and for livelihoods more broadly.

I look at the norms of femininity by focusing precisely on ways in which women deviate from this norm and the disciplining practices that follow. I discuss the various expectations that define *dhako moromo*, the privileges they accord as well as the marginalisation of others who deviate. While women who migrate to the fishing villages do so as a strategy to secure livelihoods when options in their home villages fail, they are faced with constraints attached to the continuing expectation of being a *dhako moromo*. Yet, by examining women who are negatively labelled, I show how they manage to create new spaces for participation in economic activities in the fishing villages. While deviation from *dhako moromo* attracts scorn and marginalisation, women still manage to make the best of

their circumstances to survive in this environment. By analysing Luo women's norms of femininity both as a product of ordered social arrangements and as situational responses to prevailing vulnerabilities, I reveal the context in which livelihoods are secured and also the outcomes.

I use Foucault's notion of discipline to illustrate how the disciplining effects of hegemonic norms of femininity operate. Foucault states that discipline is 'a system which suppresses, reinforces and multiplies asymmetry of power' (Foucault, 1977a: 223). In social settings such as the fishing villages, discipline is exercised through the regulation of behaviour of its people. According to Foucault, disciplining practices are not just about one group of people controlling another but are revealed in ordinary practices in which people discipline themselves or engage in 'self-surveillance' in ways that result in their own subjugation (Foucault, 1980; Foucault, 1984). Conformity to and enforcement of cultural norms of femininity constitute a form of self-surveillance and a disciplining practice (Foucault, 1980).

Cultural norms of *dhako moromo* hierarchize women, often marginalising those who deviate and disciplining them. This disciplining is done not by coercion but through the socialisation so that conformity is seen as the right thing to do (Foucault, 1977b). Following Foucault's analysis of disciplining practices, Bartky, (1997) argues that categorising people creates standards through which they are judged and disciplined. In Bartky's analysis, acceptable body sizes/shapes, postures, and types of clothes act as markers of suitability in specific contexts. Through habitual day-to-day self-regulation to conform, norms of femininity are created and maintained. Standards of conformity also define markers of deficiency. Due to this, standards of conformity become a source of agony to those who cannot achieve them. Labelling women in the fishing villages as either *dhako moromo* or as

deviants from this acceptable femininity is a good example. To these women, the deficiencies produce marginalisation within the fishing business, and they sometimes lead to physical abuse and denigration, with effect on access to livelihoods.

In settings where instabilities are multiple and mutually reinforcing, like the fishing villages, both women and men are faced with an acute inability to measure up to ascribed roles and obligations of femininity and masculinity. According to ideals of femininity among the Luo, women who migrate to live in the fishing villages are seen to defy mainstream norms and therefore are disciplined through negative labelling. This disciplining practice has been noted elsewhere in sub-Saharan Africa where women's mobility is controlled on the basis of their perceived sexual escapades (Porter, 2011). Among the Luo in the fishing villages, when women step into roles that are culturally construed as belonging to men, they are viewed as deviants. Men similarly contend with their own limitations and failure to measure up to proper notions of masculinity due to their inability to provide.

In Kenya, studies of masculinity, rather than femininity, receive the lion's share of attention. Scholarship on masculinity has investigated how hegemonic masculinities are sustained, and conversely how men who do not conform are marginalised (Amuyunzu-Nyamongo and Francis, 2006; Izugbara et al., 2013; Silberschmidt, 2001;). One theme has been the ways economic constraints shape men's self-understandings, and especially their 'breadwinnerhood.' Faced with the inability to provide for the basic food needs of their families, they feel that they are not real men. Consequently, 'men also sometimes performed their manliness in other ways, including hyper-sexuality and violent masculinities' (Izugbara et al., 2013). Izugbara's study among slum dwellers in Nairobi's slums found that these compensating behaviours often led to poor health and trouble with law keepers. In other cases, proper masculinity is defined not only by an ability to provide for families, but also by

ownership of a house on ancestral land, male circumcision, and ownership of cattle. In urban informal settlements however, as Izugbara observes, men regard themselves in terms relevant to their immediate setting. They see their endurance and their ability to live in the slums as marks of real men: He further states that despite the shame of difficulties in material provision:

> Survival in the economically harsh city was constituted as macho and proper masculinity associated with ingenuity, tenacity, and shrewdness in navigating austere urban economic conditions to achieve locally-valued versions of manliness. Men find ways to continue provisioning in the midst of the pervasive hopelessness and poverty (Izugbara, 2015:130).

As Izugbara shows, even in the context of strained living conditions in urban informal settlements, men are not exempt from expectations of masculinity in their own eyes or those of others. These expectations are also seen at play in Amuyunzu-Nyamongo's and Francis's (2006) study in rural Kenya. Inability to provide for family, as is expected of proper men, reduced male self-esteem. Similarly, Silberschmidt's (2001) exploration of masculinities among a rural group of men in Kisii in rural Kenya shows how social structures of patriarchy conceal the disempowerment of men. Silberschmidt asserts that due to the loss of their legitimate roles in the family, men adopt forms of overcompensation through 'multi-partnered relationships and sexually aggressive behaviour' (Silberschmidt, 2001: 657). In doing this, they reclaim their position, albeit in ways which produce more problems such as conflicts with their women.

Studying masculinities offers particular insight into men's own understandings of their realities in the face of poverty, and into their potential marginalisation. Yet there is less work on the intricate tension between conformity to and deviation from femininity, and the effects of each on access to means of livelihood in vulnerable settings. I address this gap by looking at cases of conformity and deviance. I show how cases of deviation are policed, how

disciplining happens and how deviation is punished. Femininity – and how women negotiate their deviance from hegemonic norms – sheds light on how women experience their difficulties in an unstable environment, and how some are marginalised.

A broader scholarship on gender practices features how women challenge power and thereby change perceptions of gendered cultural norms in their communities (Hodgson and McCurdy, 2001). These women deviate from the gender roles expected of them and in so doing, they are censured (Eagly and Karau, 2002). They are branded as 'not proper' (Ogden, 1996), 'wayward' (Cornwall, 2001), 'bad' or 'wicked' (Musisi, 2001), 'deviant' (Clark, 2001), as 'vagabonds' (Coplan, 2001) and as dangerously independent (McCurdy, 2001). By contrast, women who adhere to ascribed gendered practices are labelled as 'respectable' (Musisi, 2001), 'proper' (Ogden, 1996), 'admirable' (Fallers, 1973) and as 'good wives' (Dolan, 2001). These studies show how, when faced with various difficulties, women are pushed to adopt forms of behaviour that are construed as deviant, which in turn leads to their disciplining through pejorative labels.

In this chapter, I analyse how the Luo ideal of *dhako moromo* is used to denigrate and marginalise some women, while positioning others positively. I discuss four categories of women: the 'useless' women who fail to fulfil child-bearing obligations; the 'neglectful' women who migrate to fishing villages leaving their children in marital homes; the 'immoral' women who reside in the fishing villages away from their marital or natal homes; and the *akili nyingi* (shrewd or excessively knowledgeable) women who disrupt power relations by partnering with fishermen younger than themselves. I discuss how cases of deviation from *dhako moromo* get policed, and how some women nevertheless manage to create their own space without being seen to deviate.

Characteristics of *Dhako Moromo*

The phrase *dhako moromo* is a catch-all for the various norms, expectations and obligations of the complete woman, according to Luo customs. I outline these in the table below, along with the ways deviation is depicted:

Theme	**Characteristics of *dhako moromo***	**Features of deviation from *dhako moromo***	**Labels**
Marriage rules	A married woman	Unmarried, separated from husband, widowed woman	'Immoral woman'
Reproductive obligations	A woman who has children in marriage and one who has both male and female children	Childlessness and especially sonlessness	'Useless woman'
Motherhood	A woman who cares for her children at the marital home while her husband travels or works outside the home	A woman who leaves children in the marital home for an extended period of time while she works elsewhere	'Neglectful woman'
Domesticity	A woman who stays in her marital home, taking care of household chores or productive activities around the home	A woman who leaves her household responsibilities to others	'Neglectful woman'
Residence	A woman who lives at home in the marital location in her own homestead	A woman who migrates from her marital home to live in fishing villages	'Immoral woman'
Family livelihood	A woman who participates in providing for the family by working at close proximity to her home	A woman who migrates, and lives in a fishing village to provide for her family	'Immoral woman'
Age difference in marriage-like unions	A woman who enters into a relationship with a man who is older.	A woman who enters into a marriage-like relationship with a younger man	*'Akili nyingi'*
Decision making on man's earnings	A woman who does not question her partner on his earnings or take control of them	A woman who makes decisions on her partner's earnings	*'Akili nyingi'*

Table 5: Dhako moromo attributes and the labels that describe deviant behaviour

Features of Deviation from a *Dhako Moromo*

'Useless' Women

'They see me as *bila faida* (useless) with no profit, they feel I just spoil my husband's property.'

These were the words of Makano, a 62-year-old woman who had failed to meet the obligation of bearing children. The Swahili phrase *bila faida* was used interchangeably with 'useless' during the interviews in relation to how childless women felt about themselves and how others regarded them. According to Luo family customs, marriage is preceded by payment of bride wealth, which sanctions the marriage and transfers the woman's reproductive and productive potentials between clans (Cole and Thomas, 2009; Reynar, 2000). Childbearing constitutes the core essence of a Luo marriage, which is intended to perpetuate the patrilineage. When a child is born into a family, the father's status in the clan is positively enhanced, as he has fulfilled this obligation. To the woman, bearing children confers on her the status of motherhood, which is also highly valued (See also Friedman and Todd, 1994:534; Hutchinson, 1980).

A woman's childless state is met with shame and a sense of failure which may necessitate interventive polygamy (Nwoye, 2007; Zeitzen, 2008). Interventive polygamy refers to marrying more than one wife to solve the deficiencies of the existing wife/wives such as childlessness. This was the case with Makano, whose husband Tinipa had to marry another wife when she failed to have children. Makano herself had been married as a second wife to intervene because her husband's first wife had three consecutive stillbirths. 'I came in the family because of a problem of my nyieka (co-wife) who could not have children but then

I also could not have children,' she disappointedly explained. Tinipa married a third wife, who bore him children whom Makano helped to raise as they lived in a rented house together. 'I loved her children as my own, hoping that they would recognise me as a mother. I used my money to support my husband to educate them,' she stated, expressing her attempt to invest in her stepchildren. When I met Makano at Sienga fishing village where the whole family lived, her fear of deprivation was evident, as she explained that one of her stepchildren who had previously sent her remittances had stopped doing so. Her husband, who was now elderly and sickly, lived in his third wife's house and in a convenient arrangement, as her children supported the living expenses of the whole family apart from those of Makano.

Besides the irregular support and uncertain provision, Makano also faced ridicule from her co-wives and other family members. Her remark, 'They see me as useless, with no profit, they feel I just spoil my husband's property,' underlined the derision she encountered. Similar sentiments were voiced by Edna, a 54-year-old, and Aumakanyi, 51 years old, both childless.

> If you have no child, you are seen as a fool. You would rather have one even if they turn out to be alcoholics. A boy is most preferred. I do not have any child and people ridicule me. They insult me but what do I do? (Edna, 51)
>
> 'People don't see me as a human. They don't respect me as they see me as useless.' (Aumakanyi, 51).

I met Aumakanyi at the small village market where I had accompanied one of my key informants to sell fish. As we spoke, I noticed scars and a prominent mark on her right hand, which provoked a narration of her life. She married her husband as a second wife at the age of 17, which she remembered as blissful. 'I was the favourite one and he ate in my house all the time', she remarked. Aumakanyi described her present life as *'hivi tu'* (just like this), while gesturing with open hands to express the emptiness she felt. She could not hold back

her tears when I asked about the scars on her hands. Sobbing, she stated: 'If things continue like this, I will take my life.' I asked her if she belonged to any women's group where she could talk about her experiences and possibly receive some support. She responded, 'No. Which women's group? People don't see me as a human. They don't respect me as they see me as useless.'

Furthermore, Aumakanyi's state of childlessness, unlike that of Makano, had not only brought ridicule but also physical abuse from her husband, who constantly derided her as 'useless.' She forlornly explained her predicament:

> I have no child. I am just useless. My husband has told me to go away saying that I am useless but where can I go? My parents are dead. Where can I go? He says to me all the time, hey, daughter of Simbo, just leave (Aumakanyi, 51).

She had refused to heed his scornful demands to go back to her natal home, choosing to endure the physical abuse to which he subjected her. Like Makano, Aumakanyi invested in her relationship with her step children, caring for them when her co-wife died in the hope of mobilising their support. However, she decried the fact that although they were now all grown up, they did not visit or treat her as she had hoped. Her situation was exacerbated by her husband's neglect since he had left her in the fishing village and gone to live with a widowed woman as a *jater* (a man who inherits a widowed woman). 'If I had a child my husband would not have left me. He left to live with a widow in her home,' she lamented. Talking about the widow for whom her husband deserted her, Aumakanyi saw her action as a double offence: 'She has children of her own yet she has also taken my husband from me.' However, she did not ridicule her husband's obligation to the widow; rather, she questioned why the widow allowed him to abandon her as he had done.

Stories of women like Aumakanyi and Makano demonstrate how childbearing, as a value constitutive of *dhako moromo*, deepens women's vulnerabilities. Their status of childlessness is used to legitimize physical abuse and marginalisation. Childless women's attempts to harness social capital and ensure their own future security are uncertain: caring for a co-wife's children may not lead to the successful cultivation of relationships or reciprocal obligations. Their inability to bear children limits their capacity to negotiate in relationships leading to fear of deprivation, regret, a sense of being let down, and even ideations of suicide.

The social effects of childlessness has been observed in other studies: loss of respect, a sense of failure in the face of obligations of child bearing, mockery, and isolation from social groups (Balen and Bos, 2009; Hollos and Larsen, 2008; Okonofua et al., 1997). Like the case of my study, these women are faced with marital instability, even separation and neglect. Although they have already attained the valued status of marriage, the other significant value of childbearing threatens this. In an unstable environment like the fishing villages where survival is attached to relationships, and still more to marital relationships, any threats to those relationships present serious problems for childless women. When physical abuse follows in cases like Aumakanyi, a situation of deep anguish ensues. No wonder she repeatedly talked about her thoughts of committing suicide to end the agony.

In unstable settings, childlessness has implications for social status as well as for livelihoods and negotiations for survival. Other research has shown that childless women who are relatively well to do – either more educated or with resources to sustain their livelihoods – are less stigmatised than poor women (Donkor and Sandall, 2007). The problems of women who deviate from this value of femininity in my research context are

therefore far reaching – socially and economically because of the prevailing vulnerable environment.

Furthermore, Aumakanyi reported that she does not belong to any support groups such as self-help groups, which other women such as Mona and Nela were part of. Women's groups are fora where women offer each other social support in different life situations and events, such as during special family occasions like marriage ceremonies and funerals. These groups also act as investment and savings groups from which women can rally care for each other (Kalinga, 1992; Mbugua-Muriithi, 1997). For women like Aumakanyi who already feel isolated from such groups, their vulnerability only deepens. Faced with this isolation, childless women not only lack the social support found in these groups but also miss out on information on important issues such as health, business, and credit (Mwenzia, 2004). This deepens their marginalisation because the isolation cuts them from information which might empower them in dealing with life's difficulties. Other research in Kenya has drawn attention to how self-help groups help as 'a risk-sharing strategy of the poor' (Fafchamps and Ferrara, 2012: 707). Fafchamps' and Ferrara's study, which was carried out in one of Nairobi's informal settlements, found that self-help groups indeed provide mutual support among members (ibid). Those women in the fishing villages, such as Nela and Mona, who were members of self-help groups (in Dholuo: *agulu*) had benefitted from the pooling of money together. In these groups, I came to understand, needs related to key family events such as births, deaths and marriage ceremonies, within and outside of the fishing villages, are the main focus of attention. Mona explained: 'These groups help us even when you have problems we agree to meet like once a week and then contribute something like 200 shillings each then we give one of us.'

Pooling money for business is part of what happens in these groups, but it is only one function among other important ones. Aumakanyi, a woman of 51 without children, lacks the roles and commitments that women of her age would have. These include activities related to marriage ceremonies of children, births of grandchildren or events related to schooling of children. As such, her status remains as a constant reminder of her isolation and her deficiency as a woman. 'When a child is going to school we support each other or any other problems are shared within the group,' remarked Mona who belonged to one of the women's groups. Certainly, other women in this setting experience similar difficulties when it comes to accessing resources, but they have self-help groups from which they draw mutual encouragement and support when in need. Not so for Aumakanyi, who had to face isolation even in her own home.

Women's desires to have children must be understood as part of a context in which motherhood is an esteemed status but childlessness is condemned. The privileges that come with motherhood in this setting, and the marginalisation that results from deviation, produce starkly unequal power relations. Deviance from a norm like that of motherhood creates and maintains a space for subjugation and marginalisation.

Women who 'Neglect' Children

Besides the central place of childbearing in defining a *dhako moromo*, childcare is also invoked as part of the femininity of motherhood. A woman who takes care of her children within the confines of her marital home is considered a better mother than the one who goes to work leaving her children at home for extended periods of time or migrates with children to the fishing villages. Such women are labelled as 'neglectful', and as lacking the qualities of a *dhako moromo*. Labelling women as 'neglectful' in a context where motherhood is

highly valued, but where material deprivations drive women away from their marital homes, presents a dilemma for them. As discussed in previous chapters, in a region where HIV/AIDS prevalence has led to family fragmentation and where men are unable to be effective providers, women's contributions to their families have become especially important. Yet this may involve migration away from their marital homes to the fishing villages.

I gathered data on 'neglectful' women by reviewing archival records of reports and letters in the offices of chiefs and of beach management offices. It is here that accusations against women who allegedly neglect children are registered. In one of the fishing villages, there were 11 such cases reported between June 2015 and May 2016. The reports were aimed at compelling women to return to their marital homes to care for children whom they were accused of neglecting. However, examining them closely revealed that most of the cases resulted from conflicts between husbands and wives. Invoking childcare appeared as a proxy for reconciling an estranged wife to her husband. Consider these examples:

> My wife is in Luanda Rombo and has refused to come home. I think she has an affair with a certain driver with whom she came and took the child away. One day I met my child crying while coming from school. (Ogutu)
>
> The bearer of this letter is William. He is in search of his wife and we are requesting your office to accord him any assistance which will enable him to come back with the wife home. She left behind two sons. (Awandu)
>
> Ouma's wife run away with an eight years old child to Litare fishing village. This office is kindly requesting for any assistance that could be given to the father to get back his child. (Sirawi)

According to these cases, there are three characteristics that define *dhako moromo*, against which a woman's deviation is captured. The first is that of a wife living in another place of residence other than her marital home: 'My wife is in Luanda rombo [a fishing village] and has refused to come **home** [marital residence]' and '…enable him to come back with the wife **home.**' Deviation from that norm becomes a legitimising factor in compelling women who

live in the fishing villages to return to their families. The second refers to a woman's estrangement from her husband and accusations of alleged affairs. 'He is in search of his wife' and 'I think she has an affair…' corroborates this observation. The third refers to a child. Statements such as 'she came and took the child away', 'one day I met my child crying' and 'she left behind two sons' are intended to appeal to a woman's obligations of childcare as a way of disciplining the 'neglectful' woman and also provoking sympathy for children who are allegedly abandoned. This reference to neglect is aimed not only to draw women back to their childcare roles in the confines of their marital homes, but also to reconcile them with their husbands in cases of estrangement. Raising their deficiencies as mothers in an environment where the value of a woman is attached to childbearing and family obligations provides an effective tool of disciplining.

Yet, during interviews with female fish traders who had left their children in marital homes, I noticed that they seemed to justify their being in the fishing village on the basis of fending for their children's needs. Well aware of how they may be viewed as 'neglectful' mothers, they would take the first opportunity to explain how their stay in the fishing villages was actually attached to being mothers. 'I do this for my children' one of the women said. Those who had children in the fishing villages equally spoke about their plans of returning home. However, their attempts to vindicate themselves from scorn at their 'neglect' are unsuccessful. These women continue to push boundaries of the norm of *dhako moromo* by remaining 'neglectful' mothers in regard to being separated from their children or living with them away from the marital home, while still fulfilling their role of providing as good mothers. Expectations of being a proper mother, I discovered, are largely enforced by fellow

women, especially mothers-in-law and sisters-in-law. This was the case for Asena, a fish trader who was living with her children in the fishing village.

> 'As a mother and wife I would visit my marital home often. My husband was sickly and I cared for him and the children at the fishing village but my sisters-in-law did not like this. They told me to bring back the children home. I did not want to. So one day they took away my fishing equipment to force me. That is when I decided to leave that family.' (Asena)

Asena was well aware of the responsibilities of being a good mother and wife, yet being in the fishing village despite its unacceptability was a reality she had to contend with. Her words – 'as a mother and wife I would visit marital home often' – illustrated the obligation she had and also marked her sense of womanhood that she wanted to be acknowledged by her relatives. Her dilemma was clear: defying the norms of marital residence while conforming to the role of mother and wife in the fishing village.

Like other women demonstrated, conformity to valued femininity presented new opportunities for survival while also defying other norms. Women who are disdainfully called *akili nyingi* illustrate this.

Akili Nyingi Women

> You don't know where these women come from, they just pose as unattached girls. These women look for a fisherman who works hard and who can bring money to her. When the man goes fishing, they sell and make money but when the business grows she turns against him and chases him away, remaining with all the money (Enry).

These were the words of Enry, one of the fishermen in Kolunga fishing village, describing women who are commonly referred as *akili nyingi* women. *Akili nyingi* is a Kiswahili phrase meaning 'to be shrewd' or one who 'knows too much.' The phrase is used to refer to women who enter into marriage-like relationships with younger hardworking fishermen.

To introduce these women, I describe a typical encounter during my fieldwork. Mugafi, a 44-year-old female trader, had told me that I could see her in the afternoon. Pushing away the cloth that hung on the half open door, I knocked once and a man's voice responded. Mugafi's house was a typical one-room dwelling with a cloth partition in the middle, separating the sitting and sleeping areas. Two men were chatting at the sitting area while Mugafi was resting in bed behind the curtain. I found this arrangement different from what I had observed in other houses when I visited in the afternoons. In those other houses, it was common to find men resting in bed on hot afternoons with women chatting in the sitting area or processing fish outside. Yoma, a 33-year-old fisherman and Mugafi's partner, excused himself when she appeared from the sleeping area. Yoma had another wife and children who lived in his ancestral home, and Mugafi had migrated to the fishing village after being widowed. She had begun her business in the fishing village as a cook for the fishermen, then as a *jadengo*. Living with Yoma, she explained, had made life easier since she could easily access fish for her business and was also guaranteed daily sustenance. Mugafi described how Yoma's life had changed since they met: 'I offered him a house to live and helped him quit alcohol. He even keeps clean clothes and takes care of his children.' Aware that people viewed her as *akili nyingi*, she painted their relationship in a positive light. She drew attention to the domestic ideal of *dhako moromo* by talking about her domestic responsibilities, but also downplayed the fact that their living arrangement was considered far from acceptable.

Women labelled as *akili nyingi* are seen as defined by their age and their authority in relation to younger male partners. One of Mugafi's neighbours, a fisherman, remarked:

> Sometimes a fisherman gets older women. This is not good for fishermen because these women are *akili nyingi.* They ask the fishermen many questions

> like how much money you have, how much did you use and how much do you have left. If you refuse to answer these questions, they leave you.

Another fisherman had said, 'You see a woman renting a house and yet she does not do much work. She just exploits the man.' A female trader who was Mugafi's close neighbour also said, 'These women make their young male partners abandon their wives and children.'

Noaz, also a fisherman, narrated a story of an *akili nyingi* woman:

> There is a woman here called Nyota who now owns a boat. She used to live with a young fisherman from Karachuonyo but now they have separated. The problem with these women [is that] when they rent their own house they can chase the man away anytime and pick another one. That is what happened to the Karachuonyo man who had to move away from this village because he couldn't bear the shame. First these women come pretending to be young girls and go for younger hard-working men who they can easily control. Sometimes akili nyingi women will stay in a fishing village for some time and then after amazing wealth, they separate from their partner and take away all the household belongings.

Enry, a fisherman in the same village as Mugafi, remarked,

> Here there is money more than the other villages. Also they come to look for men. Some pretend to be young girls. They come here running away from farm work which has no pay. They take a young man who must be hard working. They use someone's man to get money but later they turn against him.

As one of Mugafi's female neighbours stated, '*akili nyingi* women take men like hostages, requiring them to make money for them and, since they are older, the men comply with all their demands.' Although these women are shunned by other women and men, they live as they do to conform to existing norms such as those of offering domestic services to their partners. But their choice of partners and the unusual arrangement of an older woman living with a younger man threaten existing power norms, thereby attracting this scorn. For instance, they are able to ask for a day's wages from their younger male partners, which would not be possible in typical relationships.

This chastisement of women by men and by other women is similar to Barnes' observation regarding colonial Zimbabwe. Women's decency and respectability were

associated with marital residence, rendering women who migrated to the urban centres as immoral deviants while those who remained in the rural marital homes were respected (Barnes, 1999). Yet urban women tried to build what they considered a good life, thereby defining for themselves new configurations of femininity. They lived out a commitment to respectability through hard work and responsibility, even though their behaviour necessarily diverged from rural norms. They were seen as prostitutes, their independence was condemned, and they were subjected to physical – even sexual – abuse. Barnes argues that women were not denigrated simply because of migration to the city, but because this affected the gendered control of resources. In colonial Zimbabwe, black urbanites were assumed to be men working for white employers, while black women were relegated to rural areas. Women's desires to live and work in cities, and the measures they took to do so, challenged colonial and patriarchal views of gender, residence and livelihood. However, despite the indifference directed to them, they managed to carve out spaces for economic and political participation (ibid). Similarly, *akili nyingi* women manage, despite denigration, to challenge some notions of patriarchy while at the same time living out the very patriarchal norms they are socialised in.

Women who defy the norms of marital residence by migrating to the fishing villages remain under the disciplining attention not only of those who remain in the other Luo villages but also of fellow migrants. Yet they continue to perform accepted roles. Since all migrants have a commitment to the norms of femininity in which they are socialised, they engage in disciplining of themselves and of each other despite their dislocated statuses, in a manner familiar from Foucauldian approaches. Bartky (1997) argues that disciplining power is everywhere and exercised by everyone. People thus, in a sense, yield themselves voluntarily. This is evident in the efforts of *akili nyingi* to conform to acceptable feminine attributes of

domesticity. They display some qualities of *dhako moromo* by offering the domestic services or 'comforts of home' to fishermen (White, 1993). This creates a base where fishermen can have meals, sleep and access personal care. Yet, while enacting the key social value of domesticity, *akili nyingi* women also defy other norms. They do not manage to convince others, including their neighbours, that they conform to notions of proper femininity. Indeed, the fishermen who live with them are seen as 'hostages', painting *akili nyingi* women's domestic efforts in a negative light. Their commitment to norms of *dhako moromo* are ultimately unsuccessful. One important reason for this is that these women are seen as threats to the power structures in the fishing villages where men are viewed as gatekeepers of the means of livelihood. The female boat owners, for instance, hold a degree of power over fishermen, controlling a part of the fishing process.

Also, unlike in other relationships where men have control over their wages, *akili nyingi* women manage to control the young fishermen's income to their own advantage. Therefore, denigrating such women who manage to alter this arrangement is a way for men to discipline them, and a means of de-legitimising their positions. Disciplining women through mockery and scorn is a familiar way to censure their survival strategies (See also Hodgson and McCurdy, 2001). The *akili nyingi* illuminate women's commitment to practices of acceptable femininity while, at the same time, being in arrangements that are regarded as unacceptable. By doing this they manage to destabilize the gendered norms which are taken for, granted and utilise them to their advantage, even as their efforts underline their uneven success and their marginalisation.

In contrast to the *akili nyingi* are women in Gilbert's study of beauty pageants in Nigeria. Within the prevailing norms of femininity, women in the beauty pageants conform squarely to hegemonic norms. Their desires to remain within what is publicly valued – being

charitable, prayerful, and elegant – have disciplining effects (Gilbert, 2015). However, what *akili nyingi* women show is the complex tension between conformity and deviation as they create spaces for survival in a starkly difficult setting. Women in fishing villages illustrate attempts to conform to norms while also doing what is necessary to survive. Yet this dilemma is experienced more generally by female migrants in the fishing villages. For they are viewed as 'immoral' simply by virtue of living there, although they do so in order to be good mothers and wives.

'Immoral' Women

> These women are stubborn, you cannot deal with them without shouting. These women have left their homes and husbands where they come from, you cannot know clearly who they are and where they come from. They are a problem (Male beach official).

These were words of Jom, a beach management official referring to female fish traders. From his statement, women migrants defy two crucial *dhako moromo* qualities, by leaving their homes and also their husbands. These underlie Jom's view of them as 'stubborn', which justifies 'shouting' at them. This view was also voiced by fishermen making reference to the women's money. 'If a woman has money, her money makes her too bad,' Oraza, remarked. The chief who represents the administrative leadership that oversees the fishing villages also had the opinion that the fishing villages hide immoral women: 'These women are immoral and have many problems.'

Women who live in the fishing villages generally attract mistrust, as the story of Asena illustrates. Asena had to forgo her role as a properly married woman and mother by leaving her husband because his family had put demands on her to migrate from a fishing village to live in the marital home. Although Asena attempted to perform her role properly by

visiting her marital home regularly, this was not sufficient. She decided to leave her marriage when her fishing equipment was taken away to compel her to move. Asena finally got into another marriage-like arrangement in a neighbouring fishing village, where her attempts to maintain acceptability revealed her dilemma. 'I could not live alone and decided to marry. Then I met this Jaseme [man from Seme] who was a fisherman. We had to make a deal and I told him I did not want jokers but someone who is serious to marry,' Asena explained. This relationship provided an opportunity for Asena to recreate a family again and to be in an acceptable status of being married. However, meeting Jaseme in the fishing village and living there with him was an arrangement of which Jaseme's family also did not approve. According to Asena, 'they wanted me to go to live in the marital home to prove I am a good woman but my work is here in the fishing village.' At the time of the interview, Asena had two children with Jaseme but their marriage had not been properly endorsed by payment of bride wealth because of this mistrust. Asena's choice of residence in the fishing village was necessitated by the need to fend for her children, but it disqualified her from what she also valued. So even if she performed being a *dhako moromo* by living with Jaseme as man and wife, she was well aware of her mistrusted status. At the time of interview, she was not willing to relinquish her work to please Jaseme's family, yet she wished they would change their view of her.

As a married mother, my own presence in the fishing village as a researcher was also put into question: 'you have your home, children and husband but why are you here? You are supposed to be at home,' one fishermen had remarked. In my introductions, whenever I indicated that I lived in Nairobi city and not in my marital home, I could sense some disappointment, which was always followed by questions about how often I went to my marital home and if I had a house there. I was probed by both men and women, showing how

people continually measure each other up based on their values and their performance of these – in my case, whether I fitted anything close to what would be considered a *dhako moromo*. Clearly, like other women traders in the fishing villages, I was far from that ideal.

The conflict between conformity and deviation from norms of proper womanhood in this place is also well illustrated in what women say about their relationships and what they actually do. Nusco, a *jadengo* from Kolunga fishing village, complained to me on most occasions when we met about her partner who was an alcoholic and who did not provide enough money for her food. 'I slept hungry again,' she would tell me. One day, I asked what she was doing about her husband's alleged neglect, and what followed was a lecture on how a woman should behave. 'As a woman you should not question your husband but you just pray. Watch silently because if you ask he may get upset and this may bring other problems. I do not ask him.' Nusco's words, which seemingly described proper womanhood, were contradicted by her actions few weeks later when I witnessed her having a scuffle with her partner in the open field in Litare fishing village. That morning, I had been processing fish in Litare with Eta, a female *jokambi*, and Lora, a *jodeng'o* who worked with her, when we heard a commotion followed by a brawl. Two men and a woman were roughing up another man on the ground. The woman happened to be Nusco, and the man on the ground was her partner. On this morning, Nusco, who also frequented the local brewers, appeared sober while her partner, who had now been overpowered by the other two men, was evidently drunk. The two men held him down while Nusco searched his pockets for money. As soon as Nusco got some money from her partner's pockets, she hurriedly left with the two men in tow.

It was obvious that while women try to attain the ideals of femininity and to teach others about them, this is not the same as the actual struggle of maintaining appearances. Yet, the very performance of femininity provides them with some fulfilment, even when they are

well aware that on other occasions they have to deviate blatantly. These women have already migrated as a way of freeing themselves from deprivations and arrangements which disadvantaged them in their marital homes. For them, to migrate is to risk being labelled as immoral, even as they attempt to attain the values of *dhako moromo* by entering into other relationships or by offering domestic services to men. Their new domestic and sexual relationships represent open defiance, but they are paradoxically also attempts to embody *dhako moromo* in order to survive in unstable conditions. By migrating to the fishing villages, they attempt to better their lives while risking derision, which in turn justifies abuse towards them. By using derogatory terms, men are able to maintain some control and counter challenges to their authority, as the case of *akili nyingi* women illustrates.

Women's marital independence and their resistance to marital obligations are the most common bases of their condemnation as improper or 'wicked' (Hodgson and McCurdy, 2001). Moreover, writing on 'Wicked Women and Respectable Ladies' in Zambia, Parpart (2001) shows that labelling women as 'wicked' has a double significance because it marks deviance as well as describing what 'respectability' demands. This is certainly the case in my study, as the female fish traders are called 'immoral' in reference to values of *dhako moromo*-ness. However, this is not straightforward. The *akili nyingi* women actually live out a version of being *dhako moromo* by offering domestic services, and they do so not just as a way to derive material advantage, but also simply as a way to conduct life as they know it. Women who are collectively regarded as immoral or as *akili nyingi* choose to enter marriage-like arrangements. By doing so, their deviance is minimised, granting them space to benefit from such relationships.

Conclusion

In a context where the community has experienced fragmentation due to declining livelihood options and high mortality from HIV/AIDS, work in the fishing villages provides a means of making ends meet. Women see their migration into fishing villages as a form of refuge to escape deprivation. Yet, in these villages, expectations of being a *dhako moromo* still follow them, and they conform to these norms as a means of survival but also to enact values that are important to them. They are labelled as useless if they happen to be childless, leading to physical abuse and deprivation. Others are regarded as neglectful mothers as well as immoral for defying residence rules when they migrate to earn a living away from marital homes. These labels legitimise marginalisation and violence against women. To cope in this setting, some women, especially those labelled as *akili nyingi*, commit themselves to a version of what is considered acceptable in order to survive, but defy the norms of such relationships with younger men than themselves. The tension between deviance and conformity is revealed, showing how women, well aware of the need to defy and also to conform, navigate their situation in this place.

Conformity and deviance both act as strategies through which women access resources, enact values and attain positions that offer some advantage. Even though deviation adds to their vulnerabilities, especially through denigration and violence, at other times it is the only means of deriving gain in a difficult environment.

CHAPTER 5

VULNERABLE NAVIGATION IN WOMEN'S LIVELIHOOD STRATEGIES

In the previous chapter I discussed the norms of femininity, their disciplining effect, the tension between conformity and deviance, and how these form a background within which women's attempts at sustaining livelihoods are rooted. In this chapter, I describe how various social positions based on the roles I previously described create dependent relationships between women and between men and women in the fishing villages. Through these relationships, sexual alliances are made which enable women to participate in the fishing business. However, faced with the threats of HIV/AIDS, and disputes between women, some choose tied-labour arrangements with other women instead of sexual alliances with men. I show how patriarchal arrangements rooted in Luo customs may influence gender relations in the fishing villages with and ensuing marginalisation of women. I argue that while the fishing villages offer uncertain returns, as discussed in previous chapters, people position themselves for advantageous participation in the fishing economy through particular relationships, which enhance their status and offer them some access to resources.

Previous research in western Kenya has investigated livelihood strategies in subsistence farming, linking gender relations to the changing economic environment (Francis, 2000). Yet changes in the rural economy since that research necessitate further understanding on off-farm livelihood strategies. The decline of farming means that we have to understand the broader ways in which people try to patch together a living – and particularly fishing, which represents a key survival option in the region.

By framing women's options in terms of the social and cultural capital available to them in the fishing villages, I show how values of respect and of being a complete woman play a key role in the creation of the relationships that emerge. I discuss how dependencies and income intersect to shape gender relations more broadly, as well as how gender relations also shape these. Although these strategies offer livelihood opportunities to the women in the short run, they lead to gendered conflicts, health problems, and further vulnerability. The risks involved in putting themselves in advantageous positions are thus usefully seen in terms of what I call vulnerable navigation. These women's strategies illuminate how vulnerabilities are reproduced by the very means through which they try to disentangle themselves from the difficulties they face.

Other studies have explored people's attempts to survive unstable conditions such as economic decline (Ferguson 1999); the AIDS epidemic (Bawa Yamba 1997; Dilger 2003); negative effects of structural adjustment programmes (Sanders 2001); war (Vigh, 2006; Vigh, 2009) political uncertainties (Schmidt, 2017); and famine (De Boeck 1998; Hutchinson 1996:40). These show how situations of instability shape social relationships and survival strategies. Ferguson's study on Zambia's Copperbelt shows how economic decline led to precariousness for the miners and their families. In the face of heightened unemployment due to retrenchment, interruption of the state's services and poor infrastructure, mine workers depended on family networks in rural areas while also facing the indignity of having failed to achieve their urban dreams. Contrary to claims in development theory, which posited the progression from short-term back-and-forth migration between rural and urban areas to permanent urban residence (See also Reddock, 2000), the reality was that rural/urban arrangements were uneven and included a range of survivalist movements (Ferguson, 1999).

Similar trends are evident among the Luo, whose lives shift between the fishing villages and their home villages as a strategy of dealing with difficulties in both settings. By maintaining links with home, they are able to secure support from kin and ancestral land rights while also trying to make a living in the fishing villages.

Schmidt's (2017) recent study of the Luo paints a picture of growing political uncertainty and economic exclusion, which has led to further exacerbated vulnerabilities such as we see in the fishing villages. Schmidt shows the link between declining economic conditions and how people view and categorise money. People do not morally evaluate money on the basis of its origin and therefore do not associate it with *pesa makech* (bitter money), as was the case at the time of Shipton's research in 1980s (Shipton 1989). The recent decline in work opportunities and general political and social fragmentation have instead foregrounded a different category, *pesa marach* (bad money), which includes *pesa mabandia* (fake money), *pesa nono* (free or undeserved money) and wicked money (Schmidt, 2017: 280, 281). *Pesa mabandia* is believed to be fake money supposedly circulated in Luoland to sabotage the economy by political antagonists.

The background to this notion is the repeated failure of the Luo presidential candidate, Raila Odinga, in 2007, 2013 and 2017, in highly disputed elections that have led to political discontent. This feeling is followed by a sense of 'economic exclusion' that shapes how money is viewed (Schmidt, 2017: 280). Money is also viewed as *pesa nono* to signify a fluid category of 'undeserved money', while wicked money is money believed to cause the holder to spend in inessential ways such as on alcohol or in prostitution (ibid). Unlike Shipton's (1989) rendering of 'bitter money', the current understanding of money as 'bad money', according Schmidt, emphasises how it is used rather than where it came from. By use of the

axiom ‘money is money’, which means that ‘the money’s origin does not matter as long as it enables you to survive, people justify survivalist strategies’ (Schmidt, 2017: 284). Referring to survival as a justification to acquire money by any means is driven by uncertainty and the livelihood struggles that characterise this setting (See Jones, 2010). What ensues in such a scenario are advantageous dealings (Schmidt, 2017: 289), such as what we see in the fishing villages.

Women’s survival strategies through sexual alliances and tied-labour arrangements can be understood from this viewpoint and as means of navigation in the midst of fundamental uncertainty. The notion of navigation has been used to describe people’s actions in similarly unstable settings (Christiansen, 2006; Thorsen, 2006; Vigh, 2006; Waage, 2006). Vigh’s conceptualisation of navigation as ‘motion within motion’ captures the particular experience of trying to act in the world while the social situation itself is in flux and unpredictable. I illustrate this through women’s strategies in an equally unstable place. In the fishing villages, the context for women’s choice is one of vulnerability, and strategic choices may come with risks and even new sources of harm. Women navigate the fragile and constantly changing social arrangements available to them. They struggle for the possibility of long-term security by performing the valued norms of femininity, while also contending with short-term uncertain returns from relationships with fishermen and older female boat owners, and even the possibility of further marginalisation. In a setting that is already burdened with uncertain work opportunities and unequal access to means of living, I show the linkages between these forms of fragility and women’s agency, and the resultant outcomes.

In what follows, I introduce the lived experiences of some of the research participants to reveal the conditions within which they try to make ends meet. This is a first step towards understanding what navigation looks like for women in Lake Victoria's fishing villages.

Sexual Alliances: No Man, no Business

Aoko, a 26-year-old widowed mother of four walked from the room she rented at the fishing village to the lakeshore. She held a plastic basin tightly on her chest to shield herself from the breezy 4 a.m. weather conditions. Since her husband's death, a year before, she could not count the number of times her children had asked for school supplies, which she could not provide. Noaz, one of the fishermen in the boat that was approaching, had been like an angel. He ate at her house and, on those days when he was not on night fishing expeditions, they shared a bed in an arrangement that spelled some hope for her. From the boat in which he worked, she could now buy the fish she needed and therefore she no longer returned from the lakeshore with an empty basin.

Aoko's and Noaz's arrangement is what has been commonly referred to as 'sex-for-fish' (SFF) or 'fish-for-sex' transactions along the Great Lakes region of Africa (Bene and Merten, 2008; Caldwell et al., 1989; Camlin et al., 2013; Fiorella et al., 2015; Mojola, 2010; Robinson and Yeh, 2011; Wingood and DiClemente, 2000). The sex-for-fish phenomenon has received considerable attention in relation to the lake economies due to its association with HIV/AIDS (Camlin et al., 2013; Mojola, 2010; Wingood and DiClemente, 2000). HIV/AIDS rates have deepened the need for research on social-cultural drivers that shape its spread and management, particularly in settings such as the one I explore in this study, where the prevalence rate is as high as 27% (Kenya National Bureau of Statistics, 2009; National Aids Control Council, 2014). This has shaped priorities in rural community development in

Homa Bay, with consequent relevance for other rural economies where health risks intersect with family arrangements and livelihood options. Previous studies in the region have drawn attention to the effects of HIV/AIDS on food production due to morbidity and mortality affecting farm labour (Waal and Whiteside, 2003), the economic costs of managing HIV/AIDS (Thirumurthy et al., 2008), how changing lake ecologies shape its spread (Mojola, 2010) as well as how family dynamics are influenced by it (Ayikukwei et al., 2008; Foster and Williamson, 2000). Most recent studies have pointed to an important link between the declining lake ecologies and worsening catches of fish, and the subsequent competition that shapes sex-for-fish arrangements (Fiorella et al., 2015, Mojola, 2010).

In this recent scholarship, sex-for-fish (SFF) has been viewed as transactional sex, a phrase I find insufficient for understanding the experiences of my research participants. As I will show here, reducing these relationships to 'transactions' blurs the social aims embedded in the SFF arrangements among fishermen and women in fishing villages. Transactional sex has been used to describe a wide array of deals such as 'survival sex' for subsistence when starvation is looming (Harcourt and Donovan, 2005: 203), as a 'survival tool' in war and conflict (Hankins et al., 2002), to secure livelihoods more generally (Maclin et al., 2015), for 'debt repayment' (Evans and Lambert, 1997), and 'for exchange with drugs and alcohol' (Inciardi, 1995). Other studies in Sub-Saharan Africa have pointed to forms of transactional sex in marriages (Swidler and Watkins, 2007) as well as the general transactional nature of sexual exchange among adults (Robinson and Yeh, 2011). Hunter (2002) reveals how women engage in transactional sex as 'girlfriends' and not as prostitutes, and not only to receive money but also to develop relationships that carry social obligations. Transactional sex is also attributed to monetary exchange for luxurious gifts (Lonfield et al., 2002), attempts to access education (Kaufman et al., 2001), a search for status and identity (Hulton et al., 2000; Nyanzi

et al., 2001; Nzioka, 2001) and desires to be 'modernised' through gifts exchanged with sex (Mojola, 2014). Most of these studies suggest that sex is exchanged for material, economic survival and for power.

While I recognise the importance of economic survival, and even the sense of direct exchange implied by the term 'transactional', sex has also been used for long-term relational ends – something emphasised by Hunter (2002) in his usage. Robinson and Yeh (2012), writing about western Kenya, also attest to outcomes of sexual relationships beyond short-term exchanges. Women in fishing villages engage in sex-for-fish arrangements to keep a range of possibilities open, from day-to-day survival, to broader economic advantage, to long-term hopes of marriage. As they shift between these different horizons, what they develop are better seen as alliances rather than simply as transactions in which one favour is exchanged for another.

Besides, in the fishing villages another reason for engaging in sexual alliances became apparent. The norms of acceptable femininity in this setting are partly defined by women's relationship status, compelling them to seek these relationships through sexual alliances. To illuminate this, I return to cases like Aoko's and Noaz's and particularly the conditions that drive *jodeng'o*[6] women into these arrangements.

> Sometimes there are women here who have no one [meaning they are single, not attached to a husband or partner]. When fishermen see them, they follow them because no woman stays without a man. Even me when I go on fishing expeditions on another part of the lake, I get a woman there (John, fisherman).

These were the words of John, one of the fishermen in Kolunga fishing village. 'No woman stays without a man' is laden with meaning, not just in relation to necessary alliances for business, but also regarding cultural norms of what *dhako moromo* (complete woman) entails.

[6] *Jodengo*, as described earlier in the thesis, are small scale traders who move from boat to boat buying small quantities of fish for their businesses.

Having a relationship is seen as a desirable feature of femininity which also positions women to access resources. This was illustrated by Nela's story.

At the time of research, as a 26-year-old and a widowed mother of three, Nela had experienced multiple setbacks in her short life. She had been overtaken by fear after becoming a mother as a teenager. Her hopes were rekindled when she married the father of her second born, but he died of HIV/AIDS barely two years after their marriage. After her husband's death, she fell into the violent hands of her brother in-law who she lived with in accordance with the custom of levirate marriage (See also Ambasa-Shisanya, 2007; Gunga, 2009). Nela's expressed her joys in remaining in an arrangement that affirmed her as a good woman. She had resided in her marital home and performed all domestic duties of mother and wife. They bore one child together but she endured regular physical abuse that he subjected her. She narrated:

> This man helped me to establish a home but he was difficult. He would demand food which I could not afford and then beat me up. I had to run away because of this and my health also deteriorated. I decided to return here near my mother (Nela).

Although she tried to be *dhako ber* (good woman), at first she couldn't bear the violence any more. Nela left him and migrated to live near her mother in Nyagina fishing village. When I met her, she was living in a rented room with her partner, a fisherman whom she had coupled with a few months after moving from her marital home. Her new relationship accorded her a status she had lost but also gave her easier access to fish. In her words, 'people respect me because they see I am not alone'. Her relationship, that is, granted her some form of standing in the village. Although on the surface these relationships are seen as materially motivated, for women they also provide spaces for performing a valued form of womanhood. Motivations for material gain are also observable but they are exercised with

long term goals of fitting into accepted relationship status. Nusco, a female trader, echoed this idea:

> If your man does not go to the lake you don't get fish. If he goes to the lake like this one of mine, you get fish. A *jaboya* [meaning a man with whom a woman has a sexual alliance for fish] is just a friend and if you move from this village and go to say Litare village, you get another one there (Nusco).

According to Nusco, the idea of attaching oneself to a man wherever a woman migrates corroborated this valued practice while also showing obligations that follow. Her reference to the necessity of a relationship with a man reveals acceptable characteristics of femininity.

However, although these arrangements seem acceptable to women on the surface, a closer look suggests otherwise. Mona, a *jadeng'o* in Nyagina fishing village despairingly remarked, 'what I don't like is even during seasons when the fish catch is good; one must have sex with a *jaboya*. *A jaboya* will insist on sexual favours even if you still have to pay for the fish with money.' Although SFF has been associated with poor lake yields (Fiorella et al., 2015, Mojola, 2010), this phenomenon is further influenced by the prevailing norms of reciprocity. Millicent, a *jadengo* who had been in the fish trade for three months affirmed this: 'One cannot buy fish without *jaboya.* Someone says, come to my boat and you become my friend. Then that is how you start buying fish there.' Sex with fishermen acts as a strategy for building a relationship that is reciprocated by the opportunity to purchase. This two-part access process – first having a sexual relationship, and then using money to access fish – is what makes these arrangements especially disadvantageous for the *jodeng'o* women. This is underlined by the fact that, even during periods of good fish returns, the fishermen still demand sex from *jodeng'o* before they can buy the fish, as Mona lamented above. She elaborated: 'you have your money but if you refuse to have sex with them, you cannot buy. It

is bad and sad because you can't buy.' Enry, a fisherman corroborated this: 'these *jadeng'o* women suffer a lot because they cannot get fish without a man.' Notably, young widows and single mothers who migrate to the fishing villages for the most part face more difficulties accessing fish and therefore seek out sexual alliances to get by.

Coping in unstable places like the fishing villages means staying open to possibilities for survival including the very risky strategy of sexual alliances. Doing so requires building relationships that could result in long-term benefits or a degree of stability. One *jadeng'o* expressed this especially clearly: 'Sometime you may have a *jaboya* until he marries you and then you are better that way.' That women's participation in transactional sex leads to long-term relationships is not new in this region (Robinson and Yeh, 2012). Writing on sex workers in Western Kenya, Robinson and Yeh shows that 'sex workers develop relationships with regular clients, and that regular clients become one of the primary sources of insurance that women can rely upon when shocks occur (ibid, 137). While this observation is comparable to women in sexual alliances in the fishing trade, the dynamics of the relationships between fishermen and the *jodeng'o* women are somewhat different. My study shows that the aim of establishing long-term relationships forms a significant part of women's motivations when they engage in sexual alliances, and is not a mere consequence of regular sex encounters. Robinson's and Yeh's study posits income as the main reason that women enter into sex work. By contrast, my study shows that sex is used not only as a transactional tool for income, but also as part of more complex attempts to position for advantage through relationships with fishermen. As such, long-term relationships represent a particular kind of security.

Tied Labour: Women Subjugating other Women

> The problem is this disease [HIV/AIDS]. You know these days you can't tell who is infected unless you go to hospital for tests. Because of this, some women have refused to give sex for fish. They say that they would rather find other ways than to go to *jaboya* because you find that one Jaboya has many partners. Today he has this one and tomorrow he has another because many women want fish. People now fear the disease (Mona).

These were the words of Mona, highlighting why some women opt to be in tied-labour arrangements under *jokambi* women instead of sexual alliances with fishermen. From Mona's words, the option of sexual alliances as a strategy of survival presents two problems: multiple partners and sexually transmitted diseases. Being in sexual relationships where other partners are involved can lead to conflicts between women. It also exposes them to HIV/AIDS. Thus, as an alternative, women engage in tied-labour arrangements. *Jodeng'o* women provide labour to female *jokambi* in order to have access to buy fish in their boats. These arrangements tie or bond the *jodeng'o* to *jokambi* women as they have no other means of accessing fish other than offering labour to *jokambi* even when they know this labour is not paid. Just like in sexual alliances, *jodeng'o* buy fish with money but they also have to offer labour to *jokambi* so as to be given an opportunity to purchase. In tied-labour arrangements, labour becomes what sex is in sexual alliances.

Lora, a widowed *jadeng'o* who was in a tied-labour arrangement, helped me understand such relationships by describing her day's schedule:

> I go to the lake every morning, sometimes at 3 a.m. My job is to wait for the fishermen when they arrive from overnight fishing. I carry the wet fish from the boat uphill to the drying area for my boss [*jokambi*]. My boss then allows me to buy some fish for my business. I pay money but I have to work for boss too (Lora).

Arrangements like this provoke concern among *jodeng'o.* One woman named Aluthi, a *jadeng'o* who was in a tied-labour arrangement, grumbled: 'I don't know what will happen,

and I may get sick. I left the other boss in Kolunga and now here in Sienga I work for this one but it is hard.' Her fears, I came to learn, were about getting sick from carrying heavy fish and spending cold mornings collecting fish for a *jokambi.* Although a tied-labour arrangement presented an alternative to sexual alliances, the *jodeng'o* still saw this as exploitative and also risky to their health.

Although the sexual alliances and tied-labour strategies are distinct, my study showed that women shift back and forth between the two options. Some women opt for both sexual alliances and tied-labour arrangements as a way of benefiting from both. Teline's experience, first in tied-labour arrangements and then in a sexual alliance, attests to this: 'First I worked for someone to get my fish; it was hard but now I have a *jaboya*.' She spoke with a sense of fulfilment for having finally got into this relationship. But to others, sexual alliances presented problems to avoid. Consider, for example, Lora's reasons for being in a tied-labour arrangement:

> Partners of fishermen do not want to see you near the boats. They think you want to take their men. But you have to work so I have to carry even more than 10 troughs of fish and then dry it till evening. This is how I am able to continue in business.

Lora's choice was to stay clear of possibilities of conflict with other women by not engaging in a sexual alliance, choosing tied labour arrangements instead.

On the surface, tied-labour arrangements between *jodengo* and *jokambi* appear to be friendly, mutually beneficial relationships. However, *jodeng'o* women speak unhappily about them, while the *jokambi* emphasise being supportive acquaintances. The *jodengo* protest that they work hard in arduous conditions without pay in order to get fish, which they still buy, with money. Lora complained, 'this work is hard carrying wet fish for Eta but now what do I do? I may even get sick but what do I do?' In my conversation with Eta, Lora's *jokambi* boss,

she adopted a carer's tone: 'her husband died; now I am the one who helps her.' This kind of relationship appears cordial, yet one party is left feeling exploited.

Women's Navigation in Practise

Observations and conversations with *jodengo* women revealed that those who are in sexual alliances occupy a more desirable status than those in tied-labour arrangements. The reason is that in sexual alliances, there is potential for the relationship to grow into a long-term partnership, even marriage, while tied-labour does not offer that prospect. Despite the health risks posed by sexual alliances, more women opt for them. Yet, as noted above, sexual alliances come with the added risk of conflicts with other women. For instance, entering into a relationship with a man who is already married leads to conflict with his wife or partner. This was the threat Lora alluded to while explaining the reasons for sticking to tied-labour fisherman who worked in the beach village where her late husband had worked. Frequent quarrels with the fisherman's wife dissuaded her from continuing with the relationship, and she opted to work for a *jakambi.* Tied-labour arrangements offer easier entry for women traders to participate in business but, to some *jodengo*, they are only transitory steps towards what they see as more secure arrangements.

Women like Teline, Aluthi and Lora referred above demonstrate a chain of decisions and actions in their efforts to disentangle themselves from difficulties of accessing livelihoods. The figures below illustrates this navigation:

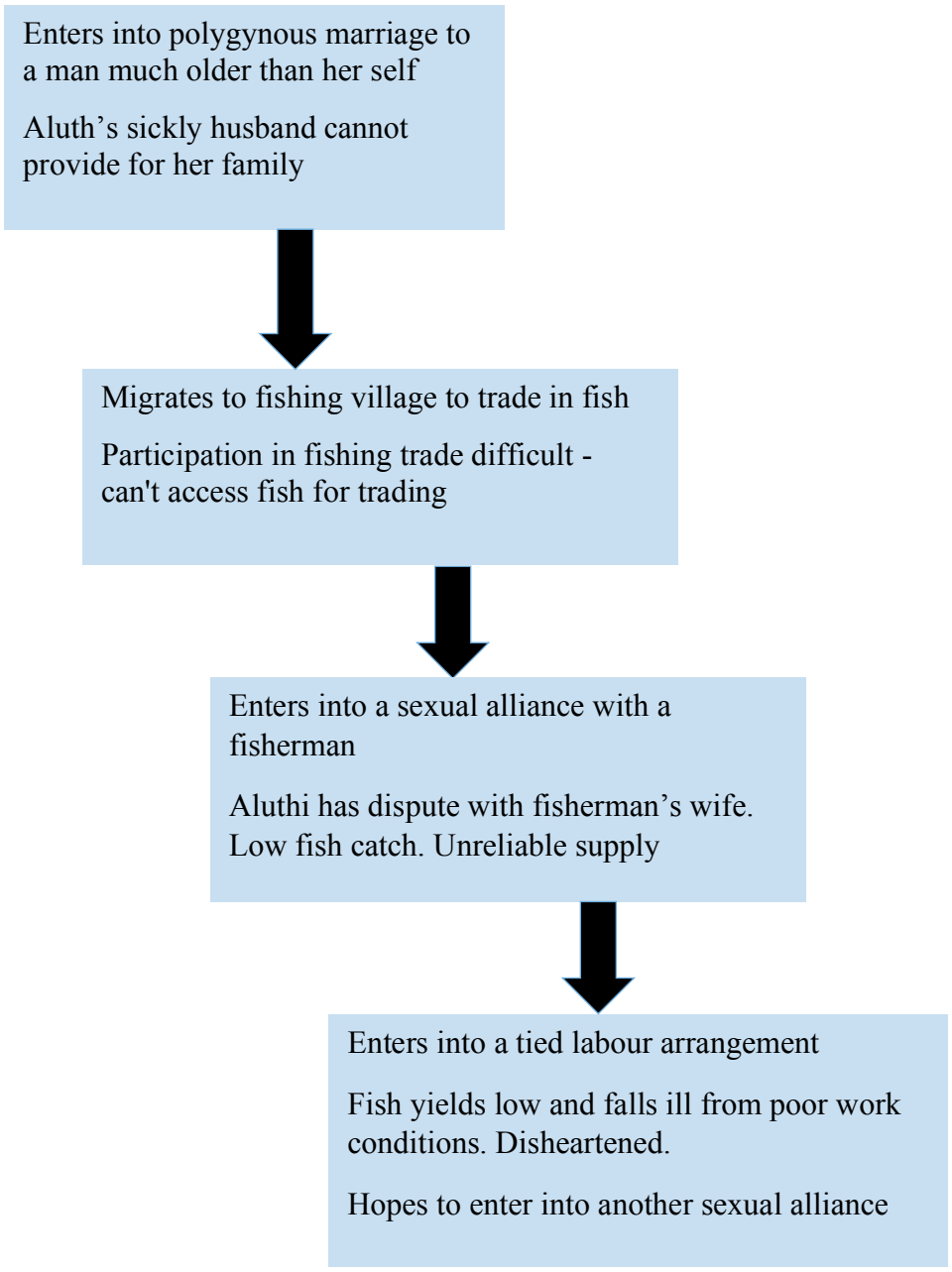


Figure 19: Navigation in practise 1: Aluthi, 37 years

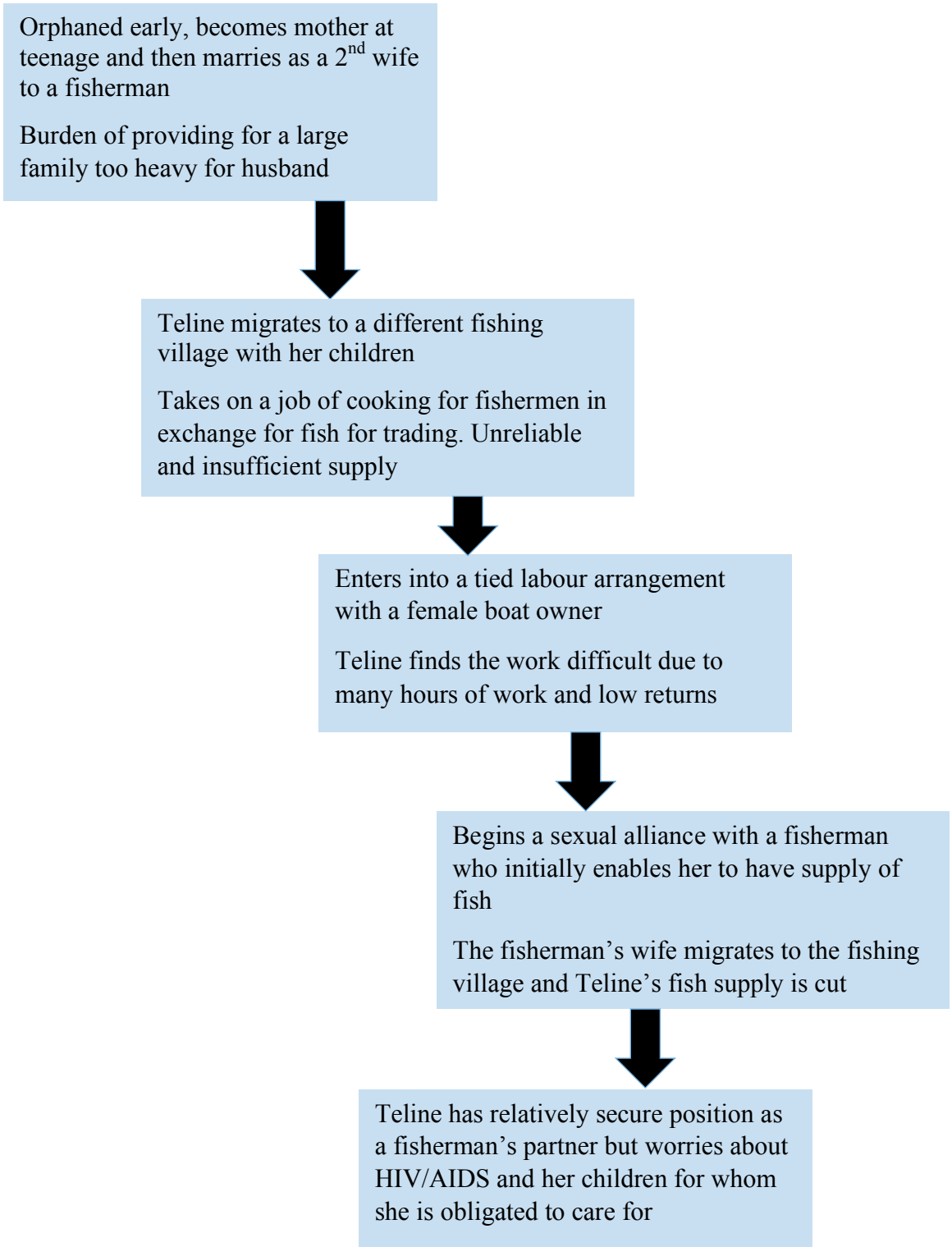


Figure 20: Navigation in practise 2: Teline, 37 years

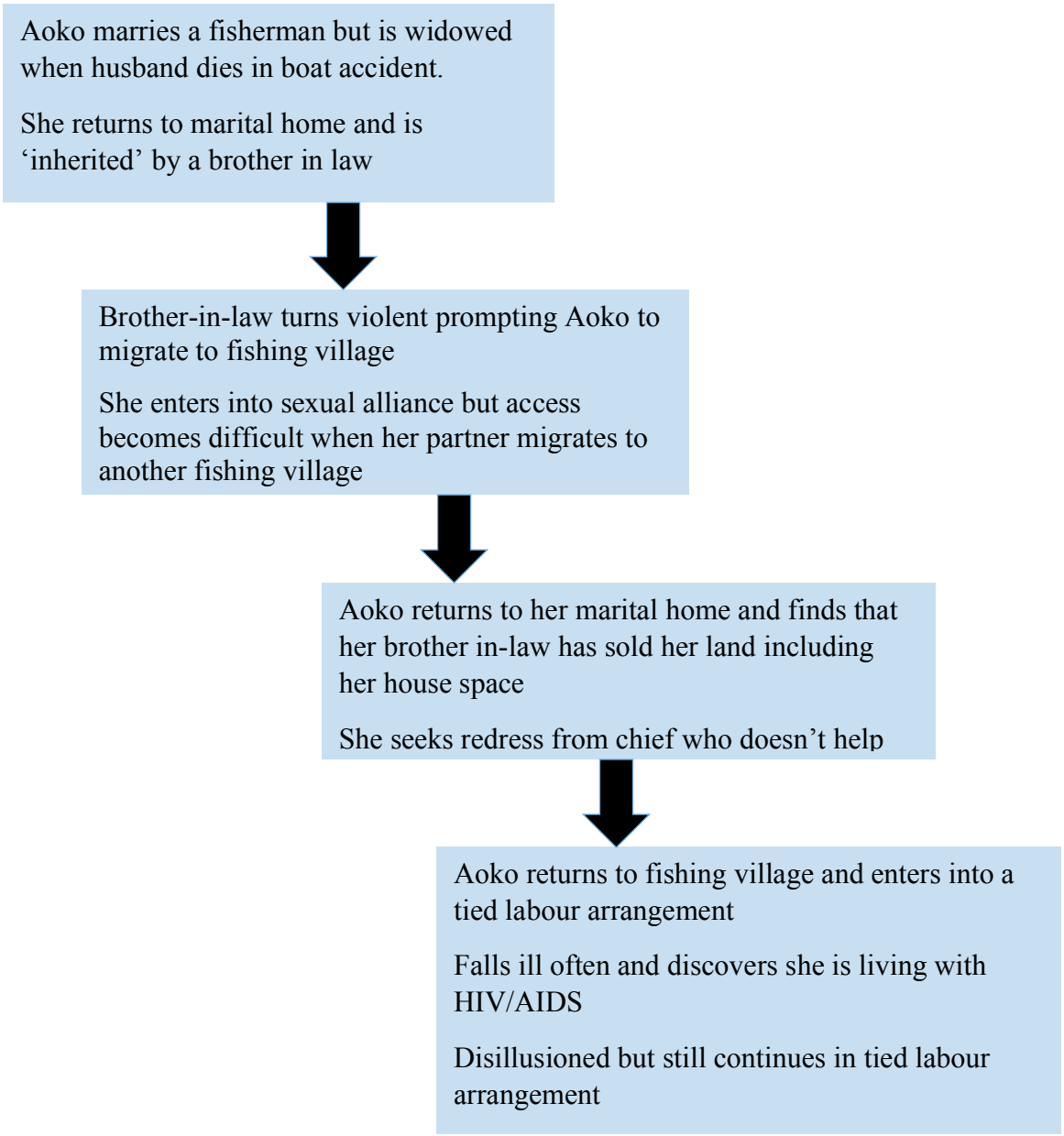


Figure 21: Navigation in practise 3: Aoko, 26 years

The above figures illustrate the intricate decisions and moves which women contend with towards gainful participation in fishing work. To further illuminate what drives these arrangements in the fishing villages, I look at patriarchy in Luo kinship and how its normative practices shape women's options in these villages.

Footprints of Patriarchy: From Exclusion to Conditional Inclusion

Gender inequalities manifested through subordination of women and domination of men have been attributed to patriarchy (Gordon, 1996; Maseno and Kilonzo, 2011). Control of resources and businesses by men in the fishing villages reinforce such a patriarchal regime. Through a survey that was carried out in East Africa on sexual systems, Caldwell et al. (1992) found that the Luo have the most limiting cultural arrangements in regard to gender practices (see also Parkin, 1980). Equally significant is that Luo women themselves often complain of the constraints placed on them (Potash, 1978; Opondo, 1996). Certainly, these gendered power relations as they are entrenched in the Luo's customary practices find their way into the fishing villages. In my observations and from narratives of women, patriarchal practices are in evidence even though these villages are places that are dislocated from more typical Luo social arrangements.

In the fishing villages, women's access to fish is mediated by fishermen and a small number of powerful women. In this setting where fish trading is carried out, free participation is controlled and inequalities in earnings are evident. In their domestic spaces, these women face exclusion from owning land in their marital homes and a sharply gendered division of labour. Therefore, arrangements resembling patriarchal custom emerge as a significant factor in the continuation of exploitative transactions in fishing villages that is manifested both in tied-labour and sexual alliances. Women are not always passive in responding to these arrangements. But, as Luke and Watkins (2000) showed, since they cannot directly question or challenge gender inequalities, they instead revert to indirect means of resistance. Indirect means, such as turning to *rariu* illness, gives them some relief from work and social

obligations (ibid). Rariu[7] provides women with some escape or reprieve from men's control. Furthermore, Dodo[8] dance songs which are Dholuo women's performances enable them to speak out against what they see as oppression by men (Opondo, 1996). Migration to the fishing village is itself a form of resistance to the norms associated with patrilocal residence arrangements. Additionally, *akili nyingi* women who enter into relationships with men younger than themselves demonstrate indirect challenge to existing power relations. In these relationships, they wield their authority as older partners to control these young men's earnings while also living out the norms of *dhako moromo* in which they are socialised.

Yet, as I observed, the migrants in the fishing villages live within the social norms of patriarchy. Indeed, women's work in the fishing villages also remains under the controlling influence of men. Men see themselves as custodians of resources and gatekeepers to means of living. This has an effect on how women and women relate with each other as far as division of labour in the fishing work is concerned. On one hand, fishermen see themselves as the providers of the women migrants, which also include being the gatekeepers of fishing activities. This is illustrated by excluding women from fishing activity and thus acting as the owners of the lake's fish stocks. Women, on the other hand, feel obligated to return what they consider as a favour to men by way of offering sex and domestic services. Enry, one of the fishermen had this to say: 'It is hard. Even for wealthy women without a man it's hard. If a fisherman gives a woman fish for a long period then asks for sexual favours then the woman feels it is fair to return the favour.' Enry's sentiments are illustrative of the idea that sexual alliances are part of the already existing patriarchal undercurrent.

[7] Rariu is a women's reproductive illness that Luo women treat through traditional medicine as clinicians treat it lightly. Women's resistance of clinicians' deligitimization of rariu is an example of women's indirect challenge of not just the clinicians and western medicine but also constraining patriarchal practices.

[8] Dodo are forms of songs performed during key community events among the Luo. These songs often act as indirect means of women's communication and expression of their womanhood and their experiences in a patriarchal context.

In addition, men who migrate to fishing villages, having left their wives (if married), or parents and siblings, must assert their masculine roles. These include being providers and re-establishing new family-like networks, which necessitate taking in women traders as temporary partners. Since this requires returning a favour, women who are seeking alliances for business access find men who are willing to take them in. Subsequently, both men and women who enter such alliances bring with them obligations and entitlements, which conform to patriarchal norms not so unlike the villages they came from. Although these arrangements, particularly that of sex for fish, has previously been theorised as transactional (Bene and Merten, 2008; Camlin et al., 2013; Swidler and Watkins, 2007), it is also embedded in gendered cultural norms.

The customs regarding widow cleansing and widow inheritance, or what is referred to as widow guardianship (Ambasa-Shisanya, 2007), also shape gender relations in the fishing villages. Widow guardianship is supposed to meet crucial needs associated with widowhood, which include material support and social inclusion upon the death of a husband (Ogutu, 2007). Widow inheritance involves a widow marrying a brother or cousin of the deceased husband, and it entrenches the notion that a woman is incomplete or insufficient if not attached to a man. However, when kin groups fail to meet these conditions, widows become disenfranchised and opt to migrate to fishing villages. In the fishing villages, such women are expected to find other men, driving the necessity of sexual alliances for material survival and to align with ideals of a *dhako moromo.* Even in the transient and commercial context of fishing villages, women still need to depend on men so as to participate profitably. Nusco, a female trader, underlined this by remarking that, ‘you can’t get fish without a relationship with fisherman. You cannot do this business alone.’

The need for men to represent women publicly is thrown into particular relief by those who mobilise other kin. Seba, a widowed grandmother and a fish trader, depended on her son to access fish. Minda, a widowed young mother of three, depended on her male cousin. Others, as I have shown, relied on husbands or sexual partners. Minape felt privileged to have worked under the tutelage of her husband and later on her son, by pointing out that:

> I have not experienced any problems because my husband was working with me. I would get work to do business but give the money to him. He is the one that holds the money. Now my son is the one who holds the money because my husband is sick. Those who don't have a son or husband are really disturbed.

Control over resources and work in the fishing villages remains with the men and a few women, with the result that the majority of women are marginalised and exploited. To cope and get by in this environment, it is apparent that women make use of social networks and cultural capital, even as they contend with this structural disadvantage.

The Limits of Social and Cultural Capital

Women migrants in fishing villages are faced with the difficulties of accessing fish for business and constant unequal competition for limited resources. Yet they in turn engage in various strategies for survival, in which they mobilise social and cultural capital. However, each offers women short-lived security, while also leaving them vulnerable.

Cultural capital is the accumulation of shared norms, knowledge, beliefs, and behaviours which reflect one's social status (Bourdieu, 1999). It offers an especially useful approach here because it brings together an emphasis on strategy and advantageous positioning. One such shared belief is being a *dhako moromo*, as earlier defined, revealed in a woman's expression of feminine traits such as domesticity, her marital and motherhood

status, as well as her performance of other female roles. Despite the fishing villages being places where some Luo norms and customs are redefined, there are still expectations that women will strive to be *dhako moromo*. These are further reinforced by the fact that women themselves derive advantage from living up to such ideals, in relation to each other in an unstable environment. One component of being *dhako moromo* that influences life in the fishing villages is a woman's marital or relationship status. Single women are looked down upon and excluded from access to fish. Women who are in relationships, whether married to fishermen or in short-term sexual alliances, are seen to exhibit the characteristics of *dhako moromo*, at least in relative terms. Advantageous positioning among women depends on these relationships as I show in the figure 18 below:

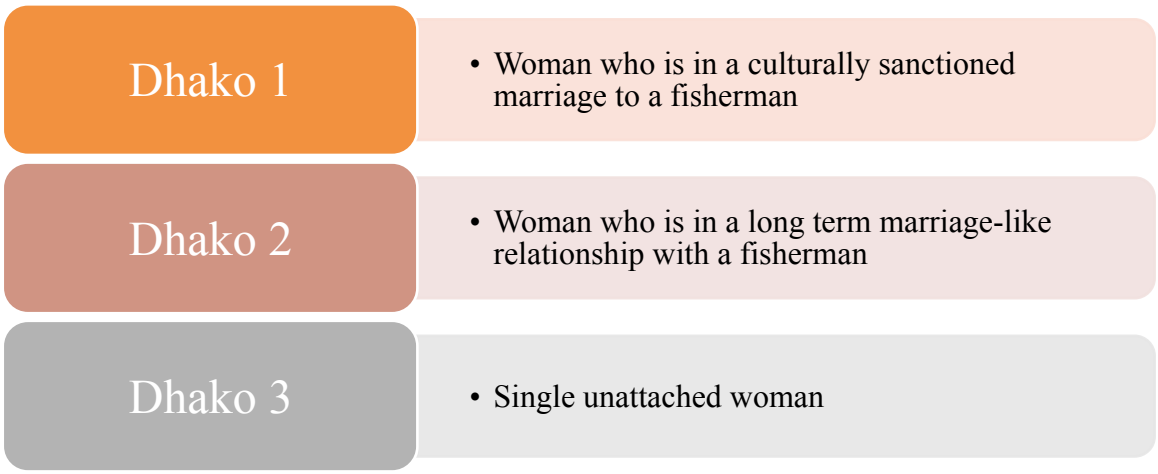


Figure 22: Women's relative positioning

According to the ideal of a *dhako moromo,* category *dhako* (woman) 3 is perceived as lacking the characteristics of a complete woman because of her single status. The single status attracts scorn from men and other women, while women also see them as threats to

their own relationships. Deviation from being *dhako moromo* and consequent inability to access fish, makes the position of *dhako* 3 most vulnerable.

The difference between *dhako* 1 and *dhako* 2 comes down to which relationships are recognized by wider families living beyond the fishing villages. Those whose marriages are founded on relationships between wider families and payment of bride wealth are perceived as more honourable - and this comes with its advantages. Long-term relationships (marriage-like unions) initiated in the fishing villages as a result of sexual alliances, *dhako* 2, are perceived as less legitimate and, as a consequence, women in such relationships have fewer privileges than *dhako* 1. Because *dhako* 2 relationships can easily be broken, the advantages of accessing fish for trade remain uncertain compared to *dhako* 1 whose relationships are properly endorsed by norms beyond the fishing villages. Indeed, shared norms, beliefs and expectations, which together constitute cultural capital, produce social inequalities (Bourdieu, 1999). In the case of the Luo women, as reflected in the status of *dhako* 1*, dhako* 2 *and dhako* 3 above, these categories on the one hand open up privileges for some women, while on the other hand they legitimise the marginalisation of others.

Social capital is equally important. It refers to 'features of social organization such as networks, norms, and social trust that facilitate coordination and cooperation for mutual benefit' (Putnam, 1995: 67). As I discussed earlier in this chapter, access to resources in the fishing villages is made possible through social networks between fishermen, *jodeng'o* and *jokambi.* It is through intricate relationships mediated by sexual alliances and tied-labour arrangements that the *jodengo's* access to fish is guaranteed. According to Woolcock (2001), social capital has three forms: bonding, bridging and linking capital. 'Bonding' social capital refers to ties or networks of family and close friends. In the fishing villages, these are weakened among migrants who have left their families to live among other dislocated people.

Due to the predominance of people of unrelated lineages (as discussed in Chapter Three) and advantageous relationships forged between them, bonding ties remain weak or non-existent. The benefit of mutual trust and support that comes from family or close friends is limited.

Other research has shown that social capital is crucial as a fall-back option in times of difficulty and aids in adaptation to change (Isham et al., 2002; Narayan, 2002; Woolcock, 2001). Yet the limitations of social capital, in altering problems faced by the poor, have also been observed (Cleaver, 2005: 896; Markussen, 2002). Cleaver's study, in rural Tanzania, showed that the poor have limited ability to strategize with close family networks because of the fragmented state of their families and the common denigration of poor people, both of which isolate them (Cleaver, 2005: 896). In the context of my research, too, where inhabitants are separated from their families, bonding social capital cannot be relied upon.

According to Woolcock (2001) 'bridging' social capital refers to the networks between distance acquaintances such as neighbours or friends who share common demographic features like similar social and economic characteristics. These are in evidence in the fishing villages. The connections between inhabitants of the fishing villages can usefully be seen as bridging networks as these people live and work within same conditions and are drawn to these villages by common factors. The bridging networks are seen in sexual alliances or tied-labour arrangements as well as in the ties between the migrants as neighbours and as workmates. However, because of competition for limited resources and the unequal power relations, advantageous positioning takes centre stage in the ties that arise. As such, reciprocity in these bridging networks is also uneven, with the investment of time out of proportion with material returns. For instance, the time invested by *jadeng'o* in offering labour to *jokambi* women in tied-labour arrangements does not match the benefits accrued. Although they get opportunity to access fish, the time and labour invested are minimally

reciprocated. Similarly, sexual alliances provide good positioning to access fish, but the risks of HIV/AIDS are too costly and these alliances also produce their own forms of uncertainty, conflict and vulnerability.

Finally, linking capital refers to networks of people across different social and economic status or class (Isham et al., 2002; Woolcock, 2001). This is especially absent as the inhabitants of the fishing villages do not have any networks outside of the villages. Linking capital is useful because it provides opportunities for sharing information, and resources outside the community. In consequence, the ability to reach out to other resources or information beyond the fishing villages remains acutely narrow. As the case of the fishing villages attests, social capital can be beneficial in providing opportunities for survival yet, for the most part, bonding social capital and linking social capital are lacking. What we have instead are bridging ties. And, as the case of sexual alliances and tied-labour show, these produce further risks. Bebbington, (1999) has claimed that poor communities are characterised by rich store of bonding ties. But, as the fishing villages make clear, this is not always the case.

Conclusion: Vulnerable Navigation

Thinking about social capital has particular significance for understanding women's navigation of livelihood difficulties in the fishing villages. This is because the key strategies that they employ for survival rely on social capital, particularly bridging ties (Woolcock, 2001). However, these strategies lead the women to more vulnerable positions and reinforce unequal relations.

In settings such as this, the idea of navigation has been used to describe the array of strategies which people use to disentangle themselves from constraining structures (Vigh, 2009). Vigh theorises social navigation as the struggles to survive in context of multiple situations that are themselves changing. Social navigation shows how people adjust their strategies and lives in response to changing environments. The *jodeng'o* women explore an array of possibilities, and they navigate around risks as they strive for better lives. But from these women's experiences, we see the results of their manoeuvres: short-lived hope followed by deeper risks. These women invest in acts that endanger their health and lives and risk causing disputes with others in the fishing villages. Theirs are choices that I consider vulnerable, both in relation to the risks involved, and the positions in which they leave them.

Thus, besides describing the kinds of strategies on which Vigh's concept of navigation focuses, I show their risky nature as well as the precarious outcomes. In the fishing villages, faced with the dangers of HIV and gendered disputes that are linked to sexual alliances, women may opt for tied-labour arrangements that also have their own disadvantages and risks. Although through this navigation some women are able to position themselves advantageously in the short term, the majority of *jodeng'o* face acute difficulties. These strategies offer prospects that turn out to be temporary and fragile. Women, particularly the *jodeng'o,* have to attach themselves to networks that offer temporary security but remain exploitative and disadvantageous to them. Their navigation in this setting is distinctly vulnerable – what I call vulnerable navigation.

Furthermore, aware of these conditions in which they live, women continue to reach out to other long-term relationships in marriages and marriage-like unions that open further opportunities. These are my focus in the next chapter.

CHAPTER 6

WOMEN'S NEGOTIATIONS OF MULTIPLE UNIONS

In the previous chapter, I discussed the strategies of women in the fishing villages, arguing that these strategies – which include mobilising social and cultural capital – often produce short-lived prospects for survival. In this chapter, I discuss multiple (i.e. polygynous) unions – both in marriage and marriage-like arrangements – and how they influence women's positioning and their access to livelihoods. Women's entry into multiple unions is driven by various motivations including attempts to live up to the ideals of *dhako moromo* and pursuit of material provision in a context where poverty and social-economic instabilities persist. These multiple unions take a range of forms, from culturally sanctioned polygyny where bride wealth is paid, to marriage-like unions not sanctioned by payment of bride-wealth, to levirate unions. Bride wealth payment makes unions public due to the participation of wider kin groups, while unions where bride wealth is not paid remain relatively private and secretive. These types of multiple unions produce different conditions for women, with public unions being more secured. Nevertheless, unions of various types offer spaces for the negotiation of power among women as well as between women and men, and consequent relative access to resources.

While marriages and marriage-like arrangements are more fragmented in the fishing villages than in residents' villages of origin, due to the volatility described in previous chapters, multiple unions are significant in illuminating how women cope with power relations. In this chapter, I explore the implications of bride wealth payment on the status of women in light of other studies that point to its negative effects. By analysing the whole

range of polygynous unions, I argue that bride wealth payment is not as disadvantageous as often suggested, particularly in a setting where women's social security and access to resources are premised on the payment. Yet, although public unions endorsed by payment of bride wealth offer some security, in the particular unstable contexts of fishing villages they may represent little everyday improvement for women, and may indeed leave them vulnerable to still further risks.

The Politics of Bride Wealth

Bride wealth exchange is a crucial part of marriage in many parts of Africa since it forms the basis for entrenching the union. Different communities have terms denoting this valued customary practice: *lobola* in southern Africa (Chireshe and Chireshe, 2010), *ruracio* among Agikuyu and Ameru of Kenya (Adams and Mburugu, 1994), *vupe* among the Taita of Kenya (Fortes, 2009), *kem* among the Tiv of central Nigeria (Sambe et al., 2013), and *bogadi* by the Tswana of Botswana (Solway, 2016). Among the Luo, as in other patrilineal societies in Africa, bride wealth is given by the man's family to the woman's family in exchange for her productive and reproductive potential (Reynar, 2000; Cole and Thomas, 2009).

Although bride wealth has its value in sanctioning marriages and building relationships between families (Dery, 2015), many studies link it with ill effects, particularly in regard to gender violence and the 'commoditisation' of women. One such study points out that bride wealth payment exacerbates gender violence (Hague et al., 2011). Hague argues that 'bride-price contributes directly, and in a mutually and cyclically reinforcing way, to domestic violence and to women's subservience to their husbands.' Indeed, some studies links bride wealth directly and indirectly to violence (Dery, 2015; Kaye et al., 2005; Mangena and Ndlovu, 2013; Uthman, 2011; Fuseini, 2013)

Dery's research revealed a growing trend in the commercialisation of bride-price leading to the subjugation of women and to violence against them (Dery, 2015). In the same vein, Sambe et al., (2013) observe that this commercialisation – evident in high and rising levels of bride wealth demanded by women's families – ultimately has a negative effect on marriages, as men feel they have a right to beat the women since they have paid bride wealth for them. Fuseini (2013) reveals how bride wealth is used to legitimize domestic violence in reference to a woman's reproductive and productive roles. A woman whose bride wealth has been paid is regarded as a man's property, and therefore any proceeds from her economic activities are seen as belonging to the man. As such, failure to comply with this expectation meets with punishment through physical violence (Fuseini, 2013; Chireshe and Chireshe, 2010). However, violence meted out to a woman is also dependent on whether bride wealth was paid in full or partially. The more the bride wealth is paid, the higher the incidences of violence against women because restrictions on men against violence diminish (Kaye et al.; 2005; Horne et al.; 2013).

Seen as an expression of patriarchal dominance, bride wealth is often perceived as a form of subjugation of women, which has worsened due to its commercialisation (Tamale, 2004). Commenting on *lobola*, as bride wealth is known in some southern African languages, Tamale argues that this practice has changed, losing its traditional values, and become a commercial tool that commoditises women (ibid). This phenomenon has also been observed in southern Africa by Takunda (2012), in West Africa by Sambe et al., (2013), and in East Africa by Hague and Thiara (2009) and Asiimwe (2013). In Kenya more specifically, Kibwana and Mute (2000) affirm the growing trend of bride wealth commercialisation. Evocative stories related to bride wealth have been reported in Kenyan newspapers:

> A 25 year-old man in Nyahururu committed suicide for what was termed as his inability to raise the prerequisite bride price for a young girl he intended to marry (Reporter, 2012).

This shows the extent of the pressure produced by bride wealth demands. Besides, stories related to demands for compensation for brides are also replete with evidence of commoditisation:

> Some parents will tell a young man to compensate them for what it cost them to bring up or educate their daughter. Yet the education she got was to help her sustain herself whether married or not. (Reporter, 2012)

Other instances have led to protracted court cases as was reported about a man who had taken his son-in-law to court over bride price:

> The son-in-law had neither visited his home to formally introduce himself and neither had he ever sent any token of appreciation in the six years he had been living with his daughter, he said and demanded Sh50,000 for himself, Sh25,000 for his wife, 13 cows, two goats, two blankets, two bed sheets, one hat, a pair of gumboots and 20 litres of paraffin. (Bwisa, 2017)

For which the son-in-law responded:

> I told him [father-in-law] that I have only two cows but he insisted on 13 and two goats so we left it there but he has been threatening me with court action and here we are. (Bwisa, 2017)

These reports on demands for bride wealth, especially in the form of large amounts of money, illustrate feelings of bitterness between men and their in-laws:

> I very painfully had to pay 500,000 [Kenya shillings] when I got married to my wife. I was given the option to pay cash or 50 cows. This was after lengthy negotiations between her family and my representatives. They justified the price by talking about her upbringing and level of education, forgetting that I am even more learned than my wife is. This left a bitter taste in my mouth and the issue always comes up when my wife wants to send her parents money or buy them something. It is wrong to swindle a guy who is about to become your son-in-law in the name of dowry [sic][9]. If one has to pay, it should at least be a reasonable price (Nairobian Reporter, 2017).

[9] The common usage of the term dowry to refer to bride wealth is not consistent with the usage in the social sciences or in comparative historical writing.

Despite these feelings, the functions of bride wealth have been defended. A woman who was planning to get married opined:

> A man ought to pay bride price to be in a position to claim a woman as his wife. My father would never recognize him as my husband in absence of bride price. I also feel that if he truly loves me, then money or a few goats should not stand in his way if he wants to marry me (Mwiti, 2012).

A young man who had paid bride price also asserted:

> My father paid dowry when he got married to my mother and his father before him. If I'm blessed with a son, I will support him in whatever he decides to do but I'd be glad if he paid for his bride as well (Mwiti, 2012).

Similarly, in support of bride wealth payment while recognising some of its problems, another young man stated:

> I think that it's necessary to honour your bride's parents with a gift, a display of appreciation for the good work they did bringing up your wife-to-be. The question of how much to pay is one that I would have a problem with though. I've heard cases where guys have had to pay more because the girl has a degree or because she went to school abroad. That is just ridiculous! Why would I pay a parent for fulfilling their obligation of educating their daughter? (Mwiti, 2012)

Despite these varying sentiments, bride wealth plays a significant role in recognising a woman's value and as a way of showing appreciation to her family (Mangena and Ndlovu, 2013). It also acts as a 'legalising' ritual for marriages and promotes social harmony in families (Hague et al., 2011). The symbolic value of bride wealth is intended to cement relationships between the families of the man and woman and thereby establish stability for the new marriage. Actually, as some studies have recognised, the usage of the phrase bride price degrades the value of this institution in equating it with payment, while this was/is not really the way it is conceived (Tamale, 2004). As Evans-Pritchard has argued:

> There are very good reasons for cutting the term [bride price] out of ethnological literature since at best it emphasizes only one of the functions of this wealth, an economic one, to the exclusion of other important social

> functions; and since, at worst, it encourages the layman to think that 'price' used in this context is synonymous with 'purchase' in common English parlance. Hence we find people believing that wives are bought and sold in Africa in much the same manner as commodities are bought and sold in European markets (Evans-Pritchard, 1931: 36).

Evans-Pritchard cautions against the connotation of the phrase 'bride price', particularly the emphasis on the material (often monetary), component. Bride wealth is seen to encompass and represent the conceptions of value that this practice involves. Bride wealth, according to Evans-Pritchard, carries important functions such as that of compensating the woman's family for loss of her productive roles, strengthening bonds between families, endorsing the marriage and legitimizing children who are born in that marriage (Evans-Pritchard, 1931; Evans-Pritchard, 1950).

Bride wealth payment, of course, intersects with wider economic and social realities as demonstrated by 'credit marriages' among the South Sudanese in Kenya's Kakuma refugee camp. Due to protracted civil unrest in South Sudan, men find themselves unable to pay bride wealth while in refugee camps, necessitating credit arrangements in which they marry with a promise of paying bride wealth at a later time (Beswick, 2001). Due to the status conferred on a woman upon payment of bride wealth among South Sudanese, women married through credit arrangements have a reduced sense of worth and power in their marital family, leading to resentment and instability (ibid). Although bride wealth payments are intended to be extended over long periods of time, non-payment of the appropriate portion at the beginning is unacceptable. The South Sudanese case raises broader questions about contexts of intensified instability, with close similarities to the situation in the fishing villages. Notwithstanding, even here, bride wealth promotes women's sense of worth, and this is important for their ability to negotiate access to material resources. In communities

such as the Luo, where bride wealth payment is similarly central to family practices despite a context of acute instability, its value requires appreciation.

This means attending to the broad social significance of bride wealth and rising concerns about its commoditisation. Moreover, while the commoditisation of bride wealth payments may contribute to domestic violence, other factors contributing to violence equally require attention. Such factors include poverty and crises of masculinity in which men turn to violent behaviour when their established power is challenged (Amuyunzu-Nyamongo and Francis, 2006; Izugbara et al., 2013). Men may in turn place high demands on women upon payment of bride wealth, and they may enforce these through physical coercion. With increasingly unstable social and economic arrangements in my study population, exacerbated by high HIV/AIDS prevalence, the institution of bride wealth continues to change and shape power relations. At the same time, secretive marriage-like unions that do not follow this customary pre-requisite are on the rise.

I discuss how women cope in culturally sanctioned multiple unions in which bride wealth is paid, and non-customary unions where bride wealth is not exchanged or expected. I focus on two forms of culturally sanctioned unions, each of which may be polygynous: one in which a man marries wives by payment of bride wealth; the other, known as a levirate union, where a widowed woman enters into a union with a man from the lineage that paid her bride wealth. I then discuss other polygynous arrangements, which I refer to as marriage-like unions, and which are secretive insofar as wider families are not aware. I argue that in this setting characterised by mutually reinforcing forms of vulnerability, bride wealth payments are beneficial to women by according them a degree of negotiating power in relation to other women in multiple unions. This is because women in marriages have relatively easily

enforceable rights over their husbands, and hence can lay claims for resources unlike their counterparts with the same men, who are in secretive marriage-like unions.

I now turn to describing *doho* (customary polygyny), levirate unions and secretive marriage-like unions and different women's positions in them.

Doho: Culturally Sanctioned Polygyny

Customary polygyny, referred to as *doho* in Dholuo, is an arrangement where a man marries more than one wife through the custom of giving bride wealth to the family of each wife (Gudo, 2017; Mboya, 2001). Among the Luo and other communities where this custom is practiced, it serves different purposes including addressing the perceived reproductive deficiencies of current wives, as a show of a man's wealth, for social prestige, and as a symbol of demonstrating leadership potential (Adams & Mburugu, 1994; Bove and Valeggia, 2009; Jankowiak et al., 2005; Madhavan, 2002; Ochieng, 1968; Ogalo, 2014; Ogutu, 2007; Onyango, 2009; Potash, 1978; Slonim-Nevo and Al-Krenawi, 2006; Uthman, 2011; Wilson, 1968). *Doho* also serves the purpose of mitigating problems associated with postpartum taboos which prohibit sexual union (Luke, 2000), and with ill health or alleged laziness. Nwoye's (2007) comparison of polygamy across Africa categorises its purposes as reflecting the affluent status of men and intervening in reproduction. He argues that affluent polygamy, in which a man is compelled to marry as a result of his wealth and ability to care for multiple wives, has been overrated in the existing literature at the expense of interventive polygamy whose goal is to mitigate the problem of childlessness and sonlessness (See also Clignet, 1970; Hlupo and Tsikira, 2012). These two forms of polygyny offer a useful starting point for understanding the practice among the Luo.

As discussed in the previous chapter, childbearing forms a significant part of marriage obligations. The inability to bear children contravenes the ideal of *dhako moromo* and is a reason for the husband to undertake *doho*. But *doho* can serve other purposes besides intervention into inability to bear children. Marrying an additional wife sometimes acts as a way to discipline women who are considered deviant. This was evident among some of my research participants. Lisha, a fisherman in Nyagina, explained that men decide to marry again as a way to correct or restrain an existing wife:

> A man may go for another woman if the first is quarrelsome. If a wife disturbs or is kichwa ngumu [big headed or stubborn], you marry another to discipline her. When this happens she cools down.

A female informant who was married as a second wife corroborated this from a different perspective:

> When she [my co-wife] abused me in front of the children while her husband and I were just working together, the husband decided to marry me to discipline her. After the marriage, she accepted the way things were and stopped bothering me.

In the fishing villages, *doho* unions are few. Instead, marriage arrangements take the form of marriage-like unions in which a man keeps his customarily married wife (for whom bride wealth has been paid) in his ancestral home and keeps another partner in the fishing village. By having these domestic arrangements that include a partner, the men and women are able to create temporal family like arrangements. This is similar to Bolt's observation among permanent farm workers and temporary female workers in South Africa Zimbabwe border whose family like arrangements conform to gender norms (Bolt, 2013). Marriage-like unions contracted in the fishing villages are often well known by residents there, but sometimes remain a secret to the family and the other wife or wives in the man's ancestral

home. In some cases, these arrangements progress to become *doho* but often remain as unions that are well accepted in the fishing villages.

Doho marriages, like multiple unions more generally, are characterised by cooperation, competition and conflict. In Dholuo the term for a co-wife is *nyieka* which means 'my jealous partner,' demonstrating the connotations of competition and conflict (Potash, 1978; Shipton, 2009). This is far from unusual. The Hausa and Yoruba of Nigeria and the Bakgalagadi of Botswana also use terms which denote jealousy (Meekers and Calves, 1997). In Kenya, the Meru term *mwiiru* and the Kikuyu term *muiru* for co-wives also imply rivalry, which suggests competition between wives. In their study among 69 polygynous communities, Jankowiak et al., (2005) found these metaphors of rivalry or conflict being used often. However, being in a *doho* equally involves comradeship (Slonim-Nevo and Al-Krenawi, 2006). Although *nyieka* implies rivalry among women in the *doho*, they also adopt cooperative arrangements, as was demonstrated by examples of such unions in the fishing villages.

Cooperation: 'My co-wife is now taking care of our children while I am here'

These were the words of Gane, a fish trader in Litare village, who worked with her husband in their fishing business. Gane and her husband lived in the fishing village but had a marital home where their children lived with her co-wife. They owned two boats as a family, which required one of the wives to be at the fishing village to help with fish processing while the other took care of the children in the marital village. Previously, Gane, her co-wife and all their children lived in the fishing villages but, as the family grew, part of the family had to move to a more spacious home through an arrangement in which Gane and her co-wife

alternately shared these roles. When I met Gane, it was her turn to be in the fishing village, having tended the home for some months during which the co-wife was at the fishing village with their husband. Regarding this arrangement, Gane remarked, 'this is okay for us. I do not worry about my children. We send her [my co-wife] some money for family upkeep every Friday.'

This was also the case with Dina and Atoti, the two wives of one of the fishermen in Luanda Rombo fishing village. Their husband owned three boats, and they shared related duties, with Dina taking the role of cooking for the family and the fishing crews while Atoti took care of fish processing. These two cases demonstrate forms of cooperation among co-wives as a means of managing the demands of fishing work and family responsibilities. Such arrangements work in situations where the overall benefit of cooperating surpasses non-cooperation (Agarwal 1997). Indeed, for women in multiple unions, their main concern in cooperation is establishing a supportive foundation on which their livelihoods can be built. In cases where this is dependent on a husband, as was the case in these two families, cooperation makes obvious sense. Women in *doho* have the right to access their shared husband's means of acquiring resources and they thereby remain relatively secure. But, as I show below, that right might be challenged and require defending.

Competition and Conflict: 'Since he married her, everything changed'

This remark was by Tedo, a 27-year-old mother of five children, whose husband had just married another wife. Tedo had lived in her husband's ancestral home but travelled to the fishing village where her husband now lived with his new wife. 'I want him to give me money to begin a business', she explained. Although she was obviously displeased by the turn of events in her family, Tedo did not speak ill of her new co-wife: 'he already paid cows

to her family and that is his choice', she reasoned. However she still had fears: 'I do not know where he got her. She may even have the disease [HIV/AIDS] that can spread to us'. Expressing her discontent about life since the new marriage, Tedo added, 'since he married her, everything has changed. He does not come home to me as he used to do. I am afraid my children may suffer.' Tedo explained that with her husband's added responsibilities, there may be hard times ahead, and she therefore wanted to begin a business from which she could provide for her household.

As this case reveals, access to shared resources is an important factor that compels not only cooperation, but also competition in multiple unions. Noting her co-wife's position had been sanctioned through payment of bride wealth, Tedo's remaining option was to ensure security over her household, by placing demands on her husband to provide money for a business – which she had not yet secured by the time of my research. Her right to lay claim to resources was anchored by her own legitimate marriage, but she had to lay claim to these and use them to become as self-sufficient as possible.

Material resources often fuel conflict in multiple unions (Borgerhoff, 1992; Lawson et al., 2015;). Moreover, these become entangled with the affective dimensions of domestic life (Jankowiak et al., 2005; Slonim-Nevo and Al-Krenawi, 2006). Indeed, according to Connell's theory of gender and power, the structures of cathexis that organises emotional attachments between people produce norms that define the obligations between people in relationships. It is these obligations that give rise to conflicts when not met or when an additional person in the relationship, in this case another woman, threaten that arrangement. Moreover, women in multiple unions, as the case of Tedo demonstrates, see their material needs as guaranteed by attachment through time spent with their shared husbands. Tedo's recognition that her

husband did not go home to her came with the fear of isolation and neglect, including for her children. Nevertheless, Tedo's position as a properly married woman according to the Luo custom of bride wealth gave her the authority to place demands on her husband.

In an environment where people are under considerable economic strain, and where women are dependent on their husbands, conflicts in multiple unions are intensified. The ideals of *dhako moromo* are attached to women's positions in these unions, and some are left disadvantaged particularly in regard to child bearing. Such was the case for Makano, a childless woman who was the second of Tinipa's three wives. Tinipa and his wives, who were now all in their 60s, spoke of their marriage in reference to the past when they lived in one rented house. Minapo, the first wife stated:

> We lived together in one rented house and had a schedule of house chores where each would take a turn to run the house for two weeks. Things were okay. Makano, who did not have children of her own, would take care of my children as though they were hers. But when the third wife came, there was a lot of *kelele* (bickering).

Makano corroborated this:

> I came in the family because of a problem of my nyieka (co-wife) who could not have children but then I also could not have children. After a while she had children whom I loved as my own, hoping that they will recognise me as a mother.

Minapo explained what she thought caused fights between them:

> Makano would get annoyed if our husband bought something for my children. Our other co-wife also began inciting Makano against my children and also inciting me against her. There were many conflicts but our husband's problem was silence, he did not call a meeting to resolve these issues. When three women are in the same house, it is a problem and that's why I decided to move with my children here [to a fishing village].

While Minapo felt that the cause of conflict was Makano's envy of their husband's gifts to the children, Makano's reasons were related to her state of childlessness and the disrespect she felt she received from the co-wives and their children. This was because of what she saw as

being ‘useless’ and wasteful of family’s resources in light of her childlessness. Nevertheless, Tinipa’s obligation to all his wives remained solid, even at the time I met him, when he was old, sickly and dependent on his children for daily sustenance. Tinipa explained:

> I paid cows for all my wives and they are mine. Even now they each have a piece of land to till although nothing can grow well here. I am now not strong but our children send us some money when they can.

Tinipa’s obligations towards his wives were evident in his reference to the bride wealth he paid for all of them. Although Makano’s status of childlessness disadvantaged her (discussed in Chapter Four) as she had no one to send her remittances, her sense of security was guaranteed through the home in which she now lived and the small piece of land she had been apportioned by her husband.

Limited resources, and arrangements in which wives must depend on their husbands for their livelihoods, continue to shape relationships between women in multiple unions as well as the relative positioning among them. As I discuss below, levirate marriages also create unions like the *doho*, polygynous and founded on bride wealth.

Levirate Unions: Widows, Wives and *Joter*

A levirate union refers to an arrangement in which a man takes guardianship of his deceased brother’s or cousin’s widow for the purpose of perpetuating the lineage through childbearing, management of resources and ensuring that the needs of the widow are met (Beswick, 2001; Nyarwath, 2012; Weisberg, 2009; xvii). This practice has been referred to as widow inheritance or widow guardianship in recent studies (Ambasa-Shisanya, 2007). Levirate unions are practiced among ethnic groups in several African countries such as the Luo, Teso,

Mijikenda, Pokot and Abaluhya of Kenya (Ambasa-Shisanya, 2007), the Hausa of West Africa, and the Dinka and Nuer of South Sudan (Beswick, 2001).

Levirate marriages among the Luo are founded on customs of kinship. The Luo people are patrilineal, and therefore their descent is reckoned through the father and is organized in clans made from a number of lineages that trace their origin to a common ancestor (Nyarwath, 2012; Ogutu, 2007; Prince and Geissler, 2001: 449). Patrilineal kinship in this case includes patrilocal residence, in which a married couple live at the husband's home although, in more recent times, married couples may choose to live elsewhere so long as they remain connected to the man's home. As discussed earlier, marriages are also sanctioned by payment of bride wealth to the woman's family making her part of the lineage of her husband, and if she happens to be widowed, she still belongs to that lineage (Ogutu, 2007; Opondo, 1996). This is the basis for levirate marriages. When the death of a married man occurs, the widow remains the responsibility of the family in regard to her livelihood support and social identity. Levirate marriage, therefore, is an arrangement whose intention is to care for widows. According to the custom, widows had a choice about whom to couple with (Wilson, 1968; Mboya, 2001; Nyarwath, 2012), but this has changed in recent times with some cases of widows being forcefully inherited (Ambasa-Shisanya, 2007).

Additionally, death in a family is believed to bring a state of disharmony, which is believed to cause stress, and dissonance that must be addressed. This dissonance, according to Ogutu (2007), includes impurity that the widow acquires upon the death of her husband. Restoration of normalcy takes two stages, that of widow cleansing and the eventual taking over of the widow by a levirate husband, who is referred to as a *jater* in Dholuo. Purification through widow cleansing is necessary as the impure state is believed to cause negative

consequences for the family including death of the widow's children (Kirwen Michael, 1979; Ogutu, 2007; Sossou, 2002). Ogutu states:

> A Luo who lost a spouse had Tora[10] (a load of psychic pressure that often leads to bad omen and fatal ailments). This remains traumatizing until purification rituals were performed and the household or homestead is restored to normality, that is, the wife or husband is cleansed and cleared to mix freely with people and to perform his/her normal duties without undue pressures (Ogutu, 2007: 5).

Widow cleansing is done through conducting a ritual in which a widow has sexual intercourse with a male cleanser (Ayikukwei et al., 2008: 588; Nyarwath, 2012; Ogutu, 2007; Okeyo and Allen, 1994). Despite the pragmatic significance of widow cleansing and the eventual levirate union, modification of these practices has had damaging consequences. These days, a group of people have emerged, who are referred to as commercial *joter* or paid-up widow cleansers. Their services are sought for cleansing, but they have no intention of taking care of the widows (Ogutu, 2007). This new practice has come at the advent of HIV/AIDS, and as Ambasa-Shisanya notes:

> If the family suspects that the death was related to HIV/AIDS, it hires a professional cleanser, and gives him alcohol. Thereafter, he is taken to the widow's house to perform a sex ritual on her. Family members sometimes supervise the ritual, to ensure that actual sexual intercourse takes place, thereby effecting the cultural cleansing (Ambasa-Shisanya, 2007).

Such deviations from the practice of widow cleansing by prospective husbands occur partly due to family fragmentation and strained livelihoods (Thamari-Odhiambo, 2018). For instance, there may be no men in the family to cleanse or inherit a widow or the men in the family may struggle to take care of their own families. Moreover, some wives may refuse to allow their husbands to perform this obligation because of fear of HIV/AIDS and the obvious threats of competition for resources which may arise – particularly in an already strained

[10] Also refered to as chola in other Luo dialects. Tora and chola denote the same meaning

environment. As already noted, a group of men now act as ‘professional inheritors’ and are paid a fee to cleanse widows (Ambasa-Shisanya, 2007). The commercialised nature of this new trend disrupts the holistic role of the practice.

I encountered women like Atieno who had to contend with church regulations, which deter widow cleansing and inheritance. The story of Atieno gives a glimpse into the injunctions that are placed on widows who defy this practice, and the consequent dilemma they face. I met Atieno at Nyagina fishing village where she lived with her three children. She had lost her husband nine years before, leaving her at the time with two children. Her church, Jesus Power Church, forbade widow cleansing and therefore Atieno remained ‘uncleansed’ for two years. Her state of *chola* (impurity) was regarded a danger to others and a number of constraints were placed upon her. She was restricted from attending public functions, greeting people with her hands, participating in community gatherings, or selling in the market. ‘People did not respect me, I could tell from how they treated me and even no one wanted to visit’, she explained. These restrictions were difficult to bear, as her only source of sustenance was the fish trade, from which her condition prohibited her. Atieno gave up on the church regulations and decided to be cleansed according to custom. Her brother-in-law, who had also died at the time of interview, cleansed her and later inherited her.

Besides the threat of material deprivation due to restriction from remunerative activities, isolation from family adds to women’s desire for widow cleansing and eventual levirate marriage, even against the church’s restrictions. Since this ritual facilitates a widow’s incorporation back to ‘normalcy’, it becomes difficult for widows to resist even when they know the risks involved and even in light of their church’s restrictions. Without cleansing, these women are cut off from resources or the means of conducting business.

Furthermore, in a context where the men also struggle to provide for their own families, additional responsibilities over their kin's widows add to the complications surrounding levirate marriages. Faced with the risks of being cleansed and of not being cleansed, and with difficulties securing protectors, some widows escape to fishing villages where their status of widowhood is unknown and where they can fend for themselves. Such was the case of Joyce, Baslisa and Janifa:

> I refused to be cleansed and ran away to a beach village where no one knew me. When I went back home to till my land, they refused. Now I live here at the beach village with my children (Joyce)
>
> Life was hard in the village when my husband died. They wanted me to get a cleanser but I did not want. I ran away. Here no one cares about chola (impurity), no one knows me (Janifa)
>
> I just persevered, he did not support me in any way and he neglected me and my children. That why I left him to come here [fishing village] (Baslisa)

Nevertheless, the widow's economic and social survival is linked to her marital family, and entry into a polygynous union through widow inheritance remains reasonable despite the risks of HIV/AIDS, as I discuss below.

Dilemmas of Widow Cleansing: 'If I fear HIV/AIDS, other problems will kill me anyway'

One of the informants, Yunis, a 44-year-old widow, explained her experience of cleansing:

Mary: What happened after you husband died?

Yunis: I had to be cleansed first before inheritance but there was a problem. Some people who wanted to cleanse me were just bad and I did not want them. You know these days wives refuse their husbands from doing that [sexual cleansing] and although I knew people here in the village they were not willing. People fear AIDS. Also, some men are bad because they are interested in just sex.

Mary: So, if some people fear AIDS, do you also not fear it?

Yunis: This is a must because you cannot be inherited before being cleansed and sometimes the person to take you is afraid of cleansing. But it is important even for the children because they may die if I do not do it [be cleansed].

Mary: What happens when no one comes to cleanse?

Yunis: Sometimes the family or a widow will get a drunken person who comes to perform sexual ritual without fear and then the widow chases him away after that. Sometimes they stick and they refuse to go away. It is a problem.

Mary: Why would a widow not get someone who she wants to stay on as the partner?

Yunis: Because women do not want their husbands to cleanse [because of fear HIV/AIDS and that sexual cleansing must be done without the protection of a condom]. Some men also refuse. This disease of AIDS is a problem, but which is better for me? I chose to be cleansed and inherited because if I fear AIDS, other problems will kill me anyway.

Mary: Tell me about your experience.

Yunis: All my husband's brothers had died and it was not easy to get someone to cleanse me. But I got someone anyway but then some women did not want their husbands to come [as levirate husbands] but I now live with Jandhiwa. He has a wife in another village.

I sought to find from Jandhiwa what he felt his responsibility was over Yunis. He saw his role as an honourable duty: 'It prevents widows from being prostitutes,' he stated. He asserted that women who refuse cleansing and levirate marriages are like prostitutes.

Mary: Can a widow decide to live alone?

Jandhiwa: No way, she can't be alone unless she wants to be a prostitute. If she says no, *hiyo ni lugha tu atambiwa hapana!* (That is just talk, she will be told no!).

According to him, men who inherit widows help restore their respect, although their existing wives do not approve easily. 'You cannot tell your wife that you are going to inherit a widow. No, you can't,' he underlined, on the basis of his own experience.

From the conversations with Jandhiwa and Yunis I gathered that levirate marriages do indeed meet crucial needs for widows, despite their association with HIV/AIDS, a narrative that public health research has sustained (Luginaah et al., 2005; Ayikukwei et al., 2008; Okeyo and Allen, 1994). Although they acknowledged that mandatory sexual contact between a widow and a cleanser can have negative health consequences, this couple opined that death is inevitable and that there are far greater problems than HIV/AIDS – a view especially sharply expressed by Yunis in the interview excerpt above. However, the problems associated with widow cleansing and inheritance have more to do with unequal power relations and practices that generally marginalise women, as other cases of widows in my study revealed. These are discussed here and in Chapter Two in relation to widows' land claims.

However, the ill treatment of some men by widows after performing the cleansing ritual reveals that men also suffer violations. Yunis stated: 'Sometimes the family or a widow will get a drunk person who comes to perform the sexual ritual without fear and then the widow chases him away after that.' This demonstrates how widows 'use' men to fulfil the need of cleansing and then dissociate themselves from them. In addition, the fact that a drunken man is specifically sought out to perform the ritual suggests that such men are used against their full sober consent. The statement that 'sometimes they stick and refuse to go

away' reveals that these men perform the ritual with an expectation of better treatment by the widows, rather than simply expedient use by them. The practice of widow cleansing and widow inheritance has tended to focus on how widows are mistreated, yet men are also sometimes maltreated.

Certainly, there are rights and privileges attached to marriages that are sanctioned through payment of bride wealth, as the cases of *doho* and levirate marriages illustrate. Competition between women in polygynous marriages, as I have shown, reveals the implications of the prevailing economic difficulties in their bargaining between each other and in the vulnerabilities that arise. Although women have rights within these marriages, good intentions can break down. Whereas, for instance, levirate union is supposed to mobilise care and support for the widows, the reality has diverged from this ideal, likely because of livelihood difficulties and the threats of HIV/AIDS. Also in an environment where both men and women are contending with multiple livelihood difficulties, men may have material motivations for inheriting a widow. Men who are hired to cleanse widows take this role as a means of earning an income, while those who take on the guardianship of widows with the intention of benefiting from their property could equally be driven by the same need to make ends meet.

Despite the limitation of kin in levirate unions in meeting the needs of widows and the conflicts inherent in *doho*, women in these unions have rights of residence and therefore are more secure due to customary contract of bride wealth payment. These are contracted in the fishing villages themselves.

Marriage-like Unions

Silence and Violence: 'He tells me to go wherever I want to'

> I think he [my husband] knows that I have a relationship here with this fisherman but he does not care because even him he has others with women on Mfangano Island and also the widows he lives with. (Teline)

These were the words of Teline, a fish trader and a woman who was married in *doho*, and was in another marriage-like union with one of the fishermen in the village where she lived. Teline's husband also had other unions with widows in levirate unions. Their family situation reveals a complex web of polygynous unions in which customary *doho*, levirate union and clandestine arrangements occur concurrently. Teline had been driven into the relationship with the fisherman by the threat of deprivation when her husband could not provide for her household. While migration to the fishing village was meant to improve her prospects for accessing business and consequent provision for her children, it was difficult without sexual alliances. Teline's partner was already married to a wife who lived in their marital home. Initially, he kept his side relationship with Teline a secret during which her business progressed well, as she received all the *pocho* (portion of fish given to every fisherman after a fishing mission) as well as unrivalled access to fish for business. However, after some months, the fisherman's wife migrated to the fishing village too. When I met Teline, they lived in the same row of houses with her partner's wife. She no longer received *pocho* and would sometimes lack fish for her business. Aware that her partner now gave priority to his wife, Teline's hopes had begun to fade as she lamented her precarious situation.

Like Teline, a 37-year-old woman who was married in *doho*, also had another partner in the fishing village while her husband lived in their marital home not far from the lake. She had been married as a second wife to a man who was much older than herself. Besides the

need to have a sexual alliance with a fisherman for the purposes of participating in the fishing business, Aluthi also revealed another reason: 'He [my husband] is old and sickly and he can't do much now [in terms of provision]', she said. According to Aluthi, her husband was well aware that her fishing business could not progress well without sexual alliances with other men but he remained silent. 'He knows he cannot work and I have children to feed and even to care for him. That is why he can't ask me anything,' she explained.

Aruto, a female trader, had been in relationship with Arogo, whose wife lived in his ancestral home. They had been living together for more than two years and had two children together. Arogo's and Aruto's relationship was secret to their respective extended families, a situation that came to raise problems. I came across their story from a domestic dispute case reported to the area chief. The case, brought by Aruto about Arogo, read:

> This man makes noise in the house all the time. He drinks alcohol, he talks a lot after drinking. Then if I happen to say anything he beats me and insults me very badly. We have lived together and have children. I have gone to the village elder to report and he told me to cool down. Recently, after he came from drinking alcohol, he started abusing me saying I am stupid as shit and that I am the one who brings diseases to the children. When I got up from the chair, he jumped on me and beat me thoroughly and placed a metal rod on the door so I could not get out. I urinated on myself and then he told me to stand up and wipe it. After that he told me to pack my things and go away. Later he left with his friend and when he returned, he was not talking to anyone. He told me that he is tired of me, he wants me to go, and that he wouldn't eat the food I put on the table. He tells me to go wherever I want to. He thinks I have other partners so he tells me to go to my other husbands. Now I feel tired of this place.

Aruto's case shows some of the problems in marriage like-unions, which mostly result from the fact that they are established in secrecy and without the cultural endorsement ensured by the payment of bride wealth. Secrecy, as opposed to public recognition, entrenches abuse because of the absence of accountability beyond the couple. It is for this reason that Arogo had sole authority to beat and threaten to send Aruto away without

consulting their families for mediation. Since bride wealth exchange creates a relationship between families and renders the union public, forms of accountability are created that the couple is obligated to follow.

Other women's stories confirmed this pattern. Nusco, a widowed *jadeng'o*, had run away to the fishing villages after a dispute with her deceased husband's family. I met her at Kolunga fishing village where she lived with one of the fishermen. According to Nusco, her arrangement with the fisherman with whom she lived was for the period of time she was in this fishing village – that is, short-lived. Besides, her partner had another wife and children in his ancestral home. Her house was known for frequent fights with her partner that led her to be identified as *lelo* (one who always cries). Her relationship, like that of Aruto, was created in the fishing village and was not sanctioned by the families – either in a *doho* or levirate union. The violence she faced only exacerbated the insecure life of a *jadeng'o* in already difficult conditions. In her own words, Nusco forlornly said, 'I cannot say anything to him, one day I will move to another village and get someone else.'

Rona, a mother of two who was also HIV positive, had been in a relationship with one of the fishermen who died before he could pay any bride wealth to her parents. Everyone in the fishing village knew about their relationship, but her partner, who had another wife in the ancestral home, kept the relationship with Rona secret from his family. When he died, Rona was left homeless, and work in the fishing village was more difficult without him. Rona met Omieo, a fisherman who was alcoholic and sickly, but she did not have a choice as she desperately needed a home. The work at the lake was unreliable and Omieo spent most evenings in the nearby alcohol den drinking away. Whenever Rona questioned his drinking or asked for money to buy food, he would beat her and ask her to leave the house, even in the middle of the night. When he also began beating Rona's children, she realised she had to

move away but she did not have an option. Rona decided to report the matter to the village elder who advised her to go to the Children's Department. When Omieo was summoned by the Children's Department, he refused any responsibility over Rona and her children, claiming that he hadn't even married her properly. The children's department referred her matter to the sub-chief of the sub-location, where I first met her.

Asena, a previously separated woman, entered into a marriage-like arrangement with Jaseme, who worked as one of the fishermen in her boat. Their cohabitation, which had produced two children, technically made Asena like a second wife as Jaseme had another wife whom he had married according to tradition of bride wealth payment who lived in his ancestral home. As their relationship progressed, Jaseme said that he would not be treated like other fishermen – meaning he wouldn't be paid the same amount of money, since they were now like family, having even had two children together. Asena accepted this new arrangement, in which she would share profits with him besides the payment he got as a fisherman. From the proceeds of this arrangement, Jaseme managed to buy another boat and asked his first wife to migrate to the fishing village so she could also participate in the business. At this point, Asena reneged on the earlier arrangement of sharing profit. 'He already had a boat which he managed with first wife and I did not feel it was fair to continue sharing profits from my boat. I also needed money to pay school fees for my children,' she explained. This infuriated Jaseme to the point that he said he would leave Asena, a threat he followed by backing out of his obligation to work in her boat. At the time of my interview with her, Asena was evidently distressed by the turn of events, and especially that Jaseme had not by that time paid bride wealth to endorse his marriage to her.

As these cases demonstrate, women who find themselves in marriages that are not sanctioned by bride wealth are insecure. While some studies have shown that bride wealth payment contributes to domestic violence, women whose bride wealth is not paid also experience violence in addition to threats of desertion. They endure physical abuse and threats of abandonment to a greater degree than women in *doho*, who have an enforceable claim over their shared resources and secure residential arrangements. However, as shown in chapter two, marriages endorsed by bridewealth do not always provide security to women. Under particular conditions such as husband alive, husband living with wife, having sons, and husband having resources at his disposal, bridewealth marriages are more likely to provide security than informal unions.

Conclusion

Evidently, women in settings like fishing villages are better off in *doho* marriages which have endorsement from families according to the community's norms rather than in informal marriage-like unions. Women in levirate unions also have some rights, founded on bride wealth paid for them despite their relative positions. Although previous research has suggested that marriage-like unions reduce men's traditional rights giving women some level of independence (Kibwana and Mute 2000), in settings of instability where resources are limited, women can face greater risks in partnerships that can easily be dissolved.

Doho, levirate unions and marriage-like multiple unions show the different possibilities available to women, each oriented to current circumstances, and each carrying their own unique difficulties and benefits. Whereas kinship arrangements are intended to meet the needs of kin members, there are cases where that doesn't happen. In showing how bride wealth payment provides security for women, I have argued that marriage-like

polygynous unions present a greater risk of abuse and abandonment than unions where bride wealth is paid. By bringing in the experiences of widowed women, I have highlighted how widow inheritance offers security to women whose sustenance is dependent on marital lineage. Despite the problems that result from widow cleansing and widow inheritance, in such institutions, the affected women have rights as stipulated by custom and can legitimately lay claims to resources.

While bride wealth marriages offers a position to lay claims and subjects husbands to scrutiny of wider kin, these marriages do not always confer rights that women can enforce in practice. The background of polygynous unions, levirate unions and informal marriage-like unions and their relative positions between women in them reveal critical environment within which they navigate livelihood activities, strategies and outcomes.

CHAPTER 7

CONCLUSION: SEEKING REFUGE IN TIMES OF VOLATILITY

Photo Credit: Ogega Ondari, 2017

Figure 23: Confrontation between police and election protestors

> Police have dispersed crowds of youths who staged protests in Kisumu and Homa Bay over alleged electoral fraud in favour of President Kenyatta. In Homa Bay, the protesters barricaded major roads in the lakeside town, paralysing transport. They also lit bonfires in the streets to express their anger in what they termed as a 'rigged election' (Apollo and Oduor, 2017).

This was a newspaper caption following Kenya's 2017 election. On 8th August 2017, Kenya went to the polls and ten weeks later, on the 26 October, there was a re-run after the Supreme Court of Kenya nullified the poll results. The former Prime Minister Raila Odinga, who was one of the presidential candidates, originates from Nyanza, the region in which Homa Bay is located. Following a longstanding pattern in Kenya, people tended to vote on ethnic lines. The Luo and part of the neighbouring Luhya ethnic group in the western block of the country mainly supported Raila Odinga, while the Central and Rift Valley regions supported Uhuru Kenyatta, the current president. Odinga's failure to ascend to the presidency after more than three presidential contests spelt disappointment and frustration for his supporters, who have felt a sense of political and economic marginalisation for years. This political atmosphere is

crucial as I conclude this thesis, because political instability and uncertainty, and growing feelings of disenfranchisement among Luo people, add to the social and economic instability that I described in Chapter One.

In this thesis, I sought to investigate how gender relations shape women's pursuit of livelihoods including access to land in a setting of multiple vulnerabilities: High levels of unemployment (Takashi and Jayne, 2004; Francis, 1998): 73), environmental decline leading to poor crop yields (Luedeling, 2011) and reduced fish yields in Lake Victoria (Kateregga and Sterner, 2008; Medard, 2012; Opondo, 2011). have strained the region economically. Socially, the prevalence of HIV/AIDS has led to a disruption of family arrangements and the proliferation of vulnerable people. These instabilities have influenced gender relations and have shaped livelihood strategies for both men and women.

Most livelihood studies in the region have focused on strategies and activities (Ellis and Freeman, 2005; Ellis, 2003; Haan and Zoomers, 2006) and the institutional policy milieu (Bahiigwa, 2005; Cooksey, 2005; Freeman and Ellis, 2005; Cross, 2005; Kutengule and Cross, 2005; Poulton et al., 2005). But a critical aspect of livelihood strategies is the multidimensional context within which these strategies and policies are chosen or adopted. This is often less explored, and has been my primary focus. Existing cultural arrangements manifested in gendered practices influence how women cope in this unstable setting.

A significant theme that has emerged in this thesis – as it tracked women's navigation in a volatile place – is 'seeking refuge'. The idiom 'seeking refuge' captures how the fishing villages are understood by their residents, people's aims in migrating to them, and the strategies which they take to survive and position themselves advantageously. Women's land claims as a livelihood strategy constitute a refuge-seeking option, as women strive for secure residence and a means of living. What I found was that migration from marital homes to

fishing villages is understood by the women themselves and others as seeking refuge. While they migrate in the hope of better lives and to escape existing difficulties, they still lay claims to land in marital homes to leave options open, in case life in the fishing villages in turn becomes difficult. Indeed, fishing villages represent places with different meanings for the inhabitants: places of opportunity; and places where people go to try-out life after family disputes, widowhood or other destabilising circumstances.

The context of cultural norms as manifested in the desire to be *dhako moromo* – a model of acceptable femininity, was found as significant in positioning women for advantage and survival. Being *dhako moromo* provides some shelter from marginalising practices, while also exposing women to that very marginalisation because it hierarchizes and draws moral distinctions. Tied-labour arrangements and sexual alliances offer women short-lived security but remain as opportunities that they find as refuge. In these relationships they are shielded from the glaring difficulties of accessing resources, although the actual gains are often minimal. Similarly, entering into multiple marriage unions and holding on to the customs of bride wealth provide opportunities where women anchor their hopes for long-term security as properly married women.

The women who migrate into the fishing villages aspire to have a piece of land they can refer as home, to which they can return when situations in the fishing village become tough. This, for them, is real security. Land provides livelihoods and residence for the women. But residing in a marital home is also considered an important marker of *dhako moromo*, an object of aspiration in its own right. Women's land claims are supported by customary laws based on their rights as properly married women but also by statutory laws. While women's land claims are means by which they respond to livelihood insecurities, this research also reveals how those land claims influence gender relations and shape men's self-

understandings. Izugbara et al. (2013) and Amuyunzu-Nyamongo and Francis (2006) have shown how men's inability to provide for families due to economic problems leads to a sense of masculinity under attack. In the Luo case, men's sole ownership of land, justified in customary terms, has remained a key anchor of their sense of masculinity. As such, women's attempts to make claims on land, as a means of gaining refuge from instabilities around them, have been seen to endanger the very last security that men have in their authority over women.

Furthermore, egalitarian land laws destabilise men's sole ownership of the land. Notwithstanding the statutory laws, which outlaw gender discrimination on matters such as land, the lack of awareness of these laws and resistance to them still endure. Gender inequalities persist, justified in customary terms, but also a product of recent instability that has affected both men and women. Threatened masculinities – the effect both of laws sanctioning equal rights and of declining livelihood options – produce new vulnerabilities for women. Cases of dispossession, migration to fishing villages and domestic violence all need to be understood within the context of the social and economic insecurity with which both men and women are contending.

Due to the high prevalence of HIV/AIDS, fragmented household arrangements, including single motherhood, orphan-hood and widowhood have been on the rise. Although HIV/AIDS has been seen to contribute to gendered land disputes (Aliber and Walker, 2006; Drimie, 2003; Forest Action Network (FAN), 2002; Mugisha and Eilor, 2002) the particular struggles of widows in a context that includes other overlapping vulnerabilities have remained unexplored. This research revealed that widows and other women who bank on their rights as properly married women, an important marker of valued femininity, still face the threats of dispossession and marginalisation when it comes to ownership and control of

land. While their land claims constitute an important source of hope for their day-to-day survival and also for the better futures they imagine, difficulties of access and control abound even despite the existence of egalitarian statutory laws. Corrupt local arbitration systems lead to further frustration for women who seek mediation in land disputes.

As places of refuge, the fishing villages also provide spaces where both men's and women's goals of survival and aspirations for a better future are pursued. In these villages, norms that differ in some ways from more typical Luo villages are tolerated and practiced. The incomes earned from fishing work are minimal, suggesting that other kinds of social advantage play a part in shaping people's motivations. For instance, a time use survey showed that increasing time spent on activities that people consider as income activities, rather than those that are considered non-income activities, had little effect on actual income. Due to the stark disparities that determine income and access to resources, advantageous relationships with more powerful people take centre stage. These expedient relationships enable women to gain access to fish for trading and also create opportunities to perform an approximation of the feminine ideal, being a *dhako moromo*.

Norms of femininity distinguish between women: complete women (*dhako moromo*) who are relatively privileged, and deviant women who are disadvantaged. It is no surprise that in a volatile setting, these offer a degree of protection for those who can live up to them. By looking at women who deviate from ideals of *dhako moromo*, I showed how expectations of femininity lead to marginalization and sometimes violation. Women attempt to conform, not only because values of proper womanhood have been central to their socialisation, but also because adhering to them confers advantage. Certainly, the disciplining effects of femininity constrain women, and mean that they are punished when their circumstances compel them to take roles that are outside of these norms such as migration to the fishing

villages. By illustrating how behaviour is regulated by obligations attached to *dhako moromo* and how discipline is exerted on those who deviate, I explored forms of marginalisation and physical violence.

There has been substantial research on how multiple instabilities affect men's understandings of their masculinity (Amuyunzu-Nyamongo and Francis, 2006; Izugbara et al., 2013). But there has been a lack of attention to how women respond in such situations, a gap which this thesis fills. It has addressed women's understandings of femininity amidst instability, by revealing how cultural norms around the concept of *dhako moromo* play a central role in women's livelihood strategies and life in general.

This context also shapes relationships between men and women and between women. These relationships, which take the form of advantageous alliances, include tied-labour arrangements between young women traders *(jodeng'o)* and older women and sexual alliances between *jodeng'o* and fishermen. Unlike sexual alliances, tied-labour arrangements offer only short-term refuge and are therefore less desirable. Sexual alliances with fishermen additionally provide prospects for long-term relationships, which may lead to marriage, and therefore a position of relative security. What other studies (Bene and Merten, 2008; Fiorella et al., 2015; Maclin et al., 2015; Robinson and Yeh, 2011) have viewed as sex-for-fish transactions require a broader view. The usage of the term 'transaction' can reduce a relationship to exchange simply for material return. Yet women fish traders' participation in sexual relations involves motives beyond material exchange and survival, including attempts to position themselves in socially advantageous ways, in order to attain what they see as a valued and acceptable gender practice. As such, I have argued that the term 'sexual alliance' is a more appropriate starting point, as it reveals important long-range motives beyond short-term survival needs – and beyond simply material acquisition. Sexual alliances provide a

space for seeking refuge in a setting where risks and uncertainties seem to come from every side.

Studies of fragility and crisis – whether economic decline (Ferguson 1999), war (Vigh, 2006; Vigh, 2009), or famine (De Boeck 1998; Hutchinson 1996:40) – reveal how such instabilities shape social arrangements. The fishing villages have received limited focus yet they represent conditions that are fragile. To understand people in such places, as I discussed earlier in the thesis, Vigh uses the concept of social navigation which refers to forms of action which people take to cope and manoeuvre in conditions that are in flux and unpredictable (Vigh, 2006; Vigh, 2009). Navigation in the fishing villages reveals strategies whose outcomes are themselves fragile and which, even if successful, result in yet more vulnerabilities. In what I call vulnerable navigation, strategies for survival produce deepened risks even as they offer short-lived prospects. While Vigh's concept of navigation outlines the context of instability, and the strategies through which people cope, the case of Luo women shows the risky nature of such strategies.

As a means of social navigation, attempts to achieve *dhako moromo*-ness and the relative advantages that follow draw women to polygynous marriages and marriage-like unions. These unions provide another possibility of refuge for women. I compare situations of women in different multiple unions: those in customary polygyny where bride wealth is paid, those in marriage-like multiple unions where bride wealth is not paid, and those in leviratic unions. Contrary to many studies which argue that bride wealth payment disadvantages women, (Dery, 2015; Fuseini, 2013; Kaye et al., 2005; Mangena and Ndlovu, 2013; Uthman, 2011;), I argue that bride wealth payment provides a kind of public accountability, thereby providing the woman with a degree of relative security. Marriage-like unions, which are entered into privately with no wider family sanctioning, are unstable and

may lead to violence, risks of abandonment and uncertainties in residence arrangements. Although domestic violence has been attributed to bride wealth payment, crises of masculinity have equally been shown to cause this in places of economic and social instability (Mosoetsa, 2011).

Indeed, bride wealth payment comes with privileges and rights to which a woman can lay claim, including the obligations of in-laws upon the death of a husband. Again, levirate unions (also referred as widow inheritance or widow guardianship) are generally painted in a negative light. But existing studies (Ayikukwei et al., 2008; Luginaah et al., 2005; Malungo, 2001; Oluoch and Nyongesa, 2013; Perry et al., 2014) do not appreciate how they meet the needs of widows in a holistic sense, and instead tend to focus on the HIV/AIDS risks that result from a widow's sexual relationship with a relative of the deceased. However, I discovered that levirate unions provide refuge for women whose livelihoods are dependent on their marital homes and relationships within the marital family.

My focus on the inhabitants of fishing villages along Lake Victoria has illuminated the lived experiences of people in similar settings, particularly in Eastern Africa. Contexts of volatility such as among unemployed people in urban informal settlements and conflict-prone places (Izugbara et al., 2013; Mitullah, 2003; Nest et al., 2006; Odhiambo T., 2014) could equally be understood in light of the lived experiences of people represented in this study. In both, and beyond, there needs to be greater scholarly attention to how risk shapes women's self-understandings in relation to hegemonic norms of femininity.

The findings of this thesis are also significant to policy makers, government bodies and development agencies as they provide evidence on the status of women and men in one fragile setting. By analysing the complex intersection between livelihood vulnerabilities, strategies and gender practices, the thesis offers an understanding of the roots of prevailing

inequalities, and how they are reproduced and challenged, with broader comparative implications.

Teline, one of my research participants, said ‘I do not want my children to be like me.’ She was expressing her hopes for a better life for the people for whom she cared the most. I hope this study will draw attention to the conditions and circumstances of people like Teline; their strategies of survival, however encumbered by risk; and their dreams in the midst of uncertainties. I hope sustainable solutions to these difficulties can be found, bringing some lasting refuge.

APPENDIX

Participant Consent Form

My name is Mary Odhiambo (Min Cato). I am a research student at the University of Birmingham. The research I am carrying out is about Luo families, focusing on women. This requires me to talk with adult men and women in this community.

You would be a key participant in this research and I would really appreciate your contribution. All the information you give towards this research will be confidential. You are also free to withdraw from the research by letting me know that you want to do so within three months of the interview. You are not obligated to participate on the basis of family ties or friendship.

This research is for a PhD thesis to be read by my supervisor and two examiners, and also for use in future publications and in policy input for community development.

Please state the name that you would like to be called during the research and also sign below as a way to indicate your participation in this research project:

Name: ---------- (optional)

Sign: ----------Date: ----------

If you have any questions about anything relating to this research, please do not hesitate to ask me. My phone number is [redacted] and my home address is [redacted].

Thank you, Mary Odhiambo (Min Cato)

Questionnaire

Instructions

1. Tick √ in your responses in the box ☐ provided where applicable
2. Fill in your responses in the spaces provided. You are free to use the back of the paper if the space provided is not sufficient

Personal information

1. Name you would like to be called

   ……

2. Gender: Female ☐ ☐

3. Age: ……

4. Origin …….

Family type and composition

5. What is your marital status
   a. Monogamous 1st marriage ☐
   b. Polygamous marriage ☐
   c. Separated ☐
   d. Divorced ☐
   e. Widowed ☐

f. Widowed and inherited ☐

g. Married man and inherited widow ☐

h. Never been married

i. Other temporary partner ☐

6. If polygamous, how many wives/co-wives do you have?

……

7. What is your family size?

a. Number own children ……...

b. Number of other dependants living in your household

……..

c. Number of other unions …….

Work and Occupation

8. What is your current occupation?

a. Home and child care ☐

b. Employed ☐

c. In business ☐

d. Farmer ☐

e. Retired or out of work ☐

f. Fisherman/woman ☐

9. How and why did you choose your current occupation?

10. a. Who has supported you in your current occupation?

……

b. How have they supported you?

.....

Education

11. What is your level of education?

a. Primary ☐

b. Secondary ☐

c. Tertiary college ☐

d. University ☐

e. Other ☐

12. Has your education been helpful in your current occupation?

a. Yes ☐

b. No ☐

c. Not sure ☐

Please explain your answer:

Income and property

13. What is you main source of income

a. Employment ☐

b. Business ☐

c. Fish business ☐

d. Farming ☐

e. Other ☐

14. What is your total income from main source of income per month

a. Less than 5000 ☐

b. 5000-10000 ☐

c. 10000-20000 ☐

d. 20000-30000 ☐

e. 30000-40000 ☐

f. 40000-50000 ☐

g. 50000 and above ☐

h. Other ☐

15. If in business,

a. How much money do you earn on a good day? ……

b. How much money do you earn on a bad day? …….

c. How long have you been in this work/business? ……...

16. What other property or income asset do you own? …… e.g boat or fishing equipment

17. How do you make money with the income asset indicated in 17 above?

18. How much money do you make per day from the income asset indicated above?

    a. On a good day…….

    b. On a bad day ……...

19. Do you own land?

20. Do you have title deed or any land document for your land? a. Yes ☐ b. No ☐

21. How do you generate income from your land?

    ……

Time Use Survey

22. Fill out the following table indicating what activities you do every day

Time period	Activity/activities	Time category: Personal, Income, non-income activities
Dawn: Wake up to 8am		
Morning: 7am – 10am		
Mid-morning: 10am-12		
Midday: 12-2pm		
Afternoon 2-4		
Early evening 4-6pm		
Evening 6-8pm		
Night 8pm onwards		

Brief Cope Questionnaire for Female Traders

1. What is the most important goal in your income work?

2. What is the most difficult problem or challenge you faced in achieving this goal?

3. Do you do the following to cope with the problem?

    1. Not at all 2. Sometimes 3. Always

        1) I get help and advice from other people
        2) I take alcohol or other drugs to feel better
        3) I have been giving up trying to deal with it
        4) I take action to try to make the situation better
        5) I turn to other work to forget about it
        6) I look for something good in what is happening
        7) I am learning to live with it
        8) I've been blaming myself for things that happened
        9) I've been praying or meditating

Interview Guide for Key Informants

Every key informant will fill an initial demographic information questionnaire prior to the interview. Some responses from that will lay basis for interview questions and discussion during the interview. The questions below therefore are not exhaustive and will only act as a guide.

Themes to explore	Interview guide questions
General work conditions	**General questions** 1. Tell me your life story. 2. How did you begin your current occupation? What made it possible for you to begin this occupation? Were there any difficulties along the way? 3. Are you happy with the current status in your occupation? Why or why not? 4. How does your husband/partner support you in this occupation? Does he work with you? 5. How do you spend the income from this occupation? Do you decide how that income is spent? 6. When you are involved in this work, who does you home chores? Is this arrangement working well with you? And with other members of family? **Specific guide questions for women in fishing business** 1. How long have you done this business? How did you begin? 2. What do you like about this business? What don't you like? 3. Are there specific problems you face in this business? 4. How do you overcome or cope with these problems? How do other women cope? 5. Do you know anything about *(jaboya)* sex-for-fish transactions? Tell me about it? 6. Are there any justifications given both by the perpetrators of the violence and the victims?
Relationships, various marriages and marriage-like arrangements	**Question guide for women in polygamous unions** 1. Tell me your life story 2. Co-wife is referred to as 'nyieka' meaning 'my jealous', is jealousy inevitable among co-wives? Tell me more about that 3. What are the common issues of conflict between you and

	your co-wife/co-wives? 4. What would you say is the cause of these conflicts? 5. How do you cope with these conflicts? What does that result to? Does your method of coping make your life better or worse? How? 6. How does your co-wife/co-wives cope with these conflicts? What does that result to? 7. In what way do you think your co-wife influences your current occupation and level of income? 8. Does your husband help to quell these conflicts between you and your co-wife? How? Do other members of the family help? 9. Are there any conflicts between you or your co-wives with your husband? Do these conflicts influence you or your co-wives current work and income? How does it affect? How do you and your co-wives cope with that? Are your methods of coping making the situation better or worse? How? **Question for women in levirate unions** 1. Tell me about your life story 2. I know you lost your husband, did you have children with him before he died? How many? 3. Tell me about '*jater*'. Did someone in the family influence the choice decision to have jater? What did you feel about that? What did you do? 4. What are the consequences of widow impurity? How does widow impurity affect work and income? 5. What support does jater offer you and your family? Are there ways in which you also support him? 6. How has your relationship with jater influenced your current work and income? 7. Tell me how you are coping with influences you have mentioned. 8. How is the relationship between your levirate partner and your children? How do your children and his children relate? 9. Who makes decisions regarding your family resources? How does that influence your family's work arrangements
Being a proper woman, and motherhood	**Questions for childless women** 1. Tell me your life story 2. Bride wealth is a requirement exchange during marriage, tell me about the bride wealth that was exchanged between your husband's family and your family 3. What was/is the obligation for payment of bride wealth? 4. Child bearing is expected after marriage, how has it been for you to remain childless up to now?

	5. Has the childlessness affected your relationship with your husband and or relatives? How? 6. How do you cope with situation in the light of expectations? 7. How has childlessness influenced the work you do or decisions about your income in anyway? 8. How do you cope with perceived low status among other women? **Questions for women with children** 1. Tell me your life story 2. Bride wealth is a requirement exchange during marriage, tell me about the bride wealth that was exchanged between your husband's family and your family 3. What was/is the obligation for payment of bride wealth? 4. Having fulfilled that obligation, how has that influenced your relationship with your husband and other relatives? 5. Has bearing children influenced your work and income in any way? In what way?

Focus Group Discussion Guide

Themes for discussion	Discussion guide questions
Cases of women related to land	1. Discuss solutions available to the issues arising from the stories a. What solutions are there in within the customary laws b. What options are there within the statutory laws
Land and property ownership	1. How is land owned? Who and by whom? 2. Are there any exceptions to land ownership? Which are these exceptions?
Land and property rights Read constitution, land registration Act and Matrimonial Act	3. What is your view about the new Kenyan law regarding the right of women to own land and property? 4. Do you think this new law will be/is acceptable to everyone? Probe on; a. How are men responding to this new obligation? Are there some examples you might know? b. How do you think women will cope with various reactions from men? c. What do you think will be the result of the various women's responses? Are there examples you might know? Why do you think this law is beneficial or not beneficial for men and women?
Women's negotiation with men and other women	5. Do you think women might be hesitant or eager to receive legal ownership of land and property from her family? a. Why would they be hesitant? What results from that? b. Why would they be eager? What results from that? c. Are there other ways women might respond? 6. Do you think men might be hesitant or eager to allow legal ownership of land and property to women? a. Why would they be hesitant? What results from that? b. Why would they be eager? What results from that? c. Are there other ways men might respond? 7. What options do women who do not have land have? Are there any examples?
Women's access to land and property	8. If you had daughters, would you give them part of your land to inherit? In what circumstances would you or would you not give them land or property?

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