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**Gender and Social Strata:
Struggles over Land in Imanan Canton, Niger**

by

Rebecca Walker

A thesis submitted to the Faculty of Graduate Studies
and Research in partial fulfilment of
the requirements for the degree of

Master of Arts

Norman Paterson School of International Affairs

Carleton University

Ottawa, Ontario

October 2, 1992

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ABSTRACT

Drawing on recent field research, (August to December 1991), conducted with Tuareg people in Imanan Canton, western Niger, this thesis will discuss changes in access to and control of land by women, men and the different social strata which constitute Tuareg societies. Legal pluralism provides the theoretical framework from which to analyze processual changes in resource relations from the pre-colonial and colonial periods to the present day. Both Islamic law and customary law are conceptualized as resources which women and men as well as the different social strata draw in an effort to secure their access to land.

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TABLE OF CONTENTS

Abstract	ii
Acknowledgements	iii
Table of Contents	vi
List of Maps	viii
CHAPTER ONE - INTRODUCTION	1
CHAPTER TWO - FEMINIST RESEARCH: CONCEPTUAL AND METHODOLOGICAL FRAMEWORKS	26
Introduction - Feminist Scholarship	26
Conceptual Concerns	28
Conceptual Framework - Legal Pluralism	34
Methodology	42
The Myth of Objectivity	43
The Life History Method	47
Implementation of the Life History	50
Interview Process	
Additional Research Methods	58
Archival Research	59
Key Interviews	59
Time Allocation Study	60
Secondary Research Methods	61
Conclusion	62
CHAPTER THREE - TUAREG SOCIETY IN 19TH CENTURY IMANAN CANTON	63
Introduction	63
Tuareg Migrations to Imanan Canton-A Brief History	67
The <i>Kel Nan</i> and <i>Lissawan</i> Migrations	72
<i>Imajeghen</i> Marriage Alliances	79
Tuareg Socio-Economic Structure	82
Tuareg Social Strata and Conceptual Constraints	83
Resource Allocations by Social Strata	87
and Gender	
i. <i>Imajeghen</i>	87
ii. <i>Iklan</i>	93
iii. Slave Relations in Bonkuku and Koshilan	98
iv. Tributary Relations with the <i>Iklan</i> and <i>Ighawelen</i>	102

Political Structure in 19th Century Imanan	110
Descent and Tuareg Political Structure	111
Political Authority	114
Land and Political Authority	116
Descent, Political Authority and Land in Bonkuku and Koshilan	117
Conclusion	119
CHAPTER FOUR - SELECTED ASPECTS OF CHANGE IN TWENTIETH CENTURY IMANAN CANTON	121
Introduction	121
The Colonial Administrative Structure	124
The Selection of Local Chiefs 1900-1960	124
The <i>Indigénat</i> : 1904-1946	132
The Abolition of Slavery - A Gradual Process	136
Changes in Access to and Control of Resources by Social Strata - Post 1906	142
Colonial Economic Policies 1900-1960	153
Taxation	153
Commercialization of Production	156
Colonial Environmental Policy	166
Conclusion	174
CHAPTER FIVE - STRUGGLES OVER LAND BY GENDER AND SOCIAL STRATA	176
Introduction	176
Gender and Struggles Over Land	177
Social Strata and Struggles Over Land	199
Conclusion	207
CHAPTER SIX - THE RESEARCH PROCESS - CONCLUDING COMMENTS	211
BIBLIOGRAPHY	224

LIST OF MAPS

MAP	DESCRIPTION	PAGE
1	Western Niger	4
2	Imanan Canton	5
3	Vegetation and Rainfall Zones	7
4	Tuareg Confederations	68

CHAPTER ONE

INTRODUCTION

This thesis is based on field research conducted from August to November 1991 in two villages in western Niger, approximately 180 kilometers northeast of the country's capital, Niamey. The villages, Bonkuku and Koshilan, are located at the upper end of the Dallol Bosso, a sandy, fossilized valley of the Niger river. The valley extends roughly from the Niger-Benin border in the south to the town of Filingue in the north. On either side are the western and eastern plateaux.

The central research objective for this thesis emerged in part within the broader framework of exploring changes in women's and men's relations to resources. Following Monimart (1989:139), who recorded Sahelian West African's women's access to land as uncertain, insecure and unequal, my research initially sought to expose women's increasingly vulnerable position vis à vis productive resources and analyze their strategic responses to these changes. A central issue of change which emerged throughout the discussions held with women and men of the two villages was the historically recent (the past 20 years) and increased struggles by women, of all social strata, to secure their rights in land. Moreover, there has also been increased struggle between the different social strata over rights to land. This study then has sought to explain how and, specifically, by what processes women and men as well as the different social strata are struggling to

exercise their rights to have access to and control of land.¹

Okoth Ogendo (1989) argues that a distinction between access to and control of resources is useful in understanding property relations in the African context. In African societies, there is a more complex picture of rights than one where outright ownership of property - as in the west - is the norm. In this thesis, access to and control of resources refers to rights over resources and the degree of power a society allocates to individuals to exercise these rights for specific purposes (Okoth-Ogendo, 1989:7). Access refers to allocations of power to exercise use rights whereas control refers to allocations of power/authority to exercise rights of allocation of resources.

The villages of Bonkuku and Koshilan provide an interesting setting for such a study. A recent government-commissioned study noted that gaining access to land in this area is becoming more and more difficult, that population pressure is increasing and that there is increased individual appropriation of that land (République du Niger, 1989). Another study also noted the lack of land and, particularly, fertile land in the Dallol Bosso (Busacher, 1989:2). Although impoverishment of the soil is occurring in many parts of Niger, the particular part of the Dallol Bosso in which

¹For the purposes of this thesis gender and social strata struggles over land are analyzed separately. Future research is necessary in order to link gender with social strata conceptually to struggles over land.

Bonkuku and Koshilan are situated may be especially affected, given the high sand content of the soil and in light of very early colonial documents which describe the region as being lush and promising. Today, the area around Bonkuku and Koshilan receives the smallest yields per hectare of millet in its sub-region and far less than the national average (République du Niger, Ministère de Plan, 1989:194; République du Niger, Ministère de l'Agriculture, 1980-89).

The intent of this chapter is to introduce the region of study in terms of its location, climate, vegetation and to introduce its people in terms of their history, government and social organization. (Refer to Map 1 for the location of Imanan Canton and Bonkuku in relation to western Niger. Map 2 indicates the location of Bonkuku and Koshilan within Imanan Canton.) Characteristics of the study region and its population will be briefly discussed in this chapter and will be developed further throughout the thesis.

Niger is known as a Sahelian country by the Club du Sahel and other northern agencies. This is in spite of the fact that most of the territory is saharan and a small southern part sudanic. The term 'sahel' comes from the arabic word for 'border,' a reference and reminder from the pre-colonial days when long-distance traders travelling across the desert gradually encountered greater amounts of vegetation. Unfortunately, there are no universally accepted standards for delimiting climatic or vegetational zones in West Africa

Map 1: Western Niger
(Guillaume, 1974)
(no page number available)

Map 2: Imanan Canton (adapted from Guillaume, 1974:8)

(Watts, 1987:3). A large part of the difficulty is due to the considerable local spatial and annual variation in rainfall. Three broad climatic/vegetational zones, however, can be noted for Niger. In the extreme south of the country is the sudan savanna, extending from the southern border to about 15 degrees north latitude and receiving 600 to 800 mm. of annual rainfall. In the north, in the desert regions roughly north of 16 degrees north latitude, there is less than 200 mm. of annual rainfall. In between the northern and southern zones is an area containing thorn steppe vegetation and receiving 200 to 500 mm of rainfall per year. This area can be classified as sahelian (Curry, 1986:124-5). As Map 3 indicates, these regions can be subdivided into further gradations. The villages of Bonkuku and Koshilan are located in areas receiving on average 400 to 500 mm of rain per year and, accordingly, are understood as being sahelian. The rainy season is short, from May to October, while the dry season extends from November to April.

Perhaps a greater problem for Imanan than a short rainy season and long dry season is the irregular and even erratic nature of the rainfall. In 1991, for example, a greater than average amount of rain fell -- 563 mms (according to Bonkuku's agricultural extension officer) -- but several long dry spells early in the planting season could not be made up for by the heavy rainfall of August and early September. As a result, yields were very marginal, with many of the farmers

Map 3: Vegetation and Rainfall Zones
(Fuglestad, 1983:8)

harvesting no more than 100 kilograms of millet per season. In addition, rainfall can come in torrents. A quick and heavy rainfall is problematic for the sandy, porous soils of the Sahel. Sand particles, being larger than clay or silt particles, cannot stop such rains from seeping down and leaching whatever nutrients that may be present. As Watts states in a commentary on semi-arid, drought-prone Africa: "[a]s a general rule,...climate is distinguished by extraordinary variability; the onset, duration, termination and spatio-temporal distribution of rainfall varies quite dramatically from one year to the next" (Watts, 1987:3).

Historically Niger is a former French colony. In the late 19th century, France, in response to expanding British power and in an effort to wrestle control of the Lake Chad basin from the rulers of the state of Bornu, sent several military missions to establish control over central and eastern Niger. It was on one of these early French missions that the French established a post in Dosso (in 1898) and it was from Dosso that French soldiers would depart to explore the region of the Dallol Bosso and, in 1900, make initial contact with the people of Bonkuku.

Most of the French soldiers, however, were engaged in the battle for what were perceived to be the more strategic areas of the east. Pacifying the states of Damagaram in central Niger and Bornu to the east would break the power of the strongest of the rulers and give France a strategic location

from which to push ahead with their ultimate goal of an empire stretching from North Africa to the Red Sea. When the Sultan of Bornu was finally defeated in April, 1900, the French established, three months later, the Third Military Territory of Niger as a part of *Afrique Occidentale Française* (Charlick, 1991:33-4), itself created in 1895 with its administrative seat in Dakar. The southern boundaries of the territory, although they cut across the land inhabited primarily by the Hausa, roughly follow the Hausa-Fulani line that emerged during the 19th century Fulani wars during which the Sokoto caliphate was established. With the exception of borders with Chad to the east and Dahomey/Benin to the southwest, Niger's colonial and post-colonial boundaries correspond with those that had existed well before the colonial presence (Charlick, 1991:33; Fuglestad, 1983:19).

Niger's status as a military territory officially changed to that of a colony in 1922; five years later, in 1927, the capital was moved from Zinder, which was also the pre-colonial capital of Damagaram, to Niamey and, hence, closer to the other French colonies. Niamey was then only a very small town along the Niger river but it was located in an area populated primarily by the Zerma/Songhay. Then, as today, the Zerma/Songhay were a minority group when one looks at demographic presence across Niger.² Yet the French saw in

²The Hausa, residing primarily in the north and centre, comprised between 50% and 56% of Niger's population in surveys conducted in 1980 and 1981. The Zerma/Songhay, living mostly

them a more pliable attitude towards collaboration and the opportunity for themselves to shore up control over the colony. The Zerma/Songhay, having been embroiled in numerous conflicts amongst themselves and with the neighbouring Tuareg and Fulani in the 19th century, saw the French as useful allies as well and many of their chiefs proved amenable to working closely with the colonial power (Higgott and Fuglestad, 1975:384). While the period up until 1922 was characterized by pacification campaigns waged by the French and particularly against defiant Tuareg groups in the north, the period after 1922 was one of consolidation and, increasingly, economic extraction.

The ushering in of the French Fourth Republic in 1946, the abolishment of harsh penal codes and forced labour and the possibilities for wider participation in the political life of the colony was a significant step towards independence for Niger. The administrative structure, however, remained essentially unchanged, paralleling the French system of *cercles*, *subdivisions*, *cantons* and *villages*. The *commandant de cercle* and the *chef de subdivision* were French while local chiefs or other notables were appointed, often without regard to prior local claims or legitimacy, to the positions of *Chef*

in the west, made up between 22% and 24%; the Fulani, living in the northern pastoral areas but also in the southern towns and surroundings of Birni N'Konni and Birni Gaoure, between 8.5% and 10.5%; and the Tuareg, to be discussed below, between 8.3% and 9.5% (Charlick, 1991:8).

du Canton. In 1956, with the passage of the *loi-cadre* -- a law laying down a framework and guidelines for gradual independence -- the administrative structure was somewhat modified: *cercles* would become *départements* and *subdivisions* would become *arrondissements*. Niger gained formal political independence on August 3, 1960. Since 1965, the administration was based on seven *départements* headed by *préfets* and 35 *arrondissements* headed by *sous-préfets* -- both appointed and responsible to the central government. There are also nomadic groupings in which the pastoral, non-sedentarized Tuareg and Fulani in northern Niger are administered, a carryover from the early colonial era (Horowitz et al., 1983a:3).

Independent Niger has seen three political regimes. Hamani Diori (1960-1974) became Niger's first president in 1960. Growing disenchantment with Diori's increasingly centralized rule and relative lack of concern for domestic policy brought about a military takeover but led consequently to the emergence of highly personalized rule under Seyni Kountche (1974-1987). During his rule, Kountche sought increased legitimization of his rule, initially by seeking to rally support from rural chiefs who had been marginalized under Diori and, then, by seeking to mobilize wide, national support (although still top-down and very centrally controlled) through what he called a Development Society -- a pyramidal structure that aimed to channel support and concerns upward through designated local, regional and national

structures. The *Association des Femmes du Niger* was one of these structures, theoretically present at all levels, including that of the village. When Kountche died in office, the government named his army chief of staff, Ali Saibou (1987 to present), as his successor and new president. Although advocating a slow pace, Saibou promoted political reforms, particularly through the adoption of a second constitution for Niger (Kountche had suspended the first) and, in 1991, the holding of a national conference. The conference eventually declared itself sovereign³ and appointed a transitional government to pave the way for multiparty elections scheduled for 1993. The interim prime minister⁴, Cheiffou Amadou, is faced not only with the difficulties of broadening public support for the state but having to do so in a context of extreme and worsening economic and environmental conditions.

Economic and environmental decline is certainly evident in Bonkuku and Koshilan. The declining number of jobs in Niamey and in outlying urban areas, the depression of the market in Bonkuku and a diminishing vegetation cover are an important part of the backdrop for this thesis. Bonkuku and Koshilan are located in the *canton* of Imanan, in the

³The conference delegates decided that the motions passed during their assemblies would be legally binding and not susceptible to change or veto by the president and/or his cabinet.

⁴The delegates made Saibou the head of state and appointed a prime minister to become head of government and prepare for elections to be held in 1993. Saibou remained president although his functions have become very ceremonial.

arrondissement of Filingue and in the *département* of Tillaberry. Prior to 1956, Imanan Canton was situated in the *subdivision* of Filingue and in the *cercle* of Niamey. The people of the two villages relate that the word 'Imanan' was used prior to the arrival of the French but it was in 1901 that the *canton's* initial borders were established. It is important to note as well that both of the villages of Bonkuku and Koshilan were settled prior to the arrival of the French. The people of Bonkuku and Koshilan are mostly sedentary Tuareg, although there are also a small number of Zerma and Hausa who live in Bonkuku. The total population for Bonkuku is estimated by residents at 3,000 and for Koshilan 1,500. The population for all of Imanan Canton in 1988 was noted as being 23,689 (République du Niger, 1989:194).

The Tuareg in Bonkuku and Koshilan practice both agricultural and pastoral production. The shift from nomadic pastoralism to settled farming occurred gradually for the people of Imanan although to the point where few Tuareg in the area are reputed to have the necessary skills to care for large herds for long periods of time; today, the Tuareg entrust and maintain herds with the Fulani pastoralists who continue to practice rainy-season transhumance. Livestock such as donkeys, cattle and in particular sheep and goats are still kept however and are a significant resource for women. Millet and cowpeas are the staple crops and they are intercropped and grown during the rainy season, lasting from May to October.

Garden cultivation extends from November to April. As well, several income generation activities are practiced by both men and women. Women weave mats, make butter, sell milk, and make beds from millet stalks. Men build adobe⁵ houses, weave rope, milk cows and engage in migrant labour.

Several scholars have commented on the fact that the Tuareg are not easy to define or classify (Fuglestad, 1983:4; Oxby, 1978 38; Murphy, 1964:1261). In part this can be explained by the diversity within Tuareg societies. As Murphy states, "there is no single unified Tuareg tribe... there are significant differences in dialect and culture throughout their vast territory" (Murphy, 1964:1260). But this can also be explained in part because the distinguishing characteristics which differentiate Tuareg from non-Tuareg are not clear.

Nevertheless some scholars have attempted to determine common characteristics. For example, Oxby explains that some authors distinguish Tuareg from non-Tuareg by stressing the fact that the men wear the veil or *tegilmus*. Other scholars make a distinction based on language; those who speak *Tamacheq* are considered 'true' Tuareg. Characteristics of pre-colonial social structure and political organization are two aspects of Tuareg societies which most scholars agree reveal some commonalities across different Tuareg societies. Clearly these

⁵An adobe structure, such as a house or granary, is one made of sun-baked reinforced clay (that is clay mixed with small pebbles, stones, dung and straw).

are not identical between different Tuareg societies nor are they practiced in the same manner today. However they are practiced to a certain extent and can be best explained in terms of their pre-colonial roots. As Oxby notes in her study, "present-day social stratification among the *Kel Ferwan* arises in part because pre-colonial hierarchies are still recognized" (Oxby, 1987:120). Furthermore even though slavery was abolished in 1906 in Niger by a colonial state decree, aspects of the stratification characteristic of the pre-colonial period persist today in Imanan Canton (1991).

Characteristically, Tuareg social structures have been highly stratified and hierarchical in nature. There were different social strata⁶ of nobles, religious leaders and various dependents, each having different degrees of authority and each having different responsibilities within the broader social structure. As Baier and Lovejoy explain, "[a]t one end of the scale were slaves with little freedom, and at the other...aristocratic leaders with nearly exclusive control of wealth and power" (Baier and Lovejoy, 1977:391).

⁶For the purposes of this thesis the language used to connote the gradations within Tuareg social structure will be social strata. Although different terminology is used by different scholars (for example Baier and Lovejoy [1977] use status hierarchy while Brushberg [1988] uses the language of class, group and social categories interchangeably), social strata is adopted here following the thinking of Oxby. Oxby argues that caste, class and status-groups are incorrect. Status ignores the political and economic criteria which did and continue to differentiate the members of certain strata (Oxby, 1978:40). She further argues that caste is also inappropriate because in the Indian context it is held to be ordained divinely which is not the case in Imanan.

The aristocratic leaders or nobles are the *imajeghen*. Historically, they have secured control of wealth and power through such activities as herding, raiding and trading. The *imajeghen* of Niger as well as the surrounding countries of Mali and Algeria are largely characterized by their practice of nomadic pastoralism. Although milk is a preferred staple for the *imajeghen*, they were able to complement their diet with millet produced by agriculturalists on land more favourable to farming. These agriculturalists became part of the *imajeghen* network by force. Proficiency in warfare and raiding enabled the *imajeghen* to bring large networks of people and resources under their control. The use of force also brought within their control people to provide the labour for herding and household tasks.

These people gathered by force were those who constituted the other end of the hierarchy. They are commonly referred to in the literature as slaves and/or dependents⁷. The nomenclature and categorization of dependent groups vary across Tuareg societies. In Imanan, however, the dependent groups include the *iklan*, the *ighawelen*, the *isaha*, and the *ibogholiten*.

The *iklan* were considered to be of the lowest status of the different dependent groups. They lived as members of the

⁷For the purposes of this thesis dependents will be used when referring to the dependent social strata collectively. When the term 'slave' is used, the reference is to the *iklan*. The precise name of other social strata will be used.

households of the *imajeghen* and worked directly with the *imajeghen*, moving with them on routes of transhumance while providing herding, household and in some cases agricultural labour. The *ighawelen* had a greater degree of autonomy than the *iklan*, often living long distances from the *imajeghen*. They were either farmers who paid tribute to the nobles in grain or pastoralists who offered part of their herd as tribute. The *isaha* were considered of higher status than the *iklan* and the *ighawelen*, as they were the only dependent group never to be sold. The *isaha* enjoyed a special relationship with the *imajeghen*; for example, *isaha* women nursed the infants of the *imajeghen* women (ICOH, F:14;ICOH, Q:3). The *ibogholiten* are said to be descendants of sexual relations between an *imajeghen* woman and an *iklan* man and are widely known as the ones who make cheese (ICOH, S4:P6). As the *imajeghen*, *ighawelen* and *iklan* are discussed more thoroughly throughout the thesis, further details of their responsibilities are given in chapter three.

Several brief words can be mentioned of the other social strata that lie between the *imajeghen/iklan* ends of the hierarchy. The *inaden* or artisans refer to the wood and metal craftsmen largely responsible for producing the weaponry for the *imajeghen*. Another group, the *ineslemen*, are the Islamic religious leaders. Although the *ineslemen* are not referred to as slaves, they nevertheless provided services to the *imajeghen*. Often they did not have the means of warfare to

assume economic wealth, therefore in most Tuareg societies they were not of a similar status to the *imajeghen*.

A common characteristic of Tuareg pre-colonial societies was the political organization. Tuaregs were organized into households, camps, *tiusatin*, and confederations. Each household included an *imajeghen* nuclear family with the *iklan* of the wife and husband⁸; the camp constituted several households while the *tawshit* (singular of *tiusatin*) included several camps. *Tiusatin* are defined either as a descent group or as a strictly political group. (This debate is taken up in more detail in chapter three.) In the Tuareg literature, *tawshit* is also referred to as either a fraction or clan (Bernus, 1981; Nicolaisen, 1963), or as a tribe (Murphy, 1964) or as a section (Brusberg, 1988). Several scholars of the Tuareg, such as Nicolaisen and Bernus use the different language interchangeably. For the purposes of this thesis, however, the term '*tawshit*' will be used. Several or more *tiusatin* made up what can be called confederations. Confederations, according to Oxby, "are...loose associations of groups of people belonging to the different social strata" (Oxby, 1978:100). Nicolaisen (1963) refers to there being eight recognizable Tuareg confederations. Groups from several of these confederations migrated to Imanan Canton in the

⁸It is likely that there were households of all the social strata, for example households of *iklan* and *ighawelen*. However it is not clear from the literature which kin members were considered part of each household.

period between 1810 and 1880. Political authority varied amongst confederations. For example, some *tiusatin* had chiefs while other *tiusatin* did not have chiefs but only recognized the authority of the Supreme Chief -- or Sultan⁹ -- of the confederation. (Further discussion of political authority is taken up in chapter three.)

Even though Tuareg societies include several social strata, research has often focused on only the *imajeghen* (Oxby, 1978; Brock, 1984:9,10). As Oxby argues, some authors include only the *imajeghen* in their definition of Tuareg societies (Oxby, 1978: 15). She further argued that the bias towards the *imajeghen* has rendered discussion of the dependent social strata invisible. Oxby states, "These works tend... to dwell on the ruling groups within Twareg [Tuareg] society, and to ignore the subordinate groups - the blacksmiths, and, even more so, the slaves.... several authors do not include slaves in their definition of Twareg [Tuareg] and thus slaves are often excluded from discussions of Twareg [Tuareg] society" (Oxby, 1978:23). As Oxby points out, Nicolaisen's ethnographic survey of the Ayr and Ahaggar Tuareg devoted only 8 pages out of 548 to a discussion of slavery and that there existed very few articles referencing Tuareg slavery in modern times (Oxby, 1978:23-4).

Another problem identified by Oxby is that dependent

⁹In the literature, synonyms for Sultan include *Amenokal*, *Ettebel*, *Drum-Chief* and *Supreme Chief*.

groups are often incorrectly presented. Often dependents are incorrectly grouped together and labelled *Bouzou* or *Bella* (the Hausa and Zerma term, respectively, for the dependent groups in Tuareg societies). However, the dependents involved in my study (1991) do not group themselves together as *Bouzou/Bella* or wish others to group themselves in such a way.

Nevertheless, the historical evolution of the various social strata has been strongly influenced by the interactions and relations with each other. For that reason but also for the sake of clarity of presentation, the term 'Tuareg' will be retained to refer to all the social strata in a collective and general way. When reference is made to a specific stratum the appropriate *Tamacheq* word (*iklan*, *imajeghen*) will be used.

Bias in the literature concerning Tuareg societies concerns not only a bias towards the elite social strata but also to the men of this strata. Oxby says there is little documentation concerning *imajeghen* women and even less concerning dependent women. As Oxby states, "Twareg [Tuareg] women usually means Twareg [Tuareg] noble women...but the difference between the position of women of the various social strata within Twareg [Tuareg] society is rarely explored" (Oxby, 1978:25). In part the bias towards males and the *imajeghen* can be understood in terms of the male bias in research on pastoralism. Several feminist scholars (Beaman, 1983; Dahl, 1987; Kettel, 1989; Wienpahl, 1984; Broch-Due, Garfield and Langton, 1981; Ensminger, 1984) have challenged

male bias in research on pastoralism. Not only have women's contributions to pastoral production been invisible, women's access to livestock has also been poorly understood. Kettel "calls for a new vision of the importance of women's work in livestock herding....this plea is intended as challenge to the enduring invisibility of women in African herding systems..." (Kettel, 1989:87). For Tuareg societies, as predominantly pastoral societies, these insights are of particular relevance. Feminist scholars have also pointed to the little research concerning pastoral women by feminist scholars in comparison to research concerning sedentary agricultural societies (Ensminger, 1991:281; Broch-Due, Garfield, Langton, 1981:251).

The invisibility of women's contributions to pastoralism, can be explained in part because pastoralism has been viewed as predominantly a male activity. As Wienpahl illustrates, "earlier studies depicted pastoral societies as dominated by activities that were themselves dominated by males; small-stock management was largely ignored, agriculture was downplayed, and a female role in livestock husbandry was not identified" (Wienpahl, 1984: 193). Dahl adds that "a common stereotype of pastoralism is that men tend to carry out all significant phases of husbandry. They do the important herding. They take care of the physical maintenance and fattening of stock and provide the work that ultimately lies behind the proliferation of herds. However, a critical

assessment of what women actually do -- and not only what they are said to do -- proves that such a stereotype must be qualified..."(Dahl, 1987:250). Kettel points out that women perform the daily tasks in pastoral production such as providing water and fodder for young and sick stock and moving herds to pasture, while men perform tasks which do not require daily labour such as bleeding, castration and slaughtering of herds, (Kettel, 1989:91). Dahl (1987) adds that women's tasks in the pastoral production process are often the most labour-intensive.

Feminist scholars (Kettel, 1989; Broch-Due, Garfield and Langton, 1981) also point to male bias in understanding property rights in livestock. Broch-Due, Garfield and Langton (1981) argue that, "a misconception -- prominent in the thinking of development planners -- is that cattle are solely controlled by men" (Broch-Due, Garfield and Langton, 1981:253). However as Kettel's research in an East African pastoral context indicates, women have rights in 'house-property' which "consists of rights in livestock, particularly -- but not exclusively -- milking stock which are assigned to women at marriage" (Kettel, 1989:95). Men do not have disposal rights over women's livestock which is considered 'house property'. These herds are for the women to use for the benefit of their children and "neither they, nor their offspring, should be loaned out, given away or sold without her consent" (Kettel, 1989:95).

In an effort to move beyond these biases in the literature on Tuareg societies and pastoralism as well as to respond to the central research objective, this thesis seeks to give particular attention to the gender and dependent groups' definitions of access to and control of resources. Although women's rights to livestock do not constitute the main topic of this thesis, the above critical analysis by feminist scholars provides an important point of orientation from which the research was conducted.

In order to address the central research questions the thesis is organized in the following manner. Chapter two introduces the conceptual and methodological frameworks. Legal Pluralism will provide the conceptual framework from which to situate this discussion and analyze processes of change. Chapter three describes, in general, aspects of pre-colonial Tuareg societies and, in the context of Imanan Canton, how gender and social strata define access to and control of resources. The fourth chapter provides the context in which to analyze gender and social strata struggles over land. It explores aspects of French colonial policies as well as changes in resource control initiated with the arrival of the French colonial administration and the implications of these initiatives for the environment. The fifth chapter, drawing on the conceptual framework of legal pluralism, goes on to seek to explain the dynamic of gender and social strata struggles over land and in particular how women of different social

strata have struggled to secure their rights in land. The sixth chapter summarizes and indicates problem areas with the research and offers suggestions as to the direction of future research.

Efforts to include analyses of the different social strata's access to and control of resources as well as the gender dimensions have raised many complex issues and questions. This has been further complicated by the inclusion of the historical dimension and a focus on change. The fact that several different Tuareg groups, with diverse backgrounds, emerged in the same area has raised some even more complicated issues and new contradictions. One ethnography of Tuareg society in Imanan Canton by Henri Guillaume has been helpful in gaining an initial understanding of the social strata and history of the *canton*. This present study is largely exploratory. Several new questions have been raised in the process of interpreting the information and writing the thesis while further complexities have surfaced in the process of seeking to understand questions of social relations and production. Nonetheless, this thesis does respond to questions regarding the historical evolution of women's and dependent groups' position relative to the resource base and, particularly, to that of land. For this reason but also for reasons of developing a further and deeper awareness of the economic and ecological constraints faced daily by many of the women and men of Imanan Canton, it is

hoped that this thesis will provide initial but significant groundwork.¹⁰

¹⁰Referencing of oral histories will be represented in the text as ICOH, Imanan Canton Oral Histories. Referencing of key interviews will be represented in the text as ICI, Imanan Canton interviews. Referencing of archival documents will be either by author, or by abbreviations: BM refers to Bulletin Mensuel; RA for Rapport Annuel; RE for Rapport Economique; REA for Rapport Economique Annuel; and RM for Rapport Mensuel. These are referenced in the bibliography under République du Niger... Translation of archival documents and other French literature used in this study will appear in English and is as accurate and as close to the original as possible.

CHAPTER TWO

FEMINIST RESEARCH:

CONCEPTUAL AND METHODOLOGICAL FRAMEWORKS

INTRODUCTION - FEMINIST SCHOLARSHIP

Feminist theorizing -- whether it be by feminist scholars of the south or the north -- has grappled with locating appropriate conceptual tools with which to analyze gender in its diverse environments. Western feminist Africanist scholars such as Stamp (1989), Maguire (1984), and Parpart (1991), have argued that definitions and representations of African women by different academic disciplines have either been entirely neglected or have been partial and/or distorted. These women argue such limitations are a product of conceptual biases inherited from western intellectual traditions. Efforts to deconstruct and expose androcentric assumptions of the different academic disciplines, in which these feminists work, have pointed to the specificities that male bias takes in different disciplines and hence to conceptual problems. For example, Moore (1988) argues that the main problem for anthropology is not the neglect of women in ethnographies but the representation of women. She gives the following example of how women were included in two sets of ethnographies differently: "The male ethnographers spoke of the women as profane, economically unimportant and excluded from rituals. The female researchers, on the other hand, described the women's central role in subsistence, the importance of women's

rituals and the respectful way in which they were treated by men" (Moore, 1988:1). Moore argues that these different representations of women can in part be explained by the various assumptions and expectations held by the male anthropologist about the "relationships between women and men, and about the significance of those relationships..." (Moore, 1988: 2). Asymmetrical relations between women and men in other cultures are assumed to be analogous to "their own cultural experience of the unequal and hierarchical nature of gender relations in Western society" (Moore, 1988: 2).

Third World Feminists such as Mohanty (1991), Amadiume (1987), Mwagiru (1987), Shiva (1989) as well as Black American feminists such as Hooks (1984), have argued that western feminists often analyze from the same conceptual assumptions as the male scholars that they seek to challenge. Third World feminists argue that western feminist theorizing is guilty of class and race bias; like western male intellectuals, they too have not engaged in a critical analysis of the class and race biases of western assumptions and theorizing. As Amadiume argues, "By adopting the research methods and frameworks of white male academics much academic feminist writing fails to challenge their assumptions..." (Amadiume, 1987: 6).

It is feminist research, which is informed by feminists of the south and the north, that has largely structured the conceptual and methodological frameworks developed in this chapter. Although it is beyond the chapter's scope to engage

in a comprehensive exploration of the many different conceptual concerns raised by various feminist scholars, this chapter does draw on and develop two of those concerns. The first is that of the construction and definition of woman as 'other'; the second is that of the importance of the interface between the ideological with the material. This chapter briefly explains those concerns and then deals with the conceptual framework informed by these concerns as well as the historical debates that have shaped the framework. This is followed by a description of the research methodologies used in this study.

Conceptual Concerns

The first conceptual concern refers to the issue of conceptual dichotomies "whereby the nature and primacy of the first term depends on the definition of its opposite (other)" (Parpart, 1991:2). These dichotomies are embedded within western intellectual tradition. As Harding argues, in each dyad such as reason versus emotion, mind vs. body, culture vs. nature, self vs others, male vs. female, active vs. passive..., "the former is to control the latter lest the latter threaten to overwhelm the former, and the threatening 'latter' in each case appears to be systematically associated with 'the feminine'" (Harding, 1986:165). Male power to construct dyads has served to silence women's own account of their lives and experiences and, hence, women's knowledge. Knowledge, truth and reality have been constructed out of

men's experiences as if men's experiences were normative (Personal Narratives Group, 1989:3). Knowledge about women, constructed as the other, has thus been evaluated against male standards (Klein, 1983:90,91). In response to male definitions of women's experiences, western feminists have "called on women to define themselves outside the male/female dyad... and for the recovery of women's voices and the development of knowledge from the standpoint of women" (Parpart, 1991:4). As Harding explains, "while studying women is not new, studying them from the perspective of their own experiences so that women can understand themselves and the world can claim virtually no history at all" (Harding, 1987:8).

However as western feminists critiqued male construction of women as the 'other', they ignored difference amongst women. As Mohanty points out, many western feminists have not stepped outside western intellectual tradition of analyzing social phenomena according to binary opposites. Rather Third World women are understood as the undifferentiated 'other', "as a singular monolithic subject in some recent (western) feminist texts" (Mohanty, 1991:51). Stereotypical images of Third World women as poor, uneducated, tradition-bound, domestic, family-oriented and victimized are constructed in contrast to the self-representation of western women as educated, as modern, as having control over their own bodies

and sexualities and the freedom to make their own decisions.¹ Amadiume adds that the perception of black women as universally deprived reinforces racism and is devoid of class analysis (Amadiume, 1987:5). As western feminism has critiqued western intellectual tradition for privileging a particular group (men) as the norm or referent, so too have Third World women pointed to the same problematic of feminist discourse concerning the lives of women of the Third World. For example, as Stamp argues, "with few exceptions, conceptual problems inherent in feminist literature have been incorporated into the African material" (Stamp, 1989:111). "Western feminists who sometimes cast third world women in terms of ourselves undressed, all construct themselves as the normative referent in such a binary analytic" (Mohanty, 1991:56).

Universal ideas of Third World women by western feminists have had similar effects as the universal definitions of women by western males. Third World women's voices have been silenced, thus leaving their interpretation of the world they inhabit, their successes and failures and desire for change unknown (Parrpart, 1991:13). Furthermore universal conceptions of women in different contexts and different histories have also left questions about marriage, motherhood and the household unasked and have contributed to the universalization of these concepts as well (Moore, 1988:6). What has emerged

¹Mohanty explains that this is a self-representation of western women, one that it is not true for all western women (Mohanty, 1991:74).

from these critiques from Third World women is a need to understand difference better and to learn from women's lived and concrete historic experiences. As Mohanty argues, difference between Third World and First World women cannot be understood simply in terms of binary opposites, as such an analysis only serves to reproduce the silencing of voices and the stripping of context and history (Mohanty, 1991:74). Moore (1988) adds that theorizing difference between women necessitates a shift from describing women's activities and experiences to explaining the construction of gender through experiences of colonialism, neo-colonialism, the rise of capitalism and the modern state (Moore, 1988:9,10).

The second concern of feminist scholarship informing the conceptual and methodological frameworks developed here involves the effort to move away from what Stamp refers to as the threat of a new dogma that reduces an explanation of gender relations and of women's activities to the economic (Stamp, 1987:6). Within Africanist research of gender relations, whether from a Liberal Feminist, Marxist Feminist or, to a lesser extent, Socialist Feminist perspective, the focus has been on the economic - a western preoccupation - as the framework in which to analyze changes in gender relations and gender inequality. From this perspective, economic factors are considered to be the primary motivators in human life. "The magical, the religious, the symbolic are relegated to the margins of the economy" (Stamp, 1989:112). The intent here is

to draw attention to ideology as a vital component of gender theory (Stamp, 1989:22) and to provide conceptual tools from which to analyze ideology and the linkages between ideology and material conditions.

From the Liberal Feminist perspective the increasing gender inequalities recorded in the 1970s were explained by women's lack of integration or exclusion from the economic development/ modernization process (Rathgeber, 1989:3). In contrast, Marxist feminists argued that, like men, women were integrated in this process albeit unequally due to the structure of inequalities within the international capitalist system (Rathgeber, 1989:8). This perspective has sought to explain and analyze gender inequality largely in terms of the differential effects of the capitalist world system on men and women's productive labour. The emphasis on production has contributed to the assumption "that class or economic oppression is more fundamental than gender oppression" (Stamp, 1989:17). As Hartmann states, "Marxist analysis of the woman question has taken [several] forms. All see women's oppression in our connection (or lack of it) to production....[with] marxist feminist approaches...their Marxism clearly dominates their feminism" (Hartmann, 1984:173). Sacks (1979) continues in this vein. She clearly saw reproductive relations as secondary and explained the subordination of women in their relationship to production. However, as Stamp explains, women make choices not only on economic grounds but on political and ideological

grounds as well (Stamp, 1989:119).

Socialist feminism has attempted to move beyond the economism of Marxist feminism by including patriarchy and conceptualizing patriarchy as both material and ideological and interactive with class. Socialist feminist analysis has raised the question of women's relationship to men as well as to capital (Roberts, 1983:177). As Stichter and Parpart (1988) argue, "...the relationship of women to men could not be adequately explained simply by reference to the relationship of women to the economic system" (Stichter and Parpart, 1988:3). In an effort to explore these different, albeit intersecting relationships, much socialist feminist theorizing has focused on linking the concepts of reproduction and production. Robertson and Berger (1986) take up this debate in their exploration of the relationship between class and gender and their efforts "to reconceptualize class so as to include women" (Robertson and Berger, 1986:3). However, these conceptual tools, to analyze ideological and material change, remain largely focused on economic relationships and are largely informed by western constructs.

It is these conceptual concerns that have informed the conceptual framework adopted for this thesis. In an effort to challenge conceptual dichotomies and to contribute to the work of socialist feminist analysis, of locating conceptual tools to analyze the connections between ideology and material conditions, the conceptual framework of legal pluralism has

been adopted. However, before explaining how these concerns link specifically with the conceptual framework, it is first necessary to explain the concept of legal pluralism. Thus the following section provides a brief overview of the debates within legal pluralism concluding with the perspective chosen for this thesis.

CONCEPTUAL FRAMEWORK - LEGAL PLURALISM

Debates concerning the conceptualization of legal pluralism have shifted from an emphasis on defining the boundaries between two normative orders² -- primarily state law and customary law -- as autonomous, distinct and static to a more historic and interactive perspective of relations between legal orders and between legal orders and society.

Earlier conceptions of legal pluralism, or 'classic' legal pluralism as Merry argues (Merry, 1982:73), focused on "the analysis of the intersections of indigenous and European law". Legal pluralism was defined as a dichotomous situation whereby both state law and customary law co-existed. The state was understood as foreign and imposed while custom was seen as ahistorical and a continuation of a pre-colonial identity

²For the purposes of this thesis normative order and legal order will be used interchangeably. Fitzpatrick defines a legal order "as an analytical term to accommodate the distinctiveness of the law" of a particular social field..."it is used to encompass a degree of normative informality..."(Fitzpatrick, 1983:160). What is important to this thesis is the idea that norms, that govern peoples' and societies' actions, can be grouped in either state, Islamic or customary law.

(Fitzpatrick, 1988:2).

Later perspectives of legal pluralism did not move far from this initial dualist non-interactive analysis. Rather, analyses shifted to emphasize the power of state law to reshape the social order thus suggesting the dominance of state law over other normative orders (Merry, 1988:879). Consequently the initial perspective was only recreated. The shift to more interactive analyses can be observed nevertheless in work by scholars such as Chanock (1982 and 1987) and Snyder (1981) who have engaged in debates concerning the conceptualization of customary law.

Chanock (1982 and 1987) argues that customary law was not something which 'survived' from pre-colonial society throughout the colonial period. Rather, he postulates that customary law was created at the time of contact with the colonial state and colonial capitalism. For Chanock it was the colonial state's "incomplete legal order"³ in conjunction with the opening of new political and economic avenues that permitted alternative legalities, which were not constrained by written rules, to continue to develop alongside that of the state (Chanock, 1982:12).

Snyder (1981) also argues that customary law was a

³Incomplete legal order is the phrase Chanock uses to describe the colonial state when it chose to ignore the concerns from African communities about law and order. This meant that certain aspects of law and order, such as certain aspects of criminal justice, continued to be dealt with outside of the state (Chanock, 1987:12).

colonial creation yet the focus of his analysis is on the distinction between the form and content of legal concepts and their subsequent change with the introduction of the capitalist mode of production. As Fitzpatrick notes, "[Snyder] finds that pre-capitalist legal concepts of the Banjal in Senegal maintain the same form after the intervention of the capitalist mode of production but their content has changed utterly to accommodate capitalist social relations" (Fitzpatrick, 1988:2).

Chanock and Snyder challenge both the statist perspective and the assumption of autonomy between legal orders. However, Fitzpatrick argues that Chanock conceptualizes customary law as 'frozen' or 'fixed' through the colonial project and in Snyder's view "custom is subordinated to or dissolved within some wider entity" (Fitzpatrick, 1988:4). Fitzpatrick's perspective of legal pluralism addresses these limitations. He is able to advance the conceptualization of legal pluralism to one that is more fluid and dynamic by drawing on his view of the construction of legal pluralism as "integrally linked to or interactive with changes in mode of production", as discussed by Mackenzie (1991:609) as well as by drawing on Moore's (1978) conceptualization of legal pluralism as 'semi-autonomous social fields'.

Moore defines a semi-autonomous social field as a social field that "can generate rules and customs and symbols internally" (Moore, 1978:55,56) and one which is "also

vulnerable to rules and decisions and other forces emanating from the larger world by which it is surrounded.... [I]t is...set in a larger social matrix which can, and does affect and invade it" (*ibid.*:55,56). Fitzpatrick locates the strength of Moore's analysis in her demonstration "that law -- whether state law or the law of the semi-autonomous social field -- is seen as constituted in significant part by the interaction of legal orders and their social fields" (Fitzpatrick, 1983:159). However, Fitzpatrick also locates the weakness of her analysis. He argues that Moore subordinates other normative orders to state law. In this respect Merry argues "Fitzpatrick makes the turn from seeing the semi-autonomous social field as constituted by state law to seeing state law shaped by its constituent normative orders and vice versa" (Merry, 1988:883).

Fitzpatrick extends Moore's analysis, advancing the conceptualization of legal pluralism as the dynamic interaction between legal orders and by focusing on issues of both continuity and innovation in change within the framework of articulation of modes of production theory. Fitzpatrick argues that legal orders need neither be solely part of pre-capitalist or capitalist modes of production nor transformed into something entirely new when they interact. He argues, "there is a constituent interaction of legal orders and of their framing social fields. One side of the interaction cannot be reduced to the other. Nor can both sides be reduced

to some third element such as the capitalist mode of production" (Fitzpatrick, 1983:159). He further states, "articulation is a dynamic process; some elements of it make for sameness, some make for difference" (ibid.:168). Although Fitzpatrick advances the interactive analysis, he nonetheless concludes the paper, "Law, Plurality and Underdevelopment," with the suggestion that the concept of legal plurality could be further advanced by drawing on Foucault's view of power (ibid.:176).

Foucault has had several significant insights in his analyses of the concept of power. Although it is beyond the scope of this thesis to engage in a thorough exploration of Foucault's theorizing on power, certain aspects of Foucault's thoughts which are relevant to Fitzpatrick's interactive approach to legal pluralism can be mentioned.

Foucault has challenged dominant conceptions of power. For example, Foucault questions whether power is a right which every individual holds, or a commodity which individuals can possess (Foucault, 1980:88) or an organ of repression (ibid.:90). In contrast, and of particular salience to Fitzpatrick's work on legal pluralism, Foucault's views of power are more relational and fluid. According to Foucault where there is power there is resistance (Foucault, 1978:95). As Martin (1988:9) adds, as power and authority are no longer vested in a central point, neither does resistance arise from a single point. Rather individuals are in a position of

simultaneously undergoing and exercising power (Foucault, 1980:98). Foucault argues "power must be analyzed as something which circulates or rather as something which only functions in the form of a chain. It is never localised here or there, never in anybody's hands, never appropriated as a commodity or piece of wealth" (Foucault, 1980:96). Foucault's conceptualization of power suggests that it is a resource available to all individuals with each individual having the possibility of simultaneously exercising and experiencing power. This is a fruitful concept, as Mackenzie argues, from which to analyze dynamic interactions between legal spheres⁴ as initiated and manipulated by individuals for material gain.

Mackenzie's view of legal spheres as 'arenas of struggle' not only responds to the challenge by Fitzpatrick to include Foucault's conception of power but integrates gender to the interactive perspective of legal pluralism.⁵ Implicit in the view of legal spheres as arenas of struggle is the view of legal spheres as sites of power and resistance. As Mackenzie argues, the legal spheres (in Mackenzie's case, customary and

⁴Mackenzie, following Merry, argues legal spheres present alternative modes of dispute resolution rooted in vastly different legal principles. Each mode of dispute resolution is characterized by a set of rules, by 'accepted procedures for handling disputes', by a recognized decision-making authority, and by a 'structure of accessibility specifying economic, sex-linked, ethnic and other requirements for access to the legal spheres (Mackenzie, 1991:610).

⁵Although Chanock does pose questions related to gender he does so within a more static as opposed to fluid perspective of customary law.

state law) are each understood as a 'malleable and manipulable' resource which individuals or groups may use to legitimize their claim in the resolution of a conflict (Mackenzie, 1991:609). Mackenzie further argues that legal spheres are subject to continual construction and reconstruction as individuals, located differently in relations of class and gender, draw on the different spheres in the context of changes in the mode of production. Out of the processes of gender and class struggle each legal sphere takes on new meanings (ibid.:609,610). Understood as sites of power and resistance, men and women are able to manipulate the different legal spheres for personal gain. Mackenzie states "customary law becomes a domain in which the alternative realities of the less powerful in society confront the representations of the more powerful" (ibid.:611).

It is Mackenzie's perspective which is adopted in this thesis. In chapter five, Mackenzie's perspective is applied to struggles over land between women and men as well as, albeit to a lesser extent, to struggles over land between social strata. In terms of gender conflicts, it is argued that neither customary nor Islamic law is static or neutral. Rather, each legal sphere is continuously constructed and reconstructed by individual manipulation of the legal spheres for personal gain in the context of socio-economic change.

More specifically it is argued that men, particularly although not exclusively as brothers, have held the

"culturally dominant power to name...to establish tradition and define the language which expresses control over land and particularly women's labour" (Mackenzie, 1991:615). It is demonstrated that ideologies that define rights in land are flexible and malleable, responsive to individual manipulation and changes in socioeconomic context and have largely served as mechanisms to keep women from exercising their rights in land. It is further argued that women have similarly used the language of customary and Islamic law as forms of resistance to male power and as a strategy to legitimize their rights in land.

In terms of struggles between social strata, it is argued that the imajeghen and the dependents draw on aspects of customary law to legitimize their claim to land also in the context of socio-economic changes. The imajeghen have sought to use their historically more powerful political and economic position to reclaim land from their dependents while at the same time they have drawn on and reinterpreted historic aspects of the dependent/noble relationship to legitimize their claim to dependents' land. The dependents have sought to resist imajeghen claims and maintain their rights to land by also drawing on and manipulating aspects of customary law.

By adopting the perspective outlined above it is possible to address the two feminist concerns outlined earlier. Legal spheres understood as interactive with modes of production and as changing sites of power and resistance allow conceptual

space for historic and specific experiences and perceptions of both women and men to be voiced and recorded. Legal pluralism also serves as an appropriate conceptual framework in which to analyze normative orders and the manipulation of these orders; it is through these orders that one can understand the ideological basis in which material rights to land are fought. Hence the conceptual framework for linking ideologies with the material conditions is evident. The following section will now turn to a discussion of the research methodologies used in the study.

METHODOLOGY

Both primary and secondary research sources as well as quantitative and qualitative methods were used. Primary research included: life history interviews, archival research, key interviews and a time allocation study; secondary research involved extensive library research. The research methods chosen were those which would best respond to the central research question and the two conceptual concerns exposed by feminist research as outlined above. However a third feminist concern must be added to the discussion. The third concern is particularly relevant to the implementation of the life history interview process which emerges from feminist challenges to traditional social science research principles of value-free, neutral and objective research (Mies, 1983:120).

This section discusses and challenges aspects of traditional social science interview methodologies and then goes on to analyze the life history method in terms of the two feminist concerns raised above. Following this discussion will be an analysis of the third concern in the context of a discussion of the implementation of the life history interviews. Finally this section on methodology will close with a description of the remaining research methods used.

The Myth of Objectivity

Feminist scholars have challenged the principles and approaches of positivist science. They "have revealed that notions of objectivity themselves are androcentric, and that the higher levels of abstraction assumed to present a 'true picture of reality' often represent neither truth nor reality for women" (Geiger, 1986:338). Although it is beyond the scope of this thesis to enter into a detailed discussion of feminist criticism and feminist alternatives regarding the issue of objectivity, several salient points which largely informed the interview approach taken in this research will be mentioned.

According to positivist methods, to achieve the objective results desired, it is necessary to ensure no researcher bias enters into the results, hence the interviewer-interviewee relationship necessarily must be "a disinterested, hierarchical, non-reciprocal relationship between research subject and research object" (Mies, 1983:120). Oakley aptly describes this interview relationship with an example drawn

from a traditional social science text. The text presents a hypothetical interview situation where the one conducting the interview receives questions from the subject. The text instructs the interviewer not to bias the research with responses that would indicate the interviewer's values or beliefs (Oakley, 1981:35). Rather the text suggests the interviewer respond by saying that they "are here to learn, not to pass any judgement...that his job at the moment is to get opinions, not to have them" (ibid.).

Feminist scholars such as Maria Mies (1983:122) have argued for "conscious partiality, which is achieved through partial identification with the research objects" (ibid.). A feminist approach recognizes subjectivity and seeks the full participation of those involved in the research process and encourages dialogue, interaction, mutual learning and a non-hierarchical relationship with those participating. Oakley argues that research concerned with learning about women's lives can be accomplished through personal engagement by all parties involved in the research process. Oakley argues "that the mythology of 'hygienic' research with its accompanying mystification of the researcher and the researched as objective instruments of data production be replaced by the recognition that personal involvement is more than dangerous bias - it is the condition under which people come to know each other and to admit others into their lives" (Oakley, 1981:58). She further states: "it becomes clear that in most

cases, the goal of finding out about people through interviewing is best achieved when the relationship of interviewer and interviewee is non-hierarchical and when the interviewer is prepared to invest his or her own personal identity in the relationship" (*ibid.*:41). Harding adds to Oakley's view by arguing that the subjective element, which is usually hidden from public evidence, in fact increases the objectivity of the research (Harding, 1987:9).

A second criticism of the positivist approach by feminist scholars is that interviewees are not acknowledged as possessors of knowledge. Rather they are considered data in a situation where "extracting information is more [to be] valued than yielding it" (Oakley, 1981:40). "Interviews are seen as having no personal meaning in terms of social interaction, so that their meaning tends to be confined to their statistical comparability with other interviews and the data obtained from them" (*ibid.*:30). In effect what people say or know only becomes important when it can fit in the mould of 'real science' -- that is when it can be quantified, measured, compared and made generalizable to society as a whole. In this view, the goal of the research is to extract information/data from individuals. The meaning is then determined in relation only to other individuals and not in relation to the context in which the information/data emerged. Feminist scholars have argued that this approach is particularly difficult when considering the lives of women. In order to understand the

subtleties and intricacies of gender inequality, it is necessary to know the dynamics of male power as expressed in structural, systemic and ideological sources. Thus it is necessary to explore women's lives within the context in which they live. It is then that it is possible to understand the meanings of women's lives and shift the focus from research on women to research for women (Mies, 1983:124). In order for the researcher to ensure the participants' benefit from the research it is necessary for the researcher to ask this question: "[Is] the research project for women rather than for men and the institutions men control?" (Harding, 1987:11)

The final point of feminist criticism of objectivity to be addressed here is the question of positionality. Acknowledging and integrating the subjective into the research process requires the same acknowledging and integration of particular characteristics of the interviewer and the interviewee in the entire research process. It is necessary for feminist researchers to recognize and analyze in what ways their gender, age, race, class and culture shape the research project. Howe suggests that feminist researchers ask several questions of themselves, such as "who am I, who is the other woman, how am I naming her and how does she name me?" in order "to understand their relations within the ruling apparatus and how they as researchers stand in relation to their subject" (Howe, 1990:20). It is necessary that feminist researchers engage in this kind of process as "the cultural beliefs and

behaviours of feminist researchers shape the results of their analyses no less than do those of sexist and androcentric researchers" (Harding, 1987:9). In light of the three feminist concerns discussed thus far the following section will now turn to an explanation of how the life history method incorporates these concerns.

The Life History Method

According to Mbilinyi (1989) the life history research method involves an interactive working process between the life historian (Mbilinyi's term for narrator) and the researcher. Rather than reproduce earlier approaches to life history interviews whereby the researcher recorded, edited and wrote "the life as though it were an autobiography", following Geiger (Geiger, 1986:336), Mbilinyi suggests that there be dialogue between the two participants. Thus as the researcher records the life historian's explanation of her own experiences, attitudes and perceptions within particular historic contexts (which she too constructs) they should each raise questions, concerns and discuss misperceptions with each other. Mbilinyi also suggests that this dialogue be sustained when they come together to transcribe, edit and organize the material (Mbilinyi, 1989:204-225). Life histories constructed according to such principles can be rich resources of the historic complexities of women's lives.

"[L]ife histories provide information about the particularities of women's experiences within specific

cultural settings, and they permit comparative cross-cultural studies of women's responses... in different settings" (Geiger, 1986:343).

As the specificities of women's lives are recorded out of their own lived historic experiences, it is clear that assumptions about women of the Third World which are constructed in relation to the lives of western women are misdirected, partial and distorted. Understandings of Third World women as the 'other' denies them their history and the power to define themselves in their own context. As Geiger further states, "the personal contextualization of women's lives found in life histories makes them invaluable for deepening cross-cultural comparisons, preventing facile generalizations and evaluating theories about women's experience or women's oppression" (Geiger, 1986: 338).

Recording women's lives as they describe them not only reveals the historic particularities of their lives and the problematics of western feminist definitions but demonstrates the androcentrism in understandings of societal norms (Geiger, 1986:337). Both Geiger and the Personal Narratives Group argue that much can be learned of societal norms by observing the specific contradictions confronting women and by analyzing either their decisions to adhere to certain values and customs or their forms of resistance to these contradictions (Geiger, 1986:341; Personal Narratives Group, 1989:7). In the case of the former, "assent to prevailing norms must be constructed or

negotiated" (ibid.). It is analysis of this process, the Personal Narratives Group argues, that societal norms can be better discerned. In the latter case the Personal Narratives Group defines life histories where women "do not think, feel or act as they are 'supposed to'" (ibid.) as counter-narratives. It is these counter-narratives that "expose the viewpoint embedded in dominant ideology as particularist rather than universal" (ibid.).

Such analyses point out that cultural norms as defined by "traditional social science research [have failed] to encompass women's experiences and perceptions. Women's life histories provide concrete substantiation for our claims that these cultural generalizations and models of social life are typically androcentric" (Geiger, 1986:337). Furthermore the Personal Narratives Group (1989:7) argues that as life histories record women's defiance and contradiction to the rules they can "often reveal the rules of male domination even as they record rebellion against them".

As life histories include history, context and ideology, it is possible to interpret linkages between ideological and material conditions. It is then also possible to begin to overcome the economism prevalent in explaining women's activities. The third feminist concern regarding the interview process will be addressed below in the context of the discussion regarding the implementation of the life history method.

Implementation of the Life History Interview Process

In light of the feminist critique of the interview process discussed above, I sought to move away from the traditional research approach of extracting information from participants to engaging in dialogue. In particular I sought to establish a non-hierarchical and interactive relationship which involved mutual learning. In order to accomplish these objectives, efforts were made to maintain a broad perspective as well as a flexible and responsive approach.

Although it was relatively easy to assume women's perceptions and experiences as 'true' or 'real' outside any efforts to quantify or statistically measure them, I encountered several difficulties in meeting the other objectives. This was difficult not only because of the lack of personal experience in conducting primary research and time and logistical constraints but also because of the lack of more creative thinking about how to change the nature of research relationships in a First/Third world context. Although a few comments will be raised on this latter point, a full exploration of changing research relationships constitutes a necessary research topic in itself -- and is therefore beyond the scope of this research. The constraints of time and logistics will constitute the bulk of this discussion on the implementation of the life history method. Implementation refers to the selection of the villages and the women involved in the life history interviews as well as

analysis of the interview process itself.

Selection of the village of Bonkuku was made after consultation with a small Canadian non-governmental organization, the Institute for the Study and Application of Integrated Development (ISAID), working in the region, the subprefect of the region, several chiefs from neighbouring villages and after conducting over thirty introductory interviews in Bonkuku. It was the latter process that confirmed Bonkuku as the village in which myself, the co-researcher and my husband⁶ not only would live for the next three months but where I would conduct life history interviews. This first week of introductory interviewing revealed the difficulties involved and the time it would take for me, as an outsider, to begin to understand 'who was who' and what was going on in the village at the present as well as in the past. As there is very little written on Imanan Canton and even less on its different villages, I had to do much background and baseline work.

Furthermore Bonkuku was selected because it had a large representation of women and men from the different Tuareg social strata and from different age groups and it was easily accessible by car. As well, the President of the local chapter

⁶The co-researcher was a young woman. Although she was not from the study region her first language was Tamacheq and her spoken and written French were very good. Proficiency in French was very important as the life history interviews were tape recorded. The co-researcher transcribed the tapes into written French. My husband then assisted with French to English translation.

of the *Association Feminine du Niger* (AFN)⁷ was also in Bonkuku and she was keen and readily available to assist me on all occasions as was evidenced by her assistance in facilitating the first week of interviews. In sum there was no good reason not to include Bonkuku particularly in light of the amount of initial groundwork that needed to be done to learn about the village and its people.

The second village, Koshilan, was chosen shortly after and largely because of its spatial proximity to Bonkuku and accessibility by car but also because of its contrasts with Bonkuku. In many ways Koshilan appeared to be a more 'traditional' Tuareg society. For example, Koshilan to a large extent reproduced pre-colonial tributary spatial arrangements. Most *imajeghen* lived in the village, in the centre, while people of the other social strata lived in small kin groups dispersed in the surrounding fields. The final reason for selecting Koshilan was because the dialect of the language (*Tamacheq*) spoken in this village was more similar to that spoken in Bonkuku and by the co-researcher.

In selecting the women with whom to conduct introductory interviews I relied on the AFN President to introduce me to women of different ages but mostly over the age of fifty as well as to women from different social strata and from the two villages. First meetings with the women involved primarily

⁷The AFN was created in 1975 as the national women's organization of Niger.

introductions. I introduced myself and explained why I was in Bonkuku and Koshilan and what I hoped to do. Then the co-researcher spoke about herself and what her responsibilities were. At these introductory meetings we (that is, the co-researcher and myself) asked some fairly broad questions and learned who would be interested in continuing their participation in the study.

It was not until after one month of meeting women that we finished the selection process of women for the life history interviews. Although life history interviews with a few women were conducted throughout this initial month, efforts to ensure inclusion of women from all the social strata meant extending the introductory interview period throughout this period of time. Even though there were several other women who could have contributed to the study, time constraints made it necessary to effect closure and work more closely with those already in agreement. In the end I worked most closely with ten women. Most were over the age of fifty. Five of them came from Bonkuku, the other five from Koshilan. In terms of representation from the different social strata three women were from the *imajeghen* social strata, one from the *isaha*, two from the *ighawelen* and four were *iklan*. Time constraints limited the inclusion of *inaden* and *ibogholiten* women. Other criteria that informed the selection process of those initially interviewed included marital status i.e. divorced, widowed, monogamous or polygynous marriage. All these

different criteria were important to ensure that the women included in my study came from diverse backgrounds with diverse experiences.

In terms of analysis of the interview process it can be best characterized as one that was increasingly structured. Initially, in an effort to encourage women to define their issues or concerns themselves, a very broad approach was taken. We asked that the women simply tell us about themselves. This initial approach was later replaced by asking the women to select an event in their lives important to themselves and to tell us about it. Added to this approach was a request that the women, where applicable, describe their lives according to periods in their life cycle such as before, during and after marriage. The final approach taken was the preparation of questions by myself, based on previous interviews, according to thematic headings such as Islamic law, inheritance and decision making. These were then grouped under the periodization mentioned above. This latter approach for the most part worked well. It was easier for the co-researcher to manage the interview and a sense of history was still conveyed. As not all women required the same degree of prompting, this latter approach was useful as it permitted enough flexibility so the life history method could be adapted to each woman more specifically. However by directing the interviews and encouraging the women to respond to questions, it is likely that much knowledge, perhaps perceived by the

women themselves as not important to the particular question, was not revealed in their efforts to respond to the questions asked.

It was increasingly necessary to direct the interview process primarily because dialogue and discussion were rarely encouraged by the co-researcher and hence rarely occurred. This can be explained in part because of past research experiences shared by the women of the villages and the co-researcher alike and because of the formal education of the co-researcher. Not only did many of the women expect to respond to questions but so too did the co-researcher expect to pose the questions. The co-researcher was most familiar with the survey method from observing and participating in studies conducted in her own community in the past and from her education. In future, to assist in introducing a new methodological approach, a more detailed research orientation with the co-researcher would be appropriate as would also be literature such as Interpreting Women's Lives (Personal Narratives Group, 1989) or Interviewing women: a Contradiction in terms, (Ann Oakley, 1981) translated in the co-researcher's language.

The lack of dialogue can also be explained by language constraints. As I did not understand (or have time to learn) *Tamacheq* and had less than an ideal proficiency in French, it was necessary to have an interpreter on all occasions where *Tamacheq* was spoken and on several occasions where French was

spoken. Having to work through an interpreter, and in some cases two, greatly lessened the amount of dialogue that would have otherwise occurred. It was as difficult for the women to get to know me as it was for me to get to know them. On some occasions, given time constraints, it was not always possible for me to receive a translation from *Tamacheq* during the interview. Rather I had to wait to learn what transpired during the discussion after the transcription of the cassettes from *Tamacheq* to French. In these situations I felt most removed from the entire interview process.

A further impediment in facilitating dialogue was the group atmosphere of most of the interviews. Not only were there often three interviewers - the three being the co-researcher, my husband (who assisted with the French), and myself - there were also the husbands, parents, children and other siblings of the women to consider. It was most difficult to talk with women alone for any extended period of time. Furthermore my husband's presence at various interviews surely altered the dynamic that could have been created during an interview if only women were involved. However, there were advantages on occasions as well. He could discuss with the men, learning their perspective, while I and the co-researcher talked with the women learning about their perceptions. Also group interviews did have positive aspects as often issues of lively debate within the community were revealed.

A more obvious constraint to establishing a relationship

was because the co-researcher, myself and the ten women involved were largely strangers to each other. The importance of time in establishing a relationship with someone cannot be overestimated. In part this lack of time available to spend with each other can be attributed to the work load of the co-researcher. The co-researcher and myself agreed that she would conduct the interviews as well as transcribe the tape recordings of the interviews. However working at this pace and intensity proved too taxing. As there was no other *Tamacheq*/French-speaking women available in either of the two villages or in Niamey, it was necessary to return more frequently to Niamey for the co-researcher to get adequate rest.

A future strategy I would adopt would be to work with fewer women thus allowing more time together and the opportunity to become more familiar with each other. Perhaps working with one woman and adopting more of Mbilinyi's practical suggestions would have contributed to "the creation of a truly participatory life history project" (Howe, 1990:24). As suggested above dialogue in the construction, transcription, editing and organization of the life history (Mbilinyi, 1989:223) would seem to be an appropriate strategy to ensure an atmosphere of mutual learning, benefit and cooperation.

Although I was unable to establish a mutually beneficial relationship or address hierarchy in the relationships to the

extent I had anticipated, efforts have been made since the initial planning process to determine strategies to ensure accountability to these women and men. For example a copy of the thesis will be forwarded to the *Institut de Recherche en Sciences Humaines* (IRSH) in Niamey, Niger. Efforts will be made to prepare a paper summarizing the research findings. This paper will be distributed to specific academics, consultants and non-government organizations working in the region such as Désjardins Society for International Development (SDID), ISAID and SNV (a Dutch development organization that works in the region). Efforts will also be made to contact Centre Sahel in Quebec to learn of publishing and distribution possibilities there. Recognizing that publishing papers based on the research findings still tips the benefit of the research in my favour, it is an effort to bring some benefit to those participants who openly spoke of themselves and their community.

Additional Research Methods

As mentioned above life history interviews were conducted in conjunction with other research methods. Crosschecking between the findings of these different methods is helpful in locating internal consistencies as well as the contradictions, which is ultimately helpful with the interpretation of what was learned. The following section explores the alternative methods chosen and their respective relevance to the research question at hand.

Archival Research

In conjunction with history learned from the life history interviews, archival research conducted in both Niamey and Filingue provided additional integral historic information from the colonial era. Although these documents clearly revealed the sexist and racist attitudes of the French colonial authorities, relevant information concerning such issues as gender relations, resource use and control, colonial policy and environmental conditions could nevertheless be gleaned from the sources. Even though women were rarely mentioned in the colonial documents, much could be learned through careful and sensitive interpretative reading. These insights could then be confirmed through questioning the women in the villages as the women's points could be clarified by referring to the colonial documents. Thus the research "in effect,...came to demand a certain resourcefulness and flexibility,taking cues and leads from the written to the oral sources and vice versa" (Stubbs, 1984: 35).

Key Interviews

Key interviews were also conducted with several different individuals in both villages as well as in Filingue and Niamey. Interviews with government officials were largely to learn of government or 'official' policy concerning land, livestock and environmental directives. Efforts were made to gather statistical information concerning changes in millet yields, changes in total numbers of livestock and changes in

annual and yearly prices for millet, cowpeas and the various livestock. To learn of the kinds of disputes between men and women and the dispute settlement process practiced in the villages, interviews were conducted with those responsible for settling disputes; the Imams (Islamic religious leaders) and the *Chef du Canton*.

Time Allocation Study

The final primary research method implemented was a time allocation study. The intent of the study was to learn of the amount of time women spent in productive and reproductive tasks and how the time proportion varied with the week, month or season. This information is particularly relevant in learning of the constraints women face and the options available to them. Such knowledge can heighten understanding and sensitivity of the context in which women make choices. The study is also helpful in learning how women's work changed over time through comparisons with the life history interviews. The time allocation study also provided a reference point from which to pose further questions of the history of women's work.

Prior to leaving Canada a 'guide' time allocation study was developed largely from examples given in Dixon-Mueller's (1985) Women's Work in Third World Agriculture. However this 'guide' study was modified considerably when in the villages in response to observations made and preliminary interviews conducted with several women. Given the limited time of the

first co-researcher, a second co-researcher⁸ was hired to assist in modifying and implementing the study. As with the life history interviews efforts were made to ensure representation according to such criteria as village, social strata, age, and marital status. Although a survey of a total of forty women, twenty from each village was originally proposed, thirty studies were completed. It was possible to complete only thirty studies due to delays in implementing the time allocation study.

The study was not implemented at the beginning of the research period in the villages as I thought it would be appropriate for people to become familiar with our research team before conducting the time allocation study. The study was written in French and administered by the second co-researcher. He posed the questions in *Tamacheq* and translated the responses given by the women into written French. Also when we began to implement the study there were delays because of the number of changes that needed to be made to the 'guide' copy. Finally, the co-researcher experienced difficulties in conducting the studies and thus most of the completed surveys had to be forwarded to myself in Canada at a later date.

Secondary Research Methods

In addition to the primary research methods used were several secondary research strategies, most of which were

⁸The second co-researcher was a male because there were no other female *Tamacheq*/French speakers available.

implemented prior to departure for Niger. These secondary strategies included library research as well as Francophone and Anglophone literature reviews of pertinent research themes such as customary, state and Islamic legal systems, pastoralism, Tuareg society and women in the Sahel/Niger. Wide reading in these areas while focusing on history and various aspects of change not only informed field questions and the formulation of an extensive research instrument but also later provided contextual information in which to situate the field research.

CONCLUSION

This chapter has sought to outline the conceptual and methodological frameworks developed for this thesis. In light of the selected aspects of feminist scholarship discussed in this chapter, it has been demonstrated that both of these frameworks are informed by these feminist challenges. Further discussion and application of the conceptual framework will be taken up in the context of the discussion in chapter five. The following chapter introduces selected aspects of Tuareg societies in general and those Tuareg societies that are specific to Imanan Canton.

CHAPTER THREE

TUAREG SOCIETY IN 19TH CENTURY IMANAN CANTON

INTRODUCTION

The intent of this chapter is to further an understanding of the socio-economic and political structures of the Tuareg of Imanan Canton during the pre-colonial (1800-1900) and early colonial (1900-1920) periods¹. In an effort to define clearly customary laws concerning access to and control of resources, this chapter seeks to address the question of how access to and control of resources, particularly land and labour, were defined by gender and social strata and how the *imajeghen* were able to assert their hegemony in the region throughout the 19th and early 20th centuries. Indeed, *imajeghen* control over resources was a defining characteristic of this time period. Moreover, this chapter seeks to point out conceptual difficulties and limitations as found in the literature on Tuareg societies.

It is necessary to illustrate pre-colonial and early colonial customary laws concerning land and labour in terms of norms of access, control and allocations of power within the social and political structures as these norms provide a resource on which women, men and the different social strata can draw in order to secure their right to land. This chapter

¹The wider region of Imanan Canton will often be used in the context of this chapter as archival documents are rarely specific to Bonkuku and Koshilan.

then provides vital information regarding customary law to understand and analyze struggles over land by gender and social strata in the context of legal pluralism, which is the subject of chapter five.

The time frame for this chapter on the pre-colonial period extends into the early colonial period and draws on information collected from interviews (1991). This is because there are few data dealing with the pre-colonial period and the various aspects of Tuareg life specific to Bonkuku, Koshilan and the wider region of Imanan Canton during that time. Accordingly, and in order to reconstruct this history, literature dealing with Tuareg culture in general will also be drawn upon where possible and appropriate.

In order to address these objectives, the chapter is divided into four sections. The first section provides an historical overview of the origins of the diverse Tuareg migrations to Imanan. The combination of the work of several scholars allows for some of the information limitations to be overcome. Upon completion of his own work, Guillaume notes that, "...other than extensive reference to the wars of the 19th century the narratives gathered in Imanan grant limited place to the origin of different Tuareg groups² and to phenomenon that had provoked their displacements into the

²Guillaume refers to the different Tuareg migrations to Imanan as groups. However it is not clear what Guillaume means by a group. He does not inform the reader if the 'groups' who arrived were part of a confederation or if there were members of a particular *tawshit*.

itineraries that were followed" (Guillaume, 1974:22).

Guillaume suggested in 1974 that future studies pay greater attention to analyzing the origins of the different Tuareg migrations to Imanan Canton (Guillaume, 1974:118). Therefore this section, drawing on the work of Fuglestad (1983) and Brock (1984), begins to address this challenge and reconstruct aspects of the histories of two of the distinct migratory groups, the *Kel Nan* and the *Lissawan*. It is important to explain the diverse origins of the different Tuareg groups in Imanan as this contributes to an awareness of the difficulties in learning how resources were held. Diverse Tuareg groups brought diverse customs to Imanan; for example, in the selection of chiefs. This section will go on to discuss how marriage alliances between *imajeghen* and other ethnic groups in the region as well as between different *imajeghen* of different Tuareg migrant groups contributed to the increasing *imajeghen* hegemony in the region. As *imajeghen* increasingly established hegemony in the region, they too increasingly established power over productive resources. Thus customary rights to land and labour in terms of control became the preserve of the *imajeghen*.

The second section of this chapter explores aspects of conceptual problems in the literature concerning definitions and classifications of the Tuareg socio-economic structures. It describes the socio-economic structure of Tuareg societies in Imanan Canton. Attention is given to gender and social

strata definitions of access to and control of resources and to the mechanisms by which male *imajaghen* maintained control over productive resources. It is important to illustrate the control of *imajeghen* men and in some cases women over resources in the pre-colonial and early colonial periods as subsequent chapters explain the changes in these relationships to resources.

The third section explores characteristics of the political organization of Tuareg societies. This section also illustrates some limitations in the literature concerning Tuareg political organizations as well as demonstrates how the political organization facilitated continued male *imajeghen* control of productive resources. The fourth section concludes the discussion and introduces the following chapter.

Even though information concerning pre-colonial Tuareg societies in Imanan Canton is incomplete, a discussion of the people, their histories and their social/political structures and institutions is nonetheless important. This chapter explains aspects of pre-colonial customary laws which defined access to and control of resources. This chapter also explains the different allocations of power over resources as embodied in the socio-economic and political structures. It is demonstrated that *imajeghen* men largely maintained control over productive resources. Chapter four draws on this discussion of custom and power in an effort to explore their changes in the colonial context. It becomes clear in chapter

five, in the context of the discussion of new customary laws and Islamic law, that elements of pre-colonial customary laws discussed here become a resource on which individuals draw to secure their rights to land.

TUAREG MIGRATIONS TO IMANAN CANTON - A BRIEF HISTORY

In pre-colonial Tuareg society, scholars identify eight Tuareg groups which corresponded largely to political units known as confederations (Map 4).³ The northern confederations included the *Kel Ahaggar*, of the Ahaggar Mountains in southern Algeria and the *Kel Ajjer*, based in the mountains named Tasile-n-Ajjer near the Algerian-Libyan border. The southern Tuareg included the *Kel Adrar*, from the Adrar-n-Foras mountains of south-west Ahaggar; the *Kel Ayr*, based in the Ayr mountains of northern Niger and in Tegama, the region immediately to the South⁴; the *Kel Gress*, based in Madaoua in southern central Niger, the *Iwellemmeden Kel Dennig* (*Dennig* meaning the eastern group) centred around Tahoua in western Niger; the *Iwellemmeden Kel Attaram* (*Attaram* meaning the

³Oxby argues there are seven Tuareg confederations. However agreement is taken with Nicolaisens' eight as he more appropriately separates the *Iwellemmeden Kel Dennig* and the *Iwellemmeden Kel Attaram* (Oxby, 1978:16 and Nicolaisen, 1963:7). Further details of Tuareg political confederations is discussed below.

⁴The Tuareg of Ayr included several semi-independent units of which the more important were the *Kel Ewey*, the *Kel Tamat*, the *Kel Fadey* and the *Kel Ferwan* (Nicolaisen, 1963:7).

Western group) centred around Menaka in south-eastern Mali⁵ and the Kel *Tademaket* of the river Niger bend region in Niger, Mali and Burkina Faso⁶ (Nicolaisen, 1963:7).

In Imanan, migrants from some of these different confederations settled in the *canton* throughout the 19th Century. Although it is not clear who constituted the migrant 'groups' -- for example, if they were a *tawshit* from a confederation or which social strata were included -- it is clear that the following principal⁷ Tuareg 'groups' migrated to Imanan throughout the 19th century (listed in order of settlement in Imanan): the *Kel Nan*, the *Lissawan*, the *Kel Jami*, the *Kel es Suk*, the *Kel Koshilan*, the *Kel Shiwil* and the *Kel Tebonnent*.

As the *Kel Nan* and *Lissawan* are more important historically to Imanan Canton, a more thorough discussion of these two groups is given below. However, a brief overview of the origins of the other groups needs to be mentioned as well. Such an overview helps to situate the migration of the *Kel Nan*

⁵Further details are given below to explain the split in the *Iwellemmeden* confederation.

⁶The *Kel Tademaket* comprise several tribes and several groups of tribes. From about A.D. 1800 the *Tademaket* were subjected to the *Iwellemmeden Kel Attaram* (Nicolaisen, 1963: 7). It is not clear if tribe in this case is referring to *tawshit*. According to Bernus and Map 4, the western Tuareg are grouped as the '*Touaregs de la Boucle et du Gourma Oudalan*'.

⁷Guillaume uses the expression principal Tuareg groups. Implicit in the word principal is the possibility that other groups, perhaps secondary groups, may have also arrived to Imanan. However Guillaume does not suggest who these other groups may have been or when they may have migrated to Imanan.

and the *Lissawan* into Imanan spatially and temporally and to understand the depth of the complexities of 19th century migration into the area.

The *Kel Tebonnent* arrived in what is now Imanan in approximately 1830. They were from the *Kel Attaram*, the western group of the *Iwellemmeden* (Guillaume, 1974:26). The *Kel es Suk* have one of either three origins: they were either a group who originated from the *Kel Dennig*, the eastern group of the *Iwellemmeden*; or they represent a group who had settled in Sokoto (in what is now northern Nigeria and in the 19th century the capital of the Fulani caliphate) and then moved to Imanan; or, finally, they are part of a group who came from Sokoto and were actually Fulani and not Tuareg (Guillaume, 1974:30). The *Kel Jami*, the *Kel Shiwil* and the *Kel Koshilan* were 'groups' of Tuareg that arrived to Imanan and took the name of the place where they settled. The *Kel Jami* are understood either to have originated from the "tribe"⁸ of *Kel Han* of the *Kel Attaram* or they were a part of the *Kel es Suk*" (Guillaume, 1974:27) while the *Kel Shiwil* originated from east of Ayr (Guillaume, 1974:29). The *Kel Jami* arrived at the time when Kawa was Sultan⁹ (Guillaume, 1974:27) while the *Kel*

⁸Guillaume is not clear in his useage of the word tribe. As Guillaume usually uses the word fraction when referring to a *tawshit* it is likely tribe in this context has different meaning.

⁹Dates for when Kawa was Sultan are not available. However, according to Guillaume's chronology, Kawa was Sultan of Imanan sometime before 1879 (Guillaume, 1974:123).

Shiwil settled in Imanan just before the arrival of the French in 1898 (*ibid.*:29). The *Kel Koshilan* emerged as a separate group as a result of a dispute amongst the *Kel Nan*. At the death of Alhussani, eldest son of Akli, (Akli was the first *Kel Nan imajeghen* male to arrive in Imanan), there broke out a dispute between brothers regarding inheritance of Alhussani's material goods. One of the brothers left and settled with several families in a region that is now known as the village of Koshilan. There the *Kel Koshilan* adopted a certain degree of autonomy from the other Tuareg groups. As Guillaume notes, "this Tuareg fraction felt that it had a certain degree of independent political power...they were only a bit concerned by the decisions of the Sultan" (Guillaume, 1974:23).

According to recorded oral histories, Guillaume (1974:12) argues that the *Kel Nan*, the most powerful fraction of the east *Iwellemmeden Kel Dennig* confederation and their dependents¹⁰ were the first to arrive in Imanan Canton in approximately 1810. Arriving shortly after the *Kel Nan*, according to these same oral traditions, were the *Lissawan* who migrated to Imanan on two different occasions but for similar reasons as those of the *Kel Nan*. They arrived to Imanan where *Zerma* and *Hausa* were living and cultivating. As one *imajeghen* man recalled, "...all the villages belonged to the *Zerma* and

¹⁰Although Guillaume does not specify which dependents arrived with the *imajeghen*, based on information collected throughout his book it is likely the dependents included *iklan*, *inadan* and *ighawelen*. The origins of the *isaha* require further research.

when our grandparents came they had taken all the villages by force and they became their lands and villages" (ICOH, 1991:H, 26).

The Kel Nan and Lissawan Migrations

Guillaume (1974:12-22;23-25), Fuglestad (1983:29-38) and Brock (1984:106-139) argue that the migration of the Kel Nan and later the Lissawan can be traced to a defeat these Tuareg groups suffered respectively in Azawagh and in the northern Adar as a result of a conflict between the *imajeghen* and *ineslemen* of the Kel Dennig confederation.¹¹ The conflict was sparked by a Muslim religious leader, named Gelani, and inspired by the Fulani Jihad that had begun in northern Nigeria in 1804. Guillaume (1974:12) quotes an account of these events as found in Urvoy:

After the concessions of Attaferich to the marabout tribes, the only difference with the *imajeghen* was suppressed and it was natural that they would have more and more difficulty in maintaining what remained of the ancient vassal relationship. One of them knew how to rally them and reversed the supremacy of the nobles. He was from the tribe Attaouaria and was called Gelani. He had the ability to colour these conflicts between different castes with religious goals/objectives. He presented himself as a reformer of local Islam. He said Islam needed to return to its pure and primitive form... When the different sides had taken shape, it was only a matter of one incident that would get the fighting started. In 1809 (approximately) in the market at Birni d'Adar (capital of Adar) Gelani was quarreling with a noble Karosa, the brother of the future Sultan, whose name was Boudal. They both wanted the same shield. In public Gelani slapped Karosa and climbed on his horse

¹¹Personal communication with one *imajeghen* man in Koshilan also confirmed the conflict in Azawagh as a reason for the migration to Imanan (ICOH, 1992:H, 14).

and called his side to arms. The *imajeghen* fled to save themselves and Gelani was named the Sultan of the *Oullimeden* [*Iwellemmeden*]. The combat at first was indecisive but at the end...they lost and went to Menaka and asked for hospitality from their cousins in the west, their former enemies.

A similar story regarding the provocation and subsequent first migration of the *Lissawan* can also be recounted in relation to struggles in northern Adar. After conquering the *Iwellemmeden Kel Dennig*, Gelani continued to declare holy war against the 'pagan' Hausa populations of Adar in an effort to build his strength and influence amongst these people and thus to stave off any competitors. The *Asna*, who were a group of *Lissawan* dependents, were part of this Hausa population. This extension of Gelani's domination provoked the migration of some of the *Lissawan* to the south-west. Some took refuge in Sokoto and others in the Dallol Bosso (Guillaume, 1974:23).

The second migration of the *Lissawan* was again an escape from Adar as a result of conflicts between 1860 and 1865. To paraphrase the oral history given by Guillaume, a new leader, Boudal Inchilkim rose in 1854 and secured the domination of the *Kel Gress*. Boudal attempted to seek domination of the *Iwellemmeden* but the *Iwellemmeden* rebuffed him. The relative peace that the *Lissawan* enjoyed in the early 1860s gave way to constant wars and raids. Thus in the Adar there were two warring groups, the *Kel Gress* and the *Iwellemmeden*. It was these conflicts that provoked the second migration of the *Lissawan* (Guillaume, 1974:24).

Both Brock (1984:106-139) and Fuglestad (1983:31) agree

that conflicts in Adar and Azawagh for control of these regions arose because of the conflict between the *imajeghen* and *ineslemen* of the *Iwellemmeden Kel Dennig* in 1809. They also agree that the *ineslemen*, inspired by the Fulani Jihad, were the catalysts of the conflict. Furthermore Brock (1984) and Fuglestad (1983) argue that this internal struggle within the *Kel Dennig* promoted conflict and shifting alliances between the different confederations in the region. These factors contributed to the Tuareg migrations to Imanan. However it is Brock's historic account of events in the region of Adar and Azawagh within the *Kel Dennig* confederation in the early 1800s that adds detail to and support for Guillaume's two accounts for the immigration of the *Kel Nan* and the two migrations of the *Lissawan*.

Brock's history (1984:106-139) of the developments and struggles within the *Iwellemmeden Kel Dennig* offers evidence to the historic tensions between the *imajeghen* and *ineslemen* groups of the *Iwellemmeden Kel Dennig*. The *Iwellemmeden Kel Dennig* formed after a break with their cousin group, the *Iwellemmeden Kel Attaram*. At one time there was one *Iwellemmeden* confederation "located to the north and east of the Niger bend in what is now Mali" (Brock, 1984:109). The split was because of "a quarrel between Karidanna ag Mukhammad, *Amenokal* of the *Iwellemmeden* at the turn of the the 18th Century (1690-1715), and his nephew Attafrij. This quarrel precipitated the departure of Attafrij, who left his

uncle's confederation, taking with him a coalition of warrior elite (*imajeghen*), warrior client (*imghad*)¹², and Islamic client¹³ (*ineslemen*) groups, (who moved) to the east to the Nigerien Azawagh, where they became a new confederation" (Brock, 1984:109). Thus the *Kel Dennig* confederation had its origin in the Azawagh region, north of Adar, in Niger during the course of the 18th Century as a number of Tuareg groups coalesced to form a new and independent confederation (Brock, 1984:106).

The *Kel Dennig* confederation in its initial formation comprised two elite groups: the *Iwellemmeden* *Kel Dennig* *imajeghen* and *Iberkorayan ineslemen*. This *Iberkorayan* elite, or Islamic elite, included the *Kel Ehglal* and *Essherifan*, and the *Ayttawari*¹⁴ (Brock, 1984:116; Oxyby, 1978:99). These groups had come to Azawagh just before the *Iwellemmeden* and were weakened from their struggles for power against the

¹²The *imghad* are another social strata found within only some Tuareg societies such as the *Kel Ahaggar* and the *Kel Ayr*. "The *imghad* are former nobles who, through the harsh politics or the unpredictable climate of the desert, have lost either their pastoral status or their independence" (Brusberg, 1988:46).

¹³Brock refers to the *ineslemen* as a client group whereas as indicated in the subsequent chapter, she then refers to the *ineslemen* as an elite group. This apparant contradiction can be explained as *ineslemen* are both dependents of the *imajeghen*, but dependents who, within some confederations such as the *Kel Dennig*, hold considerable power and influence compared to other dependents. Brock prefers the term client to refer to all dependent groups.

¹⁴Brock (1984) uses *Ayttawari* which probably means the same thing as *Attaouaria* used by Guillaume (1974) given the similar pronounciation.

Sultan of Agadaz. They formed an *Iberkorayan* confederation in Azawagh before their alliance with the *Iwellemedan* (Brock, 1984:119). Both groups in a weakened state welcomed the alliance of the other. "The *Kel Dennig*...are made up of groupings without a common origin, (and) there are only two among them who hold the power; these are the *Iwellemmeden* and the *Iberkorayan*" (Brock, 1984:117). An *Iwellemmeden* of the *Kel Nan* became *Amenokal*, holding the power of war and raiding and an *Iberkorayan*, became Imam, holding the judicial power (Brock, 1984:117). As Bernus explains, "this double power, military and political on the one hand, religious and juridical on the other, often gave rise to confrontation, especially since most religious tribes carried weapons and partook in wars" (Bernus, 1990:153). Thus, since its formation, the *Kel Dennig* has struggled with internal conflicts between the *imajeghen* and the *ineslemen* for power and leadership of the confederation (Brock, 1984:117). Brock argues that the strongest evidence of this struggle comes from the early 19th century at the time of the Fulani *jihad* led by Shehu Usman dan Fodio.

Consistant with Guillaume's account, Brock argues that between 1807-1816, the leadership of the *Kel Dennig* was wrested from the *Iwellemmeden* warrior elite (the *imajeghen*) by an *Ayttawri* reformer named Eljilani.¹⁵ Brock explains that

¹⁵The words Eljilani (Brock, 1984), Gelani (Guillaume, 1974) and Fuglestad's Muhammada al-Jaylani (Fuglestad, 1983: 31) all have the same pronounciation, therefore are most

Eljilani emerged at the time of Shehu Usman dan Fodio's movement and moved from northern Hausaland into Niger. Eljilani, "like Shehu, claimed the right to rule on grounds of Islamic justice and reform" (Brock, 1984:125). Eljilani with the support of the *Iberkorayan* conquered Adar and turned against his *Iwellemmedan* allies. The *Iwellemmeden* were defeated in battle and pursued by Eljilani as they fled in the direction of their former territories in Mali (Brock, 1984:117,127). Eljilani challenged the supremacy of the *Iwellemmedan* warrior elite in the confederation because "the *Kel Denneg*, like others in the Sudan during that period, were caught up in effects of the wave of state-building whose inspiration and direction came from a scholarly elite of Islamic reformers" (Brock, 1984:121).

Eljilani's rule in Adar and Azawagh was short-lived. He was repeatedly attacked by various alliances formed between different Tuareg confederations, such as those between the *Kel Gress* and the *Lissawan* (Brock, 1984:127). As Eljilani was losing control of Azawagh and Adar, the *Kel Dennig* gradually returned to Azawagh. After 1840, under the authority of the *Amenokalate* of Musa ag Budal (1840-1872) the balance of forces in the Adar-Azawagh region began to tilt once again in favor of the *Kel Dennig*. They enjoyed a period of success in raiding and warfare winning back the respect the *Kel Dennig* had enjoyed since before the epoch of Eljilani (Brock, 1984:137).

likely the same person despite the different spellings.

By the 1860s the *Kel Dennig* had once again become a major power in the region, extending their influence into the northern Adar collecting tribute and gradually establishing their hegemony (Brock, 1984:137). As the *Kel Dennig* moved into northern Adar, it is probable they caused the displacement of the *Lissawan* who lived there. This supports the account given by Guillaume for the second *Lissawan* migration to Imanan.

Although Guillaume concludes that Imanan was largely a place of refuge for Tuareg conflicts originating elsewhere, he also argues that other factors contributed to Tuareg settlement in the region (Guillaume, 1974:37). He suggests that the migrating Tuareg groups were attracted by the small size of the local population and, hence, available farmland, the presence of numerous ponds during the rainy season, a water level that was close to the surface (hence the need for only shallow wells -- the water level in Bonkuku is about 3.4 - 4 m in depth while in Koshilan, it is 5 m.), and abundant vegetation. The relative lack of pressure on the land is further indicated by late 19th century oral traditions which refer to giraffes and elephants drinking at the nearby pond (2-3 kms from Bonkuku) of Bebetinde (Guillaume, 1974:38). Several persons interviewed for this study (1991) recalled that their ancestors spoke of the many trees, plenty of water and abundant pasture lands that were once available in Imanan and that these were significant factors that encouraged their settlement in the region (ICOH, 1991:A, 7, 10; ICOH, 1991:I,

9). Guillaume adds one further explanation for the settlement of the *Kel Nan*. He argues that the *Kel Nan* settled in Imanan "because several of the families did not join up with the *Iwellemeden Kel Attaram* of Menaka after fleeing from the conflicts" (Guillaume, 1974:13).

When the *Kel Nan* and the *Lissawan* first arrived in Imanan, relations with the sedentary populations, the Hausa groups, the *Sudie-Kourfeye* and the *Goube* as well as with the *Zerma* were peaceful. However this peaceful situation gradually gave way to conflict as the *imajeghen* increasingly established hegemony in the region. "By the 1850s at the latest, virtually the whole of the west had been subdued by, or was paying tribute to, the Tuareg [*imajeghen*]..." (Fugelstad, 1983:38). In part, the hegemony of the *imajeghen* can be explained by the *imajeghen* strategy of forging alliances through marriage.

Imajeghen Marriage Alliances

Both Brock (1984) and Fugelstad (1983) comment on the strategy of the *imajeghen* from different confederations to form and break alliances as circumstances dictated (Brock, 1984:107 and Fuglestad, 1983:38). Guillaume makes a similar argument in his analysis of the first marriage arrangement between *Akli* and a woman from one of the sedentary groups. Although some oral traditions argue that the first marriage was between *Akli* and a *Zerma* woman, Guillaume suggests the marriage was for strategic reasons and therefore was with a *Goube* woman.

Guillaume explains that the Goube were the original inhabitants of Imanan and that their political power was usurped by the Sudie. At the time of Akli's arrival, the Sudie were still the politically dominant group. Thus Akli, in an effort to rekindle hostilities between the Goube and the Sudie, married a Goube woman. The marriage alliance between the *imajeghen* and the Goube gradually did open up old hostilities and brought the downfall of the Sudie (Guillaume, 1974:22). Further examples of this strategy of alliance building can be observed in the various conflicts throughout the 19th century. For example, the wars between the two Zerma groups were supported by different allies. The Zerma of Dosso were supported by their allies while the Zerma of the west were upheld by diverse *imajeghen* and Peul groups of Imanan and Teghazert (Guillaume, 1974:53). In another situation, the *imajeghen* protected the Songhay against the Fulani (Fuglestad, 1983:36). However it was clear that this 'protection' had benefits for the *imajeghen* as Fuglestad states, "...the Songhay realized too late that the Tuareg [*imajeghen*] were dangerous allies aiming for a predominant position" (Fuglestad, 1983:36).

The marriage strategy can further be analyzed as a contributing factor to the increase in *imajeghen* hegemony as it was a means for the *imajeghen* from the different groups such as the *Kel Nan*, the *Kel Jami* and the *Kel Tebonnent* to form alliances between each other as each group settled in

Imanan. Although details regarding the degree of coordination or solidarity between the different *imajeghen* groups who settled in Imanan is not documented, it is known nevertheless that as new *imajeghen* groups migrated to Imanan, marriage alliances between the *Kel Nan* and the other groups often occurred (Guillaume, 1974:15). For example the daughter of the Sultan of the *Kel Nan* married one of the first *Kel Tebonnent* *imajeghen* in Imanan (Guillaume, 1974:26). Also, as Guillaume explains, the *Kel Nan*, who held the chieftaincy at the time, contracted a matrimonial alliance with a leader of a newly-arrived Tuareg group; the *Kel Nan* accordingly gave in marriage the grand daughter of Akli who was also a sister of the reigning Sultan (Guillaume, 1974:27). Guillaume does not indicate whether marriage occurred between the *Kel Nan* and the remaining groups. Nor does he discuss marriages between the other groups outside of relations with the *Kel Nan*. Perhaps these marriage alliances facilitated a degree of unification amongst the *imajeghen*. Greater numbers and strength could have been factors contributing to the increased conflicts with the settled population and the emergence of *imajeghen* hegemony.

Imajeghen hegemony, by the mid 19th century, can also be explained because of the reconstruction of the characteristics of Tuareg socio-economic structures in Imanan Canton. It is argued in the following section that the hierarchical nature of Tuareg socio-economic structures, which ensured power and control over all resources, was centralized within the

imajeghen social stratum, was reproduced in Imanan. It is further argued that this socioeconomic structure in turn contributed to the reproduction of *imajeghen* hegemony in the region (Baier and Lovejoy, 1977:391). However prior to explaining the power over resources of the *imajeghen*, the next section will begin with a discussion of the conceptual difficulties found within the literature concerning Tuareg socio-economic structure and the limitations this posed for the research.

TUAREG SOCIO-ECONOMIC STRUCTURE

As mentioned in chapter one, pre-colonial Tuareg societies were characterized by a hierarchical social structure. At one end of the hierarchy were the *imajeghen* or nobles while at the other end were the various dependents. Most Tuareg scholars to some extent draw attention to and describe aspects of the differences between the different social strata. For example Horowitz refers to dependents as grouped "in varying degrees of servility and dependence" (Horowitz, 1983b:19). Also, Bernus explains that not all Tuareg societies had the same configuration of dependent groups. He explains that the *ineslemen* constituted a very large majority among the *Kel Dennig*, a strong proportion among the *Kel Attaram* and a minority among the *Kel Gress*. However, among the *Kel Fadey*, *Kel Ferwan* and *Kel Ahaggar*, the *ineslemen* were absent (Bernus, 1981:83). Others, however, seek

explanations for the differences between each of the dependent social strata according to ambiguous criteria: for some, difference is defined in terms of skin colour, whereby the nobles at the top of the hierarchy are considered white and the *iklan* black (Oxby, 1978: 38 and Clarke, 1978:42); for others it is in terms of length of service to the *imajeghen*, whereby those longer in service had more status than newly captured slaves (Oxby, 1978:168; Baier, 1980:14); and, for still others, it is according to ethnic or religious criteria (Brusberg, 1988:45).

In light of these efforts by Tuareg scholars to describe the differences between social strata and in view of the different social strata in both Bonkuku and Koshilan, it became the concern of this research to learn of differences between social strata in terms of how each social stratum and how women and men in the two villages had access to and control of resources, particularly land and labour, in the pre-colonial period. However, these objectives were constrained both in terms of the time limits of the field work conducted and in terms of available literature on the topic.

Tuareg Social Strata and Conceptual Constraints

The first field research constraint was time. Unfortunately it was not possible to work with individuals from all the different dependent groups in the two villages. The dependent groups with which most of the research was conducted were the *iklan*, the *ighawelen* and, to a lesser

extent, the *isaha*. A second constraint to learning how resources were held and how this had changed over time related to memory difficulties of participants with respect to the pre-colonial period. It was difficult for participants to remember clearly aspects of the life history of either of their parents or other kin.

A third constraint involved the limited amount of literature available on the different dependent groups. The literature concerning Tuareg societies offered little clarification or conceptual tools with which to work and better understand resource relations between all the different strata and between genders. It can be argued that biases in the research mentioned in chapter one are largely responsible for this inadequacy. The bias in the research towards detailed discussion of the *imajeghen* as a subject of study has led to the neglect of similar analyses of the different dependent groups. The dependent groups are treated briefly and largely reduced to include a discussion of only two of the dependent groups, the *iklan* and the *ighawelen*. In terms of gender analysis, discussion remains biased towards *imajeghen* men thus rendering women, whether *imajeghen* or dependent, largely invisible. Thus prior to explaining what was learned regarding the dependent/noble relationship in Bonkuku and Koshilan the following section will explore these biases in the context of the two most common and agreed upon classification systems of differences between the dependent groups. Particular attention

will be paid to the distinction in the literature between the *iklan* and the *ighawelen*.

The first classification system refers to the distinction between slaves who are 'freed' and those who are 'unfree'. Authors writing about the Tuareg people do not use the same language. For example, Oxby uses 'long freed slaves' and 'recent freed slaves' (Oxby, 1978:34); Nicolaisen uses 'long freed slaves' and 'slaves' (Nicolaisen, 1963:10); and Fuglestad uses 'freed slave' and 'domestic slave' (Fuglestad, 1983:28). The distinction is nevertheless between the '*ighalewen*' and the '*iklan*'. *Ighawelen* are generally understood as former *iklan*, freed a long time in the past, while the *iklan* are understood as those who worked on a daily basis for the *imajeghen* with little degree of autonomy. Overlapping with this classification system is the 'slave' - 'tributary' classification. Although the tributary classification system provides a more detailed analysis of the nature of the socio-economic ties between the dependents and the *imajeghen*, and more clearly demonstrates how the *imajeghen* maintained economic control over resources such as land and labour, the distinction again includes only the *iklan* and *ighawelen* and excludes a gender analysis.

Slave relations referred mostly to the *iklan* who lived and worked in or nearby the camps of the *imajeghen* and moved with them on routes of transhumance. "In return for their labour they were fed, clothed and 'protected' by their owner"

(Oxby, 1978:37). Tributary relations referred mostly to the *ighawelen* who lived independently of the *imajeghen*. Brock defines a tributary relationship as a relationship that "links the elite and the communities of producers within their society" (Brock, 1984:166). Brock further explains that these communities, although organizing production according to kin relations within their respective communities, were bound to the *imajeghen* through a variety of obligations. Examples of these obligations included the provision of pasture by the *ighawelen* for the *imajeghen*'s herds, herding of the *imajeghen*'s livestock, lodging for the *imajeghen* during drought or the dry season, a payment of millet according to a fixed annual sum as well as a proportion of the increase in their own herds (Brock, 1984:166; Baier, 1980:15, 17; Oxby, 1978:36,37).

Situating where social strata other than the *iklan* and the *ighawelen* fit in these classification systems could provide valuable information concerning each of the groups' relations to resources and their relations with other social strata, particularly with the *imajeghen*. It would then be possible to analyze the changes in customary rights to resources and the manipulation of the different legal spheres as initiated by such groups as the *isaha* and *ibogholiten*. However it is unclear as to where the *ibogholiten* or the *isaha* fit in either of the two classification systems. It is also unclear as to what were the gender dimensions of both slave

and tributary relations.

In light of the bias in the literature towards the *imajeghen*, and to a lesser degree the *iklan* and the *ighawelen*, and as a result of the limitations of the field research, the following section will first describe common characteristics of the *imajeghen* as gleaned from the literature and then discuss several specific details of the *imajeghen* in Imanan. The second and third parts will address a few characteristics of the *iklan* followed by a discussion of slave relations in Bonkuku and Koshilan. The fourth part will then discuss the *iklan* and *ighawelen* in the context of tributary relations found in the two villages. In contrast to the classifications discussed above, some *iklan* in Bonkuku and Koshilan were part of tributary relations with the *imajeghen*. Details of this relationship are given below. Although social strata other than the *imajeghen* had access to resources, this section will also demonstrate how the *imajeghen* established hegemony over productive resources by retaining control of resources through force. As the Tuareg socio-economic structure was reproduced in Imanan, so too was a hierarchical system of access to and control of resources. Throughout this discussion, particular attention will be drawn to the implications of gender.

Resource Allocations by Social Strata and Gender

i. imajeghen

For the most part *imajeghen* groups of the 19th Century, were largely nomadic pastoralists and lived mostly in the

northern pastoral regions of what is now Niger and Mali. They accumulated wealth and power through trade and by force, raiding other *imajeghen* groups, other pastoralists or sedentary farmers. As trade networks and raiding activities extended from the north to as far south as Kano, the *imajeghen* were not only able to increase their livestock herds, extend control over pasture and wells and purchase or capture additional slave labour, they were also able to secure a necessary source of millet, produced largely by farmers in the south. It is important to note that from the north to south, the ratio of *iklan* to *imajeghen* increases from a minority to a vast majority. Bernus gives the following figures. In the north the *iklan* constitute 10% of the total population whereas in the south they constitute 70-80% (Bernus, 1981:83).

The *imajeghen* were also able to establish and maintain their hegemonic position largely through what Brock refers to as the 'politics of protection' (Brock, 1984:131). The *imajeghen* through their superior force engaged in wars and raiding with each other and other ethnic groups. It was this environment of insecurity and the constant threat of war which both provided the ideological rationale for their domination and the need for their protection (Brock, 1984:131). "Since unattached sedentary people were in danger of being raided or captured by the Tuareg [*imajeghen*], they freely submitted to a Tuareg [*imajeghen*] section, agreeing to pay tribute in return for protection" (Baier and Lovejoy, 1977:403). One *imajeghen*

woman explained,

...the slave needs to be in security. Without the surveying of the nobles, the slaves could not go into the bush to make fields...at the time, there was always war and slaves were most threatened. The nobles needed to watch over them even in the fields. A slave who felt himself to be independent at the time did not exist. It was an obligation to have the help of nobles. Before people did not dare move. You needed protection...while the slaves worked, the nobles were on guard. As soon as there was an enemy, they attacked...(ICOH, 1991:A, 13).

Adding further to the argument is the following Kel Dennig saying, " 'As long as people are unequal there will be peace, as long as they are on the same foot there will be hatred.' It means that order and peace can only exist in a society organized on strict hierarchical lines" (Clarke, 1978: 42).

In Imanan, the *imajeghen* adopted similar practices to those of the *imajeghen* described above. Although the extent and exact location of the trading and raiding networks of the *imajeghen* from Imanan is unknown, Guillaume does mention that the *imajeghen* did engage in wars and raids for slaves and other goods outside of Imanan. One *imajeghen* woman interviewed in 1991 also suggested that the *imajeghen* did expand their interests beyond Imanan. Relations with dependents, she explained, could extend from Imanan to Agadez (ICOH, 1991:I, 9). Furthermore, several residents of Bonkuku and Koshilan made it very clear that wars were a common feature of life in Imanan before the French. While the *imajeghen* maintained contacts outside the canton they also increasingly gained

control over land and labour in the canton through the similar strategy of wars and raiding. As one *imajeghen* man explained, "The *imajeghen* also acquired vast expanses of land because they conquered it by war" (ICI, 1991:C, 2). Gradually throughout the 19th century, the *imajeghen* gave up their annual departure on transhumance, formed permanent villages and established both slave and tributary relations with the dependents of Imanan.¹⁶

The dominant ideology of the pre-colonial period consistently reiterated in personal interviews (1991) was that, as the *imajeghen* gained control of land and labour, they did not work. Rather the slaves did the necessary work for the *imajeghen*. As one *imajeghen* woman recalls,

When I was young, my parents did not work. They had slaves who did all the work. When the whites came the slaves left and my parents did not know how to work. It was the slaves who prepared the food and watched over us...He [father] had a field but he did not work it. It was the slaves who came to weed his field and he only surveyed...The male slaves weeded and the female slaves went to cut the millet and thresh it (ICOH, 1991:A, 9-12).

To a large extent, when compared to the tasks of the dependents, it is clear that the *imajeghen* did little work.

¹⁶Guillaume suggests the *imajeghen* increasingly gave up their routes of transhumance as agriculture became more important (Guillaume, 1974:98). Oxby argues that in her study cultivation was taken up by the *imajeghen* because the tribute system which supplied the *imajeghen* with millet was replaced by the market. The market offered deteriorating terms of trade for livestock vis à vis millet. As the livestock was not sufficient to buy millet, it was necessary for *imajeghen* to farm the millet themselves (Oxby, 1978:92).

However, both *imajaghen* men and women did have certain responsibilities. For example, *imajaghen* men were to accompany dependents to the fields in order to 'protect' them from attacks (Guillaume, 1974:52) while both the *imajeghen* women and men also went to the fields to 'supervise' the work of 'their' respective dependents. (Further details concerning inheritance customs of dependents is given below) "Noble women did not go to the fields then -- they went to the fields not to work but to control the work of the slaves" (ICOH, 1991:A, 9). "The Tuareg [*imajeghen*] did not cultivate and did not know how to. What the Tuareg [*imajeghen*] did before the French arrived was to lift someone up a tree to check out from where war was coming. The Tuaregs [*imajeghen*] were then always ready to attack. But the *iklan* were busy cultivating" (ICI, 1991:C, 2). In addition to field supervision *imajeghen* women did such tasks as weaving palm mats and distributing the milk collected from the dependents. According to the *imajeghen* they treated their slaves well and provided everything that they wanted (ICOH, 1991:I, 7).

Although information is scarce in terms of 19th Century gender relations and access to land, it is clear that *imajeghen* women did have the right to request land from a brother. In pre-colonial Imanan it is not clear by what specific kinship customs land was given to sisters by brothers. It is not clear from which brother an *imajeghen* woman could request land -- from a brother of the same mother

and father, or from a brother of the same mother only, or from a brother of the same father only. Nor is it clear what the right to receive land actually entailed. Perhaps these rights were strictly use rights or perhaps a sister could exercise a degree of control in terms of decisions regarding the allocation of the harvest. Finally, it is not clear as to the quantity of land a sister could receive. Although the custom of a sister receiving rights to land requires more research, it is clear that according to customary law *imajeghen* women had the right to request land from a brother. As one *imajeghen* woman explains,

Even before there were noble women who had fields but the fields were maintained by their slaves. A noble woman could have a field which her slaves would work. It was she who controlled it because she also controlled the slaves. Of course women could inherit fields, but these women were not numerous. As for fieldwork the noble women had nothing to do with it. But to possess a field they could do it...They received the fields from their father. When the father dies, he leaves the fields to his children. In principle, the fields go to the boys. But if the girl insists, saying that she also wants a field, her brothers will cede her a part. But certain girls prefer to leave the fields to their brothers... The girls who would be refused fields would go to justice and as such, they would receive their part...All those who ask from their brothers can have. Women can inherit fields but they prefer to leave them to their brothers (ICOH, 1991:A, 13, 14).

Bonte (1970) confirmed this practice amongst the *Kel Gress Tuareg*. He argued that women theoretically have inheritance rights to half of that received by men (according to Islamic inheritance). But this is usually put on reserve because women leave the concession and her brothers exploit

the land. However if the son of a sister joins the concession of his maternal uncle, he has right to the part inherited by his mother (Bonte, 1970:135).

It is also clear that these rights were shrouded by powerful ideologies often expressed as conditionalities which served to constrain women's opportunities to exercise their rights. For example, an *imajeghen* woman could request land from a brother in situations of need such as if she had no land and was a widow with sons or if her husband and/or brother did not provide for her. The ideologies constraining women's access to land and women's initiatives to resist these ideologies through the manipulation of customary laws will be elaborated upon in chapter five.

ii *iklan*

The *iklan* were acquired through capture, purchase, gifts or inheritance and integrated in Tuareg society at the level of fictive kin. Baier and Lovejoy (1977) as well as Nicolaisen (1963) all agree that slavery was organized upon a kinship pattern. According to Baier and Lovejoy, "slaves [*iklan*] were fictive children and used kinship terms to address members of the master's [*imajeghen*] real family" (Baier and Lovejoy, 1977:400). Nicolaisen explains in more detail, "slaves [*iklan*] are normally the fictive children of their master, a man being the 'father' of his slaves, while a female slave-owner will be their 'mother'...this position of slaves [*iklan*] as 'children' of the slave-owner means that the owner's brothers, sisters

and parents are considered a kind of 'parent' by his slaves [iklan]. This again results in young slaves [iklan] being considered a kind of 'brother and sister' to the slave-owner's children..." (Nicolaisen, 1963:442).

In terms of capture, even though *imajeghen* men participated in the raids and wars, *imajeghen* women also received *iklan* as part of the distribution of the war booty. However it is not clear from which men, whether from a brother, father or husband, a woman would receive 'war booty' *iklan*.

In terms of other forms of distribution of *iklan*, several interviews revealed (1991) that they were given by a mother and/or a father to daughters and sons either as marriage gifts or as inheritance upon the death of the parent. In terms of marriage gifts, one *imajeghen* woman explained that she received *iklan* from her father as her mother did not have many to give. She said, "At the time of my first marriage I received five slaves [iklan]. Those who did not have very many slaves gave only one slave [iklan] to their daughter. Me, I could have, if I wanted to, even one hundred slaves [iklan] because my parents had a lot at the time. Today I don't even have a single slave [iklan]" (ICOH, 1991:I, 11).

Regarding inheritance at the death of a parent, it is likely that inheritance was conducted according to Koranic principles, whereby sons receive double that of daughters. This form of inheritance of *iklan* was likely in part because

of the Islamic inheritance practices where livestock was concerned in the pre-colonial and early colonial periods and in part because of the numerous references made by respondents that *iklan* were like cattle or livestock which went to the children after a parent's death (ICOH, 1991:A, 18). As one *imajeghen* woman explained, "At the time of my grandparents, when a noble died it was his children who inherited his slaves [*iklan*]" (ICOH, 1991:A, 2).

Imajeghen women and men also inherited *iklan* by inheriting the children of a deceased female *iklan*. (Oxby, 1986:115; Brock, 1984:194). As Oxby states, "the children of a [female *iklan*] always belong to their mother's owner" (Oxby, 1986:115). This was confirmed in Bonkuku by an *imajeghen* woman's comment, "when a female slave [*iklan*] died it was her master who inherited her children, that is the children of the woman who died" (ICOH, 1991:I, 13). Oxby argues that as access to slaves is by female dependents and as *imajeghen* women tended to have more female than male slaves, *imajeghen* women had considerable control over the allocation of slaves (Oxby, 1986:115).

Although in Bonkuku it was clear that noble men and women had both female and male *iklan* (ICOH, 1991:A, 19; ICOH, 1991:I, 14; ICOH, 1991:G, 19), it is likely women did have more female *iklan* than men and thus more authority over the distribution of *iklan* labour. This is likely, in part, because *imajeghen* men had larger herds than *imajeghen* women, largely

because of Islamic inheritance practices. Having larger herds meant *imajeghen* men had greater need for *iklan* men who usually provided the herding labour. The authority held by some *imajeghen* women over *iklan* labour is also likely in light of comments given by an *imajeghen* woman:

You know, the female slaves [*iklan*] belong to the noble women and it was they who decided if the slave [*iklan*] should leave...The women controlled both (male and female *iklan*)...When a brother wanted a male slave [*iklan*] it was the women who went to see the slaves [*iklan*] and choose the one that would be good for him and she told the slave [*iklan*] to go to such and such a person to work, whether it be a brother or a sister (ICOH, 1991:A, 19).¹⁷

Both *imajeghen* men and women could acquire *iklan* through any or all of these means. These *iklan*, as Oxby argues, were "incorporated into Tuareg households [and] belonged to particular individuals" (Oxby, 1986:115). Baier and Lovejoy as well as Nicolaisen confirm this assertion by Oxby but also add to it. As Baier and Lovejoy state, "slaves [*iklan*] were attached to a specific noble or noble section" (Baier and Lovejoy, 1977:399). According to Nicolaisen "slaves [*iklan*] are their 'owners' property...the slaves [*iklan*] are still inherited within one and the same family..." (Nicolaisen, 1963:440). Nicolaisen further adds, "...slaves [*iklan*] are always owned individually by pastoral Tuareg [*imajeghen*]..." (Nicolaisen, 1963:442). One *imajeghen* woman also confirmed that *iklan* were held by individuals. She states, "The slave

¹⁷In this context it is not clear if the *imajeghen* woman is choosing *iklan* from a war booty or from the market.

[*iklan*] of the husband is not the slave [*iklan*] of the wife. Wives only have slaves [*iklan*] from their parents" (ICOH, 1991:A, 7).¹⁸

As *iklan* were heritable and because children of a female *iklan* remained part of the 'owners'' property, marriage arrangements were of particular concern to the *imajeghen* woman or man. For example, it was preferable for an *imajeghen* woman to have a marriage between 'her' female and male *iklan*. This would ensure that she continued to benefit not only from the male and female *iklan* but also from their children. If a male *iklan* married with a female *iklan* from another *imajeghen* lineage, the 'owner' of the male *iklan* would lose the male *iklan*, due to marriage residence customs. The *imajeghen* of the male *iklan* would also lose access to any children from the marriage (Brock, 1984:194). As one *imajeghen* woman explained, "if you have a lot of slaves [*iklan*], you marry them off to each other, they will stay in the house of their master...the female slave [*iklan*] stayed always with the nobles and her husband rejoined her over there" (ICOH, 1991:I, 12). A dependent woman also explains, "The Tuareg [*imajeghen*] women who is clever doesn't give her slave [*iklan*] to another. The male slave [*iklan*] is not owner of all his children but the children belong to the woman and hence to the woman's noble"

¹⁸This suggests the inheritance of slaves by both sons and daughters, which is in contrast to much of the literature that argues slaves were inherited according to lineal principles.

(ICOH, 1991:F, 5). Thus, as Guillaume argues, marriage between slaves [*iklan*] of different fractions was extremely rare (Guillaume, 1974:50).

Another common characteristic of the *iklan* was the possibility for the *iklan* to change their slave status. Baier and Lovejoy argue that although slaves were born into a particular social strata, this may not have been a permanent or fixed position. "The *iklan* underwent a gradual upward evolution in status, with length of service, reliability, initiative, and other personal qualities playing a critical role in the process" (Baier and Lovejoy, 1977:401). They further explain that, "it is not clear whether or not the passage from the status of *iklan* to *irewelen* [*ighawelen*] was marked by a ceremony or other formal recognition, but fragmentary evidence from Zinder suggest that it may have been" (Baier and Lovejoy, 1977:401). Brusberg concurs with Baier and Lovejoy for in Ayr *iklan* could eventually become *ighawelen* or even an *ineslemen* (Brusberg, 1988:45).

iii. Slave Relations in Bonkuku and Koshilan

As mentioned above, the groups who constituted the slave relations in Imanan were not clear. However it is clear that slave relations were established and that the *iklan* were part of these relations (1991). As the *imajeghen* in Imanan became increasingly sedentarized throughout the 19th century, the *iklan* continued to live with the *imajeghen*, although now in sedentary villages.

The *iklan* provided the necessary labour. Although it is difficult to discern precise details of the gendered division of labour in the 19th Century, some general comments can be made. Several dependent women commented that their work today is similar to the work of their mothers' before. *Iklan* women were largely responsible for such tasks as food preparation for the *imajeghen* as well as their own husband and children (ICOH, 1991:A, 1), the pounding and threshing of millet, milk processing, the making of butter, the care of their own and the *imajaghen's* children, water and wood collection (ICOH, 1991:I, 9-11) as well as agricultural tasks such as planting and harvesting the ripe millet as well as cultivating condiments such as osei and okra. Women also prepared meals which they took to the fields at the time of weeding (ICOH, 1991:G, 23). *Iklan* women also cared for small livestock remaining close to the concession. *Iklan* men were responsible primarily for such tasks as caring for the herds and agricultural tasks such as planting, weeding, harvesting and storing the ripe millet.

Iklan men and women had use rights to their noble's land through their responsibilities to garden and raise livestock. The product of their labour was controlled by the nobles and allocated to the *iklan* at the discretion of an *imajaghen* woman or man. As one *imajeghen* man stated with respect to agricultural work,

Before the French arrived, in the fields, the *iklan* cultivated. At the harvest the Tuaregs [*imajeghen*]

commanded. All the harvest was for the Tuareg [*imajeghen*]. All that the *iklan* did was not for them, it was for the Tuareg [*imajeghen*]. This was the way it was before the French during the wars. The Tuareg [*imajeghen*] never even used a hoe" (ICI, 1991:C, 3).

As one dependent woman added,

Before the abolition of slavery the slave [*iklan*] did not have anything...he was with his master and worked for him...almost all that they did as work was for the nobles...all that he harvested in the fields belonged to the nobles. The slaves [*iklan*] had nothing before, not even his own liberty (ICOH, 1991:F, 13).

As Guillaume argued, the *iklan* "have no right over the harvest which went in totality to the masters" (Guillaume, 1974:5).

With respect to livestock both *iklan* men and women participated in the care of the *imajeghen*'s herds. They could drink milk themselves but they were responsible for bringing milk to 'their' *imajeghen*. An *imajeghen* woman described the situation, "it was the slaves who kept the majority of the livestock for the *imajeghen*. Those who were far from the *imajeghen* had access to the milk...they did what they wanted with the milk...the slaves who lived close to the *imajeghen* also drank the milk and gave some to the *imajeghen* in the morning and the evening" (ICOH, 1991:I, 10). The slaves could drink the milk, but it was necessary that they provide milk to their masters. The *iklan* did not have the right to allocate or dispose of 'their' *imajeghen*'s livestock as it was clear that decisions concerning the slaughter, distribution and/or herd management practices were the responsibility of the *imajeghen* woman or man.

Even though an *iklan* man or woman could receive livestock and other goods from 'their' *imajeghen* as gifts for marriage or because of good relations with 'their' *imajeghen*, control over these resources remained with the *imajeghen* as is evidenced by inheritance practices of these goods given to the *iklan*. According to Nicolaisen, "the ordinary rules of inheritance did not apply to them (the *iklan*). If a slave [*iklan*] was on good terms with his master, the latter would, in the course of years, give him a certain number of goats as his personal possession -- which he may, for example, slaughter or sell as he wished. But when a slave [*iklan*] dies his children cannot inherit his flocks or any other of his possessions. Everything then will become the property of his master" (Nicolaisen, 1963:442). As one *imajeghen* woman concurs, "In the time of our grandparents, the slaves [*iklan*] received livestock...from the time when a female slave [*iklan*] married, her nobles gave her kitchen utensils and a bit of livestock...It was only with the slaves [*iklan*] who lived with them...If a slave [*iklan*] dies it's the noble who inherits his goods except if he wants to leave them to the children of the slave [*iklan*] who had died. It's like that that the inheritance of the slaves [*iklan*] during the time of my grandparents took place" (ICOH, 1991:A, 2). Furthermore in the event of the death of an *imajeghen*, the *iklan* would also inherit nothing. Brock summarizes the inheritance relationship with the following statement, the *iklan* enjoyed "the right to

the animals' products; but masters' ultimate claims over all animals in their captives' care were asserted through continued claims to their captives' inheritance, including any accumulated wealth, the millet in a man's granaries, and the animals in his possession" (Brock, 1986:285). In this situation, of slave relations, the *iklan* were entirely dependent on the *imajeghen* for their subsistence as they did not control any resources, having only access to the benefits of their own labour as determined by the *imajeghen*. It has been clearly stated that the *iklan* had nothing before. They did the work and the *imajeghen* ensured they ate. As one *isaha* woman explained, "Before it was the Tuaregs [*imajeghen*] who controlled their (slaves) fields. The slaves [*iklan*] only had what they should eat" (ICOH, 1991:F, 14)... "If a Tuareg [*imajeghen*] has a field it was the slaves [*iklan*] who worked in that field. All that they produced belonged to the noble. But they also lived from what was produced" (*ibid.*:27). As well, it is clear that the *iklan* did not control their own labour as they could be bought and sold at the discretion of the *imajeghen*. Although tributary relations offered to a certain extent a greater degree of control over resources, again the continued control of the *imajeghen* is evident.

iv. Tributary Relations with the *Iklan* and *Ighawelen*

In Imanan Canton tributary relations were formed with married *iklan*, *ighawelen* as well as with the Zerma and Hausa populations living in the region. As mentioned above it is

less clear whether these tributary relations extended south to the Savannah as the extent of the trade and raiding networks of the *imajeghen* of Imanan is unknown.

Tributary relations were forged with the *iklan*, who lived in the concession of the *imajeghen*, through marriage and residence customs. As *iklan* married, if the *imajeghen* had sufficient dependents, the newly married *iklan* were encouraged to move to the surrounding fields and take up cultivation. The following quotations explain the relationship and the process. A dependent woman begins,

Before the whites, those slaves who worked for the nobles were young because at the time nobles went out to capture from time to time. They had a lot of slaves. For the nobles who had a lot of slaves they freed the young married slaves and replaced them with other young non-married people. But they maintained a relationship... everything belonged to the nobles and to God...one could not do anything without their [the nobles] authorization (thus when the slaves were freed at marriage)...the noble indicated to them the field where they were going to clear (ICOH, 1991:G, 9, 22, 23).¹⁹

Similar and confirming comments were given by an *imajeghen* male. He said,

the Tuareg [*imajeghen*] told the *iklan* to go to the fields...they did not go out and clear land and enclose it themselves. The Tuareg [*imajeghen*] ordered them to go out and clear such and such a parcel. If they did not have authorization from the Tuareg [*imajeghen*], it was not possible. This was still before the French arrived...(ICI, 1991:C, 2).

These marriage arrangements were in contrast to the

¹⁹Several *imajeghen* and dependents both said *imajeghen* with many *iklan* could not keep them all in the same concession and that it was necessary that they send them to the fields as they married (ICOH, 1992:H, 10).

marriage arrangements with the *iklan* remaining in a concession. Tributary marriages required that both the *iklan* woman and man move to the field. As one *imajeghen* woman explains, "It is in this way that women slaves went to male slaves' fields then, as now. Only those in the concession had to follow the other rule...the female slave stayed always with the nobles and her husband rejoined her over there" (ICOH, 1991:I, 13). It is not clear if these dependents maintained the status of *iklan* after marriage as they left the concession or if they were considered *ighawelen*.

Although they were to cultivate their 'own' field, they were also to fulfill certain responsibilities to the *imajeghen*. These dependents were to offer a part of their harvest to the *imajeghen*, to continue to cultivate the nobles' fields and to give all children from the marriage to the *imajeghen* to benefit from their labour until their marriages. Outside of these responsibilities, the *iklan* could sell any surplus. "After giving it [whatever the slaves planted] to the nobles, they could sell it or give it away" (ICOH, 1991:G, 22).

The land designated by an *imajeghen* for a newly married male *iklan* was land inherited by the *iklan*'s sons. Neither the *imajeghen* nor the *imajeghen*'s sons could reclaim this land. The fields could only be recuperated by the *imajeghen* if a dependent had no sons (ICOH, 1991:G, 22; ICOH, 1991:F, 27). One woman explains, "The field given by the Tuareg [*imajeghen*]

would stay with the slave [iklan] until his death and then be given to his children. No one would take this field, not even the sons of the Tuareg [imajeghen] who had given the field" (ICOH, 1991:F, 27). Brock found a similar practice in her study among *Tamejirt*²⁰ communities of the Adar region of Niger. The *Tamejirt* were former captives of the East *Iwellemmeden Kel Dennig*. As the *imajeghen* experienced several decades (1820s, 1830s and between 1840 and 1860) of successful raiding and warfare they acquired and retained many dependents (Brock, 1986:282). Therefore, as in the case of Imanan, some of the dependents moved out of their owners camps where according to Brock they gained a certain degree of control over land. She states that, "...fields which had been cleared and claimed in usufruct were never included in the inheritance which was claimed by agricultural captives' owners. In this way, fields became...the one sure base of continuity in the community's reproduction. Their transmission appears from the beginning to have been exclusively patrilineal and exclusively to sons in *Tamejirt* agricultural captive communities" (Brock, 1986:285). For dependent women, it is less clear what rights they had to land, although one woman clearly stated that land went to the dependents' sons not the daughters (ICOH, 1991:G, 22). It is also likely that tributary *iklan* women, as with

²⁰The *Tamejirt* are a former captive community of the *Iwellemmeden Kel Dennig* confederation. Brock does not specify from which dependent strata the *Tamejirt* originate (Brock, 1984:8).

iklan women involved in slave relations, cultivated condiments such as okra and *osei* on parcels of land on their husband's field. Both Guillaume and Brock argue that these relations permitted a degree of autonomy which allowed the slaves to replicate certain customs of the *imajeghen*. Guillaume argues that the behaviour between slaves are modelled after those of their owners in regards to kinship relations (Guillaume, 1974:50). Brock states that, "gaining control over the arrangement of their own marriages, gained the possibility of organizing themselves as kin groups on the Tuareg [*imajeghen*] model" (Brock, 1986:285).

Tributary relations were also forged between the *imajeghen* and the *ighawelen*, which, as mentioned above, was characteristic of Tuareg societies. The *ighawelen* also characteristically had a greater degree of autonomy from the *imajeghen* and were of a higher status than the *iklan*. Although, as with the *iklan*, endogamous marriage was preferred amongst the *ighawelen*, it is not clear if the *ighawelen* were considered individual as well as lineage heritable 'property' as were the *iklan*.

Although it is clear that tributary relations were forged with the *ighawelen* in Imanan, the origins of this social stratum is less well understood. Guillaume records two *ighawelen* migrations from the *Kel Dennig*, which reached Imanan in the first half of the 19th century. They established two villages in the *canton*, one is now a district of Bonkuku

called Balyquara and the other is north of Koshilan called Loki (Guillaume, 1974:47).

The *ighawelen* were either herders or agriculturalists and often called on by the *imajeghen* to assist in war. In contrast to the *iklan*, dependents of *ighawelen* tributary relations were to provide only a portion of their harvest to the *imajeghen*, not their labour, nor their children (unless otherwise requested). In either case the *ighawelen* did not move far as they required the protection of the *imajeghen* (ICOH, 1991:A, 12; ICOH, 1991:G, 23). As Guillaume argues, tributary relations in Imanan grew mostly out of war activities. As wars intensified in the 19th century between all the ethnic groups, the *imajeghen*, being numerically small in number, needed the support of tributaries while the tributaries, in the climate of the constant threat of war, needed the 'protection' of the *imajeghen*. Thus the *ighawelen* as one woman explained, worked for the *imajeghen* 'trapping' the *iklan* (ICOH, 1991:F, 5). Although it is not clear it is likely that the *ighawelen* practiced the same land inheritance practices as the *iklan* involved in slave relations. It is also likely that female *ighawelen*, as *iklan* women involved in slave and tributary relations, planted condiments such as okra and osei on parcels on their husbands fields. With respect to the Zerma and Hausa people living in the region it is not clear what kind of relationship was established with the *imajeghen* other than that they were to pay tribute to the

imajeghen (Guillaume, 1974:54).

According to Guillaume, the tribute paid by the *ighawelen* and neighbouring Zerma and Hausa populations took the form of a tithe by the mid 1850s. Guillaume does not include the *iklan* in his discussion however because whatever resources were available to the *iklan*, whether in a tributary or slave relationship, remained mostly controlled by the *imajeghen* (ICI, 1991:C, 3).²¹ Prior to this time the *imajeghen* had secured the bulk of their millet supply from raiding neighbouring regions and from collections from 'their' tributaries. However by the mid 1800s resistance from tributaries encouraged the *imajeghen* to develop alternative means to secure a millet supply. As Guillaume explains, those dependents settling on their own field could "dispose of their production and could exchange it in the event of surplus against other products but they must give however to the *imajeghen* an annual tribute usually 1/10 of their harvest but it could go up to 1/2 of it" (Guillaume, 1974:54). This payment was called *tamasedek*, resembling the arabic word, *sadaka*, which means payment of a religious alms. Guillaume

²¹With respect to the *iklan* in tributary relations the relationship between them and the *imajeghen* appears contradictory. On the one hand the *iklan* had inheritance rights to land while on the other they were responsible to provide their own and their children's labour as well as part of the harvest to the *imajeghen*. However it appears that there was a greater degree of control over *iklan* in tributary relations than over the *ighawelen*. This is because the *iklan* of tributary relations did not have the same degree of historical autonomy as the *ighawelen* and because the *iklan* had greater degrees of responsibility to the *imajeghen*.

argues that this payment was understood in Imanan as being the Islamic tithe, as required in the Koran. Guillaume further argues that such an extension of the tithe constituted "one means (that) the Islamic religion reinforced and justified the ideology of domination..." of the *imajeghen* over their dependents (Guillaume, 1974:54).

This section has explained customary rights of access to and control of resources by the different social strata in Tuareg societies in general and of the Tuareg societies in Imanan Canton in particular. An integral aspect of this discussion has been to illustrate the power over resources by the *imajeghen*. The socio-economic structure as it was reproduced in Imanan prior to the French contributed to the hegemony of the *imajeghen*. In Imanan as elsewhere, the *imajeghen* forcefully incorporated within their control a network of resources and diverse economic activities such as animal husbandry, trade and agriculture which they controlled. Control of these resources meant dependents of both slave and tributary relations had use rights to land and their own labour, while the *imajeghen* had the right to control dependents' labour and recuperate all resources from their dependents at their own discretion. The Imam aptly summarized this point with the following statement, "... what I have heard people say is that well before the arrival of the whites, it was the Tuaregs [*imajeghen*] who reigned. They took the children of the Zerma selling them on the markets in order

to buy livestock or other objects" (ICI, 1991:T, 11).

This section has provided essential information concerning customary rights to resources by the different social strata and of the distribution of power in pre-colonial Imanan. Drawing on this background information, subsequent chapters analyze changes in the power relationships between the social strata and explore the implications these changes have for members of the different social strata, as well as women and men, to use customary or Islamic law to secure their rights to land. The following section will now turn to a discussion of similar characteristics of *imajeghen* hegemony as expressed in the political structure.

POLITICAL STRUCTURE IN 19TH CENTURY IMANAN

In terms of the Tuareg political structure of precolonial Imanan, there is insufficient information available by which to piece together a clear picture. Nevertheless, several general characteristics of pre-colonial Tuareg political structures will be discussed as gleaned from anthropological and historical sources on Tuareg societies. As well, this section will discuss some of the difficulties in discerning the various aspects of the political structures from the literature that is available.

The organizational structure was as follows: the household, followed by the camp, then the *tawshit*, and finally the confederation. Each household constituted an *imajeghen*

nuclear family with the *iklan* of the wife and of the husband.²² The camp consisted of several households or extended families; the *tawshit*, included several camps while, finally, the confederation was composed of several *tiusatin* (plural for *tawshit*).

Descent and Tuareg Political Structure

In light of conflicting evidence it is difficult to discern the relationship between kinship and a confederation. Bernus argues that a "*tawshit* appears as a social cognatic group, (where) all members recognize a similar origin or a common ancestor whether real or putative on the agnatic line or uterine line" (Bernus, 1981:88). Oxby supports Bernus' position of kinship linkages within a *tawshit* and a confederation as she explains that *tawshit* literally means "the palm of the hand, from which the fingers spread out" (Oxby, 1978:98). According to this analogy, "the fingers represent the tribes [*tawshit*] which have the same ancestry, and are all part of the greater unit, the confederation of tribes " (Oxby, 1978:98). She further states that "the analogy suggests that the notion of political unity is closely associated with that of geneological unity...One must simply

²²It is possible that, particularly in the south where there was a very large ratio of *iklan* to *imajeghen*, there were also households only of *iklan*. It is also likely that there were households consisting of only members of the other dependent groups. However, because of the bias towards the *imajeghen* in the literature, households are generally defined in terms of *imajeghen* households. More research is necessary to learn who constituted households of the dependent groups.

accept that the term *taushit* [*tawshit*] is applied to descent groups of different sizes" (Oxby, 1978:98).

Further evidence concerning a link with a common ancestress/ancestor is given by Keenan (1977) and Murphy (1964). They argued that all members of a *tawshit* usually recognized a common ancestress/ancestor who was related to the common ancestress/ancestor of the confederation. The common ancestress was often recounted as a woman who had several daughters. Each of these daughters was the ancestress of each *tawshit* (Keenan, 1977:20 and Nicolaisen, 1963:140, 477).

Yet, Bernus (1981) raises a similar issue that "very few Tuareg know their geneologies more than three or four generations back" (Bernus, 1981:84). He questions the extent of kinship relations within a Tuareg confederation. This is particularly clear when looking at the dependents' kinship relationship with the political structure. Dependents often do not know their geneologies because they were often either captured, bought or sold. As one *imajeghen* man explained, "If for example you take this little girl and you take her to Agades, several years later, she will forget all her relatives..." (ICOH, 1991:H, 10). Horowitz also lends support for this position as he argues that "the ties that related the various *tawshit* of a particular Tuareg confederation to one another were strictly political" (Horowitz, 1983b:19).

Brock offered further support for the view of a *tawshit* as a political unit. In her study of the *Tamejirt* community,

Brock sought to learn about the nature of kin groups in Tuareg societies and more specifically how a *tawshit* was constituted in the *Tamejirt* community by kinship and how its boundaries were determined. By comparing her case with work of Bonte, Bernus and Claudot, she concludes that there was "a degree of variation in the scale of the groups which identify themselves as *tawsheten* [*tiusatin*] and suggests that the process of demarcation of *tawshet* [*tawshit*] boundaries operates somewhat differently from one group to another" (Brock, 1986:280). In light of these variations and in order to come to terms with these difficulties concerning the definition of *tawshit*, Brock, as does Bonte, emphasizes the political nature of the *tawshit*. Brock argues,

that what is distinctive about the *tawshet* [*tawshit*], as a referent for individual identification and as a group, is its role in the articulation of political relations -- both the horizontal relations of alliance and conflict among elite groups and the vertical relations of domination and resistance to domination between groups and individuals of unequal status. The demarcation of the boundaries of a particular *tawshet* [*tawshit*] then, is comprehensible not as a product of the logical application of kinship construct such as a unilineal descent rule, but as a complex product of the group's place within a specific set of relations of alliance and domination constituting a confederation, and the strategies and actions of the group's members and others in that political field (Brock, 1986:280).

Finally, Brock, with her challenges to anthropological assumptions of static relations within Tuareg confederations, demonstrated the practice of shifting alliances in political, not necessarily kinship interest through her recounting of *Kel Dennig* struggles at the time of the Fulani *jihad* (discussed

earlier in Chapter three) (Brock, 1984:8,106,107).

Political Authority

In terms of political authority there was either one or two political titles given to (only) *imajeghen* men. In some confederations, such as the *Kel Gress* and *Kel Ferwan*, each *tawshit* had a chief as well as one *Amenokal* of the respective confederations. In other confederations such as the *Iwellemmeden Kel Dennig* there were no *tawshit* chiefs, only one Sultan of the confederation, who was selected from one of the strongest *tiusatins* in the Confederation. In the case of the *Kel Dennig*, the Sultan was usually selected from the *Kel Nan* (Bernus, 1990:153). More detailed information concerning the selection process of the *Amenokal*, however, remains vague and ambiguous.

With respect to the Sultan, holders of this position were determined by a combination of two mechanisms; one, according to either maternal or paternal principles; and two, according to election by other *imajeghen* (Nicolaisen, 1963; Bernus, 1981 and Norris, 1975). In the case of the former mechanism, Nicolaisen (1963), Bernus (1981) and Norris (1975) agree that *imajeghen* preference for matrilineal succession (the deceased's sisters' son was the preference for the Sultanship) has increasingly given way to patrilineal succession (Nicolaisen, 1963:137; Bernus, 1981:88; Norris, 1975:5-7). They maintain this shift in preference is most clearly observed amongst the southern Tuareg groups and can be

explained by the increasing influence of Islam (Nicolaisen, 1963:137; Bernus, 1981:88 and Norris, 1975:5-7). Oxby's study, on the other hand, indicated that among the *Kel Ferwan Tuareg* no particular rule of succession had been followed. For her study, both maternal and paternal kinship ties were acceptable for succession (Oxby, 1978:216-218).

With respect to the election from other *imajeghen*, Bernus argues that the Sultanship was not hereditary. Rather, new Sultans were nominated, usually from a limited number of *tiusatin*; the new *Amenokal* was selected in a meeting that included the different *tiusatin* and representatives from some of their respective dependents. Bernus further explains that in the case of difficulty in deciding on the new Sultan, the moral qualities of each candidate were taken into consideration. Given these processes, conflicts between the different *tiusatin* for the Sultanship were frequent (Bernus, 1981:82).

As the position of Sultan was not acquired by hereditary principles, the supremacy of the position was limited. Therefore it was necessary for the Sultan to work in cooperation with the other *imajeghen* seeking their support. It was through assurance of their permanent support that the Sultan maintained his position. As Bernus explains, the Sultan "is more like first among equals rather than an absolute chief" (Bernus, 1981:83). The Sultan therefore was to redistribute a part of the allowances due to him and to share

the loot acquired in war (Bernus, 1981:84).

Nicolaisen argues that there are only two common characteristics shared by Sultans of different confederations; one, that the Sultan held superior judicial rights and two, that the Sultan was "the war-leader of the whole group" (Nicolaisen, 1963:435). Although it is obvious that *imajeghen* control over labour both in terms of slave and tributary relations gave them access to and control of land (Brock, 1984:168), details concerning the degree of authority the Sultan held over land and the processes by which land was held and distributed within a confederation are less clear and varied between confederations.

Land and Political Authority

Among the *Kel Ajjr*, land was divided between the *imajeghen tiusatin*. The *Amenokal* of the whole *Kel Ajjr* group "had no rights over the whole country..." (Nicolaisen, 1963:394). The *Kel Ahaggar*, a confederation divided into three politically autonomous groups, formed territorial units with the chief of the political groups as the 'owner' of the land (Keenan, 1977:38). In this case the *tawshit* were understood as territory-holding units (Murphy, 1964:1261). Among the *Kel Ferwan* "the drum-chief claimed to possess all land and he gave particular grazing grounds to particular tribes [*tawshit*]." (Nicolaisen, 1963:429) Both Nicolaisen and Keenan explain 'owning' the land is not to be understood in a western sense of private property. Rather, as Nicolaisen noted, the *Amenokal*

'owns' the land as a representative of the whole community. (Nicolaisen, 1963:393) Keenan explained that the Drum Chief exercised a sort of sovereignty (and acted) "not so much as a trustee or representative but more by eminent right, and accordingly divided the various rights of tenure among his subjects. No one could enjoy any rights to the land without the explicit or implicit authorization of the Drum Chief..." (Keenan, 1977:38).

Descent, Political Authority and Land in Bonkuku and Koshilan

In Imanan Canton characteristics of the pre-colonial political structure are not well documented at this point. Guillaume does describe the presence of various *imajeghen*, Hausa and Zerma groups in the canton. He also explains that marriages between some *imajeghen* groups occurred and he states that the *Kel Nan* maintained the sultanacy until 1879. However little is explained regarding the 'formal' political structure that was created and the form the political relationships took between the different ethnic groups and between the different groups of *imajeghen*. However, Guillaume does argue that "the *ighawelen*... had at their heads chiefs who represented them and their groups among the nobles" (Guillaume, 1974:52). It is also not well understood what responsibilities the Sultan had or how he came to power, whether it was by election and, if so, who participated in the election process.

Although Guillaume conducted genealogies of the families of the *Chef du canton*, he encountered difficulties. Guillaume

argues that a better understanding of how the chieftaincy was passed could be resolved through further research of the places of origin from where the different Tuareg fractions came (Guillaume, 1974:118). Even though Guillaume concluded that there has been a tendency towards patrilineal rules of succession in Imanan Canton there is nevertheless evidence for matrilineal rules of succession as well.

In Imanan patrilineal rights to the Sultan were practiced amongst the *Kel Nan* when they held the Sultancy. Guillaume explains that when the *Kel Nan* nobles held the Sultancy the title was passed to the Sultan's son. At a point when there were no longer any sons of the Sultan, the power went then to the sons of the Sultan's eldest son. However matrilineal rights to succession were also practiced. When the *Kel Tabonnent* ascended to the Sultancy, replacing the *Kel Nan* and Bakkin became Sultan (in 1879), the justification used was that Bakkin belonged to the matrilineal line of one of the former Sultans (Guillaume, 1973:118).

Further study of the relationship between the *Kel Koshilan* and the *Kel Nan* at the time the *Kel Koshilan* broke away and further study of circumstances that finally lead to the downfall of the *Kel Nan* in 1875 would perhaps provide fruitful entry points to learn of political structures and responsibilities as well as to understand allocations of political authority in the two villages better.

In light of these gaps in the research, it is difficult

to know precisely how control over the land in the pre-colonial period was determined and held within the political structure. It is clear that the *imajeghen*, as they conquered labour, accumulated vast expanses of land. Also Guillaume does state that land was held by a Tuareg group, not at the individual level with each having use rights (Guillaume, 1974:64). Yet it is not clear if land-rent was paid to the Sultan or what kind of authority, if any, the Sultan or *tawshit* had over the land. These questions could in part be answered if it was better understood how the diverse Tuareg groups "became integrated in a political unit dominated by a superior chief" (Guillaume, 1974:120). Furthermore there is no discussion of women's responsibilities in these political structures. Oxby (1978) knew of no women holding the office of Sultan.

CONCLUSION

This chapter has attempted to integrate general work on Tuareg societies with primary research to provide essential historical information on customary laws regarding access to and control of resources and to provide an adequate reference point by which change can be discussed in more detail in subsequent chapters. Limitations of the primary research, the lack of specificity of the available literature with respect to Imanan Canton and the heterogeneity of Tuareg societies has made the reconstruction of the history and the socio-economic

and political structures a most challenging objective.

This chapter has shown however that the various Tuareg groups in Imanan were able to reproduce their positions of power in the pre-colonial period. Throughout the 19th century the *imajeghen* maintained their military dominance and, through the slave and tributary relations that were established and the control over land and labour that ensued, their economic dominance as well.²³ Such a position of hegemony in the pre-colonial period has shaped resource position and resource allocation in the years thereafter. The following chapter will now turn to the colonial period and to a discussion of the changes in customary laws and power relationships that were set in motion and, consequently, contributed to environmental decline and increased struggles by gender and social strata to secure land.

²³Guillaume argues that wars waged by the *imajeghen* were in the interests of seeking wealth (Guillaume, 1974:51).

CHAPTER FOUR
SELECTED ASPECTS OF CHANGE IN TWENTIETH CENTURY
IMANAN CANTON

INTRODUCTION

When the Tuareg first arrived in the region of present day Imanan they were attracted by the lush pastures and abundant ponds. Approximately one hundred years later the French colonial administrators echoed similar enthusiasm for the potential promises of the region (Résumés et Extraits des Documents Figurant dans ces deux histoires., 1902; Salomon, 1903; Lofler, 1901; Cornu, 1901). "Imanan is very rich in millet, it has many herds of sheep, goats and cattle...the valleys of Niger and of the Dallol Bosso are sufficiently abundant in grain ..."(Salomon, 1903). Yet it was only a short fifty years later, as the colonial documents reveal, that the land of Imanan was referred to as being overused, worn out, unproductive and scarce (Urfer, 1950a; Taillandier, 1953d). Today people of Bonkuku and Koshilan continue to express similar concern for their tired land. Many continue to struggle to secure access to the shrinking resource base and continue to cultivate knowing that alternatives to a reliable and sufficient food supply are few. Imanan was transformed quickly from a region of productive possibilities and promise to one in which the resource base was beset with high demands and deterioration.

Notwithstanding the favourable comments of the early

French observers in Imanan, the natural environment of Sahelian areas in general remain characterized by very sandy, nutrient-poor soil and rainfall shortfalls or irregularities. As discussed in the preceding chapter, the Tuareg socio-economic structures of hierarchical access to resources and economic diversification were adaptable responses to these difficult conditions (Baier and Lovejoy, 1977:397). Even though the natural environment has historically been marginal¹, land degradation and scarcity accelerated in connection with the establishment of the colonial project. The intent of this chapter is to examine three aspects of colonial policy and their implications for land degradation and scarcity: namely, administration, economic policies and environmental policies. It is important to note that rather than acting in isolation, it is a combination of these factors that contributed to environmental decline. Increasing land scarcity and impoverishment of the soil coupled with increasing demands upon the land accelerated during the colonial period; these processes have brought about intensified struggle between women, men and the different social strata for land. This chapter, then, provides essential historical information for discussion of gender and social strata struggles over land in a context of legal pluralism,

¹The Sahel is often described as a marginal environment. Marginal generally refers to the combined conditions of sandy, nutrient-poor soil as well as irregular and erratic rainfall.

which is discussed in the following chapter.

This chapter is divided into three sections. The first section is informed by Blaikie's (1989) analysis in which he explores the connections between changes in access to resources and environmental degradation. This section concerns the establishment of the colonial administration and seeks to explain the changes in access to and control of resources by the different social strata in Imanan Canton as well as the environmental implications of these changes. A central focus of this chapter is a discussion of the changes in the power relationships between the dependents and the *imajeghen*. This chapter will demonstrate the ambiguous approach taken by the French to the dependent/noble relationship. It will be shown that through the chieftaincy model and the imposed and arbitrarily enforced special legal provisions collectively known as the *indigénat*, the French supported the power of the *imajeghen*. Moreover, the introduction of these two institutions served to maintain and transform the power of the *imajeghen* over dependent groups. It will also be shown, however, through a discussion of specific policy initiatives that the French contradictorily supported the dependents and sought to limit and even diminish the power of the *imajeghen*. What ensued as a result of the ambiguity and contradictions of French policy was that some *imajeghen* were able to sustain and even strengthen positions of power. The changes in power relations altered customary rights to land as well as altered

who held social power to manipulate customary law and Islamic law, which is discussed in chapter five. In this light this section will conclude with a discussion of the changes in access to resources by social strata and the environmental implications of these changes. This section then provides significant historic and contextual information to analyze processes of struggle over resources and the manipulation of legal spheres, which is taken up in chapter five.

The second section will explore the exacerbation of these environmental conditions through colonial economic policies adopted throughout the colonial period. The introduction of both taxation and cash crop production² were two aspects of French economic policies which contributed to environmental degradation. The third section goes on to explore specific aspects of colonial environmental policies. It will be shown that French environmental initiatives were to a large degree inadequate and inappropriate.

THE COLONIAL ADMINISTRATIVE STRUCTURE

The Selection of Local Chiefs 1900-1960

In the earliest years of the French colonial administration in Niger there was little preoccupation on behalf of the French with the dependent/noble relationship of

²Cash crop production refers to the commercialization of non-food crops such as cotton and tobacco as well as food crops such as groundnuts and millet, all of which were produced for local and export markets.

the different Tuareg confederations (Fuglestad, 1983:68). Rather, the prerogative of the colonial administration, provided with only few funds from France, was to identify structures through which they could work, and implement and legitimize their policies at the local level. The French initially sought to work through local ruling bodies but intervened to various degrees in the administrative duties of these bodies and in the actual appointing of war chiefs or priest chiefs (*ibid.*:67). This was often done without regard for local patterns of selection and succession. What was important for approximately the first two decades of colonial occupation was for chiefs to be selected "who had acquired a certain familiarity with things French...without necessarily being high up on the traditional list of succession" (*ibid.*:126).

One noticeable shift in colonial administrative policy, however, occurred during the governorship of Brevié (1922-35). Brevié believed the institution of the chieftaincy needed to be preserved as much as possible. Brevié saw chiefs not merely as a colonial instrument through which to enforce rule; rather, he saw value in the institution as it had evolved prior to the arrival of the French. As Fuglestad notes, "it was particularly important, according to Brevié, never to lose sight of the fact that the chiefs were, and should be regarded as, the authentic representatives of their respective peoples"

(1983:122). The constitutional reforms of 1946³ also affected the position of the chiefs. Two changes can be observed. One is that the schooled *évolués* and leaders of the now-legalized Nigerien political parties developed prestige while the position of the chiefs became more ambiguous (*ibid.*:149). The chiefs, in order to gain or even maintain political power, had to compete with formally-educated Nigeriens who had a better grasp of the French language and administrative structure. Second, the French interference with the chieftaincy prior to the 1946 changes had diminished its status among the people. Indeed, from the beginning of its rule, the colonialists used the chieftaincy for their purposes, usually disregarding locally evolved means of selection and accountability. Many chiefs, meanwhile, in performing duties for the French, lost legitimacy with the population. Charlick argues that the French made the chiefs more authoritarian and less autonomous (1991:35). It can be said then that throughout the colonial period, the chiefs were seen as vehicles through which the French could assure order and control and continue to

³The ushering in of the Fourth Republic in France in 1946 allowed for African representation in the French National Assembly. Local political parties were allowed to form and contest seats in colonial assemblies. Also, Africans were no longer subjects but citizens. Measures incompatible with French citizenry such as forced labour and the *indigénat* were abolished. However citizenship for Africans was not the same as for the French. A further distinction was introduced between citizens who observed French civil laws and citizens who observed Muslim or local customary civil law. The latter were called '*citoyens de statut personnel*' (Fugelstad, 1983:149).

effectively and efficiently extract resources.

In Imanan, the French interference in the local administrative structure was visible very early in the colonial period. For example, the first local chief to be recognized by the French and appointed as *Chef du Canton* was Mazou, a war chief of the *Kel Jami*, in 1901. Although it is not certain whether Mazou was perceived in 1901 as being the Sultan over all the villages that comprised the *canton*, it is known that he was the village chief of Bonkuku. Abeye, for example, of the *Kel Koshilan*, was the village chief of Koshilan and an acclaimed Tuareg leader. Mazou, as did Abeye at a later date (1905), strongly resisted the French. Mazou participated in Tuareg revolts against the French and was arrested but later managed to escape to Nigeria (Brachet, 1943a). The French permitted his return to Bonkuku although once he did return, the French had already moved in 1902 to designate Amaguerguiss (1902-1905), a Tuareg of *Lissawan* background, to be *Chef du Canton* of Imanan (*ibid.*).

A few years later, in 1905, Abeye, with support from Garassa, the *Chef du Canton* of Tandikandya, just south of and adjoining Imanan, showed open hostility to the French (Brachet, 1943b) and sought to have his son or relative become *Chef du Canton* (*Fiche*, 1922). However because of Abeye's aggression towards the French, the French did not approve of Abeye's kin as *Chef du Canton*. He too was imprisoned and later died a mysterious death (Brachet, 1943b). Akomar (1905-1932),

the *Chef du Canton* of Imanan at the time, also failed to please the French. One of the colonial officers stationed in the area, for example, made repeated reference to Akomar as "a *Bella*"⁴ because he was "showing a lack of loyalty" (Rapport du Premier Semestre, 1927).

In some Tuareg regions, where there was strong resistance by the *imajeghen* to the French, the French sought to break the power of the *imajeghen* by forging alliances with their dependents. In some cases dependents were freed and assigned their own village chief from someone from their own social strata. Within these new positions of authority many dependents gradually withdrew their labour, their sources of millet and their pasture from the *imajeghen*. In these situations the French purposefully sought to alter the dependent/noble relationship and even emerged ironically as the "...self-proclaimed liberators of the Africans, as the opponents to feudalism...[and as the ones] to liberate subdued or vassal states from foreign rule" (Fuglestad, 1983:71). In contrast, in Imanan Canton, where the majority of the *imajeghen* supported or at least refrained from rebelling against the French (Mazou and Abeye were the two principle exceptions), the French worked through the social and political structures in place. In this situation the French

⁴*Bella* as explained in the introduction is the Zerma word for the different groups of Tuareg dependents. According to my fieldwork (1991) it was a grave insult to an *imajeghen* to be referred to as a *Bella*.

could effectively control the population and implement colonial policies by selecting an *imajeghen* for both the positions of village chief and *Chef du Canton*. Thus in this setting the dependent/noble relationship was largely kept intact.

In terms of rules of succession and responsibilities of the *Chef du Canton* in Imanan in the colonial period, as with the 19th Century, little information is available. Even though it is clear the French selected and supported loyal *imajeghen* for the title of *Chef du Canton* and contributed to the reproduction of the power relationships between the *imajeghen* and the dependents, it is not clear to what extent the French controlled this process in Imanan to the exclusion of Tuareg rules of succession. It remains uncertain what internal rules of succession were used in bringing a particular *imajeghen* to power on those occasions when the French accepted the *imajeghen* already in place.

Evidence from archival documents offers contradictory answers. For example Brachet (1943) states that, "the Tuareg customs do not foresee at all that one's brother or one's nephew or one's son be the normal successor of a chief. The choice is effectuated among the most worthy or those considered as such" (Brachet, 1943b). This observation by Brachet is contradicted by the listing of the *Chefs* given by Guillaume which lists all successors as sons or nephews to one of the former *Chefs* (Guillaume, 1974:123).

In terms of responsibilities of the *Chef du Canton* in Imanan it is clear that the colonial period brought about new responsibilities which, in turn, brought new powers for the *Chef*. Although it is also uncertain to what extent the French or the *imajeghen* of the different groups were able to (or unable to) hold the actions of the *Chef du Canton* in check it is clear the new powers and responsibilities brought about a shift in accountability of the *Chef du Canton* away from the elders or other *imajeghen* to the colonial administration. This can be evidenced by the following comment in the archival documents: "What is important for a *Chef* is to be obeyed by the village chiefs. The *Canton Chef* needs to be capable of ruling over all of Imanan" (Fiche, 1922). The position of *Chef du Canton* was very important to the French as it was the means to carry out French policy (Urfer, 1950c). It is also clear that the *imajeghen* given the title of *Chef du Canton* were able to continue their authority over the dependents.

With respect to land, the colonial administration invested the *Chef du Canton* in Imanan with the authority to hold all unused lands and with the authorization to clear new fields (Guillaume, 1974:64).⁵ The *Chef du Canton* was also to remit taxes collected by the village chiefs to the French administration, and implement other colonial policies such as the introduction of reserve granaries (Rapport Politique,

⁵Fieldwork (1991) confirmed these responsibilities remained with the *Chef du Canton*.

1944; REA, 1942). Furthermore, it was the *Chef du Canton* who implemented policies of forced labour or imprisoned those who could not pay their taxes. All men, women and children above the age of 12 paid the head tax in currency (Robinson, 1975:55).

In addition to these responsibilities, the *Chef du Canton* was responsible for dispute settlement. Although it is evident from archival documents that both the *Chef du Canton* and the Imam(s)⁶ were involved in dispute settlement⁷ (Cornu, 1901; Brouin, 1933a), it is less clear by what processes disputes were resolved. The documents are particularly vague in terms of such issues as to what kinds of disputes were settled and how powers were distributed between those judging different disputes. Field research (1991) confirmed the continued participation of these two actors in dispute settlement in Imanan today. Chapter five takes up this discussion of dispute settlement more extensively, particularly in light of the changes in power held by the *Chef du Canton* as a result of the

⁶It is not clear if there was one or several Imams in Imanan Canton throughout the colonial period. However, the Imam of Koshilan explained that in the past there were fewer Imams (ICI, 1991:T, 4). He further explained, that as of ten years ago, he was the Imam for both Bonkuku and Koshilan. As a result of a conflict between himself and the *Chef du Canton* there was a split which resulted in the present day situation of one Imam each for Bonkuku and Koshilan. As the Imam explained, "Before I saw what the *Chef du Canton* wanted and I could not accept it...the *Chefs* only made decisions which only pleased them (*ibid.*, 1).

⁷It is not clear what other actors were involved in dispute settlement. For example it is unclear what role the village chief played in dispute settlement.

colonial methods of selecting local chiefs. It will be shown how, as the *Chef du Canton* acquired new powers and responsibilities, he became the ultimate authority at the local level with the power for example, to use or dismiss the input of the Imams in dispute settlement. In this context of the manipulation of normative orders by the *Chef du Canton*, chapter five, will explore the processes whereby the institution of the *Chef du Canton* becomes a resource on which women and the different social strata can draw to secure their rights to land.

The Indigénat: 1904-1946

The dependent/noble hierarchy was further supported by the *indigénat* introduced in 1904. The *indigénat* was a parallel legal code to French law "which permitted French administrators to take speedy punitive action against African 'subjects'" (Robinson, 1975:56). As Fuglestad notes, although "slavery was incompatible with French law..., French law applied only to citizens and not to the African subjects..." (Fuglestad, 1983:68). The people of Niger, as people elsewhere in French colonial Africa, were not considered French citizens; rather they were considered as subjects. As subjects, Nigeriens were governed by administrative decrees not French law. "Under the *indigénat*, colonized peoples were denied basic civil and legal rights so the Africans were subject to arbitrary arrest and imprisonment and could be sentenced to indefinite terms or even death in *cercle*

('county') courts...The *indigénat* legal code also mandated that people could be forced to work without compensation, and forced labor was employed extensively to construct administrative buildings and roads throughout the country" (Charlick, 1991:36).

The *indigénat* served several functions. The first was that it allowed the French administrators to ignore the dependent/noble relationship or at least to take no formal/legal action against it. Secondly it permitted the poor treatment of dependents whether by *imajeghen*, the *Chef du Canton* or by the French. As a parallel legal code, principles of French law such as liberty, equality and fraternity did not apply to the *indigénat*. This in turn allowed the French to pursue an ambiguous approach to both dependents and *imajeghen* as all Nigeriens were governed by the *indigénat*. Yet, regardless of the different functions the *indigénat* performed, it did contribute to the maintenance of the dependent/noble relationship. For even though the *indigénat* applied to all Nigeriens regardless of slave or noble status, the French, in choosing to work through 'loyal' subjects of the local authority structure, drew on the *imajeghen* to implement their policies of forced labour and imprisonment. In doing so some *imajeghen* were given new and greater powers than other *imajeghen* while maintaining authority over the dependents. Thus the *indigénat* helped to legitimate the authority of the *imajeghen*.

The *indigénat* was a policy that continued throughout the period 1900-1946, although its application remained contingent on the whims of particular colonial officials. It is clear in Imanan Canton that both imprisonment and forced labour are part of the people's memories of the colonial experience. One *ighawelen* woman, approximately 65 years old, recounts her experience with imprisonment. She explains how the *imajeghen* collected taxes on behalf of the whites and how individuals were imprisoned if they did not pay.

We were imprisoned because of the taxes. When one asked for taxes from us before and if you didn't have them you were convoked to go to justice [*Chef du Canton*]. That happened before, but not now. If your husband travelled leaving you, the wife, you would be convoked in his place and possibly go to prison. But as soon as your husband finds the money he will come to pay and you will leave the prison and that's finished (ICOH, 1991:K, 8).

At that time if you did not pay the tax the [*imajeghen*] would take you and bring you to prison. They take women and men who must everyday gather clay. You will stay in prison while your tax is not paid. I was also a victim of this fact...We were locked in a adobe house. All the persons whose relatives were able to pay the tax were freed. But while the tax is not paid, you stayed in prison. Our life continued as such up until the day when a police officer said that the women did not want to work. All the women prisoners were grouped together and put in a row. The officer hit the women with a whip each woman receiving three hits. After the hits, the women took their containers to get more clay. It was like this for all the women. I saw that it was my turn and there was only one woman between the officers and me. When the woman was called I got confused with the other women and as a result they didn't succeed in hitting me. My older brother brought the tax and they let me leave. I left the other women in prison. I was freed after the tax was paid (ICOH, 1991:K, 5).

Another woman of a similar age along with her ninety year old

husband recount their experiences with forced labour. The woman begins,

My father participated in forced labour of the first road, that is the laterite road going from Niamey to Filingue. I was born at that time of the work of the first road.

Her husband adds,

The people suffered very much during those work projects. There were people who swept, others gathered stones, others dug and that happened from Niamey up until Filingue.

The woman continues,

the people were tortured because of this work. It was the Sultans (who tortured them). Women brought water that they poured on the road. All women who dared to refuse would be mistreated. Except for pregnant women who were saved and even then only at the time of the birth. My mother worked up until the day of my birth. It was on that day that she did not work (ICOH, 1991:M, 34, 35).

The above examples from Imanan make clear that the French did not refrain from ill treatment of the dependents. There were indeed occasions when the French along with the *imajeghen* benefited from these practices and the local structure of authority.

However it is also possible to observe evidence of French struggle with the contradictions between the *indigénat* and French law with respect to slavery in colonial history. It can be argued that the abolition of slavery in terms of state law⁸, introduced in 1906, was a gradual process largely

⁸Dependent/noble ties persist today on the basis of characteristics of pre-colonial socio-economic ties not according to state law.

informed by efforts to reduce the power of the *imajeghen*. This contradiction can be summed up by Fuglestad's comment: "Before 1946 these officers and administrators at times behaved in a most ruthless, brutal, arrogant, if not downright despotic manner, and considered the Africans to be inferior human beings. On the other hand, these same officers and administrators were the representatives of a government committed to democracy and human rights, to the principles of *liberté, égalité, fraternité*, however imperfectly implemented at home...."(Fuglestad, 1983:12). Thus the history of French colonial rule reveals efforts by the French to support some 'loyal' *imajeghen* through local political structures; yet it also shows a concurrent effort to reduce the power of the *imajeghen* and to support the dependents through the gradual abolition of slavery.

The Abolition of Slavery - a Gradual Process

French concern for the power and resistance of the *imajeghen* was first evident following the first Tuareg revolt of 1901-03 (Fuglestad, 1983:65). The French responded with the first federal decree in 1905, which stipulated heavy penalties for all forms of slave trade (Fuglestad, 1983:68). For the *imajeghen* this not only restricted their options to secure more labour but also reduced their ability to pay taxes. In Imanan, as elsewhere in Niger, slaves were sold to pay taxes. This decree was followed in 1906 by a *circulaire* issued by the Governor of Upper Senegal and Niger which proclaimed the

incompatibility of slavery with French rule⁹. In fact, the *circulaire* proclaimed by state authority the abolition of slavery. The result of this *circulaire*, according to Fuglestad, was immediate and devastating. "Almost instantly the majority of slaves deserted their Tuareg, Zerma and Songhay masters" (Fuglestad, 1983:68). In Imanan, interviews (1991) suggest that the actual freeing of slaves was a more gradual process.

Expressed in the archival documents are accounts of several conflicts between the colonial administration, dependents and the *imajeghen*. Recorded examples from Tagazar, an adjoining canton, nevertheless illustrate French efforts gradually to support the dependents while at the same time not abolishing all aspects of the power of the *imajeghen*. In Tagazar, the conflicts can be aptly demonstrated by the polarized views expressed by both the *imajeghen* and dependents. On the one hand the *imajeghen* claimed that the French promised them the political status quo (Résumés et Extraits des Documents Figurant dans ces deux histoires, 1902) while on the other hand the dependents claimed the French set them free. The dependents in Tagazar would obey the *imajeghen* only under the order of the (French) *commandant* (*ibid.*).¹⁰

⁹It is not clear exactly what a *circulaire* was. However several scholars argue that the state declaration for the liberation of slaves was in 1906.

¹⁰The archival documents do not give a name for the *Commandant*. However it is clear from other documents that French officials did live for short periods of time within the

A second example can be observed when the dependents on two occasions attempted to flee the *imajeghen* and head for Sokoto.¹¹ The first attempt was in July 1902 and the second in August in 1903 (Sellier, 1948). On both occasions the French intervened to return the dependents to the *imajeghen*. However on May 5, 1904 a five point arrangement between the *imajeghen* and the dependents was made by the French.

1. The *Bella* owe 1/20 of the harvest to the Tuareg¹²
 2. The *Bella* owe one day of work to the Tuareg
 3. If a mare gives birth the female offspring belongs to the *Bella* and the male offspring is given to the Tuareg who gives a bull in exchange.
 4. If a *Bella* has two children of marriageable age instead of entrusting one of them to the nobles he gives a bull which liberates him from this painful obligation.
 5. When a *Bella* dies leaving children these inherit in totality. If the deceased did not have children, the nearest relatives inherit 3/4 of the inheritance. The other quarter is given to the Tuareg.¹³
- 5b. Atta and Miizza, Tuareg chiefs will assist at the post of

various cantons. Perhaps this *Commandant* was placed within Tagazar or made periodic visits to the region.

¹¹Fuglestad explains that since the arrival of the French, dependents from western Niger fled from their *imajeghen*. As they fled they moved south, settled and took up farming "on hitherto uncleared land" (Fuglestad, 191983:68). Fuglestad explains that this migration of dependents to land in the south led to several land disputes which also became characteristic of this region (*ibid.*).

¹²In this archival document it is not clear if *Bella* refers to a specific dependent group or all the groups. Tuareg in this case refers to the *imajeghen*.

¹³According to interviews (1991), the *imajeghen* inherited all goods from a deceased *iklan* with no children. Perhaps the three-quarters inheritance by the nearest relatives was referring to the *ighawelen*, the *inadan* or the *isaha*. It is also possible that this inheritance 'rule' may have been the 'arrangement' in writing only, not in practice. The *imajeghen* retaining greater authority than the dependents, perhaps had the power to ignore this inheritance stipulation.

Sandire in case the Bella migrate towards Sokoto. The two Tuareg chiefs will prevent by all means possible the Bella from leaving Tagazar (Sellier, 1948).

Bernus notes the ambiguity of the position of the French colonial administration; the administration sought to free and emancipate the dependents from the nobles but not to the point of separating them from each other and provoking perhaps a large scale emigration of the dependents to another region (Bernus, 1981:109). However, it was this kind of French support for dependents coupled with memories of the harsh relations of dependence prior to the arrival of the French that many *iklan* had favourable perceptions of the French. One *iklan* man in Koshilan, for example, argued fervently that,

It was the whites who prevented forced work. Before slaves worked for the nobles. It's only when the whites arrived that it disappeared, (and) was abolished. It's whites who said that people are equal. (There are) neither slaves nor nobles. People are equal...The arrival of the whites made slavery disappear during which we experienced many years of suffering. The Tuaregs [*imajeghen*] were dictatorial. It was like we were in prison. We were hampered like donkeys. The whites brought us peace. They allowed us to work and left us happier. Before Tuaregs [*imajeghen*] raided a bit everywhere. The Tuaregs [*imajeghen*] tortured us in all kinds of ways (ICOH, 1991:M, 6,7).

Although the French had officially abolished slavery with the *circulaire* in 1906, the dependent/noble relationship persisted throughout the colonial period (as it does to a degree today). However, as a result of Tuareg revolts between 1915-17 in which some *imajeghen* from Imanan Canton participated, the French sought further action to minimize the power of the *imajeghen*. Thus two policies were quickly

introduced following the revolts. The first directive required the *imajeghen* to yield some of their land to their former dependents (Guillaume, 1974:79) "so they could really use the production/harvest as they saw fit" (Busacher, 1989:51). The second directive, a few short years later in 1920, called for a change in the boundary between the neighbouring canton of Tandikandya and Imanan (Guillaume, 1974:18; Taillandier, 1953a).

Guillaume gives little indication of the quantity of land given by the *imajeghen* to their former dependents. Nor does he indicate which social strata received the land or how much each stratum received. Even though he does state that after the boundary policy directive the *Kel Nan* lost 170 fields (Guillaume, 1974:83), this is also not particularly helpful as it is not clear how many fields the *Kel Nan* had originally before the directive, compared to other *imajeghen* and what they may have lost, or what sizes the fields were. Fieldwork (1991) revealed however the gravity of the situation when the boundary was changed. According to several *imajeghen* the loss of these fields was particularly devastating (1991).

Nevertheless, despite the limitations of the information available concerning these latter two policy directives, it is clear that changes in power relationships between social strata as well as changes in customary rights of access to and control of resources by social strata were initiated by the combination of the policies mentioned. Thus the following

section will explore power and resource changes and their implications for environmental degradation. Discussion of changes in power relationships between social strata and customary rights to land will demonstrate how some *imajeghen* maintained certain power over the dependents while some dependents, in the new socio-economic context, also acquired new powers not previously held in the pre-colonial period. Thus this section provides important background information for chapter five in terms of defining changes in customary rights to resources during the colonial period. Furthermore, by exploring changes in allocations of social power, this section provides important information for chapter five in terms of illustrating who within society, in a context of legal pluralism, can draw on customary law or other normative orders in their own interest. Integral to this section is also a discussion of environmental decline which is essential to understanding the basis from which gender and social strata struggles over land have intensified.

Building upon what was said in chapter three regarding slave and tributary relations, this section will focus on changes in these relations, particularly among the *imajeghen*, *ighawelen* and the *iklan*. As the freeing of dependents was a gradual process it is difficult to give specific dates concerning resource changes. Therefore this section describes changes that occurred gradually in the post 1906 period. It is also important to note that most of the resource allocations

described continued to be practiced at the time of this study (1991).

Changes in Access to and Control of Resources by

Social Strata - Post 1906

The policy initiatives discussed above had a profound impact on the division of labour between the dependents and the *imajeghen*. For all social strata the end of slavery and land redistribution brought the opportunity to control both labour and land. As there was no longer forced work all dependents could control their own labour¹⁴ and the product of their labour. According to personal interviews with several dependents (1991) in Bonkuku and Koshilan, control of their own labour meant that work for the *imajeghen* was voluntary and not forced. It did not necessarily mean that work for the *imajeghen* was abolished, albeit for some this was the interpretation.¹⁵ As one *iklan* woman explained, "the Tuaregs [*imajeghen*] could only ask the *iklan* for help, not force them. The *iklan* came to help the nobles only at the time of weeding and even then they did it freely" (ICOH, 1991:G, 8). Although there are other reasons for the continuation of

¹⁴Although forced labour was officially abolished in 1906, it is evident, from interviews (1991), that all slaves did not abruptly stop working for their nobles.

¹⁵For some dependents the abolition of slavery meant the end of all work for the *imajeghen*. There are some former dependents who not only no longer work for the *imajeghen* but who refuse any association with them historically. These dependents refer to themselves as *Zerma*, not as *iklan* or *ighawelen*. Other dependents will work on occasion for the *imajeghen* but only for a wage.

work relations between the dependents and the *imajeghen*, such as mutual reciprocity in terms of material goods and because of the importance of 'fictive' kinship relations between the social strata (to be discussed further in chapter five), it is clear for some that the issue of choice appears to be highly significant and valued in the history of the changing nature of the dependent/noble relationship.

Even though *iklan* of slave relations as well as *iklan* and *ighawelen* of tributary relations had access to land prior to the French, it is possible to conclude that the French initiatives gave control of the land to the dependents as well. This is likely as all social strata today have land that is inherited by 'their' sons and, in some cases, 'their' daughters. Furthermore, even though the pre-colonial tithe/tribute continues to be practiced by some 'former' dependents in present day Bonkuku and Koshilan, it is not forced. Only those who want to give do so. It is also possible to conclude that the most significant changes were felt amongst the *iklan* of slave relations. Not only did they have control of their labour, they began to live independently of the *imajeghen* adopting similar practices to the *iklan* and *ighawelen* of tributary relations.

For *imajeghen* men and women, the changes brought by the French are remembered as devastating. An *imajeghen* man recounts the following story concerning the arrival of the French:

It's a sad memory for me. Before the arrival of the whites our parents were raiding, everyone...The whites, when they first came did not have cars. They rode on our cows, camels and horses; they stayed with us. Some years later we learned that a white race was coming. This time, unlike before, they came with a lot of things. When they came in a village they mistreated, hit, committed all kinds of torture to anyone, without distinction. They went from village to village to sow terror. After they tortured the people, they took all their wealth and land...They took all our wealth. Nothing remained. Since then we were humiliated and we continue to be because the Hausa are marrying our daughters. We are only barely living deprived of dignity and nobility (ICOH, 1991:H, 13).

For the *imajeghen* the freeing of dependents meant not only the loss of labour but also the termination¹⁶ of the inheritance of *iklan*. It became the responsibility of the *imajeghen* themselves to provide the household, agricultural and herding labour. The above discussion continues:

The whites took from us our livestock, our slaves and we were left with empty hands...The whites took from us our wealth and our slaves. Now we are busy learning the work of the fields in order to find enough to eat. We do not know how to work the fields and we do not like it either. It's only an obligation for us. Without work we would die from hunger. Before we did not work because we were rich, we had livestock and slaves (ICOH, 1991:H, 6).

An *imajeghen* woman adds,

Before we had slaves but now they have all left and we are obligated to work ourselves. Before in the time of our parents, the work was for the slaves to do. The nobles did not do anything and the slaves

¹⁶Even though state law brought the termination of the inheritance of slaves, this is as one dependent woman explained, theoretical. In practice both the *imajeghen* and the dependents know of their ancestors' relationship with the other. This is knowledge that will continue to be passed by oral tradition to future generations (personal interviews 1991).

worked. Now, we work ourselves... Even now, I am coming from the fields I wanted to stay to cut millet but the rains were threatening (ICOH, 1991:H, 1).

In light of the changes in access to and control of land by the different social strata, it is possible to argue that land degradation and land scarcity were evident at that time. Even though the *iklan* and *ighawelen* of tributary relations continued to cultivate on the same land, *iklan* of slave relations as well as the *imajeghen* themselves also began to cultivate. As all social strata cultivated for their 'own' purposes on a land base that was smaller because of the *canton* boundary change, it is possible to argue that more people were cultivating less land. It is also possible to conclude that the beginnings of the decline in following time, clearly evident in the two villages during my fieldwork, were set in motion during this time. Thus it is also possible to conclude that issues of land degradation and land scarcity were evident at that time. It is further argued that these environmental concerns were exacerbated by the change in inheritance customs, particularly with the *iklan*.

As *iklan* of slave relations were freed, goods did not revert back to the *imajeghen*. No longer did the *imajeghen* have the right to demand labour, claim the production or recuperate livestock or any other goods from 'their' *iklan*. Rather the *iklan* groups, adopting similar inheritance practices of the *imajeghen* as well as of the *iklan* and *ighawelen* of tributary relations, retained land, livestock and other goods. With

respect to land, each son received land from his father. Inheritance customs practiced by all social strata at the time of my study (1991) were as follows. The time at which the land was given to a son by his father¹⁷ depended on the age of the son and whether the son and his wife had children or not. When the son and his family have children old enough (about seven years old) to work the land, the son can ask for his parcel of land from his father. These pre-inheritance patterns as well as the fact that girls in Imanan generally do not receive land calls into question the Islamic nature of land inheritance. The gender dimensions of Islamic inheritance is explored further in chapter five. Personal interviews (1991) confirmed that most men had received their land from their father just as their father had received land from his father before. As Thomson explains, such inheritance practices contribute to increased individualization of land and increased land fragmentation (Thomson, 1982:4). As both the dependents and the *imajeghen* continued to cultivate separate fields on a limited land base and as they continued to practice a form of inheritance that entitled all sons to a portion of land, it can be argued that issues of land degradation and land scarcity became increasingly evident in

¹⁷There are contradictions as to whether sons inherited land of equal quality and quantity from their father. According to the Imam, sons did inherit equally; however, according to personal interviews (1991), the eldest sons benefitted from being the first to receive land from their father.

the colonial period.

Although the colonial policy of land redistribution initiated in 1917 brought further opportunity for dependents to control their own labour and land, Guillaume argues that land distribution tended to favour some *imajeghen* more than others and tended to favour the *imajeghen* more than the dependents. According to Guillaume, some of the "*imajeghen* had large and rich cultivable stretches of land while others could not adapt and lived in poverty" (Guillaume, 1974:79). Even though the causes for differences amongst *imajeghen* and between social strata that emerged after land distribution are not clear and in need of further research¹⁸, Guillaume does offer some explanations for these differences.

Although the details concerning specific aspects of the processes involved in the distribution of land are unknown, Guillaume does suggest that not all dependents had adequate parcels of land. Consequently, some dependents confronted with these circumstances, continued to work for their *imajeghen*, albeit voluntarily, to earn a supplementary source of millet or to earn a wage (Guillaume, 1974:79,80). In addition, beginning in the 1940s, dependents in some cases went to work in neighbouring cantons "where they hired themselves out for several days or up to several weeks" (Sellier, 1950). As one archival document explains, "the *bella* have ways of not dying

¹⁸Guillaume argues that a more detailed analysis of the articulation of social strata with social classes is a needed area of further study (Guillaume, 1974:79).

from hunger; if a family does not have millet, one or two will go cultivate for someone else. They receive one *botte*¹⁹ for four days of work (about 8-10 kilos in one *botte*)" (Urfer, 1950a). It is not clear if dependent women participated in waged field work but it is likely as some dependent women engage in this work today. Dependents earned income through migrant labour and from economic activities which the *imajeghen* refused to do, such as weaving and construction. One colonial officer noted in 1942 that the "Tuaregs [*imajeghen*] today are poorer than their *Bella* and there is not much that distinguishes them from the *Bella* except for the indigo clothes which they drape over themselves" (Guillaume, 1974:88).

Guillaume also suggests that the three systems of land lending, introduced after the arrival of the French ²⁰ offer explanation as to why land holdings remained skewed in favour of some *imajeghen* after the redistribution. It is also possible to suggest that the power maintained by the *imajeghen* through the title of *Chef du Canton* and the *Chefs'* authority over land distribution contributed to the continued hegemony

¹⁹A *botte* of millet refers to all the millet heads that can be wrapped within a cord. The length of the cord is measured according to the width, from hand to hand, of outstretched arms.

²⁰Guillaume does not specify by exact dates when land lending was introduced. He does suggest however, the three land lending practices he describes, were introduced after the arrival of the French. They were still in practice at the time of his study.

of the *imajeghen* over land.

The first form of land lending system practiced in Imanan canton refers to a situation where a creditor ceded a field to a debtor on the condition that the debtor advanced to the creditor a certain sum of money. For a large field, the sum was between 15,000 to 20,000 CFA and for a small field 5,000-10,000 CFA.²¹ After harvest the debtor was to give the creditor ten *bottes* of millet for a large field and five *bottes* of millet for a small field. If the debtor wished to discontinue use of the field, the creditor was obligated to reimburse the cash collateral. If the creditor no longer had the cash, the creditor then sought another debtor to borrow the field so as to obtain the necessary cash owed to the original debtor. If the creditor wished to recuperate the land for himself or lend it to another borrower, the original debtor would have to give a supplementary amount of money in order to continue cultivating (Guillaume, 1974:80).

A second form of land renting involved no money in the transaction. The creditor lent a field against the promise of receiving one tenth of the harvest regardless of the size of the field. The creditor could reclaim the field only before the field was planted by the debtor. This arrangement was similar to the tithe between the dependents and the *imajeghen*. In this case "the tithe is seen as a source of revenue and its

²¹ Guillaume did not know exactly what constituted a large or a small field (Guillaume, 1974:79).

economic interest (was) is very important" (*ibid.*).

The final form discussed by Guillaume was a loan for which only a small payment in millet or money was demanded. The creditor requested perhaps 300CFA and an annual payment of three *bottes* of millet -- the reason being to remind the borrower that the ceding of the land was in fact a loan and not a gift. This arrangement was often used where relatives and friends were concerned (Guillaume, 1974:81).

Guillaume argues land renting was a "new mode of domination of the *imajeghen* over their former dependents" (*ibid.*). The *imajeghen* with access to an income through the land lending arrangements had the opportunity to hire labourers and thus ensure that all 'their' fields were cultivated. Guillaume argues that it is the "last ascendancy over part of the *Bella* population" (*ibid.*).

Unfortunately, details concerning land lending practices such as the different forms it takes or the extent to which it is practiced by different social strata were not investigated in depth by this field research. However field research (1991) does indicate important contrasts with that of Guillaume. Although land lending is still perceived as being a significant source of income -- as one *imajeghen* man noted, "a means to get rich quick" (ICI, 1991:U, 94) -- lending to friends and relatives occurred only in the third form given above. Implicit in this observation is that the other two forms of land lending could involve lending to strangers. This

is not a practice in either of the two villages today. It was very clearly stated that only friends and relatives were to receive loans of land (ICOH, 1991:F, 100, 101). One woman in the context of the discussion over land renting supported her claims that land was only lent to family and very close friends with the following statement: "You know a field is like a treasure. It's a source of permanent wealth, an object of value. A field is something you inherit from your parents, even your ancestors. A field can symbolize life..."(*ibid.*).

A further contrast with Guillaume, concerns his statement that no formal contract or registration was required for the lending of land. In Bonkuku and Koshilan all situations of land lending are recorded in writing since the early 1950s. Each person involved in the transaction as well as the *Chef du Canton* receives a copy of the transaction.

The loaning of land as with inheritance customs can contribute to land degradation and scarcity. For example, those who borrow land have little incentive to invest in land that will be claimed at a later time by the 'owner'. Also those who loan the land, as they are not using it, have little incentive to invest in its maintenance and improvement. (Thomson, 1982) In such situations the money earned from loaning can be invested elsewhere, such as the purchase of additional livestock or the hiring of more labour so as to place more land under cultivation -- and contribute further to the situation of land scarcity. Furthermore with

"usufructuary rights being the real basis of land use in Niger" (Thomson, 1985:233), those who lent land began to rotate tenants to different fields to ensure the tenants could not lay claim to a field. They also lent fields only to those seen as having sufficient resources available to prevent any potential difficulties in the event the land had to be reclaimed (ibid.). Both of these strategies served to discourage "tenants who were unsure of tenure prospects from investing in soil protection, manuring, or chemical fertilizer and other conservation measure, thus aggravating soil impoverishment" (ibid.).

Insecurity of tenure in Imanan is also observed today. There is considerable concern about leaving land idle for fear of losing it altogether (ICOH, 1991:F, 100, 101). In Bonkuku and Koshilan, it was argued by some that if a field was worked for seven years, use rights reverted to the one who had worked it for this time period. The Imam, meanwhile, argued that according to the Koran the time frame is sixteen years of cultivation before one could claim use rights to land (ICI, 1991:E, 10). In 1974, President Kountche (1974-1987) announced that land cultivated for nine years would be free and that whoever put it to use would have usufruct rights (Thomson, 1982:5). He also declared that anyone who currently cultivated a field had use rights to that field (Thomson, 1985:233). The effect of these declarations as Thomson explains was to increase conflicts between those keeping land in fallow and

those wishing to exploit the land (Thomson, 1982:5).

Environmental decline was accelerated by subsequent colonial economic policies. For example, the French, in an effort to commercialize and increase production adopted an extensive (Charlick, 1991:99) rather than intensive approach to cash crop production.²² Although statistical information regarding the total area of land devoted for cash crop production are unavailable for Imanan, it is argued nevertheless, on the basis of data collected from archival documents, interviews (1991) as well as Franke and Chasin, that this approach as applied to cash crops has contributed to present day problems of land degradation and subsequently to intensified struggles over land.

COLONIAL ECONOMIC POLICIES 1900-1960

Taxation

Efforts by the the French to collect taxes were part of the process of identifying and restructuring local ruling bodies so that they could participate in the extraction of peasant resources. Taxation took the form of head tax, animal

²²An extensive approach to cultivation refers to the strategy of taking up more land to increase production. This is in contrast to an intensive approach which encourages the continued use of the land already in production. It is possible to do so as this approach encourages the introduction of various technologies such as new seed varieties or fertilizers to increase the productivity.

tax²³ and customs duties. These resources were to keep the French soldiers and administrators alive and the administrative apparatus functioning. From 1904 on, the French colonies were all required by law to be self-supporting except in the areas of defence and the financing of public works of imperial interest. Each colony retained for itself the revenue from the head tax. These were collected by local African representatives and passed up the hierarchical line to the colonial treasury (McNamara, 1989:32-3).

In Imanan, head and animal taxes were collected by the *imajeghen* (under the organization and authority of the village chiefs and the *Chef du Canton*) and given to the French. People of the *canton* have vivid memories of taxation being introduced with the coming of colonialism. As one woman says, "Taxes were taken to be given to the whites. Like now when you give tax to the *Chef* he brings it to the state" (ICOH, 1991:K, 9). She further explains taxes were taken from everyone: *iklan*, *ighawelen*, *imajeghen*. "All suffered without exemption, the *iklan*, the Tuareg [*imajeghen*], all the slaves, all the poor" (ICOH, 1991:K, 9). The Imam adds that "the *Chef* takes the tax to the *sous préfet*...that came with the arrival of the whites (ICI, 1991:T, 12,13).

²³It is unclear as to how the animal tax changed throughout the colonial period or who was responsible for paying the tax. Delahanty (1988:342) noted that in 1928 in central Niger, the tax on cattle was 5 francs/head for sedentary farmers and 6 francs/head for pastoralists. Swift (1977:471) seems to suggest that only nomads paid the animal tax while sedentary farmers paid the head tax.

By 1911 it was no longer possible for the Nigeriens to pay their taxes in kind or in cowries; rather, they needed to be paid in French francs (Fuglestad, 1983:82). The French were particularly thorough when it came to extracting the tax. For example, in 1927, the amount that all of French West Africa contributed to the French treasury from revenue generated through customs duties was greater than the amount that France paid to support its endeavours in the same area (McNamara, 1989:39). Between 1918 and 1929, the head tax was increased from 1.25 francs to 7 francs (Roberts, 1981:200). Even in 1931, when western Niger in particular suffered from a difficult famine and the real value of cattle had fallen by 12 or 13 times, the French continued to demand the same amount of animal tax (Salifou, 1975:27)²⁴. Taxation remained an integral part of colonial economic policy throughout the sixty-year French rule and beyond. Fuglestad notes that head taxes increased from 35 to 165 francs from 1946 to 1951 (1983:174) while Collins noted a doubling of the head tax in the period 1956-1970 (Roberts, 1981:203).

How close a parallel one can draw in Imanan is unclear from interviews and archival sources. Yet it is clear that the

²⁴Real value in this instance refers to the price of cattle in relation to the price of other goods, for example, millet. Although Salifou does not elaborate, one can postulate that the market price of cattle may have dropped by four times while the market price of millet may have increased by three times. In such an instance, one head of livestock would be able to purchase twelve times less the amount of millet than before the drought began.

need for cash existed in Imanan as it did elsewhere in the colony. Labour migration and accelerated cash crop farming were the two principal responses by peasants in the colony to taxation (Charlick, 1990:36 and Fuglestad, 1983:87). Archival sources do report seasonal migration particularly of dependents and Zerma young men (Rapport sur le Recensement du canton de l'Imanan, 1946; Urfer, 1950; Sellier, 1950; RA, 1959). A report in 1953 states the need to scale down their migration as it tended to commence during the harvest period and extend into the planting season (BM, 1953b); this would suggest that the amount of available labour for field preparation, planting and weeding would be reduced. Furthermore, their harvests were reported as being deficient as a result of excessive migration (Sellier, 1950). Although the immediate link between taxation, migration and environmental decline may be difficult to establish, one can nonetheless say that migration patterns that were fuelled by taxation demands contributed in the longer term to neglect for land maintenance.

Commercialization of Production

The acceleration of cash crop farming was also affected by taxation demands. Commercialization of production was encouraged by the French in Niger for the purposes of export to Europe as well as for regional and local markets. In Imanan Canton, several cash crops were cultivated throughout the colonial period. These included tobacco, cotton, groundnuts as

well as millet, although the last was grown primarily for local consumption. The cultivation of tobacco in Imanan was first initiated in 1899-1900. Motivated by a price increase, resulting from a shortage in supply from Nigeria²⁵ (Brachet, 1943a), dependent women of Bonkuku collected seeds from travellers and began to plant tobacco in clay areas themselves. (ibid.; Brachet, 1943b). As one colonial administrator reported in 1943, "Tobacco, that's a very important crop for Imanan" (Brachet, 1943a). It is also reported in the colonial documents that tobacco production continued to grow, increasing twofold in the 1940s (Brachet, 1943a). Tobacco grown in Imanan was "appreciated by populations of Tandikandya and Djermaganda and by part of the population of Niamey... and certain nomads of the north" (Guillaume, 1974:82). It is also revealed that in light of the production increase and these external interests the French in the early 1940s (unsuccessfully) sought to develop an external market to Algeria. The surge of production in the 1940s (REA, 1942; Brachet, 1943b) can be partly explained by the war in Europe -- which resulted in the closing of borders between Niger and Nigeria and the banning of all trade between the two

²⁵Guillaume suggests that prior to 1898 the people of Imanan purchased tobacco from Nigeria. However he does not explain the reasons for the sudden lack of supply (Guillaume, 1974:82).

countries (Fuglestad, 1983:139).²⁶ Yet the acceleration of its production, coming as it did with the constant increases in taxation, also allowed for additional cash to be raised to satisfy French demands.

The expansion of the 1940s was followed in the 1950s with the total abandonment of tobacco cultivation. Although the explanations are not entirely clear, Guillaume suggests tobacco was abandoned in part as a result of the famine of 1951 and in part because of increased competition from tobacco grown in Menaka. Traders brought this tobacco to the Bonkuku market and eventually the tobacco of Imanan disappeared (Guillaume, 1974:83). Archival documents suggest that tobacco disappeared because of the humidity of the soil which caused the plant to rot after three years (Taillandier, 1953a). Another reason is that women opted to decrease tobacco production (which was labour-intensive as women note even today) and opt instead to engage in food preparation (Guillaume, 1974:83) and palm mat production for the markets in the canton. Palm was readily available and the market price for the mats, if one refers to archival references and terms of trade indicators (for example, millet for mats) was

²⁶The borders were closed and all trade stopped between Niger and Nigeria in 1940 on the initiative of the British colonial government of Nigeria. World War II had begun in Europe and France was under the administration of the Vichy regime. The colonial administration in Niger was an extension of that regime.

increasing in the late 1940s.²⁷ The abandonment of tobacco and the greater attention given to palm mat production allowed for cash to be raised to pay taxes; yet the greater resources invested in palm mat production saw fewer and fewer returns on the investment in the long run: by 1991, the terms of trade of palm mats to millet had decreased to the point where women were having to spend two to three full working days producing one white sitting mat and receive the equivalent of two to three kilograms of millet. The crucial need for food pushes women to produce more and more mats; it also lessens the amount of time available for land maintenance, both before and during the crop season.

Cotton production also occurred in Imanan. It is not clear however when cotton cultivation was first introduced by the colonial administration to the *canton*. It is questionable as to whether it should have been introduced or encouraged to the extent that it was. The chief of the local Agriculture service in 1924, for example, concluded that the *cercle* of Niamey did not present favourable conditions for the intensification of cotton cultivation (RE, 1924). Franke and

²⁷Brachet (1943a) notes the very active commerce in mats. A reconstruction of market data, although sketchy, shows an increase in the selling price of white mats from 1 franc in 1939, 5-6 francs in 1942 (Brachet, 1943a) to 15-25 francs in 1950 (Urfer, 1950b). The price of millet was .75 francs per kilogram in 1937 (RE, 1938), 4-5 francs in 1943 (Brachet, 1943a) and 8 francs per kilo in August, 1950 (Urfer, 1950b) -- a time when food prices are at their highest because of pre-harvest supply shortfalls. In the 1940s, the price of mats increased at a greater rate than that of millet.

Chasin also noted for western Niger that the "sandy soil and relatively arid weather ...are unsuitable for cotton or other tropical crops" (Franke and Chasin, 1980:69).

Nevertheless, despite the warnings of an earlier colonial administrator, cotton production was increased in the late 1930s and early 1940s. As mentioned above, the border closing with Nigeria encouraged many in Imanan to increase cotton production in order to replace the loss of supply from Nigeria (RE, 1940). The area cultivated by cotton increased twofold between 1939-42 (Brachet, 1943a); as one colonial administrator in 1933 commented, "the cotton (in Imanan) grows without ceasing" (Brouin, 1933c). A central aspect of the French policy from 1940-45 was to increase cotton production (RE, 1940; REA, 1941; Brachet, 1943b). To facilitate this even further, the French sought to control the storage of cotton seeds for the following planting season (RE, 1940).

Cotton was either cultivated exclusively by women or by women and men together (Brachet, 1943a). Like tobacco, cotton was planted in clay areas where ponds form in the rainy season but also in some of the pasture areas (Brachet, 1943b). The most common response given at the time of my study (1991) to explain why cotton is no longer cultivated in Imanan is because of foreign competition, particularly from the textile industries in northern Nigeria and other neighbouring coastal nations as well as from Sonitex, the textile industry in Niger. It is not certain as to where Sonitex purchased its raw

cotton although it is likely that it was obtained from areas around Keita and Bouza in central Niger or from northern Nigeria, all large cotton producing areas.

Groundnut production, like tobacco and cotton, was encouraged by the colonial administration in Imanan as early as 1902 (Résumés et Extraits des Documents Figurant dans ces deux histoires, 1902). However, as in all of western Niger, it was largely rejected by those in Imanan (Fuglestad, 1983:124,144; Brachet, 1943a). This was in direct contrast to the extensive groundnut production in southern Niger, particularly in Maradi and Zinder. Groundnut cultivation began in northern Nigeria and spread to southern Niger in the early 20th Century. But commercialization of the groundnuts was not actively pursued by the French until after the construction of the railway in northern Nigeria (completed in 1911) which facilitated transport to the coastal countries and export to Europe. Although exports from Niger began as early as 1924, expanding somewhat in the 1930s, the boom did not begin until after World War II (Franke and Chasin, 1980:92). "Peanuts, which had occupied 73,000ha. in 1934, spread to more than 142,000 by 1954, and had reached 349,000 ha. by 1961. In 1968 on the eve of the famine, the area planted in peanuts hit the highest mark ever, at 432,000 ha" (ibid.:93).

Although groundnut production in Imanan did not take root

to the same extent as in south central Niger²⁸, it was practiced nevertheless as the colonial documents and several personal interviews reveal. As the colonial document of 1934 states "the development of groundnut cultivation...will be intensified by increasing the surfaces planted and by giving to the natives advice and techniques regarding the time from planting up until harvest. There is no doubt that a good result would be obtained and the development of this plant will be understood by the native by making it known to him its food importance and the market that the groundnuts will have in Dahomey" (RE, 1934).

In light of the French enthusiasm for the introduction of groundnut cultivation in Imanan and its subsequent practice there, two arguments can be mentioned regarding environmental consequences of groundnut production. Although these are drawn from southern Niger, they lend important analysis of the stress that groundnuts cause on the environment.

The first argument concerns climatic conditions. Although, as Franke and Chasin argue, Niger's sandy soils are suitable for groundnut cultivation, the rainfall patterns are not (Franke and Chasin, 1980:69). The groundnut grows best with 625 to 750 mm of rain and will grow in only 150 mm (*ibid.*:69). However if there is less than 150 mm of rainfall

²⁸Guillaume suggests that people of Imanan were hesitant to plant peanuts because they feared a loss in millet or bean cultivation would result and "to them this means famine" (Guillaume, 1974:115).

during the growing season they do not grow well. Southern Niger, being close to the 500 mm isohyet, subjects groundnut cultivation, "to large variations in production from year to year as rainfall varies" (*ibid.*:93). A further important factor for groundnut growth is the timing of the rain, which must correspond closely to the growing cycle of the plant if production of nuts is to be good. "For example, there must be a solid rain of 20mm in one day, or 25 to 35mm in two to three days during the first few days after planting. Similarly, at other points of the growth of the plant, rainfall coming even a few days late can adversely affect the eventual harvest. Close to harvest time, too much rainfall can also be damaging by causing absorption of too much of the acidic elements from the soil into the plant, which has almost stopped growing and is putting most of its intake into the fruits" (Franke and Chasin, 1980:93). In southern Niger rainfall is variable and erratic in its timing. Thus, as a result of these climatic circumstances groundnut harvests in Niger show an extremely varied pattern, with many good years and many bad years.

A second argument by Franke and Chasin concerns the question of expanding groundnut cultivation to pasture areas. They argue that groundnut production does not contribute to the quality of foliage. "Groundnut plant residue, while higher in protein content than local subsistence crops such as sorghum, offers only about one-third the amount of total dry-matter yield, or total food provision. Thus the expansion

of groundnut production over large areas would render even more precarious the dry-season pasture availability of food for nomadic herders and their cattle" (Franke and Chasin, 1980:94). Furthermore pastoralists would be discouraged not only from diminished quality but diminished quantity of land as more pasture land was devoted to groundnut production. Thus pastoralists would no longer frequent the region as there would no longer be any reason to do so. As the ecological and economic interchanges were upset, many conflicts between the peasants and pastoralists ensued as there was direct competition between pasture and groundnuts. As Franke and Chasin argue, "the pastoralists did not receive the pastures they needed, and the farmers no longer received the fertilizing services of the animals" (*ibid.*:99). Thus southern farmers lost their source of fertilizer and were unable to pay for chemical fertilizer.

Although groundnut production never took hold in Imanan nor elsewhere in western Niger, persistent efforts by the French in Imanan did show a similar lack of foresight as to environmental implications of their policy. Furthermore, their desire to increase groundnut export and secure alternative means of shoring up a revenue base from which to extract taxes diminished other rural development initiatives to strengthen food crop production and reverse environmental decline. This was particularly important for Imanan where soil was relatively nutrient-poor and the environmental base marginal

and highly susceptible to intensification, either from farming or herding.

In conjunction with efforts to commercialize production of tobacco, cotton and groundnuts in Niger the French also encouraged the expansion and commercialization of millet. The French saw the production of millet as a possible crop for marketing and therefore encouraged peasants to plant millet. "The Dallol Bosso could produce millet to sell. There would be a market for it in Filingue, Bonkuku, Damana, and Kangori" (Franke and Chasin, 1980:99). An abundance of millet would also help to encourage trade caravans to pass through the area. A report from the *subdivision* of Kughfey, *cercle* de Niamey stated that "one finds a lot of millet at the markets of Balyara, Bonkuku, Gao and Filingue" (RE, 1928). Furthermore, in light of the devastating consequences of the famine of 1913-1915, the French sought to increase the production of millet as the key famine prevention strategy for all of Niger (Fugelstad, 1983:8). In Imanan Canton as early as 1901 the French perceived that there was a "...need to encourage the population to plant [millet] seeds as much as possible [in order to] avoid famine" (Cornu, 1901). The policy to expand production was continued throughout the colonial era. As Guillaume records, the colonial administration in 1951 sought to expand the total land under cultivation by encouraging people of the Dosso valley to plant on the western plateau (Guillaume, 1974:112).

The colonial administration sought to expand cash crop cultivation simply by taking up more land for the purposes of commercialization and for famine prevention. It has been argued that this strategy put additional pressure on an already marginal resource base. In the next section it is argued that land degradation and scarcity, initiated by the changes in access to resources by social strata as well as the colonial government's taxation drives, commercial production policies, were exacerbated by the colonial government's negligence in introducing concurrent and appropriate environmental policies. Rather than linking food insecurity to the problem of soil depletion and to the inadequacies of the simplistic strategy of securing production by taking up new land as needed, the colonial government continued to focus on food production through the introduction of inadequate and superficial alternatives to secure food. Thus the people of Bonkuku and Koshilan, faced with increased production demands and needs to pay taxes, were to determine their own environmental strategies with minimal support from the French.

COLONIAL ENVIRONMENTAL POLICIES

The first inadequacy with French policy concerns the introduction of certain measures taken in the interests of food security. These included the unsuccessful introduction of reserve granaries, a locust control program and manioc cultivation (as an alternative source of food) (Taillandier,

1953a; Charlick, 1991:38). The locust control programs were too small and modest to be of any significant value while manioc cultivation, although less susceptible to locusts, suffered from termites.

Reserve granaries created much conflict at the village level and most rejected the strategy (Brouin, 1933c; BM, 1953a; BM, 1953b). The granaries were first introduced at the canton level controlled by village chiefs. As this did not prove successful efforts were made to introduce granaries at the village levels with control resting with the French administrators. This too created much conflict (RE, 1939; REA, 1942). According to data gathered in the villages (1991), granaries during the colonial period were held, filled and distributed among kin.²⁹ Therefore French efforts to remove control of production from the kin group to the state were a strongly contested policy initiative.

The French also failed to pay sufficient attention to appropriate fertilization techniques as they encouraged expanded commercialization of production. There is no indication that the French introduced or encouraged attention to fertilization strategies. Rather as land became tired, farmers were encouraged to cultivate more land and crops. Although local fertilization strategies such as manuring, cropping techniques and fallowing systems were practiced

²⁹It is unclear during the colonial period who in a particular kin group had rights to use or distribute the harvest.

throughout the colonial period, these have proven inadequate in keeping up with the demands placed on marginal land.

A fertilization practice for the farmers of Imanan has been to pay Fulani herders to graze the Fulani's herds in the farmers' fields after the harvest while they are on their route to northern pasture land after the rainy season.³⁰ However, for some this has become increasingly difficult to do as it is necessary to pay the Fulani either in millet or cash.³¹ It has also been the practice of the people of Bonkuku and Koshilan to intercrop cowpeas with millet. Cowpea is a nitrogen and phosphate fixing plant and therefore provides necessary nutrients for the soil (Newsum, 1990). Another soil conserving initiative is the practice of leaving post-harvest uprooted stalks on the land to protect the soil from wind erosion (personal observation 1991). This is also beneficial as the stalks improve the quality of the soil because they are quickly decomposed by termites (Busacher, 1989:38).

In terms of local fallowing strategies, these too have been brought under stress and forced to change as the soil

³⁰As the *imajeghen* and dependents of Bonkuku and Koshilan gradually gave up transhumance throughout the 19th and early 20th centuries, men and women of the different social strata have hired Fulani to take some of their livestock on transhumance.

³¹The use of chemical fertilizer is an economically impossible option for the vast majority of the people of Bonkuku and Koshilan. During the colonial period there is no evidence that chemical fertilizers were ever introduced.

continued to deteriorate due to overproduction. The new strategies adopted within the past twenty years are barely adequate to cope with the degree of degradation as is evidenced by repeated poor harvests. Guillaume describes two systems of fertilization and fallowing strategies once practiced in Imanan Canton which have slowly been either modified or abandoned altogether.

The first system, Guillaume argues, has its beginnings in the early 20th Century when agriculture was only slightly developed in Imanan and when much land remained available. At the beginning of each rainy season, adults and children left the village to settle in the fields where they constructed temporary hamlets of 2-45 huts (Guillaume, 1974:89). After the harvest all returned to the village. Settlement in the fields was not only because the fields were far from the village but also because it facilitated the struggle against exhaustion of the land (*ibid.*). The herds of each household were tied each night to a post and left to fertilize the fields throughout the evening. However, as Guillaume explains, with the extension of agricultural activities, modifications to this strategy were adopted. The hamlets had to split with each household settling in isolation on their field (Guillaume, 1974:89). It is this strategy that continues to be practiced in Imanan today (see below) (personal observation 1991).

The second strategy described by Guillaume refers to those who had fields closer to the village. Although for these

people it was possible to move from the village to the field and back again each day during the rainy season it was not an entirely effective use of the fertilization potential of livestock. As people returned to the village each night the livestock too remained in the village thus the soil did not benefit from the animal fertilizer. However, this difficulty was improved by the strategy of village rotation. As Guillaume explains, a proprietor of a parcel which produced little because of soil depletion could ask the chef of the village to choose the depleted field as the next spot for the location of the village.³² The payment that was required from the individual with the infertile field was paid to the Chef. After the village had lived on the infertile field for three or four years, the Chef was to benefit from all the harvest from the parcel for the following two or three years. If the individual making the request only had this one depleted field, one of the forms of land loaning discussed above provided an alternative to continue cultivation (Guillaume, 1974:90). In the early 1950s, the village rotation

³²a. Charlick makes reference to a similar system, which he argues, was practiced throughout Niger. "Niger's agricultural society adapted to fragile ecological conditions by living in low-density settlements spread out widely over the countryside and by moving in a semi-nomadic fashion to permit long periods of fallow to restore soil fertility" (Charlick, 1991: 38).

b. Guy Nicolas describes a similar system of village rotation in central Niger which he calls strip farming. This system is practiced by a group of Bouzou farmers (Nicolas, 1962).

system gradually gave way to permanently settled villages as adobe houses and schools were built (Guillaume, 1974: 60, 92) and as French policy "dictated (that) farmers live in high density villages, strung out along access roads" (Charlick, 1991:38).

In both Bonkuku and Koshilan there is a very clear and increasing trend of people leaving the villages to settle either permanently or for the cultivation season in their fields (personal interviews, 1991). As Guillaume argues, this changing strategy has coincided with the depletion of the soils and the livestock in the region (Guillaume, 1974:89). In both villages as people continue to leave and settle in their fields and practice Islamic inheritance, settlements have become increasingly dispersed. Rather than living in a village with extended kin, households of a husband, wives³³ and their children have moved to 'their' field. There, as the sons marry and have children they are given their part of the father's field. Upon receipt of the field this household too then moves to live in the field. This movement to the fields is not only to fertilize the fields as mentioned above but

³³polygny has historically been practiced amongst the Tuareg. Although it is unclear if men of dependent strata could have more than one wife, it is clear the *imajeghen* could marry more than one wife on the condition that the other wives were from dependent social strata. *Imajeghen* men were to marry only one *imajeghen* woman. However, amongst *imajeghen* men, polygny is increasingly extending to more than one *imajeghen* woman. Dependents too have more than one wife. Islamic law permits a maximum of four wives, which seems to be a law acknowledged in both villages.

also to ensure fields are not left idle.

Consequently, as their fields became exhausted, farmers were forced to clear and cultivate more and more land. Land that would otherwise be left in fallow was kept under cultivation. Guillaume noted that, during his field work in the early 1970s, fallow was practically non-existent and that a field would be left in fallow only when it was totally exhausted. "A parcel will not really be abandoned except if there are several disastrous harvests in a row. Several *bottes* of millet which are harvested will be enough to push the farmer to plant in the following year" (Guillaume, 1974:85). He also recorded that none of the village chiefs mentioned the practice of fallow (*ibid.*) On several occasions personal interviews (1991) confirmed that fallowing was not practiced in Imanan. "We always use our old fields. As well there is no more space to clear fields" (ICOH, 1991:F, 62). Another woman stated, "I've never seen anybody do that (fallow)" (ICOH, 1991:B, 6).

Furthermore, inadequate and inappropriate colonial environmental policies were implemented as the population increased. Although it is difficult to get population figures specific to the two villages or Imanan Canton prior to the 1950 period, there is evidence from comments in the archival documents that the population was increasing and that this was putting stress on the land (Sellier, 1950; Plan Quadriennal 1953-57, 1952). For example, one archival document revealed

that the population of Imanan had reached a point of almost total saturation. "The canton...can only with difficulty feed its population" (Plan Quadriennal 1953-57, 1952). Population figures recorded in a census taken by Guillaume in 1965 of Imanan Canton showed that 10,241 people lived on a land surface of about 700 square kms -- which gives a density of approximately 14.6 individuals per sq. km. (Guillaume, 1974:84). Population statistics given by Guillaume for Imanan reveal a steady increase in population and population density from 1905 to 1969 (Guillaume, 1974:11). This is consistent with what one finds in the Sahelian countries where population figures taken as a whole show an increase from 47 million in 1950 to 91 million in 1980 (IUCN, 1989:27). Rising population across the Sahel has put additional pressure on the land base -- a factor which is particularly relevant in Imanan given the lack of colonial conservation strategies and efforts by the colonial administration to increase production. The combination of these factors has served to contribute to land degradation and scarcity.

Although there are no exact figures regarding the amount of land that was devoted to cash and food crop production or regarding the total quantities produced in comparison to total area of land cultivated, this section has nevertheless reiterated that such extensive use of sandy soils was harmful, particularly in the long run. More land brought under cultivation without appropriate fertilization strategies on an

already marginal resource base has contributed to the present day situation of land degradation and land scarcity. It has also been argued that these environmental issues are central to understanding struggles over land by gender and social strata, which is the subject of the following chapter.

CONCLUSION

This chapter has highlighted selected aspects of colonial administrative, economic and environmental policies as implemented in Imanan Canton. It has been argued that it is the combination of these policies which has contributed to the environmental issues of land scarcity and land degradation of present day Imanan. As two women noted,

But we are suffering. Old age does not bring suffering when you are well fed. But it's hunger that fatigues us most...We have nothing to eat. We have no money with which to buy food. Hunger is suffering (ICOH, 1991:D, 1).

An *ighawelen* woman adds,

Before I had livestock and now nothing. Before I travelled but now I can't do anything. Children need to help me (ICOH, 1991:L, 17).

It has been argued that the administrative policies were ambiguous, supporting both the dependents and the *imajeghen* depending on the circumstances. Thus aspects of the dependent/noble relationship have been maintained in present day Imanan. The selection of local chiefs and the introduction of the *indigénat* were two colonial institutions which supported the power of some *imajeghen* while a state

declaration that freed dependents, subsequently followed several years later by policies to change canton borders and redistribute land, tended to favour the dependents. Shifts in power relationships between the *imajeghen* and the dependents altered customary rights of access to and control of resources between the social strata. It has been argued that these shifts contributed to issues of land scarcity and land degradation. The second section explored aspects of economic policies of the colonial government. The expansion of cash crop production has contributed to the decline of land in the two villages. Section three argued that as land was increasingly brought under cultivation for commercial and food security reasons the colonial government failed to introduce appropriate environmental policies to sustain the production demands.

In light of this contextual information the following chapter will go on to explore struggles over land between gender and social strata in Imanan Canton. Specific processes of change are explained by drawing on the conceptual framework of legal pluralism discussed earlier in chapter two.

CHAPTER FIVE

STRUGGLES OVER LAND BY GENDER AND SOCIAL STRATA

INTRODUCTION

The previous chapters have provided significant, albeit introductory, information concerning Tuareg societies and the region of Imanan Canton. The previous chapter in particular has explored changes in access to and control of resources and aspects of environmental deterioration. Indeed, land scarcity and degradation provide an essential background in which to understand the historically recent increased conflicts over land between men and women as well as by social strata. The intent of this chapter is to explore the processes of change and struggle by gender and, to a lesser extent, by social strata over land. Drawing on the conceptual framework of legal pluralism, developed in chapter two, this chapter will demonstrate dimensions of power and resistance by both gender and social strata in their respective efforts to secure rights to land.

The chapter is divided into three sections. The first section traces normative/ideological changes in the context of socioeconomic changes as initiated by men and women's manipulation of customary and Islamic law. It will not only be shown how women have been kept from land but also how women have used the language of customary and Islamic law as forms of resistance to male power and as a strategy to legitimize

their rights in land. The second section explores struggles over land by social strata. Both the *imajeghen* and the dependents manipulate customary law as a strategy to legitimize their claim. In both sections it is demonstrated how women and men as well as social strata draw on customary and/or Islamic laws to legitimize their claims to land and how, in the process, these legal spheres become arenas of struggle. The legal spheres/normative orders are recreated as the context changes and as women, men and the different social strata manipulate these spheres. The third section draws together ideas from the research presented in chapter five, summarizes and concludes the chapter.

It is important to note that the exact dates when certain norms were introduced or changed are difficult to discern. Therefore direct linkages with specific aspects of change mentioned in the previous chapter cannot be made for all examples of gender and social strata struggle discussed in this chapter. To as great an extent as possible, the chapter will indicate time frames and follow a progression from pre-colonial, to colonial to present day time periods.

GENDER AND STRUGGLES OVER LAND

In pre-colonial Imanan it was customary for land to be inherited from father to son amongst the *imajeghen* as well as amongst the *iklan* and *ighawelen* of tributary relations. It was also possible for *imajeghen* women to request access to land

from a brother. However, *imajeghen* women rarely exercised their use rights. In part this can be explained by the material conditions of the time and in part by the powerful ideologies that deterred women from exercising these rights. In terms of material conditions, 19th and early 20th century Imanan was described in early colonial documents and by *imajeghen* and dependents alike as a time of relative plenty. From the *imajeghen's* point of view, not only was there plenty of livestock, milk, rich pasture lands and dependents to do the work, there were also fertile soils and abundant harvests. In such healthy environmental conditions it was not necessary for *imajeghen* women to ask their brothers for land. When a woman married she and her slaves moved to her husband's household where she then benefitted from the production of her husband's field. As one *imajeghen* woman explained, "When there were slaves what would the women do in the fields? It was the slaves who worked and there was a lot of millet. The fields of the husband were enough and the woman did not need the field, a field for herself. The woman did what she wanted with the millet of her husband. There was a lot" (ICOH, 1991:I, 16). It is clear from this description that there was sufficient land, labour and millet production to meet the needs of most *imajeghen* women as well as of the community. Furthermore, at this time *imajeghen* women had a source of relatively autonomous security in the slaves and livestock received from their own parents before and throughout their marriage and as

inheritance from either a deceased mother or father.

In terms of ideological deterrants, *imajeghen* women were constrained from exercising their right to request access to land from a brother by the frightening threat that a brother would die if a sister made a request. As an *imajeghen* woman explained, "No, at the time noble women did not have fields. It was a taboo and they, that is the women, did not want to have fields. One said to the women that if they received fields their older brothers and younger brothers would die. This frightened the women...It was after that that one realized those were stories and lies. Before women did not want fields; they were afraid of losing their brothers" (ICOH, 1991:I, 16). However this same woman continues saying, "Women did not like fields for fear of losing their brothers but the women who wanted to get rich had fields" (*ibid.*). Thus it is clear, in the pre-colonial period, neither the power of the ideology nor the material conditions in defining women's use rights in land were absolute. Some *imajeghen* women resisted these norms and sought greater material security in land by drawing on customary law that permitted women access to land through a brother.

In the colonial period as all dependents gained control over their 'own' land and labour, customs unique to their 'former' *imajeghen* were adopted by dependent women as were customs unique to dependents adopted by the *imajeghen*. Although it is not precisely clear over what period of time in

colonial Imanan the transition took place, it is clear from present-day evidence that these customs were adopted. For example *ighawelen*, *iklan* and *isaha* women all, according to field research (1991), have the right to request land from a brother. As well, *imajeghen* women like their former female dependents now cultivate condiments on small parcels on their husband's fields. Both dependent and *imajeghen* women produce the condiments for household consumption and for the market.

A further example of exchange and mutual adoption of customs between social strata, as well as a similar form of material and ideological constraint for women of all social strata, can be observed in the context of the social norm that both husbands and brothers of all social strata were to provide for their wives and sisters. It was understood that husbands and brothers were to provide such goods as food, clothing, and medicines. As one *ighawelen* woman explained, "At the time it was the husbands who clothed and fed their wives. Before men took good care of their wives" (ICOH, 1991:K, 10). An *isaha* woman adds, "Before women did not have fields because it was their brothers who fed them" (ICOH, 1991:F, 75). Women could request land from a brother only if neither the brother nor the husband could adequately meet their needs. However this option for women was shrouded in ideas of shame. It was considered shameful for a sister to suggest to a brother that he did not provide adequately and it was equally shameful if she took him to justice. As one woman explained, "Before the

notion of shame had a lot of value. People avoided everything which could be the object of shame" (ICOH, 1991:F, 7). "When the sister discusses with her brother the issue of fields the people around will say that this woman is not very respectful (ibid.). She further explains,

Even before the woman could inherit everything from her parents. [However,] the woman considered it shameful to share fields with their brothers, that's why they ceded their part to their brothers. But today women and men have become selfish. Women do not consider it shameful to discuss with their brothers a part of the fields. The men on their side do not feel embarrassed to discuss fields with their sisters. The respect of old values has been pushed aside. Now on the day of inheritance the woman asks that her part go to her sons (ICOH, 1991:F, 30).

It is precisely this norm of shame that again have served to restrict women from exercising their rights.

This normative power of shame over women's rights to access resources was effective in the early colonial period because resources were relatively plentiful; hence most men could provide adequately for their sisters and wives.¹ As one *iklan* woman described conditions in her childhood (approximately 1925), "Even if you planted under this shelter, the millet would grow well. That's why we had high production. Now the land and the soil has become weak and tired. Now everything is diminished" (ICOH, 1991:G, 4). However as conditions changed throughout the colonial period it was

¹Even though there were differences within and between social strata in terms of levels of wealth as discussed in chapter four, it was nevertheless very likely that there were more resources available for most people in earlier colonial history than in the present.

evident some men could no longer meet these requirements. As an assistant of the *Chef du Canton* pointedly summarizes, "Before when a father died, the girl had no right to inherit the field because her brothers would satisfy her needs. Today brothers don't satisfy sisters needs, because they don't have enough means themselves" (ICI, 1992:V, 102). A brief description of one *ighawelen* woman's (LBK) situation can illustrate the vulnerabilities women experienced when fathers and brothers no longer provided.

LBK had six children and was a widow for five years before she remarried. She had use rights to her deceased husband's land through her sons, who would inherit the land when older. However, she received no support from any of her brothers. She explained it was most difficult to cultivate with only the labour contributions of young children. With no assistance from any kin members and the responsibilities of all the productive and reproductive work of the household it was most difficult for her to earn an income to hire labourers, to purchase necessary foodstuffs or other household needs. LBK explained,

Now, I work a lot...I feed my children. Their father is dead so it is up to me to feed my children. I am their father and their mother...Each is taking responsibility for their own family. They do not have enough means. I am obligated to manage on my own. My father is dead and my mother is very old. My brothers look after their own children...among us, the people have enough problems and each one tries to take care of their own difficulties (ICOH, 1991:L, 1 and 11).

In both villages the most frequent recent disputes

between husband and wives concerned the husband's ability to provide adequately for the household. As one *ighawelen* woman explained, "You know there are wives who feed their husbands now" (ICOH, 1991:K, 10). Increasingly women have taken their husbands to the *Chef du Canton* over this issue (ICI, 1991:T,94,102 and 103). It can be argued that this dispute is related to women's current increased claims on their brothers for land. However as land degradation and scarcity have accelerated, brothers are not only not providing for their sisters, they are also refusing their sisters use rights to land. As an *iKlan* woman explains, "It's because of a lack of a lot of fields that fields are not given (to a daughter)" (ICHO, 1991:J,13). The Imam adds, "When there was enough land women received" (ICI, 1991:T, 7). Even though brothers have greater authority and power than sisters to allocate land and currently use this authority to deny sisters their customary right to land, sisters do have resources available to them to resist their brothers' authority. As the socio-economic context changed so too did the meaning of the norm of shame. It is in this new context that women can now draw on the norm of shame to claim their rights to land unlike in the past when the ideology of shame restricted their rights.

During the colonial period as forced labour was abolished, and as both the *imajeghen* and the dependents produced for their 'own' purposes, members of all social strata required labour for production. To meet these labour

needs in the context of other aspects of commercialization -- such as payment of taxes, marketing of production, increased migrant labour and land renting -- waged labour became a new norm by which men could continue to have access to and control of land while, at the same time, refusing women their customary right to have access to land. The new norm was that women could receive fields only if they had the means to hire labourers. The following quotation illustrates this point, "...women receive fields. All those who have the means can have fields...When a woman has enough money to hire labourers, she can have a field..." (ICOH, 1991:A, 3).

This custom, arising in the context of labour shortages and commercialization of the economy, is further supported by norms regarding the work of weeding. According to custom weeding is understood as men's work, as very difficult work and as one aspect of field work that requires support through hired labourers. It is also understood in both villages that women do not know how to weed. Even though in practice women do know how to weed, custom suggests that they do not which ensures that they must hire labourers to do the weeding. Comments by an isaha woman clearly indicate this contradiction. On the one hand she said, "At the time of weeding, while my labourers are weeding, I pull out bad weeds and throw them away. It's now that I remove the bad weeds...I do everything the men do. All that I see men do, I try to do...I always watch over the work..."(ICOH, 1991:F, 1 and 18). On the other

hand, however, she, as did others, also frequently claimed that she did not know how to weed. An *iklan* woman's comment confirms this statement. "Here women do not know how to weed. It's the children and the men who weed" (ICOH, 1991:M, 23). Consequently because women 'customarily' do not know how to weed and because this work requires hired labourers, women too must hire labourers. Women must either know how to weed or be able to hire labourers in order to receive land. This same woman continues, "...Among us women do not have fields. It's the men who have fields because they know how to weed" (ICOH, 1991:M,37). An *ighawelen* woman adds, "Women do not weed therefore they do not get land... Here the daughters do not inherit fields because they do not weed" (ICOH, 1991:L, 11).

The option of hiring labour for weeding for most women has been remote. In the context of worsening economic and environmental conditions struggles between men and women over control of labour and its product have increased. For women these struggles have resulted in increased demands on their own labour while sources of income have concurrently declined. These conditions, combined with other demands on women's labour, have simultaneously created the need for women to hire waged labourers but have also made this most difficult for them to do.

In the earlier colonial period the possibility for dependent men to hire labourers was less than for *imajeghen* men as *imajeghen* men had more land available to earn income

from land rent. Thus, dependent men tried to gain greater control over their wives' labour as a means to secure the necessary labour for productive work. These efforts increased as the environment continued to decline and as dependent men migrated to the cities to earn an income. The colonial documents of the 1950s and 1960s, in particular, provide evidence for these kinds of struggles between husbands and wives (Adamou, 1963b; RA, 1961; RA, 1960; RA, 1961; Taillandier, 1953a).

The colonial documents refer to matrimonial conflicts and increased efforts by women to seek divorce. In one document a fuller explanation of gender struggles is given. "With the onset of field work, there has been an increase in matrimonial problems. Husbands who have been apart from their wives for a long time want to integrate them [women] in order that [the women] can help [the men] in the field work." The document then states that most civil servants authorized their wives to participate in planting (RM, 1963a). Although the document does not specify which social strata of men or women were involved in this struggle it is possible to suggest reference is being made to dependents rather than *imajeghen*.

The principle reason for arguing that the colonial documents are referring to dependent men and women is because it was mostly males from the dependent social strata who were civil servants and hence stayed away from their wives for long periods of time. Dependent men assumed civil servant positions

more than *imajeghen* men, because it was the dependents who were educated. Historically, the children of dependents were sent to colonial schools by the *imajeghen* as many *imajeghen* refused to send their children as a form of resistance to the French.

As dependent men assumed civil servant positions, they no longer returned to the village at the beginning of the cultivation season in May, which was the common practice of other migrant labourers. Rather than foregoing a source of relatively secure income through migrant labour opportunities, men turned to the labour of their wives to fulfill the responsibilities of the field work. Although the quotation does not speak of any compensation given to the women, it is possible to assume that there was little or none in light of women's efforts to withdraw their labour from their husbands' control through divorce. As women were increasingly drawn into agricultural tasks, their time available to participate in income generating activities to earn an income to pay hired labourers also decreased.

Women are further constrained from hiring labourers because of male control over 'their' children's labour. Men, as brothers of all social strata, customarily grant their mother, grandmother or sister access to their children's labour.² However, brothers have the power to manipulate this

²Although it is not clear when this practice was introduced, it is likely it began during the colonial period with the gradual abolition of slavery. It is perhaps a custom

custom to their own advantage by refusing their sister(s) the right to access the labour of their sons and daughters. One *isaha* woman explained that brothers are refusing their sisters rights to the labour of their brothers' children. "Your own brother...can give you a child and afterwards take the child back. Those are things that happen often. Some take back the children that they have given to their own mother" (ICOH, 1992:F, 36).³ An *imajeghen* woman added, "When the brothers do not help their sister, she goes to ask for her part of the field. Before the brothers preferred the children of their sisters more than their own. Now each one only likes his own children. When the woman has children and their father doesn't have fields, she must have her part of the inheritance that she will leave her children" (ICOH, 1992:I, 17). Thus, the brothers' control of labour can make it even more difficult for many women to get access to the labour necessary to request a field.

In addition to struggles over access to and control of labour, struggles over the control of the product of labour

borrowed from the Zerma or Hausa, however this postulation requires further research.

³It is possible that brothers refuse their sisters access to their children's labour for several different reasons. In some cases the loss of labour due to labour migration could be one contributing factor for brothers to retain rights to those children who remain in the village. Another reason for some could be because of increased labour demands that parallel increased land holdings. The practice of land renting allows the possibility to cultivate more land, thus more labour is needed to work the land. For others the lack of money to hire labourers results in the need to keep their children's labour.

have also intensified. Consequently sources of income for women have also declined. Struggles over the product of labour have intensified particularly as a result of environmental decline. For example a source of income called *Koba*, once specifically of benefit to women, has disappeared. *Koba* referred to millet purposefully left in the fields by the husband for the wife to gather after the harvest. Women could do as they wished with this millet. One option, often chosen by women, was to sell it. However, gleaning as such rarely occurs anymore. As an *isaha* woman explained, "Today there is no longer *koba* as whatever is produced must be eaten" (ICOH, 1991:F, 103 and 104). She further explains that minimal production has contributed to conflicts between husbands and wives "as both men and women 'sneak' from each other part of the harvest to sell in the market for cash or other needed goods" (ICOH, 1991:F, 43 and 44). Even though women do seek out ways to make an income their increased responsibilities for the household take up the monies they earn. Furthermore, returns for labour are often low as one woman explained, "There are moments when one brings the mats to the market without getting any money and you come back home to store them" (ICOH, 1991:L,5). As well, women are restricted from participating in commercial activities because of cultural (male) norms. As one woman explained, "You know in general it's the husbands who are not emancipated who prevent their wives from doing commerce" (ICOH, 1991:F,84).

Although it is difficult for most women to secure an adequate income to hire labourers for weeding, some women manage to do so nonetheless. For them, livestock purchases and astute herd management practices are two strategies which have provided an opportunity to earn sufficient income. As mentioned above, in the pre-colonial period it was not uncommon for *imajeghen* women to have large herds nor was it uncommon for dependent women to have a few livestock as well. In this time of plenty, as one woman explained, it was not necessary for women to herd their animals separately from their husband (ICOH, 1991:F, 73). However as drought and famine have destroyed the herds in the region, *imajeghen* and dependent women alike have received fewer and fewer livestock through previous inheritance customs. Thus the purchase of livestock as a means to build up a herd has become increasingly important for women of all social strata.

This is particularly significant where former dependents are concerned in that it is through the market that these women have the possibility to build a larger herd than was possible within the context of the pre-colonial dependent/noble relationship. By initially purchasing small quick-reproducing livestock such as goats and then selling the offspring to buy sheep and later cattle, some women have been able to build up a herd. Another strategy is for women to purchase lambs at a time when the price is low, fatten them over the course of eight months or a year and then resell the

sheep at up to three times the price just prior to the annual Muslim celebration of *Tabaski* (commemorating the sacrifice of the ram by Abraham in place of his son) (ICI, 1991:S, 4).

In the context of increased scarcity of livestock it was necessary for herd management practices to change. For some women, the herds have been sustained because they have divided their animals between several different people on various routes of transhumance thus adequately spreading the risk between different environments (ICOH, 1991:F, 106). Some women also do not keep their herds with their husband; as one woman explains, "It's not really a good method for a wife to mix up her animals with those of her husband because she risks losing them without reason" (ICOH, 1991:F, 73).

Some women in conjunction with livestock production will also participate in trading activities, particularly in terms of buying millet when the price is low, storing, and selling again when the price is high (ICOH, 1991:K, 13). This too is a strategy to earn an income. Other income generating activities include weaving of palm mats and calabash holders, the sale of butter and milk and the making of beds from millet stalks. Although there are women who, through their various economic activities, have been able to resist the norm that they must hire labourers, particularly to weed, in order to receive a field, these women are few.

The norms of a brother's death, of shame, of waged labour and of brothers' control over their children's labour are

customs defining access to and control of resources and customs largely constructed for the benefit of men. Although women have drawn on aspects of customary law and pursued income generating initiatives in an effort to resist these forms of male power, men, particularly as brothers, continue to maintain the culturally dominant position to define and name custom. Male manipulation of selected aspects of Islamic law provides a further indication of male power over resources. It can be argued historically that Islamic law has supported men at the expense of women because men have held the positions of authority within the religion and have thus controlled the interpretation of the Koran.

Male power to manipulate Islam is clearly evident when considering gender relations to land. The Koran states that both sons and daughters are to inherit all goods from their deceased mother and father. In the case where there are both sons and daughters, the sons are to receive two times that of their sisters. In the case where there are only daughters, each daughter is to receive a part along with one other male relative. The male relative can be for example, an uncle, a cousin or a son. Although in both villages in the pre-colonial period only *imajeghen* sons and daughters inherited livestock and other personal goods from their deceased mother and father according to Islamic law, from the colonial period until present day all dependent groups have adopted similar inheritance practices. Even though the Koran does not

differentiate land as a good to be inherited only by sons, it has been interpreted as such in Bonkuku and Koshilan. For example as one man explained, "If I am with my two sisters, in Islamic inheritance, and we have an inheritance of cows, horses and all kind of animals and land -- of the land, the sisters have no part. It's my part only. That's Islam. But with animals they have a part in all" (ICI, 1991:C,5).

Even though historically men have had the authority to interpret Islamic law in their favour, women have recently challenged this authority. Within the context of changes in Islam in the two villages, an integral part of women's strategy has been to seek the authority of the *Chef du Canton* in dispute settlement (ICOH, 1991:H, 24). Although before "women did not dare go to the *Chef* to tell him that they wanted to have their part of the fields", they have increasingly sought the authority of the *Chef* to settle their land claims (ICOH, 1991:F, 38). Women strategically choose the *Chef du Canton* as the forum for dispute settlement as it is here that they can more effectively convoke their brothers to justice and use both customary and Islamic law to legitimize their claim.

Although conclusive details explaining the changes in the influence of Islam in Bonkuku and Koshilan since the arrival of the French are not available, certain comments and legal changes can be cited to support this hypothesis. For example, one *imajeghen* man explained "Our parents before were pagan.

They didn't believe in God and they did not even pray. Now the nobles are becoming more and more Islamic" (ICOH, 1991:H, 24). In terms of legal change it appears, at least in theory, that the Islamic law which states that wives are to inherit from a deceased husband and that husbands are to inherit from deceased wives is relatively recent. A 1933 archival document states that "if the husband dies, the woman has no rights to anything, whether or not she has children..." (Brouin, 1933a). However as the same man further states, "the practice of the past, where women did not inherit from their husbands, was not just and contrary to Islam" (ICOH, 1991:H, 23). Another woman also explains, "But now the father also inherits from his wife because the Marabouts say that the husband has a right to inherit from his wife" (ICOH, 1991:G, 12). It is in this context of the changing influence of Islam that other Islamic changes more specific to women's rights in land can be better understood.

In present day Bonkuku and Koshilan, disputes are settled by the individuals involved, by village elders, by the Imams of either village or by the *Chef du Canton*⁴. The *Chef* can rule independently or in consultation with an Imam. Although the Imam too can rule independently, his decisions can be contested and revoked by the *Chef*. The Imam could rule on issues such as inheritance and the division of personal goods,

⁴As mentioned in chapter four, the role of the village chief in dispute settlement is not clear and requires further research.

livestock, and land. However if there were conflicts these went to the *Chef* (ICI, 1991:E, 13; T, 2 and ICI, 1991:N, 2). For example, an *ighawele* woman presented in writing to the *Chef du Canton* a complaint that her neighbour was encroaching on her land (ICOH, 1991:L, 19). According to my fieldwork (1991), the *Chef du Canton* has retained the responsibilities with respect to land, given by the colonial administration. As an *isaha* woman explains, "One could say that [the land] belongs to the *Chef du Canton* as it is he who commands the region" If a woman wants to plant a garden, "she must first ask the *Chef* who will ask her if the plot is really vacant. After having verified that the terrain is vacant, the *Chef* can, without a problem, give her authorization to do a garden in the vacant area" (ICHO, 1991:F, 98). Other issues related to land that are ruled by the *Chef* include those of individuals seeking to expand their land, individuals seeking to take up new land and individuals seeking to rent land to another (ICI, 1991:N, 2). The *Chef du Canton* has the ultimate authority at the local level. As an *imajeghen* man illustrates, "The Imam and the *Chef* judge together. But the Imam is under the authority of the *Chef*. He only does what the *Chef* wants. The *Chef* is stronger than him. The justice of the *Chef* is not true justice because often he corrupts the Imam. The *Chef* favours the one he wants" (ICOH, 1991:H, 11).

The authority that the *Chef du Canton* enjoys in present day Imanan is a product of the administrative strategy of the

colonial government. Through creating the institution of *Chef du Canton* and by supporting *imajeghen* as the successors to this position, the colonial government reinforced the power and authority enjoyed by the *imajeghen* in the pre-colonial period. The power and authority of the *imajeghen* was further reinforced through the new responsibilities of the *Chef du Canton* and the shift of accountability away from local elders and other *imajeghen* to the colonial administration. Thomson's study in Zinder found similar results. *The Chef du Canton* has ultimate authority and interprets disputes according to either Islamic or customary law (Thomson, 1982:5). It is precisely the authority now held by the *Chef* which encourages women to seek his consultation.

Although women have a right to convoke a brother to justice according to aspects of customary law outlined above, it can be a struggle for a sister to get a brother to attend. This is particularly the case if a sister did not claim her part of the land inheritance before her father's death. As one woman explained, "A daughter should request a field when her father is alive for when he is dead she has nothing" (ICOH, 1991:A, 13). In order to ensure that the brother is convoked, women seek the council of the *Chef* because the *Chef* has the authority to rule according to customary law, to ensure the brothers attend and to ensure any judgement is fulfilled. As the Imam explained, "Men rarely go to [the Imams] as the brothers know the Imam will rule according to Koranic laws and

thus in favour of the sister." The Imam does not have the authority to force the brothers' attendance nor to force the brother's adherence to the decision made (ICI, 1991:T, 5). As one man mentioned, "A conflict between a woman and a man is when a sister reclaims a field from her brother. Often he refuses and the sister takes him to the Chef" (ICI, 1991:N, 4).

Furthermore, women seek the Chef because he can consult the Imam for a Koranic ruling and today the interpretation of the Koran supports women's right to inherit their share of the land. As the Imam said, "And when there is a problem the woman receives her part because it is said in the Koran that the woman as the man has a right to inherit all that their dead parent has left" (ICI, 1991:E, 5). Although the Koran itself supports women, the interpretation still does not appear to be one that offers women exactly half of what their brothers receive nor is it a norm automatically applied to both men and women at the death of a father. Rather women continue to receive land from a brother, however now it is legitimized not only by customary law but by Islamic law as well. As the Imam said, "The woman can inherit with the Koran. The older or younger brothers can give a part to their nephews -- so the woman is included" (ICI, 1991:E, 11). Furthermore the application of Islamic law is not part of the normative order of society. In order for women to benefit from this law, they must struggle against the ideologies of shame and take their

brother to the *Chef du Canton*.

It would appear that customary and Islamic laws are being used and manipulated by both women and men to legitimize their rights to land. Women draw on both legal spheres as customary and Islamic laws offer women rights of access to land.

However, men having greater authority in society, particularly in terms of the control of the interpretation of the Koran and the application of Islamic law, are generally able to manipulate Islamic law in their own interests. Men either ignore Islamic laws regarding women's rights to land or, when challenged by women, manipulate the laws in such a way so as to ensure women do not inherit exactly according to Islamic law. By drawing on aspects of customary law, men are able to minimize the full benefits of Islamic law for women. For example, according to Islamic law, women are to inherit as daughters from their deceased mother and father. However, in Bonkuku and Koshilan, women continue to receive land from their brothers, as sisters. They do not inherit from their mother or father as daughters.

This section has shown by what processes women and men have struggled over access to and control of land. As the socio-economic context changed, new normative orders were created out of these struggles between women and men. Although men have held the power and authority to define access to and to control land, women too have participated in the reconstruction of norms. Women, as men, have drawn on aspects

of both customary and Islamic law as a resource to secure their rights in land.

SOCIAL STRATA AND STRUGGLES OVER LAND

In addition to increasing struggles between women and men over land in Imanan Canton are the increasing struggles between men⁵ of the different social strata for access to and control of land. The conflict most often discussed concerned *imajeghen* efforts to reclaim land from their former dependents, particularly the *iklan* and the efforts of the *iklan* to resist these initiatives (ICI, 1991:U, 97). "One example of land conflict now, is that the Tuaregs [*imajeghen*] are trying to recoup the land", said BAH (*ibid.*). This section will focus on the struggles over land between the *iklan* and the *imajeghen*. Even though field research (1991) confirmed similar struggles between the *imajeghen* and the *ighawelen* and the *imajeghen* and the *isaha*, evidence regarding the processes of change are more clear for the struggles between the *iklan* and the *imajeghen*.

The *imajeghen* are able to exert pressure on the *iklan* because they have maintained a certain degree of power in present-day Imanan. Although the *imajeghen* do not have the same degree of political and economic control over resources

⁵According to interviews (1991), the struggles between the different social strata referred to the struggles by men to secure their rights to land. Further research is necessary to learn of struggles between women of the different social strata and their respective efforts to secure access to land.

in Imanan today as they did in the pre-colonial period, due to changes initiated during the colonial period, some *imajeghen* have nevertheless maintained their wealth in land and livestock. Furthermore political and economic power, embodied in the title of *Chef du Canton* and its accompanying responsibilities over land, have also served to reinforce and maintain aspects of the power of the *imajeghen*.

Struggles between social strata over land, as between gender, are largely struggles over meaning and interpretation of history and normative orders. The different social strata use and manipulate normative orders as a means to legitimize certain claims as the context in which these struggles occur also changes. The following section will demonstrate how in one context the *iklan* draw on the 'tradition' of 'fictive' kin and the accompanying kinship terminology such as parent/*imajeghen*, child/dependent discussed previously in chapter three to legitimize their claim to land. It will also be shown that even though the *imajeghen* continue to benefit from the recreation of aspects of this 'fictive' kin relationship, they nevertheless adopt an alternative strategy to legitimize their claims to *iklan's* land. The *imajeghen* reinterpret the meaning of 20th century land renting back in time to a different context, that of the pre-colonial relations between the different social strata. In response, the *iklan* further manipulate the ideology of kinship. However, in light of the different context, the dependents legitimize

their rights to land by rejecting the same kinship terminology.

Male *iklan* are able to draw on kinship terminology in the event that their land is threatened by *imajeghen* efforts to recuperate the land. The *iklan* resist *imajeghen* claims by arguing that as parents the *imajeghen* could not take back the land they had given their slaves in the past. As was explained in chapter three, the *iklan* were integrated into Tuareg society as 'fictive' kin adopting the kin language which described the *iklan* as children and the *imajeghen* as parents. Field research (1991) indicated that both the *iklan* and the *imajeghen* often described their relationship as that of a parent and child. By invoking kin terms, the *iklan* could continue to exercise their rights of access to and control of land in the context of increased efforts by the *imajeghen* to reclaim land. The *imajeghen*, as the parents or in this case where land is concerned the 'father', cannot ask for the land back from a 'son'. It is against customary rules of inheritance between fathers and sons for a father to reclaim land from a son that the father had given. "The slaves are like our brothers, we gave them fields and now we cannot take them from them" (ICOH, 1991:H, 24). An *imajeghen* woman explains, "nobles are parents of the slaves because" in the pre-colonial period "slaves were captured and brought to a new location. The new location was far from their parents, therefore the nobles had to become their parents. As parents

the nobles were obligated to give them land. The parents gave slaves a field to subsist because they are like children" (ICOH, 1991:H, 10). An *iklan* woman adds, "...when a noble gives a field to his slave it is like if a father gives a field to a son. No one will take his field from him...They [*imajeghen*] did not recuperate these fields. That was a shame for a noble and besides the noble considers his slave as his own son -- so why would he take back from him a field that was given to him" (ICOH, 1991:G, 22).

The *imajeghen* for their part agree with this kinship argument presented by the *iklan*. The *imajeghen* openly stated that they gave land to the *iklan* before the French and that as parents they could not take back the land. One *imajeghen* woman explains, "The fields belonged to the nobles but they had given them to their slaves. But they kept some fields for themselves. The slaves worked in their fields and came to work in the fields of the nobles. It was somewhat in that way that the fields were divided. The slaves had some for themselves and the nobles for themselves. The fields at the time were controlled by the nobles. It was them who gave the fields to their slaves" (ICOH, 1991:A, 12).

The *imajeghen* maintain a strong perception that all the land still 'belongs' to them and that they as parents gave fields to 'their' *iklan* as their children. This is clearly revealed by the following statements by an *imajeghen* woman, "You know that the field your slave occupies belongs to

you...before they [imajeghen] had many fields, all along the road to Filingue to the border of Kughfey⁶. Now the slaves exploit all these fields and they [the imajeghen] can't recuperate them" (ICOH, 1991:I, 3). Another imajeghen woman also explains, "now the slaves are in the fields of my parents. They work for themselves and help us a little. They help us only when they want" (ICOH, 1991:A, 2). She further explains that her father gave land to his slaves and that she knew of no slaves who had fields without having been given them by their nobles (ICOH, 1991:A, 11 and 12). It is argued here, that even though the imajeghen think the fields are still theirs, they consent to this argument of the iklan because the re-creation of the language of kinship around rights to land and the relationships this language symbolized provide benefits and security for the imajeghen.

The imajeghen, by maintaining the understanding that the land is 'theirs', coupled with the understanding by the imajeghen and iklan alike that the land was given by the imajeghen as 'parents' to 'their' iklan/children, has served to reproduce other aspects of the slave/noble relationship. For example the imajeghen have been able to claim a part of the harvest as a tithe not only from iklan of tributary relations, as was the case during the pre-colonial period, but from all iklan's fields. The gradual abolition of slavery also

⁶Kughfey is a canton stretching from 30 to 60 kilometers to the north of Imanan.

brought the introduction of the tithe to the *iklan* of slave relations. As the Imam explained, "A dominated slave must not give the tithe because everything which belonged to him is actually for his master...today the slave can give the tithe to his master or the marabouts...the Koran advises the slaves to give the tithe to their nobles...before, just after slavery, the slaves gave the tithe to their nobles and today only those who like their nobles give them the tithe" (ICI, 1991:E, 14). Even though there are fewer dependents offering the tithe today, it is a practice that persists and a practice which the *imajeghen* and *iklan* alike can legitimize based on kin relations.

The *imajeghen* can also benefit from the reproduction of the slave/noble relationship and the slaves' labour in other ways. For example some *iklan* women continue to pound millet and prepare meals for the *imajeghen* on occasion -- just as the 'children' (*iklan*) of an *imajeghen* did in the pre-colonial period.

One example of how the manipulation of kin language worked in favour of the *iklan* concerns an *imajeghen* woman from Shiwil. (Shiwil is a village 10 kilometers south-east from Bonkuku). The woman's father died and gave land to the *iklan*. The woman wanted to take the field back from the son of the slave after the slave and her father had died. The *Chef du Canton* said that this was not possible because if he ruled in her favour, no slaves in Imanan could hold land because all

fields were given to slaves by nobles. She also went to the *sous préfet*. He agreed with the *Chef's* position that, "Once the father gives the land it can't be taken back" (ICI, 1991:U, 101). As the *imajeghen* are unable to reclaim land on the basis of kinship, they argue instead that land was rented to the *iklan* and not given to them as a gift. In this context the *iklan*, when confronted with this argument, shift their position arguing that they never received land from the *imajeghen*.

For *iklan*, kin terms can guarantee rights of access to and control of land; for the *imajeghen*, kin terms provide the continued benefits of 'their' *iklans'* labour. However, kin terms can equally be dispensed with in that the *imajeghen* can invoke the practice of land renting as a strategy to reclaim rights to control land. Although land renting was not introduced until after the French arrived, field research (1991) suggests that the *imajeghen* are trying to make similar claims for all land exchanges between the *imajeghen* and the *iklan* including the pre-colonial period. In arguing that land was rented, not a gift, it is possible for the *imajeghen* to reclaim the land. As one *imajeghen* man explained, "...when it is lent, it can be reclaimed." (ICI, 1991:U, 96). The *imajeghen* argue that they gave land to 'their' *iklan*, either for marriage in the pre-colonial period or because the French required that they give it. What they do not agree with is the permanence of this exchange. Some *imajeghen* say it was not a

gift rather they rented the land to the *iklan* and therefore claim the land is still theirs in principle.

In this case the *iklan* reject the use of kinship terminology. Therefore some *iklan*, whether male or female, have responded by arguing that their land came from their ancestors not the *imajeghen*. Even though several *iklan* did suggest that they knew of other *iklan* who had received land from their *imajeghen*, they maintained this was not the case for them. An *ighawelen* woman described the situation whereby her parents had fields which her father inherited from his father. "He found some bush that was not occupied but full of grass and trees and cleared the land. They didn't receive the land from Tuaregs [*imajeghen*]" (ICOH, 1991:L, 3). Several other *iklan* women further confirm that their fathers inherited the fields from their respective fathers, not the Tuaregs [*imajeghen*] (ICOH, 1991:D, 19; ICOH, 1991:J, 10; ICOH, 1991:G, 2).

This is an interpretation of the history of slave/noble relations to land as *iklan* of tributary relations did cultivate their 'own' field after marriage. These fields in turn did not revert back to the *imajeghen* but to the sons of the *iklan* both before and after the French arrived. Therefore it is possible that the *iklan* reinterpret the degree of control the *imajeghen* held over the land in the pre-colonial period and argue instead that the land came from their own ancestors not from the *imajeghen*. Perhaps some *iklan* also draw

on the time before the *imajeghen* arrived in the region. In this case some *iklan* can argue that the *imajeghen* in fact took the land from their ancestors. This response protected the *iklans'* rights to the land. If they agreed they did receive the land from the *imajeghen*, they could lose it (ICI, 1991:U, 44). Some *iklan* have also used the language of kinship but in such a way as to refute *imajeghen* claims for 'their' land. Those *iklan* who have found other options such as the civil service or who have been able to accumulate land and money through renting land have less need for the continuation of these relations.

The Imam summarizes this claim to ancestral rights in land and the kind of conflict over the land this claim brings. "The types of conflicts are when men say that the field that someone else is cultivating belongs to one of his ancestors and that the other must leave. That's especially what brings conflicts...one will say to someone that his field actually belongs to him because it belonged to one of his parents. And the Tuareg [*imajeghen*] will say that the field also belongs to his father. That brings conflicts" (ICI, 1991:T, 11).

CONCLUSION

This chapter has shown how the legal spheres, defining access to and control of resources by gender and social strata, have changed over time. These spheres have changed as the socioeconomic context changed and as women and men as well

as the different social strata used the different legal spheres as a resource to legitimize their claim to land. It has been shown not only how customary and Islamic laws manipulated by men have served to restrict women's access to land but how women have struggled to resist male power. Women, by manipulating customary and Islamic laws in an effort to legitimize their access rights to land, have also participated in the creation and reconstruction of these normative orders. Moreover it has been demonstrated that the *iklan* have resisted the generally more powerful *imajeghen* by adopting a similar strategy of manipulating the different legal spheres in the context of socio-economic changes. In the pre-colonial period -- a time of relative plenty -- *imajeghen* women did not need land as they adequately benefitted from what their husbands and brothers were responsible to provide. Coupled with these material conditions, which deterred women from requesting land from a brother, was the belief that a brother would die if their sisters were to request land from them. Although there were women who resisted these two mutually reinforcing factors, most women did not request land in the pre-colonial period. In the early colonial period, women continued to refrain from pressing their brothers for land, also for material and ideological reasons. As dependents got control of land and labour, customs were mutually adopted by the different social strata. Thus dependents, like the *imajeghen*, adopted the norm that men were to provide for the women. The

ideology of shame reinforced this norm and served to constrain women from requesting land from a brother. As in the pre-colonial period, the environment of the early colonial period remained relatively healthy, therefore it was considered unnecessary and 'shameful' for a woman to request land. However, as the environment was overused and gradually declined throughout the colonial period, this same ideology of shame was used by women to legitimize their claim to land.

Gender struggles over land were also discussed in terms of the context of the commercialization of the economy. One aspect of the commercialization process developed above was the introduction of waged labour. For women, waged labour became a new norm which kept them from having access to land. In order for women to receive land it was necessary that they be able to hire labourers. Male power to control their wives and children's labour gave considerable advantage to men of all social strata to secure necessary labour. Some women, on the other hand, have resisted male control through income generating initiatives. The final point of gender conflict discussed in chapter five concerns Islam. Male power to manipulate Islamic inheritance laws has served to deny women their part of inheritance of land according to Islamic law. However in the context of changes in Islam and changes in the village authority structure, women are able to resist old interpretations of the Koran and draw on new ones.

With respect to conflicts between dependents and the

imajeghen, it has been argued that the dependents are able to draw on kinship terminology to legitimize their claim to land in the context of increased threat by the *imajeghen* to recuperate land. However the dependents are also able to reject kinship terminology as the *imajeghen* lay claim to dependents' land according to principles of land renting.

This chapter has indicated various ways that women, men and the different social strata have struggled over land in the context of legal pluralism. Chapter six further explores the relevance of the framework of legal pluralism in terms of the central research questions and the two feminist concerns raised in chapter two. The following chapter also points to areas for further study.

CHAPTER SIX

THE RESEARCH PROCESS - SOME CONCLUDING COMMENTS

The intent of this chapter is to summarize briefly the preceding chapters and to reflect on the research process. The first section discusses the conceptual framework of legal pluralism in terms of its relevance to the central research question and the related issues of history and change raised by this line of inquiry. Moreover, the first section explores the relevance of legal pluralism in terms of its response to the two feminist concerns outlined in chapter two, namely dualist thinking and a better linking of ideology with material conditions. Not only is legal pluralism a framework that permits the opportunity for women's experiences to be recorded in the context in which they emerge, but it is also a framework that permits the analysis of changes in ideology and how these changes are linked with material changes. The second section concludes the thesis with a summary of areas for further research.

The central research question of the thesis has sought to explore the historically recent and increased struggles by women and men of all social strata to secure access to land. As well, albeit to a lesser extent, the thesis has sought to explore the historically recent struggles by the different social strata to secure their rights in land. My study has sought to explain by what processes women and the different

social strata have struggled to exercise their rights to have access to and control of land. With respect to gender it is very clear that women's increased claims to land are recent as there has been a long and dominant ideology in Bonkuku and Koshilan that "the fields belong to the men not the women" (ICOH, 1991:H, 1). As one woman stated, "Before the girls did not ask for their parts of the fields. They left them to their brothers. It is now that this practice exists" (ICOH, 1991:F, 30).

History and change have been integral aspects of the research for this thesis. In seeking to explain the present situation of increased conflict between women and men and the different social strata over land, it has been necessary to analyze aspects of these historical relations to understand by what processes they have changed, evolved and increased to the point that they are today. Accordingly, chapters three and four discussed in considerable detail the origins and histories of Tuareg societies in Imanan -- although the historical reconstruction remained circumscribed by available information. Attention was focused as well on how women, men, and the different social strata held, allocated and inherited land according to customary and Islamic laws. A significant distinction between access to and control of land was drawn; this distinction was defined in terms of allocations of power over resources. Changes in access to and control of resources -- and, hence, power -- have been key themes developed in the

third and fourth chapters as well as in chapter five.

Chapter three also demonstrated how *imajeghen* men controlled political and economic power through the hierarchical socio-economic and political structures characteristic of Tuareg societies in pre-colonial Imanan Canton. Chapter four demonstrated how control by the *imajeghen* changed and gradually diminished with the implementation of colonial administrative policies. Colonial administrative policies altered access to and control of land by social strata which in turn had deleterious implications for the environment. These implications were further explored in chapter four along with the the implications brought about by colonial economic and environmental policies. The hierarchical structure characteristic of Tuareg societies and the environmental decline of the colonial era are central to developing an understanding of the present-day struggles between social strata and gender for control of land.

In light of the historical and contextual information provided in the third and fourth chapters, the fifth chapter went on to explore more closely the processes of change in terms of access to land by gender and social strata. The processes of change in rights to land were observed through an analysis of the manipulation of the different legal spheres.

By paying attention to history, legal pluralism also addresses the first feminist concern. Such a framework allows the voices of women themselves to be heard and recorded.

Rather than studying "women through a comparative process whose backdrop is western society" (Mwagiru, 1987:74) and transferring concepts constructed from western gender experiences, customary law and Islamic law are instead defined and redefined by the women and men themselves out of their lived experiences. As these concepts are constructed out of lived experiences in the context in which they emerge and are articulated by both women and men, efforts can be made to challenge dominant western perceptions of African women. Mwagiru clearly expresses this challenge in noting that, "...it is insulting to the dignity and integrity of people to be defined and understood only in terms of their weaknesses..." (Mwagiru, 1987:72).

The second feminist concern is also addressed by the framework of legal pluralism. It has been argued that as the socio-economic context changed from the pre-colonial to colonial to the present period, ideologies also changed. This analysis has shown that material changes are specifically linked with ideological changes over time.

Although legal pluralism is a relevant framework for the reasons given above, further research in several areas could serve to strengthen and enhance the analysis of the processes by which women and men as well as the different social strata struggle to secure rights to land. Even though the limitations of the research have been noted throughout the thesis, this section will draw particular attention to further areas of

research in which some of these limitations could be addressed and through which greater clarity and understanding could be gained.

Particular areas of difficulty of this thesis have been related to the reconstruction of the kinship structures of the different Tuareg groups who settled in Imanan Canton and the relationships between the kin structures, the political organization and the different social strata. The complexities of these relationships have been confirmed by the literature on Tuareg societies and the diverse character of the socio-economic and political structures that this literature reveals. Precise definitions of and connections between these structures in Imanan remain vague and in need of further research. A clearer understanding of these structures and their relationships would facilitate further understanding as to who had rights of allocation and use of resources.

A starting point to begin to address these limitations and to understand the connections would be to make modifications to the participant selection criteria. In order to understand the evolution of the relationship between the *imajeghen* and the various dependents of the different Tuareg groups in Imanan, it would be appropriate to ensure that *imajeghen* members of the different Tuareg groups were selected and included in the study as well as 'their' former dependents. In Imanan, as each Tuareg group had different places of origin, it is likely that each of these groups

brought unique aspects of their kinship, socioeconomic and political structures to Imanan. Further research and historical reconstruction on the origins of the different groups, as has been begun with the *Kel Dennig* and *Lissawan*, could begin to reveal these unique aspects amongst the different groups. Furthermore tracing the historic links between *imajeghen* and dependents would more clearly indicate the origins of the dependents and the basis on which they were woven into Tuareg kinship, socio-economic and political structures.

Tracing the rules of succession of the Sultan in Imanan and of other authorities of the different Tuareg groups would also provide clearer insights regarding matrilineal or patrilineal rules of succession in Imanan. These would also indicate the responsibilities and powers held by the different authorities over resources. Rights of control over land -- whether they be held by the Sultan, the *tawshit* or the confederation or a combination of the three -- could also be discerned. Moreover, tracing marriage strategies within and between different Tuareg groups would help to indicate how resources were held within kin and political networks.

Further analysis of use rights in land by different kin members and social strata in both the past and present is also an area that requires clarification. For example, even though it is clear that *iklan* of slave relations did not control their harvest in the pre-colonial period, it is less clear as

to which individuals or groups of individuals within the *imajeghen* kin network could claim the product from another *imajeghen's* field. Similar questions in the present day situation need to be raised. It is not clear which kin members can benefit from a man or a woman's land.

Future research should also seek to incorporate more directly as participants a greater number of women who actually have fields. Questions about the allocation rights and control over the production would alleviate some of the limitations of the research. Discussion with the sisters' brothers may also shed further clarification of use and control rights within the kinship structure. Field research conducted with participants in Bonkuku and Koshilan did not focus on the issue of access to and control of land only. Rather other resources such as livestock, gardens, waged labour and income generating opportunities were considered equally important and were explored. The focus on struggles over land emerged after analysis of the interviews. In addition, future research should explore in greater detail women's 'condiment' gardens in their husbands' fields and whether or not women today are receiving smaller plots or, perhaps, none at all. This could be another factor contributing to women's increased requests for land from their brother.

Constructing geneologies with each participant during initial interviews could also be a strategy implemented in

future research. Such an approach would ensure that kin terms and their meanings are understood as precisely as possible. The geneologies would also provide a reference point from which to trace the inheritance of resources. For example, knowing the *Tamacheq* words and their meanings for mother, father, grandmother, grandfather, mother's brother (uncle), father's brother (uncle), brother or half-brother could ensure the appropriate person was being identified in terms of who received or allocated a particular good. Specificity by gender and social strata was crucial to this research. An objective of future research would be to ensure greater precision regarding these distinctions. In cases where specific *Tamacheq* words did exist the appropriate word should be written in the transcription. For example, the appropriate *Tamacheq* words should have been written when referring to an *iklan* woman's mother's brother or her father's brother.

Further research on the relations between Tuareg and other ethnic groups in the region would also be beneficial in learning of exchanges of customs between the different ethnic groups. It is clear that Hausa and Zerma populations of Imanan were incorporated into the pre-colonial Tuareg socio-economic structures. However it is not well understood as to which customs were adopted from the Zerma and Hausa and incorporated by the *imajeghen* or the *ighawelen*. Future research should devote time to learning about other groups in the villages, their histories and their relations with the Tuareg.

Discussion about their ancestors may shed light on the degree of authority the Sultan enjoyed in the region in the pre-colonial period or clarify the basis by which other ethnic groups were incorporated into Tuareg socio-economic structures. Although I spoke with the Fulani herder of Bonkuku, who took the livestock of women daily to surrounding areas to pasture and water, future research should seek to speak with the Fulani herders who take herds from the villages on transhumance. Discussion with the Fulani about the history of their relationship with the Tuareg of Bonkuku and Koshilan could contribute to a better understanding as to why the *imajeghen* increasingly gave up transhumance in the pre-colonial and early colonial periods. Further research regarding livestock and millet price changes could also offer an explanation for the gradual preference for farming.

Further research on class formation emerging throughout the colonial period would also provide a more detailed explanation of property relations in present-day Bonkuku and Koshilan. Questions regarding how some *imajeghen* and dependents became wealthy in land and livestock, while other *imajeghen* and dependents became poor, are yet to be answered. Connections between this phenomenon and colonial policies of land distribution and the shifting of the border demarcation provide entry points for further research. Greater clarification of differences between women of the different social strata in terms of their particular struggles over land

also requires further research. Analysis of the articulation between gender, social strata and class would be a fruitful and challenging area of future study.

Another entry point for future research to learn of gender struggles and strategies to secure land would be to explore the changes in marriage relationships. Several people in both villages commented that polygyny was increasing, particularly amongst the *imajeghen*. A common characteristic of Tuareg societies in the pre-colonial period was that an *imajeghen* man could marry only one *imajeghen* woman. With respect to the *iklan*, *ighawelen* and *isaha*, more research is necessary to learn of marriage customs in the pre-colonial period. Even though the extent of the practice of polygyny is not clear for all social strata in the pre-colonial and colonial periods, it is clear that it is currently increasing amongst the *imajeghen*. This change in marriage custom in the context of increased struggles by women to claim land from their brothers, raises questions about gender and social strata struggles over land. Perhaps *imajeghen* men are seeking more wives as a strategy to gain control of more land and labour. As Bryson states, "The more wives a man has, the more land he is allocated to cultivate, thus increasing his wealth and power" (Bryson, 1981:36). Men can legitimize their right to more than one wife according to Islam, as Islam permits a husband a maximum of four wives.

In Bonkuku and Koshilan, as wives receive land from their

brothers and take the land to their marriage, the husband cultivates and makes decisions about her land. He can not however, dispose of her land as it will be inherited by their sons. By marrying more than one woman, men not only have the possibility to have more land, but also more labour from their wives and children. It would be interesting to explore the conflicts that are emerging between husbands, wives and brothers in the context of a situation where land is taken to a marriage by the wife, where her husband makes decisions concerning her land and where their sons will inherit her land. Although it is not clear who retains control over the product of the land in terms of who has rights to distribute and use the product, it is likely that this too would be an area of conflict. As mentioned earlier, men and women now 'steal' part of the harvest to sell. Thus future study should seek to learn of struggles between women and men specifically over the control of land women bring to a marriage.

Further research regarding the degree of out-migration, the patterns it takes and who participates are significant questions that need to be addressed, particularly in terms of the implications migration holds for struggles between gender and social strata for control over 'their' labour, land and its product.

In addition to the areas of future research suggested above are suggestions concerning methodological changes. Despite deliberate objectives to address the power dimension

in the research relationship through such strategies as promoting non-hierarchical and mutually beneficial learning experiences, these objectives remained largely unmet. Time and language were two significant constraining factors. In order to alter the characteristically unequal research relationship between northern and southern participants, the relationship requires an extended commitment beyond the initial research period. Efforts to make contact, pursue discussion and exchanges of information need to continue for a mutually agreed upon period. Particular attention could be paid to feelings and perceptions by both the participants and the researcher engaged in the research process. It is also suggested that methods of follow-up with participants in the research process be articulated in initial research proposals. A key factor to facilitate this kind of follow-up, as well as to encourage more open communication between the participants and the researcher, would be to work with fewer people.

Although additional questions and further areas of research have emerged in the course of this study, this research has nonetheless sought to contribute to an understanding of the processes of change in resource control in Bonkuku and Koshilan. Moreover, even though this thesis is but an initial piece of research, it does provide a clearer picture of gender and social strata struggles over land, particularly in light of the theoretical framework of legal pluralism and the historical context of the pre-colonial and

colonial eras. This study then offers an appreciation for the complexities that exist in seeking to discern questions of access and control and the particular vulnerabilities of women, men and the different social strata.

For the people of Imanan, it is clear that their options for survival are increasingly few, less viable and contingent upon forces that are for the most part external to their control -- climate and rainfall, state policy and market prices. Whereas women and men of Bonkuku and Koshilan attest to the importance of land, its declining fertility serves to increase their insecurity and dependence on relatives working in the formal economy or on food aid. Furthermore, land degradation and scarcity have motivated women and men of all social strata to struggle amongst each other in the interests of securing rights to land. In the context, then, of environmental decline and profound socio-economic changes, these struggles may very likely be reproduced and intensified.

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