Histories of land

Politicization, property and belonging in Molo, Kenya

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Abstract
This thesis aims to explore the politicization of land in a local setting in Kenya. The purpose is to study how access to land is justified through histories about relational property and belonging. The notion of deep politics is used in order to suggest that these histories of property and belonging not only transform the meanings of land but also the meanings of politics. The empirical chapters describe how the ordeals of the high politics of the state—such as the creation of settlement schemes, the provision of landed resources, or the alteration of constituency boundaries—have given rise to local histories about how property and belonging are constituted. The findings of the thesis build on extensive fieldwork. The main empirical material consists of qualitative interviews with 129 persons, undertaken primarily in Molo. The interviews are complemented with ethnographic observations and archival sources. In policy and theory alike, land is usually treated as a purely economic resource, subject to property rights regulations of a technical, universal and decontextualized nature. Such assumptions have underwritten many large-scale land privatization reforms in the Global South. In contrast to such assumptions, this dissertation contributes to the literature on access to land in Africa by suggesting that even when property rights to land are generally accepted, they are also backed up by other claims, such as various histories of belonging. The idea that property rights, decades after titling-reforms, are both accepted and complemented with other notions of what constitutes legitimate access to land is an original finding of the thesis. This adds further complexity to the notion of property as inherently relational and potentially eligible for politicization. Additional light is hereby cast on why conflicts over land might not be solved but instead reinforced by land reforms.

Key words: Property, belonging, politicization, land, histories, deep politics, Kenya

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Acknowledgements

Paul Auster writes that every book is the result of somebody's solitude. These pages took solitude to happen. But the support, insight and sometimes hard work of others was necessary in order to allow me to sit in solitude and write them.

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Introduction

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On an early September morning in 2012, I am walking along the side of one of the many mud-roads in Molo with Mr Gichuki. Meanwhile, Simon, our driver, is trying to manoeuvre his motorcycle along a particularly poor stretch of the road, which the heavy rains of last night have turned into a slippery muddy path. Simon is knee-deep in the mud, using his legs to urge the motorbike forward as the wheels spin, almost soundlessly, deep in the mud. We are on our way into a section of the Mau Forest, and Simon blames the poor condition of the road on the heavy timber trucks which transport timber from the plantation ahead, down to the tarmacked road. Considering the large number of timber trucks which pass this way every day—and the size of the company, Timsales, which runs them—I find it unfathomable that nothing has been done to make the road passable. Joshua Gichuki, however, is not the least surprised.

Now approaching his sixties, Joshua Gichuki has lived in Molo his entire life. The poor state of the roads is old news to him, just like the recurring electoral clashes through which he has navigated, starting his life anew three times, yet still managing to pay for his children's education. Over the last ten years, he has been active in various local peace-building networks and he is training to become a pastor in the East African Pentecostal Church. Joshua Gichuki was born and bred in Molo; his advocacy work and his preaching combined make him the perfect guide.

Today, he is accompanying me to one of the camps for internally displaced persons which still remain in Molo, almost five years after the

most recent outbursts of electoral violence. Though we have met on several occasions, we do not know each other very well. Therefore, as we walk, and while Simon is hauling the motorcycle through the mud, I am trying to make small talk. Joshua Gichuki has just explained how he grew up in Molo, where his father worked at the race-courts set up by the European settlers. 'Did your father own land?', I ask, to which Joshua Gichuki laughs, short, sharp and cynical-sounding. 'No African owned land here', he says. When I interpose something about how this is so because this used to be the 'White Highlands' to signal that I know what he is getting at, I occasion Joshua Gichuki to launch into an agitated narrative:

> Everybody keeps on calling this the White Highlands! Why is
> that? They say because the white men owned the land—but they
> never did! It is like the story about a man who is caught in a
> heavy down-pour and asks someone if he can just stick his head
> under their roof to shelter. The person kindly agrees, and before
> long, he is standing under the roof altogether. After a while, he
> has managed to move into the house and, eventually, he claims
> he is the rightful owner. Such was the story of the Europeans
> and the Molo land.
>
> Joshua Gichuki, 13 September 2011, Molo

Joshua Gichuki illustrates a notion of access to land which is deeply imbued with historical trajectories and issues of moral legitimacy. His father did not own land in Molo since land ownership in the White Highlands, as the area covering Molo was known during colonial rule, was an exclusive European right. Joshua Gichuki refutes the legitimacy of white ownership of land in Molo, not ownership *per se*. He does not base his invalidation on a competing perception of land as being sacred or inalienable or community owned. What Joshua Gichuki is getting at is that the Europeans came to own land in Molo on illegitimate grounds. Since most Europeans acquired land in the Highlands more or less for nothing and, more importantly, since none or very little of the money that did change hands in the transaction ever flowed in the direction of any Kenyan, one does not have to go beyond the rules of the market to claim illegitimacy. Nevertheless, the effect of European ownership, however illegitimate, was that no African could own land in Molo. This indicates that legitimate access to land is not necessarily the same as formal ownership of it. Rather,

in order to pass as legitimate, land claims—in the form of property rights or otherwise—need to be justified and explained. Hence, regardless of whether land claims are based on property rights (like those of the European settlers) or on moral grounds (like the land rights Joshua Gichuki hints his father and other Africans ought to have had), they must be backed up by legitimating histories.

In this sense, Joshua Gichuki's account illustrates how I have come to understand access to land in Molo as justified by reference to several histories, which may compete or overlap. For instance, while much of the agricultural land in Molo is privately owned, property rights claimed with reference solely to formal transactions and records are seldom enough to defend claims to land. Instead, just as Joshua Gichuki refutes past European ownership of land as illegitimate, contemporary property rights to land have repeatedly been challenged and other legitimating histories have been called for in order to defend access. This thesis is about such histories, told to claim or to contest access to land; and about how these histories in turn re-shape understandings of land, community and politics.

Aim

Land has been essential to most human endeavours, forming the literal ground for everything from the free-ranging activities of hunting and gathering to the tightly regulated projects of nations and cities. Indeed, structuring of land use and ownership is interwoven with the development of social structures. Karl Marx proposed that by changing the world around them, people also change their own nature; '[man] not only effects a change of form in the material on which he works, but he also realizes a purpose of his own' in working these materials (Marx 2000[1876]:257-8). Land, therefore, is almost impossible to separate out from questions about who does what, owns what and what they do with it, that is, from essential social and political questions (see Bernstein 2010:22-3; Lasswell 1950). This is particularly so in agrarian societies, where land is the basic source of livelihood and wealth (Berry 1993).

This thesis focuses on the processes by which matters of land become matters of politics, and the other way around. By adopting an approach

which perceives land and politics as deeply entwined, I question basic assumptions about land as purely or primarily an economic resource, subject to property rights regulations of a technical, universal and decontextualized nature. Such assumptions have undergirded many of the reforms of large-scale land privatization implemented in the Global South (Hall 2013:118; Lund & Boone 2013; Manji 2005; Peters 2004; Sjaastad & Bromley 2000; Ubink et al 2009:8). Recently, central land reform-institutions, notably the World Bank, have nuanced their approach to large-scale titling by emphasizing the merits of devolved land reforms, building on customary land tenure regimes (Collins & Mitchell 2016). However, the embracing of customary institutions also tends to gloss over existing inequalities and power relations that structure access to land (Peters 2009:1319), not least with respect to women's land rights (Whitehead & Tsikata 2003). In this thesis, I perceive of power relations, conflicting histories about the past and questions of community as inseparable from matters of land.

From the perspective of land privatization in Sub-Saharan Africa, Kenya has been a leading country with privatization reforms initiated as early as the 1950's, during the last decade of colonial rule. However, in parallel to these privatization reforms, Kenyan land tenure has increasingly been characterized by insecurity of access. The insecurity of access to land stems from several partially interlinked trajectories, such as widespread corruption, the tendency among levels of the bureaucratic and political elites to use land to foster support and punish dissent, and a complex legal framework of multiple and sometimes contradictory land laws. These trajectories have rendered multiple and overlapping land rights as well as conflicts over access to land the order of the day.

In sum, land tenure in Kenya has been characterized by large-scale privatization reforms and far-reaching insecurity. This runs counter to one of the core assumptions in traditional property-theory, namely that land privatization and property rights will generate tenure security (Feder & Feeney 1991; De Soto 2000). Instead, the history of land in Kenya—sprinkled with contentions actualized by the colonial transition, large-scale land reforms and localized conflicts—appears to bring the politicization of land to the fore.

When I use the concept of politicization, I do not infer that something that was not previously political has now become so. From what we know

about the development of human society, I find it more likely that land has always been about politics in the fundamental sense that 'whoever owns the land wields the power' (Jacoby et al 1971:1). However, such broad claims do not tell us much about the ways in which land is connected to politics. For example, a general comparison between the European feudal land tenure system and the coeval African land systems already reveals a fundamental difference. In both places, the powerful political figures controlled most of the land, but for different reasons. In feudal society, the estates vested the feudal lord with power that he could use in order to control his subjects. In Africa, the amount of land the ruler could claim depended directly on his control over others, meaning that the ruler's 'acreage reflected his place in the social system; his place in the social system was not determined by the acreage he claimed' (Colson 1971:201; see also Gluckman 1972:75-112; Okoth-Ogendo 1991:17, 27 on Africa; Pierce 2013 on Nigeria).

Moreover, politicization implies processes of politics, which suggests change. Therefore, even though politicization of resource-use is always occurring, it can never be assumed but must be studied as it unfolds in its temporal and spatial context. In terms of land, politicization entails contention about access and rights to, but also definitions of, land. The contention might be there, to some extent, in all places and at all times, but it will take on various expressions. *How* land is politicized depends, for instance, on whether contentious interpretations over the meaning of land will be voiced, and on whether there exists a window of opportunity to translate underlying contentions into strategic action or argumentation. These questions call for empirical studies.

I am not the first to take an interest in the intersection between land and politics, in Kenya or elsewhere. In particular, studies of land relations in postcolonial and post-communist states have focused attention on land as being imbued with relations of social and political power (Berry 2002, 1993; Boone 2014; Kuba & Lentz 2006; Lentz 2013; Lund 2008, 2011; Lund & Boone 2013; Peters 2009; Sikor & Lund 2009). Further, it has been suggested that the overlaps between politics and the allocation of land might increase rather than diminish when land is privatized (Boone 2012; Onoma 2009). Less explored is how land is politicized at the local level. In an overview of land tenure systems and reforms in Sub-Saharan Africa undertaken a decade ago, Lorenzo Cotula et al (2004:32) pointed out that

more studies on the political dynamics of land conflicts were needed (see also Boone 2014:50; Hall 2013:124). Given the complexity of the often localized, historicized and politicized trajectories of land conflicts, such studies are still called for today.

In the context sketched out above, *the aim* of this thesis is to examine the politicization of land in a local setting.

I argue that as land is contested, new interpretations of what land and community entails will ensue. Therefore, land cannot be perceived as prior to or separate from social and political relations. More specifically, at the local level the politicization of land is shaped by histories of relational property and belonging narrated in order to justify access to land. This thesis focuses on these histories by posing *the research question:* How is access to land in Molo justified?

Contestation over access to land tends to invoke historical claims (Berry 2002:640; Lund 2008:22; see also Lentz 2013). In these claims, the past does not figure as something fixed, not as 'tradition' (Lund 2013:14), but as diverse, partial and malleable *histories*. In Molo, these histories revolve around past and present tenure systems and allocations of land—colonial settlements and post-colonial redistributions, ranging from state-controlled settlement schemes and evictions to market-transactions between individuals and violent dispossession.

While the empirical material of this thesis primarily consists of interviews, the histories conveyed by my narrators in our interviews relate to broader histories about land and politics. Analytically, I do not perceive the relationship between histories from Molo (constructed mainly from interviews) and broader histories (based on archival sources and secondary accounts), which also encompass events beyond Molo, as unidimensional. The Moloites underpin their histories with events and processes beyond Molo. At the same time, histories from local places such as Molo shape the broader histories. Although history is sometimes told as if it happened at a general level, detached from people, places and lives, it always happened 'someplace' (Massey 2005:181-182). For instance, the history of the oppressive character of colonialism or of the global spread of capitalism did not suddenly 'occur' at a general level, but the general history about these episodes is a conglomerate of histories told from various locations.

Location of the study

This study is located in the central parts of the Rift Valley, Kenya, in what I refer to as wider Molo (see Map 1). Wider Molo is the area that used to be Molo constituency until 1997; it covers 2 334.79 sq. km and is home to approximately 550 000 people[1].

The empirical material for this thesis primarily builds on four periods of fieldwork, conducted between August 2011 and December 2015. The first two periods were undertaken during four weeks in August-September 2011 and February-March 2012, when I visited various locations in wider Molo, including Temoyetta (see Map 2). The main period of fieldwork, conducted during a number of visits between September 2012 and March 2013, was focused on Temoyetta. A brief return to Temoyetta in December 2015 allowed me to follow up and reconfirm some of the main empirical themes.

The interview material is detailed in Chapter 2, but in total, it adds up to approximately 200 hours of interviews with 129 people, individually or in focus groups. When I refer to all of my narrators as a group, I use 'Moloite'. Concomitantly, 'Temoyettans', 'Rwangond'oners', and so forth are used as collective denominations for people from those specific areas.

In Kenya, land is crucial for social, political and economic relations, and to have access to land is important in general but particularly so in rural areas, where subsistence farming is a fundamental component of most livelihoods. Most people in Molo make their living from farming. Maize, potatoes, cabbages and beans are grown for both subsistence and commercial purposes; wheat, barley and pyrethrum are cultivated mainly for the latter. Life in Molo is challenged by the poor state of the roads and the limited access to electricity, running water, sanitation and health care facilities. However, how people deal with these challenges varies considerably. While most people in Molo own land covering five to ten acres, large farms of up to 100 acres reveal the wealth of some Moloites. Wealth is also visible in how some people have managed to connect their homes to the main electricity grid and in the four-wheel drive vehicles that allow them to travel comfortably around the area, despite the deplorable conditions of the roads.

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[1] This makes Molo the equivalent to Luxembourg, both in area and in population density.

Map 1: KENYA

Map by the author, modelled on Nations Online Project.[2]

Molo is also linguistically diverse. Most of my narrators speak at least one of the two official languages of Kenya, Kiswahili and English. However, the majority would count either Kalenjin or Kikuyu, or one of the other

[2] http://www.nationsonline.org/oneworld/map/kenya_map2.htm

around 60 indigenous languages in Kenya (Simons & Fennig 2017), as their first language. This implies that many people speak at least three languages. To allow the narrators to talk to me in their language of choice, I worked with research assistants fluent in the most common local languages, Kalenjin and Kikuyu (see Chapter 2).

The language-differences indicate ethnic diversity. Ethnicity is a central social category in Kenya, often said to be the second question—after name—posed when strangers meet. Ethnic labels figures frequently in the histories conveyed by my Moloite narrators. I treat ethnic denominations as the sort of social categories used in all societies to differentiate between individuals and groups. However, in the context of the politicization of land, I find ethnicity to be a problematic category to use analytically for two reasons. Firstly, land is not always contested along lines that follow ethnic boundaries. Secondly, I perceive ethnic identities as originating in political projects—initiated from above as well as below—and analyse them as such (see Chapter 6).

My choice to study Molo is motivated by its historical trajectories of frequent contestations and restructurings of access to land. Land in Molo has been subjected to two large-scale appropriations: during British colonization in the early 20th century and during the period surrounding independence in 1963.

With the settler agriculture of British colonialism, Molo found itself situated in the midst of what the colonizers called the White Highlands. This denomination was telling: land ownership in this area would remain an exclusively white privilege, reserved for settlers of European or South African descent, throughout most of the colonial era. At independence, land in places such as Molo was transferred from the departing colonial settlers at going market rates via a series of settlement schemes.

I interpret both of these two major appropriations of land as having a direct bearing on the contemporary ambiguities over land and property that Joshua Gichuki's history illustrated at the beginning of this chapter. Furthermore, it is my impression that such ambiguities are widespread in Molo. As was hinted at in Joshua Gichuki's history the colonial appropriation has remained controversial, but so have post-independence appropriations. How land was distributed, to whom and under whose control has, over the years, given rise to pervasive contestation. At times, most prominently in relation to the general elections of 1992, 1997 and

2007, these contestations have turned violent. Aside from the personal tragedies of lost lives and livelihoods inflicted by the violent outbursts, violence has also restructured land tenure through processes of displacement—where people evicted during the violence never moved back again—and via state-led resettlement schemes.

Map 2: WIDER MOLO
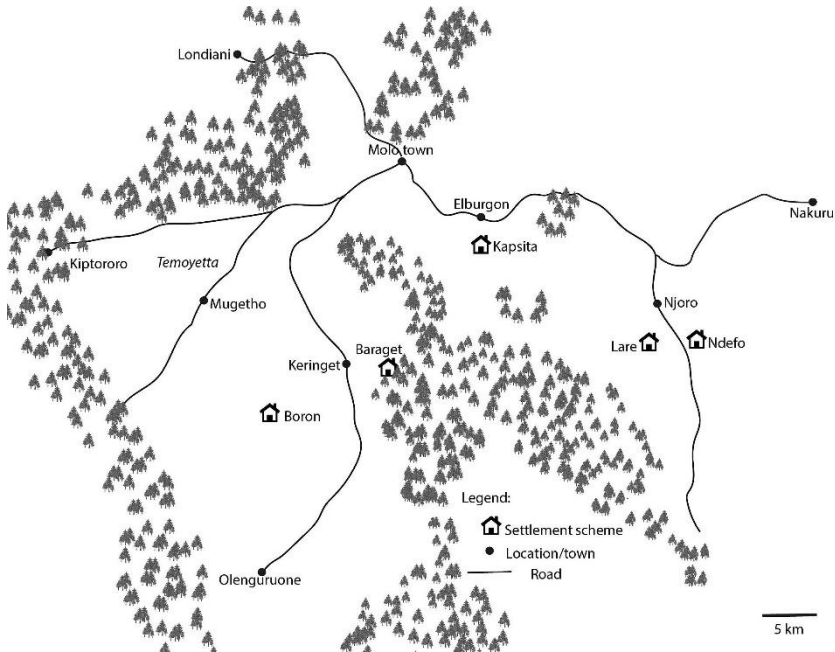
Map by the author, modelled on Google maps.

Taken together, these past and recent histories suggest that Molo offers rich repertoires of the politicization of land, which this thesis sets out to study. However, this only represents half the story about why this thesis is located in Molo. The other half is more circumstantial.

My first inclination to limit the geographical focus of this thesis to one area—and to Molo—was prompted by empirical encounters. I first visited Molo in late 2009 a number of times over a period of three months,

conducting fieldwork for a master's dissertation. My interest was in the people who were displaced by the latest bouts of electoral violence in 2007-2008, how they were constructing communities in their new locations and the implications of this for local-level politics and power dynamics. This initial visit gave me a lingering sensation that I was just starting to understand that there was something about land and politics worth exploring. It took two years before I returned with PhD-time on my hands. I thought I would return to grounds familiar, and, in some sense, I did: land was still at the heart of the political debates in Molo. But the ground of those debates had, literally, been moving.

In 2009, the internally displaced persons (IDPs) I interviewed had been residing on land which they purchased by pooling the small sums of money the state had provided. By 2011, the state had institutionalized these initiatives and was no longer handing out money to individual families, but had begun to allocate specific pieces of land to selected families. In this way, new village-communities were created. At the same time, there was nothing new about the ways land was dealt with to bring these villages into being. Instead, the allocation of land to the IDPs reactivated memories of earlier appropriations, settlements and evictions and, thereby, old debates about access to land and political power. These processes were further sharpened by the fact that by no means everyone who had suffered the consequences of the 2007-2008 violence received land or state support, not to mention those who had been victims of the earlier periods of violence around the 1992 and 1997 general elections. Therefore, these debates appeared to bring the nexus between land and politics to the fore.

I will return to questions related to empirical choices in Chapter 2. In the next section, I will present the methods I use to analyse my empirical findings in Molo and how I situate this study in relation to previous research.

Land and politics

Land is physically demarcated, sub-divided, bought, sold and fought over—and people are possessed or dispossessed as this happens. Seen from this perspective, the politics of land centre on the distribution of or

negotiation over material resources, which is an understanding that closely aligns with Marxist perspectives on material structures and the distribution of resources as restricting and to some extent determining human action. While I subscribe to such Marxist notions, I do not believe that an easy separation can be made between material distribution of resources and the interpretations and histories of these distributions. Landed practices are legitimated, resisted and, to a certain degree, made possible via interpretations of what land is, to whom it belongs and why.

In studies of land, this is not a new approach. Fiona Mackenzie has suggested that struggle over land is inevitably a struggle over symbolic values (1998:23). Furthermore, struggle over land has been identified as having significance for processes of governance and development (and not just the other way around). Sara Berry has pointed out that the importance of land for such processes lies both in how land has been dealt with in the past and in its 'salience as an arena for the production of history' (Berry 2002:640).

Building on these previous suggestions, I argue that when land is dealt with politics is made, and political practices redefine and have the capacity to re-create both how land is used and distributed and how it is conceptualized. Therefore, there is no easy separation to be made between 'politics' and 'land'. Land is not only the *object* of political practices, but also *co-constitutive* of these practices. Material dealings with land often hinge on shared understandings that authorize certain land practices and not others, and these shared understandings are contingent on context and history. Sally Falk Moore (1998) has summarized these complexities in admirably simple words:

> In short, to say that someone has a right to land is to summarize in one word a complex and highly conditional state of affairs which depends on the social, political and economic context. The place, the setting, the history, the moment, all matter.
>
> Sally Falk Moore 1998:33

From this also follows that the politicization of land cannot be captured as a general or universal phenomenon, in the abstract, but must be understood in context, in the detail. This calls for an analytical framework that grasps contexts and histories of the politicization of land and moves from there to theoretical understandings, and not the other way around.

HISTORIES AND DEEP POLITICS

The histories which form the focus of this thesis are often conveyed by individual narrators, but they centre on events and processes collectively shared and remembered: political elections, land possession and dispossession, community relations and so on. These histories are central for my take on politics; I focus attention on how people relate to and position themselves vis-à-vis the state, but equally important is how they relate to one another. These relationships are located in place. They might evolve around dealings and distributions of material resources, shared or competed for; or they can centre on histories about shared pasts, presents and futures.

   This perspective on politics owes much to John Lonsdale's (1994) notion of 'deep politics'. If politics is described as divided into the sphere of the 'high politics' of public affairs among state officials and the 'low politics' of matters where people in the streets or in the fields come together by articulating views and demands, 'deep politics' is in the in-between. Deep politics happens when leaders attempt to mobilize supporters by alluding to values normally associated with the domain of low politics—such as relational property or belonging—and when the public, conversely, invest or withdraw their loyalties. The deep vision of politics emphasizes the importance of the local as a place

> where people imagine, and dispute, the reasons for honouring or
> breaking their reciprocal demands upon each other, from high
> or low. It is the sphere of public memory, in which there was
> once honour, and could be again, or where injustice was inflicted
> that must now be undone.
>
> John Lonsdale 1994:112

In this thesis, 'the sphere of public memory' is explored in a localized setting. As was noted above, I take the local to contain multiple trajectories, unfolding in parallel and in correspondence to trajectories elsewhere. Thus the local is not a site from where the general can be deduced, but rather a site from where previous understandings can be confirmed, complemented or contested. Thought of this way, the local consists of ongoing histories evolving in parallel rather than cancelling one another out. Concomitantly, the past is perceived as *histories*, unfolding and overlapping in modes similar

to how one could imagine a train-journey as 'speeding across on-going stories', where one is looking out of the window not as upon a static scenery but 'bringing the woman in the pinny to life, acknowledging her as another on-going life.' (Massey 2005:119).

I use the term histories, then, to underline how local interpretations and contestations over land and politics are connected to wider discourses, stretching across both place and time. Whereas history, in the singular, conveys an image of the past that is possible to conceive of in its totality and in forms that can be determined once and for all, histories signals that there will always be a multitude of ways to tell stories about the past. Reinhardt Koselleck (2004[1979]:311) has suggested that historical time is characterized by the tension between 'society and its transformation and its linguistic preparation and shaping' and by how this tension is produced again and again in historical narratives. To put it differently, an event is never retold exactly as it occurred, it is always interpreted. Hereby, it becomes impossible to speak of *the history*. What remains is a multitude of histories about a single past event.

Which one of these histories is being told and why is not haphazard or accidental, but directly related to issues of power and to the point in time from which it is related. Reinhardt Koselleck (2004 [1979]) has taken issue with the latter. Writing about what he calls the future's past, Koselleck poses questions about what happens when fundamental concepts (in his case for instance democracy, freedom and progress) are severed from their original contexts in place and time and become general and absolute but at the same time politicized (Jordheim 2004). From this perspective, histories of land speak directly to processes of political power. How histories of land are related in the present reveals not only things about the past but also about the present. For example, when indigenous people defend their access to land, they invoke land-related injustices suffered in the past. However, when these injustices are seen in the light of contemporary human rights charters and advocacy, they become something different in the process.

By taking an interest in politics as something which also unfolds in local settings of the everyday, I contribute to the field of political ethnography, where the ethnographic method is used to expand the understanding of politics from being about formal institutions to also encompass informal relations of power (Schatz 2009). As an example, in a study of street-level

bureaucrats, Jennie K. Larsson (2016:125f) suggests that the politics made by these street-level bureaucrats is different from and goes beyond the formal policy guidelines that these bureaucrats are supposed to follow. Similarly, I use the histories from Molo to unfold what politics and land are taken to mean. In doing so, I have used two analytical concepts, relational property and belonging. These two concepts figure in this thesis as sensitizing concepts, meaning that they are defined in dialogue with the analysis of the empirical material. I will explain how in Chapter 2. However, belonging and relational property have been previously deployed in a number of different ways. Therefore, I will provide below a few starting points on how I have come to define and use these concepts.

BEYOND PROPERTY[3]

When land claims are understood as histories of property and belonging, something happens to these concepts themselves; property and belonging unfold in order to meet the demands of the contextual situation presenting itself here and now, at the same time as they are likely to invoke repertoires of the past to gain legitimacy. Property and belonging are not mutually exclusive but rather borrow from similar repertoires and can be used in order to reinforce one another. For instance, the status of belonging to a particular community might be a precondition for being able to buy land in a particular place; conversely, property rights to land in an area might constitute the foundation for belonging to the communities of that area. By conceiving of belonging and property in concert, I seek to unfold these concepts and explore how they can be seen as co-constitutive.

   I argue that property regimes will always in some way relate to, inform and possibly transform social, economic and political relations—and the other way around. In so doing, I take as a starting point a relational conception of property, developed by legal geographers and

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[3] That property denotes both my analytical concept and that which I criticize might appear confusing. When I refer to the universal notion of property as rights to things, I use either "property rights" or "classic property". Both "property" and "relational property" are employed to underline property as an inherently social and political concept contingent on relations.

anthropologists (see Blomley 2007, 2008; Rose 1994). Relational property differs from the classical understanding of property as things and is assumed to be eligible for constant and universal definition. In contrast, Carol Rose (1994) argues that property demands persuasion in some form. I can fence a plot and call it mine, but it is not until you take it to be mine that it really becomes so. Thus, property is seen to be contingent on a history which is co-constitutive of social relations. Rose's argument on property and persuasion has been developed in studies on the social and political dimensions of how property presupposes the recognition and protection of some institution of authority (Joireman 2011:3; Lund 2011:72).

BELONGING

When property is seen as relational, property ties into notions of belonging. Belonging is the second core analytical concept in this thesis, and I use it to draw out the connection between place and identity. The fact that belonging can be used in order to make claims to land and other natural resources has been fairly well covered in the literature on land and politics, and especially so in the many places in postcolonial Africa where access to and ownership of land has been disputed (Geschiere 2009; Hagberg 2006; Kuba & Lentz 2006; Lentz 2013; Nyamnjoh & Geschiere 2000). Belonging in itself does not grant access to land, but entitles land claims. Who is to be included in the group of the entitled is a matter of ongoing definition and contestation. Often, belonging in a more specific sense than being a citizen is essential when access to land is attributed (Lund 2008; Lund & Boone 2013). Therefore, several histories of belonging are likely to follow. These histories can be told along the lines of kinship, class, gender, ethnicity, family, generation, or race. Some of them are sanctioned or even employed by the state, while others are fighting for recognition; their likelihood of succeeding remains in flux, decided by surrounding forces such as shifts in political control, land demand, economic fluctuations and rights discourses.

   In order to unpack the political appeal—and, indeed, potential explosiveness—of belonging, I have turned to Nira Yuval-Davis. Yuval-Davis (2006, 2011) perceives belonging as composed of both political

dimensions of social location and dimensions of emotive identity. It is when the emotive aspect of belonging is combined with political projects aiming for recognition and the (re)distribution of resources that belonging becomes such a powerful tool for identity politics.

When land is contested, property claims can be made with reference to belonging and claims to belonging can be made with reference to property (Sikor & Lund 2009). This thesis will not only unfold how property and belonging are used as means to make claims, but also how property and belonging are co-constituted in the process.

PREVIOUS RESEARCH

Accordingly, land in this thesis is perceived as co-constitutive of politics. In previous studies of politics, land has often figured as an asset in patron-client relations (for Kenya see Bates 2008, 1989; Cheeseman 2008; Kanyinga 2009; Klopp 2001, 2000; Throup 1993:381; for elsewhere see Chandra 2007). Those studies are underpinned by rationalistic assumptions and describe the competition among land users and political elites as something which boils down to a zero-sum game over access, where actor interests are equated to their interests in gaining property rights, or exclusive and formalized access to a specific piece of land. For instance, Karuti Kanyinga (2009:303) identifies land as a *site* for ethnic and class competition, which implies that land is the arena for and a central economic resource of politics. I build on these studies, but my approach is different.

For the overall focus of this thesis, two previous observations regarding Kenyan land reforms are of particular importance. Firstly, Catherine Boone (2014:321) has pointed out how political influence over land allocations may also work in the reverse direction, to dispossess people of their land when their 'patron' is voted out of office. Rather than being solely about promises of access to land, the relation between politicians and people on the ground is likely to be informed by threats of exclusion (on a more theoretical level, see Hall, Hirsch and Li 2011). Secondly, Angelique Haugerud (1997:62) has described the Kenyan land privatization reforms as premised on a number of *a priori* assumptions about the relationships between economic progress and private property rights, rather than on 'an

understanding of the dynamics of particular rural political economies'. She traces the often unintended outcomes of land reforms to such a lack of understanding of local conditions. Thus, not only do local conditions become central to the understanding of land and politics, they are also co-constitutive of what land and politics will be taken to mean.

The previous research that identifies land as co-constitutive of politics can be roughly separated in two different approaches. The first approach underlines how land-related preferences are shaped by contextual and institutional settings (Boone 2014; Joireman 2011; Lund 2008). This institutionalist approach to land and politics has turned attention to how both state, non-state, formal and informal actors influence land tenure systems and land distribution. The second constructivist approach shares the institutionalist critique of the rational model's assumption of land interests as pre-given. However, the constructivist approach widens the scope of analysis to that of social relations. The focus then becomes not primarily on the institutions structuring land tenure—such as legal frameworks, distributive mechanisms and allocative power—but on how land is influencing wider social relations of power, including those forming within and between communities, kith and kin and households (Berry 1989, 2002; Carney & Watts 1990; Ferguson 2013; Kuba & Lentz 2005; Lentz 2013; Médard 2010; Moore, D. 2005, 1996; Moore, S.F. 1998; Peters 2009; Shipton & Goheen 1992; Shipton 2009).

The connection between land and social relations is made explicit by describing land not only as sites for political mobilization, but also as crucial for the formation of local affiliations and social relations (Haugerud 1989:61). In this sense, land also becomes formative for social interaction below and beyond the institutional level. Land is at the heart of contestation over social rights and social positions (Carney & Watts 1990:211), but it is also of central importance for notions of identity and belonging (Shipton & Goheen 1992:309). Furthermore, land has been found to shape relations between local politicians and citizens (Hagberg & Körling 2016). Hence, the constructivist approach can be said to acknowledge the constitutive effects of land upon social relations and the other way around.

This thesis contributes to the above-mentioned constructivist literature by analysing land as co-constitutive of histories about property and belonging. Some previous contributions have taken the discussion on

property and belonging in this direction. Studying the Ilaje Yoruba in Nigeria and their claims to oil and land in the delta, Omoloade Adunbi (2013) found that the status of the Ilaje as an indigenous group is reinforced in the process. Adunbi conceives of the natural resource—oil— as the link that enables the Ilaje youth to connect the new rhetoric of rights with historical narratives of belonging (2013:311). Thus, the claim to property rights (to land and oil) can be seen to constitute the claim to belonging. A number of studies make similar connections between property claims and the constitution of belonging—but without employing this conceptual framework. For instance, from her study of land-occupation movements in Brazil, Wendy Wolford (2003:206) suggests that emotional claims to the land, alongside subsistence arguments, are used by the occupants in order both to justify their own actions and to delegitimize the property rights of the formal landowner. At the conceptual level, therefore, the specific contribution of this thesis is to illustrate how property and belonging are re-constituted when land is claimed or competed for.

Overview

This introductory chapter has established that I will analyse the politicization of land through histories, and that I will use belonging and property in order to do so. From the methodological perspective taken in this thesis, analytical issues cannot be neatly separated from questions pertaining to reflexivity and positionality and the dimensions of power which social research are bound to be imbued with. These questions are addressed in Chapter 2, *Methodology*, where I also provide a more detailed presentation of the empirical material and how it was created and constructed, primarily via fieldwork in Molo but also through archival research in Nairobi and London.

I have already hinted to that, aside from the individual-level histories conveyed by my Moloite narrators, more general histories about land and politics are important for the unfolding of the politicization of land. In Chapter 3, *Kenyan histories*, I analyse four episodes in Kenya's history since the colonial period; colonial rule, uprising, independence, and

multipartyism. I argue that these four episodes are important since they, in various ways, had formative effects on the nexus between land and politics, visible not least in how they partially transformed notions of property and belonging. Colonial rule implied not only that sections of the agricultural land in Kenya was appropriated for the purpose of settler farming, but also that the Kenyan indigenous population was divided into partially re-defined communities and confined to geographically limited areas. With the Mau Mau Uprising, British colonial rule in Kenya was challenged in a fundamental sense. I argue that the response that the uprising elicited not only ushered in land reforms, but also shaped how the state used land in order to foster political support and punish dissent. With independence, the land reforms initiated in the wake of the Mau Mau Uprising (1952-1960) came to be intertwined with questions of political formation, both at the central and at the local level, and particularly in the areas where land would be transferred to African hands through settlement schemes. The political implications of those settlement schemes were further revived with the re-introduction of multiparty politics in the early 1990's. With multiparty politics, both property rights to land and the definition of communities of belonging would be actualized at times of elections.

   The local histories of property and belonging that are the main interest in this thesis are detailed in Chapters 4 to 7. While the local histories of property and belonging are shaped by the practices and policies of the state, these local histories of land also speak back and inform wider notions of land and politics.

   Chapter 4 describes the *Settlement Schemes* that the first independent administration initiated in order to redistribute land. Building on histories about the Temoyetta settlement scheme in Molo, I argue that these schemes shaped local understandings of how questions of political control and positions come to centre on issues of land allocations. Such local understandings tend to resurface as land is allocated in the present, even though the state-controlled settlement schemes are now formally obsolete.

   How past practices and histories resurface in contemporary interpretations of land and politics is also the topic in Chapter 5, but the focus is on *Relational property*. By conceiving of property relationally I wish to draw attention to how property rights, while widely accepted as such, are both embedded in social and political relations, and possible to back-up with different sources of evidence. Chapter 5 arrives at a conception of

property which is difficult to separate out from questions of community and belonging.

The intersections between property and belonging are further explored in Chapters 6 and 7. In Chapter 6, *Boundaries of belonging*, the focus is on how the boundaries between communities of belonging are rooted in colonial definitions, but have been reinforced by the impact recurring episodes of electoral violence and political competition have had on local lives. In Chapter 7, *Politics of belonging*, the focus is on how the emotive and the political aspects of belonging have come to underpin one another. Here, I analyse local-level responses to projects of belonging reinforced by state practices. As a result, histories about homelands, as well as about owning the land and working it, become ways both to define communities of belonging and to legitimize access to land.

Taken together, the empirical analyses of property and belonging in Molo provided in Chapters 4 to 7, widen the theoretical perception of both property and belonging. In the eighth and final chapter, *Politicization of land*, I summarize these localized findings and bring them to bear on a wider discussion of land and politics. I propose that land is always potentially eligible for politicization, which will be brought to the fore as soon as access is subjected to competing or conflicting claims and definitions. How such politicizations of land will unfold, when and why are, however, empirical questions which call for detailed studies of land in context. This thesis has offered one example of how the politicization of land can be studied; Chapter 8 also summarizes the contributions of this study and gives some suggestions for future and further studies of the politicization of land.

2
Methodology

The local point of view

'I hope this subject will not lack interest because I am treating it from a local point of view.' With those words, anthropologist I.Q. Orchardson opened his 1936 lecture given at the East Africa and Uganda Natural History Society in Nairobi.

More precisely, Orchardson's local point of view was taken from his studies of the Kipsigis, who lived in the forest areas that are today partially covered by wider Molo. In 1935, the Kipsigis had recently gained notoriety in the Kenya colony for their involvement in organized criminal activities, such as thefts of livestock from white settlers (see Anderson 1993). But Orchardson asked his audience not to judge the entire Kipsigis population on account of actions undertaken by a minority any more than they would deem the entire population of London or New York to be dishonest since crimes are committed in those places. Orchardson continued:

> Furthermore, we must remember that we came uninvited, took over the government of these people by force. Having made war upon them, we are surprised nevertheless that they do not understand at once that they must not do so.
>
> Orchardson 1936.

Orchardson encouraged his audience to appreciate the local as interesting and complex. With this chapter, I aim to do the same. As stated by the aim and the research question, my exploration of the politicization of land in

Molo draws on local histories told to justify access to land. This exploration is undertaken by means of political ethnographic work (see Schatz 2009; Weeden 2010). This chapter details how I piece together histories of land—the material I use to construct them, how I relate them to one another and how I make use of them analytically.

Indirectly, Orchardson also touches upon the central problems of academic knowledge production about 'the Other'. Exoticism or assumptions of sameness and the inability to both account for and grapple with the broader structures of power in which research is set, are issues that have continued to haunt research that criss-crosses the Global North-South divide, language differences and economic, political and social power grids. Although the debate on how to handle problems of reflexivity, representation, translation and ethics has provided many new insights since Orchardson's lecture in 1936, there are no easy solutions to those problems other than addressing and analysing them. This chapter is written to that end.

The chapter consists of three sections. The first deals with questions about positionality and reflexivity. How are the research results informed by my position in the field and what are the implications of my focus on the local level and on a single location? My approach to the power relations of research and the local is interconnected with how the analytical concepts were developed in dialogue with the empirical material.

The second part of the chapter, *Being in and making a field*, presents the empirical material and the issues that arises from being in and constructing a research field, working with research assistants and relying on translations.

In the third and final section, *Interpretation and representation*, I explain how I have selected and represented the empirical material in the thesis. Further, I address questions related to how the broader social and political context and the timing of fieldwork have influenced my findings. The chapter concludes by summarizing the methodological contributions of the situated approach taken in this work.

Seeing from somewhere

The general history of social science in the Global South is a history of colonial science (Sidaway 1992). Even as times, places and definitions have changed—the colonies are no longer colonized and new developments of economic, political and social liberation and dominion have occurred—the baseline division between the Global North and South is still 'real' enough to be recognizable. If one wishes to be a part of the movement away from these old structures of oppression, injustices and unequal distributions, writing from the North is perilous. In this section, I outline how I have attempted to make such writing possible. I identify three interconnected risks and propose a methodological approach for how to handle them.

Firstly, conducting research from the North in the Global South risks reproducing colonial imageries of Southern problems and Northern solutions. These imageries were first produced by anthropological research in the early twentieth century which was instrumental in facilitating colonial rule by marking the emerging distinction between Northern subjects and native objects of knowledge (see Massey 2005:53).

The reproduction of colonial imageries is based on the appropriation of other peoples' stories. This appropriation is the second risk. It begins with a perception of the native Other as fixed in time and place and hence representative of an entire culture, which the researcher can explain by 'going native' and then re-emerge again as Researcher to explain the Other in academic writing (Bowman 1997:34; see also Rochleau 2015). This process is called 'cultural translation'. It is often undertaken with good intentions. The problem with cultural translation is that, by assuming sameness between herself and the native Other, the researcher will hear not the meanings that the native speaker acknowledges, but those the native speaker is potentially capable of sharing with scientific authority in some ideal situation—which is often, consciously or not, modelled on the researcher's own position (Bowman 1997:41).

The two first risks, combined, lead to the third risk, which is that research misses the point. If these risks are taken as insights, they can be crippling; if even when we attempt to immerse ourselves in the field and perceive events from the perspective of the Other, we will see only our own

perspective, then what? While this conundrum is difficult to solve, I believe that it is possible to handle with a reflexive approach.

REFLEXIVITY

Reflexivity begins by seeing from somewhere. This approach is often associated with contemporary feminist research (see Harding 2008; Pillow 2003). Donna Haraway (1988) beautifully captures the ethos of reflexivity by suggesting that we can handle the temptation of the totalizing gaze with the partial perspective:

> relativism and totalization are both 'god tricks' promising vision from everywhere and nowhere equally and fully … But it is precisely in the politics and epistemology of partial perspectives that the possibility of sustained, rational, objective inquiry rests.
>
> Donna Haraway 1988:584

How, then, should the ethos of seeing from somewhere as an antidote to the reproduction of old hierarchies, appropriating other peoples' stories and missing the point, be put into practice? I suggest that to accept and reveal—instead of attempting to overcome—the subjectivity and power involved in research is a good place from which to start.

By situating both myself and the interviewees in the text, I concede that the research is produced by someone, located somewhere. The complexity of interpretation is thereby accentuated rather than alleviated. Further, with Glenn Bowman, I propose that a different perception of identities can be helpful in this regard. Instead of posing myself and my narrators as unified subjects, determined by our material environs—the academia and the rural South—and locked into predisposed positions that remains unaffected by the interactions of research, I suggest that subjects are perceived as non-unified (Pillow 2003; Varga Dobai 2012; Visweswaran 1994). If identity is not seen as 'had' but as constructed, we can understand the other

> not as one like ourselves in the sense of sharing a common identity but as one who, like ourselves, takes up its identity through identifications with subject positions offered it by the situations it encounters.
>
> Bowman 1997:45.

If both the researcher and the researched takes on identities in encountered situations, then I as researcher can locate my subjectivity as 'the site of address of discourses and practices' of the researched (ibid), and from this position begin to form my understandings of the social location of the researched. Thereby, the fundamental difference between self and other is undone without assuming sameness. Instead, as a researcher I share with the researched the need to construct my subjectivity out of the elements provided by our interaction. The differences between us are not located in essential identities but in the specific character of the social facts that we encounter (Anthias 2002:284). As a researcher, I can still *try* to see the world as others see it, but with an awareness of the fact that neither my, nor their, vision of the world is constant or complete, but situated in place, time and structure.

To summarize, this thesis is written with an awareness of the dangers of representation. I concede that it is impossible to 'see the world as others see it', treacherous to attempt to do so, but necessary to try, anyway. This is because attending to agrarian questions in the South might aid in the process of unsettling the sense of a universal history which continue to ascribe an inferior position to the South (Chakrabarty 2009; Moore 2005:70). Although it might be impossible to fully escape the power implications of this—including the traps of representation—one can start out from assuming that there are alternative understandings of land and history. In my view, this is one way to make ourselves, as Northerners, fit into 'the democratic, pluricentric global dialogues from which global futures will emerge' (Harding 2008:5). The aspiration to, if not unsettle, then at least to destabilize what is taken to be the universal or the general is echoed in my approach to the local, to which I turn next.

THE LOCAL

My interest in how politics unfolds at the local level, simultaneously beyond and in conversation with state action and national politics falls close to the orientation within narrative and life history research (Bathmaker & Harnett 2011; Chase 2011). However, my take on histories diverges from the focus on *individual histories* in narrative and life history research. Even though I appreciate how narrative and life history research manage to capture

nuance and complexity, as a political scientist my main interest is in the political dimension of these individual histories. Although the histories constructed via interviews in this thesis are situated in the contexts of individual lives, they do not convey coherent narratives about those individual lives. Rather, they are histories about events and processes—political elections, land possession and dispossession, community relations and so on—that are conveyed by individuals and constitute the sphere of deep politics that I set out to explore (see Chapter 1).

This thesis aims to analyse the politicization of land at the local level. As was mentioned in the introduction, the local focus denotes detail and complexity over general comparisons. It allows us, as Bent Flyvbjerg has it, to first encounter the messy complexities of everyday lives before resorting to theory (Flyvbjerg 2006:237). Further, the aim underlines the importance of context, which can be achieved by a limited geographical focus that allows for what has within anthropology been called 'thick description' (Flyvbjerg 2001:133; Geertz 1973). Even though I emphasize the importance of contextual understanding, I acknowledge that it cannot easily be equated with either 'thick description' or length of time in 'the field'. Nevertheless, I argue that the emphasis on context that I make in this thesis becomes even more pertinent since my previous experience—grounded in culture, education, class, and so on—is far removed from the context I set out to study (see Sidaway 1992). Achille Mbembe (2001:9) stresses that when 'the local' is situated in African societies, scientific enquiry 'presupposes a critical delving into Western history and the theories that claim to interpret it' if reductionist images of Africa as primitive, traditional and backward are to be avoided. I essentially agree, but I argue that this remains a methodological and theoretical challenge, as it presupposes both a breadth of scope and a level of self-reflexivity that are even more difficult to attain for research that—as in the case of this thesis—is emanating from the Global North.

A local focus is easily contrasted to national and global levels in ways which I find problematic. The local is sometimes portrayed as a microcosm of the national, implying that national politics have straightforward local reverberations. I agree with Catherine Boone (2014:324) when she argues against assuming that the character of rule at the top will be reproduced at the bottom. Boone, however, still suggests a factor-centred study of the local, where the same variable can be studied and compared between

various locations and in relation to the national. I take a different approach. What interests me is not the local as comparable units for analysis, but as a stage for how relations—occurring in place or elsewhere—unfolds.

When put in relation to the global, the local often become particularistic, static and spatially bounded. Although trajectories are *situated* in local place, they are not *limited* to place. 'The local', then, is something different from 'globality's Other'. Instead, the local is 'the grounded site for local-global articulation and interaction' (Biersack 2006:16, quoted in von Hellermann 2007:15; see also Cox 1997:5). The local has often been seen as being produced by the global, but this would—as Doreen Massey (2005) has pointed out—locate the global nowhere. At the same time, different localities stand in different relations to the global. Globalization is produced in some places—most often located in the Global North—but not in others (Massey 2005:101). The other side of this order is that very few phenomena can be neatly confined to a single spatial origin (Massey 2005); on closer inspection 'English tea', 'Swedish costume' and 'Kenyan ugali' hinges on production, design or principles of cultivation originating elsewhere.

Even if we recognize that there is nothing inherently place-bound about the local, it is possible, with Chandra Talpade Mohanty (2003:503), to defend the ability of the local to make visible the 'specifying and illuminating'. Mohanty advocates a feminist mode of analysis with global reference, where difference allows us to see commonalities and connections, rather than rendering them impossible. I take Mohanty's approach as a reminder of the fact that we cannot downplay the 'real and concrete effects of global (capitalist) restructuring' (Mohanty 2003:516) since these effect structures the lives of people everywhere, albeit in different ways. In order to unfold how these structures operates, attention needs to be turned to the localities where these lives take place. I will outline below how I have used the empirical insights from repeated visits to Molo in order to shape and define the analytical concepts that I use in order to answer the research question about how access to land is justified in Molo.

AN EMPIRICAL ROUTE TO THE ANALYTICAL CONCEPTS

The fact that property and belonging are the analytical concepts in this thesis is the result of a contextually informed process, grounded in empirical encounters. When I first started to ask the Moloites about land and politics, I observed how they talked about land as granted by politicians, ancestral origin or market transactions. This gave the impetus to two emerging themes on how access to land was justified by reference to either group-membership (based on political affiliation or ancestral origin, or both) or ownership rights. However, as I returned to the field I noticed that there was nothing mutually exclusive about these land-granting strategies. An individual could legitimize her own access to land by referring to having bought the land, at the same time as she acknowledged that in order to have any legitimate claim to land at all, one had to claim land in one's home area. Similarly, a person who claimed a right to land by being a member of a group could at the same time endorse everyone's right to buy land everywhere. Furthermore, at the community level which land claims were considered to be justified appeared to change over time.

   While most Moloites appeared to recognize the right to purchase land in principle, all of them had experienced violence that worked to cancel out the rights of purchase in practice and conditioned access to land on group-membership, self-professed or not. Hence, both land-claiming strategies—via group-membership and via purchase—appeared to be contingent on relations and situations. As I turned to previous scholarly work on similar situations (indeed, there is a rich literature on contestation over access to land), two concepts appeared to echo what I had captured in Molo, namely belonging and property.

   The way in which I approach property and belonging positions them as sensitizing concepts (see Blumer 1954; Bowen 2006). What a sensitizing concept is becomes clear when it is contrasted to its opposite, a definitive concept. A definitive concept is carefully defined *before* analysis and will maintain this basic definition throughout it. When using definitive concepts, the primary purpose of analysis is to refine the concepts by expanding the empirical arenas where they might be applicable. For instance, as a definitive concept 'ethnic group' is theoretically defined as united by common language and religion, which on empirical investigation

will exclude all groups not sharing these attributes. In contrast, sensitizing concepts would start out from attempting to understand what it is that characterizes a specific group.

'To sensitize' is to develop a sensitivity, implying that the full sensation for or understanding of something has not yet been reached. In this regard, sensitizing concepts 'offer ways of seeing, organizing and understanding experience … they provide starting points for building analysis' (Bowen 2006:13.4). In my case, I wanted the analytical concepts of property and belonging to grasp the social, political and economic importance of land as intertwined and mutually constitutive. Rather than being determinants for what to see in the field, property and belonging structured my way of analysing what I was seeing—and were vested with additional meaning in the process. Hence, property and belonging structured the analysis, but also form the outcome of analysis.

I will now turn to how relational property and belonging resonate with one another.

PROPERTY AND BELONGING

As concepts, property and belonging comes with baggage of different sorts. Whereas property—to which I will return in Chapter 5 and 8—has largely figured in the literature with a given definition (denoting someone's ownership of something), belonging is an essentially contested concept (Gallie 1955). A concept of this kind has an inherently unstable definition, which is often also sensitive from a political perspective. For instance, 'a nation' can be seen to share several characteristics with non-nations, such as ethnic groups. At the same time, 'nation' is associated with qualities such as control over a territory that are not shared among all nations (Calhoun 1993:216; for other examples on essentially contested concepts, see Collier, Hidalgo & Maciuceanu 2006 on democracy and rule of law; Weinberg, Pedahzur & Hirsch-Hoefler 2010 on terrorism).

As was indicated above, my approach to property is relational. Property is seen to denote the social and political relations between (wo)man and other (wo)men over material possessions (Moore 1998:33; see also Blomley 2008; Ellickson 1991; Macpherson 1978; Rose 1994). From this view, property escapes simple and universal definition. What property 'is' will be

relationally defined. Therefore, property must be seen as 'entailing a set of enactments, objects, networks, and actions', not as 'a set of detached ideas or representations' (Blomley 2007:1839). Furthermore, in capitalist societies, the relation between access to property rights in some form and economic and social survival is tightly interwoven. Structures and institutions designed to protect property often makes property claims superfluous; in those cases, property relations are perceived if not necessarily as just, then at least as generally accepted.

However, often enough, property claims are contested. Whether or not this will be the case is contingent on context. Property has been challenged when property distributions have proven to be particularly unjust (for instance when the Occupy-movement challenged the wealth of the one per cent, see Brown 2011); when property is in particularly high demand and low supply (for instance, when land markets are booming); in situations where property rights systems have been unclear (as is the case with the international regulation of intellectual property rights); or when the original establishment of property rights has been subjected to controversy or conflict (as in the case of colonial appropriations of land).

Therefore, how important it is to claim and defend property rights varies with context. Here is a parallel between property and belonging. Just as competition over land has been noted to narrow the scope for belonging (Peters 2009:1321), property claims tend to become more exclusive and more sharply formulated when land is in high demand (Boone 2014:321). Belonging and property, therefore, are united in that they are both invoked as strategic claims to land. Furthermore, at first glance, property and belonging might appear to be principles but are, under scrutiny, revealed to be processes. Neither property nor belonging stipulate a law-bound order of things just by being mentioned; both 'property' and 'belonging' need to be defined in order to stand as principles, and it is in that process of definition that property and belonging are vested with content meaningful for their utilization as land claims.

This might appear more obvious in the case of belonging. By claiming 'to belong' we need to define to whom, where and, most likely, motivate why. Belonging, then, does not denote being but rather *becoming* (Rowe 2005:17). Furthermore, belonging has proved to lend itself to political projects as it promises to separate those who belong from those who do not with apparent ease. When projects of belonging are elevated to the

political level and the (re)creation of communities and the boundary between them (see Yuval Davis 2006), they become directly connected to projects of property.

THE POSITION OF THE STATE

The connection between property and belonging has strong historical and theoretical underpinnings. In their turn, these underpinnings are connected to the organization of power. Historically, most societies have been organized according to either principles of kinship or territory and, over time, most societies have oscillated between the two (Shipton 2009:96). Both kinship and territory denote relationality, but in slightly different modes. Kinship as a principle for social organization is connected to situations where land is accessed via belonging to a kin-group. While kinship relations involve hierarchies, they are commonly horizontally defined. For instance, access to land in societies organized according to kinship tends to be granted by membership of the kin-group. Territoriality, on the other hand, denotes spatial control that runs vertically.

Edward Soja defines territoriality as the organization of space into a sphere of social, political and/or economic influence that is clearly demarcated from other spheres of influence (Soja 1971:19). A similar definition is suggested by Robert Sack (1986); again the control over space is central, but the spatial control cannot be separated from the relational control over the people populating it. Hence, territoriality is attempts 'by an individual or group to affect, influence, or control people, phenomena and relationships by delimiting and asserting control over a geographic area' (Sack 1986:19). Sometimes, territoriality is seen to be vested with elements of government that property is lacking, where territory is 'governed' and property is 'owned' (see Lund 2013). To Edward Soja (1971), however, Northern notions of private property rights to land are territoriality at the individual level. Building on Soja, I approach property as encompassing political relations of power. As a result, territory and property no longer denote fundamentally different spheres of land control. Soja visualizes property in land as 'defined boundaries [which] circumscribe parcels of space which are often personalized by their owners and marked

with hedgerows, fences, or 'No Trespassing' signs to discourage unwanted intrusion' (Soja 1971:19).

In addition, private property rights to land bristles with legal and economic documents, such as title deeds and mortgages, to ensure the owner has complete control over his or her piece of land. These legal and economic documents are, like the allocation of land, directly contingent on the actions of the state. In contrast to the narratives on property and belonging, the state is not an object of study in this thesis. Nevertheless, state presence has had formative effects on the histories of property and belonging in Molo. Thomas Blom Hansen and Fred Stepputat (2006, 2005) have suggested that when it comes to establishing sovereignty, postcolonial states share the predicament of their colonial predecessors, namely the lack of resources and control. Postcolonial sovereignty might be fairly established in the centre, in the capital and in big cities, but dispersed and lacking in its peripheries, in the countryside (Das & Poole 2004). As a result, the postcolonial state is in a constant process of *becoming* sovereign (Hansen & Stepputat 2005:29; Mbembe 2005:14, 2001). The Kenyan states—colonial and postcolonial, alike—have employed land control to establish sovereignty. In Molo, state presences are reflected in policies for the provision of electricity or IDP assistance, or in the actions of chiefs or MPs. Therefore, the state does not appear as a unified agent in Molo, but takes on multifaceted and sometimes contradictory shapes, that nevertheless structure histories of property and belonging.

Being in and making a field

INTRODUCING THE FIELD AND FIELDWORK

The interview material was constructed during four visits to Molo between 2011 and 2015. In total, I conducted interviews with 129 people, individually or in focus groups, which amounts to around 200 hours of interview material. Beyond the interviews, I spent additional time in and around Molo during which I talked to people in more informal settings. I

recorded these more informal encounters in a field diary. The archival material was pieced together during visits to the Kenya National archives in Nairobi in 2012 and 2013 and in the British National Archives in Kew, London, in 2015.

I stayed in Kenya for a total of one year, travelling back and forth between Nairobi and Molo. Overall, I spent approximately seven months in Molo, where the fieldwork was undertaken, and Nakuru, where I lived. During the run-up to the 2013 election, my Moloite narrators were generally hesitant to invite me to stay overnight for security reasons connected with the upcoming election, which is why I only did so during my brief return-visit in 2015.

I conducted interviews and observations at various locations in wider Molo, but the empirical heart of the study is set in Temoyetta. I visited Temoyetta on several occasions and the people whom I consider my main narrators reside here.[4] In the introductory chapter, I described how my choice to delimit the focus further to Temoyetta was inspired by my previous three-month experience of merely scratching the surface of land and politics in Molo in 2009.

When land matters are narrated in Temoyetta, colonial dispossession; pre-colonial land tenure; the 1971 settlement scheme; the 1983 land distribution; the electoral violence of the 1990s and 2007/08; the periodic displacements and resettlements, all reappear. This, together with the fact that access to land has frequently been contested and disputed, sometimes by violent means, brings to attention issues of the politicization of land.

The delimitation of the study to Temoyetta does not neatly correspond to administrative or political boundaries—in Kenya, these never used to overlap. Instead, how people in the area interact and organize their lives determines what places I have included in Temoyetta.[5]

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[4] I refer to the interview-persons as narrators in order to underline the story-telling nature of the interviews; how I interpret the content of these interviews as histories; and of myself as a co-constructor of those histories into narratives both at the moment of their creation and by how I represent them in this text.

[5] Temoyetta is situated within Kuresoi North constituency but falls under Nyota and Temoyetta locations. Such formal administrative boundaries do not always correspond to practice. For instance, Kamuri centre is divided by the main road into two sections, falling under Temoyetta and Nyota locations, respectively. The chief formally in charge over Temoyetta location lives far into the interior, so

Map 3: TEMOYETTA
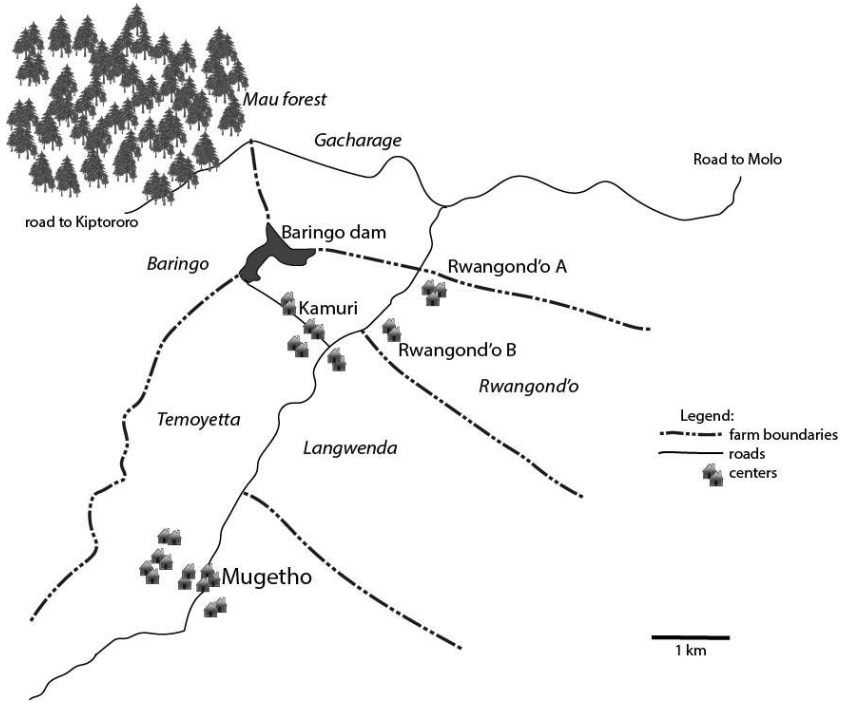
<div align="right">Map by the author, modelled on Google maps.</div>

Temoyetta is roughly centred around the 6,000 acres that used to belong to a white settler, Mr Trench, during the last decades of colonial rule. After independence, these acres were redistributed via a settlement scheme to 400 families. Most of the land was transferred as small plots, five to eight acres, to landless people by means of shareholder loans that were to be gradually repaid. However, some plots of 50 acres or more ended up in the hands of well-connected individuals. Since the reintroduction of multiparty politics in 1991, questions of access to land in Temoyetta have been connected to political competition, and Temoyetta has been directly

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people from both sides of Kamuri tend to consult the chief of Nyota, who lives in Kamuri.

affected by the violence surrounding the general elections in 1992, 1997 and 2007.

Since 2010, when 54 families were moved into Rwangond'o farm, Temoyetta has also been hosting one of the settlement schemes that were created by the state to resettle IDPs. Strictly speaking, Rwangond'o farm is adjacent to and not a part of Temoyetta. However, the Rwangond'oners frequently interact with the Temoyettans, as their nearest shopping centre, schools and churches are located within Temoyetta. Further dimensions are added to the land-politics nexus by Temoyetta's geographical location near to the Mau Forest (see Chapter 6, p. 138). The phases of resettlements and evictions in the Mau Forest have influenced debates over access to land in Temoyetta.

The core interview material consists of individual interviews with 42 people in Temoyetta, of whom I met with eleven at least twice but more often several times. Some of these eleven also acted as gate-keepers, putting me in touch with additional narrators. In addition, I conducted focus group discussions with six different groups, one of which I met with on four different occasions. On average, the interviews lasted an hour and a half, not including the social activities that often complemented the interviews, such as sharing lunch or chai or being shown around the *shamba*.[6]

In wider Molo, I visited twelve other locations. With a few exceptions, the interviews conducted at those locations were shorter and less elaborate than the interviews in Temoyetta. My interviews with the council of elders in Olenguruone and with Carl Kamaniki in Kiptororo are exceptions. I met with these narrators several times and our interviews gained a more in-depth character. Seventy-one people were interviewed in wider Molo, Temoyetta excluded. I interviewed these 71 people both individually and in focus groups with three to six people present.

Of the remaining 16 interviewees, 11 were consulted on the basis of their expertise as employees at the following institutions and NGOs: the Ministry of Lands (13 March 2012, Nairobi), National Council of Churches

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[6] *Shamba* is Kiswahili for a piece of land. It commonly refers to a smaller piece of land used for subsistence farming. People in Molo use it to denominate any clearly demarcated piece of land, regardless of whether large or small, idle or used for farming or pasture.

in Kenya (22 January 2012, Nakuru), Network for eco-farming in Africa (15 September 2011, Molo) and Kenya Land Alliance (5 October 2012, Nakuru). In addition, I benefitted from continuous contact with the staff at the National Network of IDPs and Internal Displacement Policy and Advocacy Centre (IDPAC) in Nakuru. Finally, I had the opportunity to interview five elderly women who had experiences of violent displacement and now resided in the outskirts of Nakuru where they had formed a local self-help group (8 October 2012, Nakuru).

In summary, the interviews conducted outside Temoyetta contributed to my contextual understanding in three different ways. Firstly, these interviews enhanced my understanding of the social, political and agricultural settings in Molo. Secondly, they provided me with more general insights into the nexus between land, politics and history in Kenya. Thirdly, my visits to other locations in wider Molo gave me an idea of what was particular or not about what happened in Temoyetta.

If there was a structuring principle for my selection of narrators in Temoyetta, it was to cover difference. Even though the majority of the Temoyettans are involved in agricultural activities, this does not imply sameness or equality. The poorest rely on daily work, or *kibarua*, at the farms of others or from petty trading of small produce from their own land, or *shamba*. The wealthier can hire labour to harvest the produce from either owned or rented land. A few large land holdings remain, owned mostly by absentee landlords who have entrusted the cultivation of wheat, rye, maize or cattle farming to local care-takers. Others, mostly young men without families of their own, find their living as brokers, buying produce from local farmers and selling it to truck traders taking greens to markets in Molo town or beyond. Due to such differences, I wanted to talk to rich and poor, young and old, men and women.

Community relations in wider Molo and in Temoyetta have been structured by repeated outbursts of electoral violence. The violence has transformed and denoted boundaries between communities and politicized particularly Kalenjin and Kikuyu identities. These boundaries are too complex to lend themselves to brief summaries, and I will have reason to return to them in Chapters 6 and 7.

INTERVIEW PRACTICES

There is a debate about the issue of economic compensation of research participants, which has particular bearing on research undertaken with economically weak or otherwise marginalized participants. Some authors hold that economic compensation is motivated to value the narrator's contribution and skills—or simply because we take his or her time. Others believe that compensation results from an urge to act ethically, but that it is an effective way to get people to talk 'for all the wrong reasons' (Liamputtong 2006:62-64).

My decision not to compensate narrators was taken in a context where, first, white people are generally associated with resources. Aside from its colonial overtones, I perceive of the 'white wallet'-discourse as politically problematic since it risks paralyzing local initiatives under a blanket of self-professed Northern capacities to deal with complex problems by simply providing resources. Furthermore, as Thomas Molony and Daniel Hammett (2007:294) have pointed out in relation to research in East Africa, economic compensation of narrators might also accidentally replicate the patron-client relationship of informally arranged economic exchanges between persons of unequal status. One effect of the limited geography of Temoyetta is that word gets around. In order to distance myself from the 'white wallet' or 'powerful patron' association, I wanted word to get out that I was not paying research participants,[7] thereby avoiding the creation of a culture of expectation that participation in my research would carry a financial reward (see Hammett and Sporton 2012:498).

Since I did not compensate my narrators materially, I tried to be accommodating about where and when to meet. Generally, I preferred to

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[7] The decision not to pay narrators does not insulate me from what Clifford Geertz has called 'the anthropological irony', namely the structural inequalities that social scientists are always immersed in when conducting research among marginalized people. It is likely that most of the time I was perceived in Molo—regardless of whether I handed out money or no—as 'a walking display case of the sort of life-chances they themselves will soon have, or if not themselves, then surely their children' (Geertz 2012:31), at the same time as the institutions of which I am 'such an exemplary product' are simply not available to my narrators (ibid, 33).

travel to the homes of the narrators; and if they for some reason had to do the travelling instead of me, I covered their travel expenses. Since most of my narrators are farmers, I also tried to adjust my periods in Molo to avoid the more labour-intensive periods of planting and harvesting.

Commonly, I made contacts by first organizing an introductory meeting, often brokered by one of the Moloites I already knew. During this meeting, I introduced myself and the purposes of my research and made an appointment for the interview. The time in between the introduction and the interview gave the prospective narrator time to both consider his or her participation and to start thinking about the intentionally loosely described topic of land and politics that I wanted to discuss. However, the interviews conducted in wider Molo were most often not preceded by such introductory meetings. In those cases, the gatekeeper who established the connection had provided general information about me and my research, which I elaborated on during the interview.

If semi-structured interviews are ordered along a scale ranging from firmly to loosely structured, mine would fall close to the loose end, resembling the narrative approach where researcher questions are downplayed in favour of respondent answers (Johansson 2005). The benefits of the narrative approach to interviews is that it allows for the respondents' answers to remain connected to contextual grounds of meaning (Mishler 1991:23).

Starting out from the aim of this study, to understand the politicization of land, I had a list of initial themes that I wanted to cover (see Table 1). With time, these themes were increasingly oriented towards how access to land is justified and were gradually developed alongside the analytical concepts. Thus, the analytical concepts—relational property and belonging—are partially a result of what the narrators ended up speaking about. As an example, the distribution of resources in Theme 5 was included only after I realized that the location of infrastructure appeared to be important to the politicization of land. Similarly, the relocation of IDPs in Theme 6 proved to be much more central than I had envisioned.

Furthermore, the questions I asked and the direction the interview took also turned on factors connected to the time and place of the interview, the personal background and interests of the narrator and—unavoidably, but more difficult to pin-point—the narrator's perception of and trust in me as an interviewer. In addition, my personal characteristics are likely to

have been central in this regard. For instance, as a woman I often had a sensation of sharing common ground with women narrators, which became even more manifest during the longer stretch of fieldwork at the end of 2012 and beginning of 2013, when I became increasingly visibly pregnant. However, being white, wealthy and educated implied differences, which I was reminded of by both subtle questions about how I used to do things—eating, socializing, travelling—'at home' and by less subtle comments, mostly from young men.

Table 1: INTERVEIW THEMES

Interview themes	Aspects addressed by narrators
1. Past/present issues of land	The history of land in Kenya, the Rift Valley, Molo or other local locations.
2. The past/present of the family land	Migration histories, intra-family relations.
3. The economy of land	Livelihoods, agricultural practices, land transactions.
4. Open conflict over land (post-election violence 1992, 1997, 2007/08)	Personal experiences. Histories about ethnicity, politics and land rights.
5. Local political offices and the distribution of resources	Political control over land, resources and ideas about how to influence it.
6. (Re)Settlement of IDPs	Ethnic communities, inclusion/exclusion, political decision making

Topics covered in the news were frequently addressed; as the 2013 election drew closer, people were more inclined to talk about politics. If the interview was conducted overlooking somebody's *shamba*, questions relating to agricultural practice were more likely to surface, and old people

generally talked more about the past—as personally experienced or not—than young people. The interviews were also fundamentally affected by my collaboration with research assistants, to which I will turn next.

WORKING WITH RESEARCH ASSISTANTS

If the reflexive approach underlines the dimensions of power involved in research, the interview is a microcosm of these power relations, to which additional dimensions are added when the interview is conducted across languages with the assistance of an interpreter (Molony & Hammett 2007). In order to highlight the effects of interpreting and make the presence of the interpreter visible, Kevin Deane and Sara Stevano (2015) introduces the concept of a 'triple subjectivity' and the three sets of power relations—researcher-interpreter; interpreter-participants; and researcher-participants—involved in the interview situation. I will use the model of triple subjectivity in order to discuss my collaboration with interpreters and the power dimensions involved.

Firstly, it is worth pointing out that my use of interpreters mostly did not conform to the image of interpreters acting as verbatim translators, striving to affect the relationship between the interviewer and interviewee as little as possible (Edwards 2013:505). The core methodological hurdle of verbatim interpreting is how information is lost or distorted when translation attempts to bridge languages and/or cultures (Turner 2010:208).[8] However, reflexive research introduces a range of additional questions about interpreting (Temple & Young 2004). This is because if the researcher's position is seen to influence research processes and results, it is only reasonable to expect that the position of the interpreter will, as well.

The methodological literature on interviews and relations of power and trust highlights two general aspects as relevant for most cross-language research. The first is related to the power-relation between the interpreter

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[8] The traditional approach to interpreting also engages general discussions and recommendations on how to match interpreter-researcher-narrators with respect to gender, class and educational background (Edwards 1998; Ingvarsdotter et al 2010).

and the researcher. This is similar to the relationship between the employer and the employee since the researcher is the person with the ultimate responsibility for the collaborative work undertaken (Deane & Stevano 2015:2). The second aspect concerns research that traverses cultural contexts as well as languages. In these situations, the interpreter is often acting as a cultural mediator, implying that the actual role of the interpreter is often extended far beyond mere translation (Turner 2010:207).

Being cultural insiders, my research assistants greatly facilitated the interviews in two distinct ways. Firstly, they helped to bridge the power gap in the interview situation. Through initial small talk, they could provide our narrators with a sense of familiarity and recognition in ways that remained unattainable to me. Secondly, my discussions with the research assistants about what was said and implied in the interviews and about the context in which they were conducted were central to my gradually enhanced contextual understanding (Temple & Young 2004:171). The research assistants could either confirm or question my reading of the interview situation as, for instance, tense and secretive or relaxed and forthcoming.

Within this project, I worked with five different interpreters; Lucy Njeri and Scholar Waititu (from Kikuyu and Kiswahili); and Grara Jepleting, Begotty Chepkorir and Lilian Jerono (from Kalenjin). The nature of our collaboration varied across the spectrum from verbatim interpreting to the interpreter being actively involved in and at times directing the interview situation. Initially, I had an idea of verbatim translations as the ideal. Bolstered by discussions with colleagues and textbook-recommendations (e.g. Kvale 2008:67), the verbatim ideal seemed to be the best guarantee to 'get it right'. If I could make the interpreter translate word for word, I would get a correct understanding—so I thought. Generally, my collaboration with the three people who assisted me with interpreting from Kalenjin remained fairly close to the verbatim end of the spectrum, whereas the research assistant who did most of the interpreting from Kikuyu and Kiswahili, Lucy Njeri, over time came to take an increasingly active role in decisions regarding the structuring and organization of the interviews.[9]

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[9] The fifth person, Scholar Waititu, who had assisted me with excellent translation and collaboration during my previous project (a master dissertation) in the area, only accompanied me on a single day of research within this project.

The downside of this mode of interpreting is that the verbatim opportunity of getting it right—if 'right' means word for word—is lost. Since my analysis rarely revolves around exact phrasings but is more attuned to capturing the participant's general way of understanding and resonating around certain topics, I believe that the added benefit of enhanced contextualization that followed from the move away from verbatim interpreting was greater than the added cost in terms of lessened word for word accuracy. My estimation of the added value of 'getting the context' over 'getting it right' resonates with the suggestion by Karin Ingvarsdotter, Sara Johnsdotter, and Margareta Östman (2010:40) that recommendations of verbatim interpreting in order to improve methodological rigour might fail to address issues of meta-communication and different coherence systems and hence provide a false sense of validity.

All my five interpreters shared two characteristics: they were women and they were not from the area where we conducted the interviews. These were conscious choices on my part, taken in order to facilitate trust. Like power, trust is perceived as relational; not as a thing but as a 'process of leaping across the gulf of doubt' (Edwards 2013:505). From my previous experience of collaborating with male gatekeepers in other areas of Molo, I believe that women tend to talk more freely when no man is present. Furthermore, being a woman I have also experienced how research participants, both male and female, have turned to my male companion first. The potential drawback is that my choice of female assistants diminished our joint capability to build trust with male narrators.

My preference for assistants who were geographical outsiders is based on Molo's history of episodic conflicts. As conflicts have involved many and affected all Moloites, an insider-assistant might have actual or perceived personal stakes in or opinions on the matters under discussion. The general rewards of hiring an 'insider' assistant—access to in-depth contextual knowledge and additional narrators—were thereby lost. Hiring an outsider I also ran the risk of enhancing the gap between me and the participants by bringing an interpreter from elsewhere (Caretta 2015:491), especially as 'elsewhere' in this case was often from 'big city' Nakuru. The 'big city' status of my interpreters is likely to have exacerbated the class differences between us and the research participants.

The distinction between insider and outsider is not only defined by geographical location. My assistants often shared the mother tongue and

ascribed community belonging with the participants and they skilfully used those shared characteristics, however shallow, to make the interviewee feel more at ease.[10] In Molo, 'insiders' can also be characterized by the experience of having been displaced by electoral violence. Lucy Njeri, the interpreter with whom I worked most closely, is a leading member of the National Network of IDPs, a grassroots organization that was formed in the aftermath of the violence in 2007 and 2008. At an interpersonal level, her experiences of displacement and living in a temporary camp, helped her establish trust and facilitated her understanding of the interviewee's stories. Lucy Njeri's activist background also meant that she could provide some of our narrators with potentially useful connections with people and organizations elsewhere. This is not uncomplicated, of course, but my bringing a person who could provide information and contacts became a way to give something back to the Moloites in a manner that did not directly convey an image of Northern wealth and ability.

In summary, I suggest that cooperation with local research assistants has implications for research findings beyond mere translation. In my case, the research assistants frequently assumed the position of being simultaneously cultural brokers, co-constructors of interviews and co-analysts. In the empirical chapters, I have tried to make their participation in the research visible.

Interpretation and representation

In this final section of the chapter, I will address questions of interpretation and representation of the empirical material. In the first section of this chapter, I underlined the fact that I perceive knowledge and knowledge production as historically situated and entangled in power relations. From

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[10] Occasionally, Lucy Njeri assisted in interviews with narrators from non-Kikuyu-speaking communities, most often with Kisii, which required them to speak Kiswahili. Lucy's general impression was that this did not affect the narrators' capabilities to express themselves, but I noted that it was slightly more common among these narrators to start using the 'lingua franca' in which I was (rightly) assumed to be more proficient, namely English.

this, it follows that the empirical material is not perceived as 'being out there' for research to uncover, but as something which is constructed in the process of interpretation. This is a fairly established approach when it comes to interviews (see Johansson 2005), but I also reckon it to be applicable to archival sources and previous scholarly accounts, which I perceive as partial approaches that convey situated representations of history rather than objective facts about history. I will return to this in the description of the archives below, but first I will make some clarifying remarks about how I selected the histories which figures in this thesis.

Interviews with Moloite narrators compose the core of the empirical material, and to a large extent it was the interviews that guided my reading of history by pointing out some aspects of land and politics as more central. Many of the narrators refer directly to particular historical episodes, which is why I came to perceive these episodes as particularly important. For instance, several Temoyettans made repeated reference to the settlement schemes implemented in the late 1970s and early 1980s when they justified access to land. I interpreted this in two ways. Firstly, I took it as a straightforward suggestion that archival material relating to the settlement schemes would be highly relevant. Secondly, I read the insistent return to the settlement schemes as a desire to create a point zero for the current property regime, and that the land tenure at that point zero would offer important legitimacy to contemporary land claims. The second interpretation was corroborated when I noticed that other narrators highlighted a different point zero for land rights—the dispossession occasioned by colonial settlement.

At times, my narrators connected the histories they used to back-up local land claims to wider histories of land. Sometimes, I made such connections even when the narrator did not directly touch upon the wider histories. An example of the latter would be the 'Kalenjin' and 'Kikuyu' histories of access to land, which can be traced back to colonial policies of territorial control and tribal definitions (Boone 2012; Kanyinga 2009).

I am aware that this approach to history comes close to the reading of history backwards, that is of rendering historical events important only if they have direct relevance for contemporary developments. The risk of such a reading is that the complexity of historical processes is neglected in favour for a more linear interpretation of historical events as producing subsequent events (see Berman 1992:23; Cooper 2005:18; Hirdman 2003).

As the purpose of history in this thesis is to contextualize contemporary land claims, I find this reading to be motivated. I try to handle its reductionist tendencies by making it clear that my account is of *histories* rather than of *history*, and therefore selective in terms of both the chosen episodes and the sources or narrators used to relate them.

READING ARCHIVES

There is a relatively large body of critical research that underlines the power-dimensions embedded in the archives (see Cooper & Stoler 1997). Here is not the place to discuss this literature thoroughly, but I will repeat some of the points it addresses as it is directly relevant to understand how I approach archival sources in this thesis.

When historical sources are created, power is in what is included and obliterated, and in who is entitled to speak about what to whom (Stoler 2002; Trouillot 1995). In colonial archives, the most obvious aspect of this is that they are mainly composed of correspondence between colonial officials. When the general public is allowed to speak, the voices heard are generally those of the affluent—in the case of Kenya this is the European settler minority. Voices of workers, landless squatters and the urban poor are a rare occurrence, and when they do get through they are commonly filtered via statements, letters or memos authored by colonial officials. This, of course, has an impact on the histories crafted by the use of archives (Trouillot 1995:27), including the histories I have crafted in this thesis, notably in Chapter 3.

I undertook archival research at the Kenya National Archives in Nairobi and at the British National Archives in Kew, London. In the archives, I was looking for details regarding the Temoyetta settlement scheme in the 1970's, but also for more general histories about how the control over and distribution of land during the colonial era was interconnected to histories about community and belonging. I was primarily looking for material pertaining to Molo. This approach was, however, troubled by the organization of the archives. As a rule of thumb, the archival records were structured according to time and reporting office rather than geographical region. This meant that in the archives in Nairobi, files pertaining to Molo could be found both in the records from the central administration, such

as the Department for Settlement, and in the provincial records. In Kew, files of interest could be sorted under both CO (Colonial Office) and FCO (Foreign and Commonwealth Office). This was a result of that files on Kenya, notably on the Mau Mau uprising, which had been kept secret since independence were gradually being made available in the FCO-directory, even though they concerned correspondence from the colonial era.

The organization of the archives, coupled with the limited time I allowed for archival research, contributed to the fact that I did not manage to cover everything that has been written on land in Molo. The incompleteness of my reading is exacerbated because the archives are always to a certain extent in themselves incomplete[11] and because of the specific circumstance of the deliberate removal of colonial files at the time of independence.

Nevertheless, my search through the archives covered around 70 separate files in the Nairobi National Archives, both at central (Department of Settlement), provincial (Rift Valley, Nyanza) and district (Nakuru, Kericho, Eldama Ravine) level. The British National Archives is blessed with resources in terms of staff, archival systems and technology of which its Nairobi counterpart can barely dream. Therefore, although I spent a shorter time at the Kew archives, I managed to go through almost as many files (52) there. The majority of these files (46) were FCO-files, several of them among the files that were believed to be lost until 2011 (Anderson 2011, see also Chapter 3). At the time of my visit, in March 2015, these files were still in the process of becoming available to the public. I also studied a handful of CO-files (i.e. colonial files that had been publicly available for a longer period of time), most of them relating to correspondence over the Olenguruone settlement in the 1940s and 1950s.

Overall, my visits to the archives provided me with both archival sources to complement the oral histories from my visits to Molo (particularly regarding the settlement schemes of the 1970s and 1980s) and histories of land and local land administration from the colonial era. Next, I will expand

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[11] Within series of inter-related files, often some files are missing. At times, these absences are probably related to the sensitivity of their content, which pertains particularly files form the years of Emergency during the Mau Mau uprising (1952-1960). At other times, these absences are more random, such as the unavailability of the Department of Settlement Annual reports from 1973 and 1975.

upon how I select and represent histories (both archival and constructed through interviews) in the thesis.

REPRESENTATION OF HISTORIES AND ANONYMITY

My selection and interpretation of histories—conveyed via archival material or constructed through interviews—have consequences for how the narratives are represented in the thesis and, of course, for the research findings. In the text, I have attempted to contextualize these histories by relating them to the situation in which they were told, the person telling them or the wider events to which they relate. Nevertheless, I want to make some general remarks about selection, interpretation and representation.

The first point concerns how I selected histories from the interview material. Not all narrators are directly quoted in the thesis, and some narrators are quoted more frequently than others. I quote or represent histories that I believe to be particularly illuminating for an understanding of the politicization of land. Histories can be illuminating because they are representative in relation to other histories; in these cases, the narratives are selected because they are particularly wellphrased. Histories can also be illuminating in their own right, since they capture or convey particular details that are important for overall understanding. All histories are read in relation to other histories in the empirical material (see Johansson 2005; Gustafsson & Johannesson 2016).

The second point concerns how I refer to narrators in the text. All narrators appear under pseudonyms. During my first four visits to Molo, between 2011 and 2013, anonymity was more or less a precondition for most Moloites to be willing to participate in my research. After all, I was asking them to talk to me about land and politics—issues over which some of their neighbours had been murdered. I have also tried to leave out or slightly alter personal information that would make narrators easy to identify. There are three exceptions; Chief Josiah Njuki, Mr Ledama, the chairman of the Kipsigis council of elders, and the former KANU chairman of Nakuru, Mr Kiptoo. These three people spoke to me in their past or present official capacity, which made full anonymity impossible. However, these three narrators were not asked to reveal private information of a potentially sensitive nature. In order not to make them

stand out particularly among otherwise anonymized interviewees, I have anonymized their names, but for people with local knowledge they would be easy to identify.

All narrators are introduced as Mr or Mrs X, and some narrators remain as such. Others are given first-name status at the same time as their titles are dropped. These people are my main narrators. I met with them on several occasions and their histories have a particularly strong bearing on my analysis. Hopefully, their first-name status will convey a sense of familiarity, thereby making the reader associate first-names with a main narrator.

The third point is about how I represent histories. Histories—from interviews and archives—appear both in the form of direct quotes and as accounts re-written as third-person stories. The latter is more faithful to how the material was collected, with a translator and notes, thus most interview histories are interpreted twice, first by a translator and then by myself as I take and re-write notes. The third-person account resonates particularly well with the constructivist take on interviews as co-constructed by the researcher. Nevertheless, direct quotes figure in the empirical sections in cases where the form in which they were given (for instance as a dialogue) are particularly illuminating for the content they convey, or, alternatively, when the narratives were told to me directly in English.

Beyond questions of interpretation, the findings of this thesis were unavoidably affected by the general political climate in Kenya, which was dominated by a number of political and judicial processes. I will end this section with a discussion of the timing of the research.

THE TIMING OF THE RESEARCH

I conducted fieldwork in between two elections; the first, in 2007, unprecedentedly violent, the second, in 2013—some would say against all odds—peaceful. In the aftermath of the 2007/08 violence, three judicial processes were initiated: the constitutional renewal, the appointment of a commission on historical injustices (Truth, Justice and Reconciliation Commission, TJRC), and the trials against four prominent Kenyans at the

International Criminal Court (ICC).[12] Alongside local memories of the 2007/08 violence and widespread worries over a repetition of violence in 2013, these three processes greatly influenced the general political landscape in Kenya and, probably, the results of this study. In short, these broader trajectories probably enhanced my narrators' tendencies to talk about land, politics, history, violence and the connections between them. Specifically, these processes are likely to have invited discussions about administrative divisions, constituency boundaries and political positions that were being reformed at the time.

During my period of fieldwork, two of the people investigated by the ICC (Uhuru Kenyatta and William Ruto) launched a joint electoral alliance that became successful enough to grant them the positions of President and Deputy President in the 2013 election. This influenced the local dynamics around land and politics. For instance, several of my narrators related the wide support in Molo for Uhuru Kenyatta's bid for presidency to the ICC case. As first-hand witnesses of the 2007/08 violence, several of these narrators had the impression that the state had done nothing to prevent their attackers from attacking them. When the ICC indicted Uhuru Kenyatta, this was read in parts of Molo as a confirmation of what some had already suspected, namely that Kenyatta had been somehow involved in the organization of the counter-attacks and that he had therefore offered the protection that the state had proved itself unable to muster.

The fact that the fieldwork was carried out after a violent election and in the run-up to the next election is likely to have made the Moloites more prone to narrate violence, in various ways. I believe that this tendency was exacerbated by the consultations organized by the TJRC, carried out at the time of my fieldwork.[13] Although the majority of my narrators had not been involved in the TJRC hearings, most of them were highly aware of

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[12] The peace dialogue resulted in the enactment of a National Accord and Reconciliation Act in March 2008. The Accord established a grand coalition government, which served to undo or at least push aside the political differences that had blocked the attempt to institute constitutional renewal in 2005. The Accord also included an agreement for the establishment of a Truth, Justice and Reconciliation Commission (TJRC).

[13] Between April 2011 and April 2012, the TJRC collected 40,000 statements from across the country via 300 hired statement takers. Further, the TJRC was discussed intensively in national media.

the work of the Commission and I think it is likely that this made them more prone to make historical connections as they related personal and general land injustices to me.

Methodological contributions

This chapter has discussed issues pertaining to reflexivity, interpretation and power. I believe that these are central questions for research building on fieldwork, and that they are even more important to address in research that engages people in politically, socially and/or economically marginalized situations. In order to handle the power dimensions which abound in fieldwork situations as well as acts of interpretation, I have suggested a situated approach. By addressing questions of reflexivity and power, the discussion in this chapter contributes to the growing literature on ethnographic methods within political science (Gustafsson & Johannesson 2016). This contribution can be summarized in two points.

Firstly, by addressing subjectivity as not merely being possessed by the researched and studied by the researcher, but as something which is produced by the research encounter, I seek to nuance the difference between self-researcher and other-researched without assuming sameness but by conveying both the researcher and the researched as constructing their subjectivities through their interaction. Secondly, by making visible the role of interpreters, I expand the discussion of power-relations in the field. Furthermore, this highlights how social science is a collaborative effort which does not only involves people from within academia.

3
Kenyan histories

Travelling histories of land

KURESOI CAFÉ

Opposite the smart and orderly Nakumatt shopping mall in Karen, Nairobi, is a rowdy bus stop. The shopping mall, with its permanent structures, brand names and fixed price tags caters to the most well-to-do. It is a storefront for property rights and the propertied. The bus stop, on the other hand, is window dressing nothing. It is there out of necessity, connecting commuters on their one-hour route from lush suburban Karen to downtown Nairobi. Set by the roadside, the bus stop is gradually expanding to encroach on an empty field of a couple of acres. Empty fields are becoming an increasingly rare sight as construction is booming, but the vacant image conveyed by this field is illusory. The owner of the plot is said to be waiting for prices to boom even more and then he will sell, expensively, to prospective developers. By then, the bus stop will be history or, more likely, relocated to somewhere else.

Meanwhile, the large number of people who frequent the bus stop on a daily basis makes good use of the plot. A small trading centre has sprung up around the buses, taxis and motorcycles which parks and passes on their route between here and there. If you are stuck here, waiting—and, due to the generally congested traffic situation this often happens—you might be enticed into a small café where a woman serves chai to her customers

seated on benches made from single planks, nailed across two tree stumps. This is, I am told as I am waiting for a taxi in December 2015, Kuresoi Café. The name is taken from Kuresoi, an area in Molo, where this thesis is set. After being repeatedly rocked by violence in relation to the 1992, 1997 and 2007 elections, Kuresoi has become infamous for being, as a taxi driver waiting at Kuresoi Café puts it, 'the most chaotic place in the country'.

Kuresoi Café, located in Karen, Nairobi, conveys several things about land. Its material set-up illustrates how property rights do not necessarily translate into the same results even in the same locations. Property rights might underwrite order, as in the case of the Nakumatt shopping centre; but not necessarily, as in the case of the field of an absentee owner. In this history of Kuresoi Café, what land is, how it is used, by the rich minority or the poor majority, appears to be more contingent on the practices enacted on and in relation to the land than on its formal status in the land records. The history about Kuresoi Café also exemplifies how histories travel and become meaningful in contexts different from those in which they occur.

In this chapter, I will unfold four episodes which I argue are of importance for the histories by which access to land is justified in Kenya. These four episodes are: colonial rule, uprising, independence and multipartyism. By approaching the past as episodes, rather than events, I want to signal how the past is invoked to make sense of the present. As episodes are recapitulated—for instance in order to lend legitimacy to a land claim—they are the result of both memories of the past and anticipations of the future (see Somers 1996:64). The four episodes related in this chapter are not so much important in their own right, as occurrences, but due to the histories that they ushered in and the later significance of those histories. For instance, with the establishment of colonial rule, a series of measures aimed at controlling and defining land and people in the geographical area that would be Kenya were initiated. These measures both influence and re-appear in later debates about land, which is how the establishment of colonial rule is found to be contemporarily relevant.

In all four episodes, the Kenyan state, in its various colonial and postcolonial guises, is a central actor. The Kenyan state—like states in many, maybe most, places—has used land to establish and maintain

control. By recapitulating these four episodes, I also analyse how state practices and logics are embedded in the histories of land.

Episode 1. Colonial rule

The first episode, 'Colonial rule', focuses on the appropriation of land that characterizes the period from the establishment of a settler agriculture in the early 1900s, via the confinement of the Kenyan population to 'native reserves', up to the land shortages that the system of land control had produced in the early 1930s.

The colonization of the area nowadays known as Kenya began in 1895 with the construction of the railway between the Mombasa port at the coast and inland Lake Victoria. Before that, the Imperial British East African Company had spent an odd ten unprofitable years attempting to establish a trade route between coast and inland. Neither land- nor river-based caravans had succeeded, which is why, by 1895, a railway appeared to be the only efficient option. However, it was an option of huge and amounting expense. The initial price tag would more than triple before the completion of the railway in 1902 (Sorrenson 1968:20). It was the swelling price tag that established European settlement; settlers were required, as Sorrenson has it, to make the railway pay (Sorrenson 1968:19, 1967:15).

The land across which the railway route was drawn was imagined by early colonial officials and the congregation of adventurers, missionaries and businessmen that made up the initial European presence in those areas, to be land not only of potential agricultural profit, but land that lay open for the taking (Soja 1968:18). The latter was a misconception. The Kenyan Highlands might have presented an empty appearance, but in several areas this emptiness was the result of seasonal land-use and in others it stemmed from epidemics which had recently decimated the population (Berman 1992:52). Populated or not, situated close to the equator but at high altitudes often surpassing 5,000 feet, this land represented as close a resemblance to green, hilly Britain East Africa could offer (Huxley 1935).

The need to attract settlers presented the early administration of the protectorate with strong political and economic motives to neglect the conception of African property rights in land. As John Ainsworth, a top-

level civil servant in Nairobi, noted in 1899; if the Africans did not own land, they could not demand to sell it to the arriving settlers (Sorrenson 1968:177). Along similar lines, the commissioner of British East Africa between 1900 and 1904, Sir Charles Eliot, underlined that the need to recruit settler farmers to Kenya necessitated that more land was made available for appropriation and on better terms (Berman 1992:56-7). As the land most attractive for appropriation was land already under cultivation, Eliot was in effect arguing for a need to lessen the protection of African rights.[14] But African land rights would be increasingly neglected with the enhanced speed of appropriation that characterized the early years of settlement. The acreage of alienated land rose from 5,000 acres by 1902 to 368,125 acres by 1905 (Berman 1992:56); all of these transactions were to be overseen by a single surveyor (Sorrenson 1968:69). In practice, therefore, the settlers brokered several of the early land appropriations directly with Africans they found on the land and only reported to the administration after the fact (Mackenzie 1998:67).

The African population used different strategies to grapple with the British presence. Some groups appear to have welcomed the newcomers and the opportunities of trade they offered, others put up resistance. The most well-documented example of the latter was posed by the Nandi who fought the British from the 1890's to 1905, when they were finally defeated and subdued (Mason 2009). Some groups, such as the southernmost sections of the Maasai, did not resist in arms, but spent the colonial period skilfully evading colonial control by resisting calls for forced labour and avoiding the preaching of missionaries (Sorrenson 1967:276f).

NATIVE RESERVES

With the Crown Lands Ordinance of 1915 most commentators agree that the formal protection of African land rights was also abolished in order to make it easier to commence appropriations for the settlers (Lonsdale and Berman 1979:498; Mweseli 2000:9; Sorrenson 1968:140; Wanjala 2000:28).

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[14] Such early administrative attacks on African rights were partially countering the formal regulation surrounding appropriation, which clearly stated that African access was to be respected in all alienations (TJRC 2B:178).

The 1915 Lands Ordinance declared all land—including land settled by Africans—property of the Crown. This implied a reinvigoration of the feudal notion of the sovereign's rights to land, which in one form or another was a common feature in the European colonization of Africa (Wily 2011). In many European countries, the sovereign's right had been reduced to occasional compulsory purchases. For instance, in the UK, most commons had been enclosed before the end of the 19th century. However, with the colonization of Africa, the sovereign's right was revitalized. Alongside legal presumptions concerning individual ownership and sales of land as basically unknown in African contexts, the sovereign's right reduced Africans to the status of tenants of the Crown and their land could be taken with compensation paid only for man-made improvements and not for the land itself (Wily 2011:741). The 1915 Ordinance formally demarcated a zone for exclusive European land rights.[15] The White Highlands would remain white until 1956. The exclusive reservation of the Highlands for settlers implied that something had to be done about African land rights. The solution was native reserves. By 1926, 24 'tribal' reserves had been gazetted (Berman & Lonsdale 1980:75).

The dual land tenure system of settler land and native reserves formed the backbone of what Mahmood Mamdani (1996) calls the bifurcated state, characterized by one set of laws for the settler minority and another for the indigenous majority of the population. Dual land tenure formed a basis for differential treatment that affected all arenas of life in the colony. It was designed to develop the settler economy and the white citizenry, whilst exerting political, economic and social control over the African population.

Economically, bans on commercially lucrative crops such as coffee and tea in African areas served to cordon off settler production from African competition. Importantly, the creation of the White Highlands also effectively closed down the land frontier, which forestalled geographical expansions in the African agricultural areas as the population grew (Lonsdale 1992:53ff). The result was that agriculture in the reserves became

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[15] The former maximum of 100,000 acres for individual holdings was also done away with in the Ordinance. Although the average settler was not a man of affluence, the 1915 Ordinance opened up new land-deal opportunities for those who were. For instance, in 1925, Lord Delamere could sell 825,792 acres of land for a total of £212,043 *and* remain one of the largest landowners in the colony after the transaction (see Sorrenson 1968:154).

so unprofitable that it forced people to rely on wage work outside of the reserves. It was no coincidence that settler farmers who relied heavily on African knowhow and muscle were the main employers (Leys 1975:34; Lonsdale & Berman 1979:493), and the cost of labour in Kenya was brought down to what was probably the cheapest price in the world (Berman 1992:154). The confinement of the indigenous populations into native reserves in order to generate a steady supply of cheap farm labour for settler agriculture or mining complexes was a common colonial strategy in Northern (now Zambia) and Southern Rhodesia (Zimbabwe), South Africa, Mozambique, Nyasaland (Malawi) and Basutoland (Lesotho) (Bernstein 2010:50f).

In Kenya, social and political control was asserted via measures such as policing the movements of Africans between reserves (via the much resented *kipande* system) and by imposing a structure of indirect rule via appointed chiefs and headmen with far-reaching discretionary powers, including tax collection, land allocations, forced labour assignments and military conscription.

CHIEFS AND NEW POLITICAL RELATIONS

Despite the authoritarian face of the colonial state, which would show as soon as the activities of the African population challenged or opposed colonial interests, colonialism did not work one-sidedly to restrict African opportunity. Indeed, colonial rule vested land with *new* opportunities and restrictions by banning some activities and encouraging others (Berman 1992:241). For this reason, it is difficult to say anything in general about how colonialism in Kenya affected its 'African subjects'. Rather, how people were affected depended largely on whether they were pastoralists or peasants, whether they were lucky enough to seize a position in the newly created administrative hierarchy, or whether they happened to have good relations with those who did. What can be said is that colonial rule restructured histories of land, politics and community; and that land control was central to such developments.

Colonial rule was always exercised from a position of numerical inferiority. In the British colonies, indirect rule was a direct result of this. Indirect rule meant that sovereignty was commonly exercised by several

local authorities. Partially a strategy of necessity, indirect rule was the result of a Metropole that could simply not afford to spare enough personnel to establish direct rule (Mamdani 1996:72-3). Thus, the colonial state had to establish sovereignty with a miniscule number of colonial officials with the cooperation of a thin layer of appointed indigenous staff. This cadre of colonial officials had to establish control over substantively larger masses of indigenous people not necessarily interested in being dominated. Colonial rule, then, relied on making allies of agents 'wielding a locally legitimate authority that was nonetheless, in the last instance delegated from the centre' (Lonsdale 1992:31). This was, as John Lonsdale has noted, 'a colonial alchemy of rule', which needed to be maintained with limited resources.

For Papua New Guinea, Danilyn Rutherford (2012) describes colonial rule as a 'play of sovereignty', ultimately depending on a local audience. The typical colonial official stationed on the ground lacked the means of force to maintain colonial law and order. Instead, the daily routines of colonial rule relied heavily on showcasing authority and upholding the law with mere threats of force that were seldom called into actual use. Along similar lines, Bruce Berman writes about how colonial rule relied on establishing 'prestige', based as much on mystique as on authority. As a result of their numerical inferiority, colonial officials relied on a projection of key myths of the colonial state: permanence, omnipotence, and infallibility (Berman 1992:202-3).

The provincial administration formed the backbone of indirect rule in Kenya. In the reserves, local chiefs were appointed to adjudicate land disputes, collect taxes and conscript labour for public works. The chiefs reported to the District Officers (DOs) and their superiors, the District Commissioners (DCs). Most often men with a background as civil or military servants of the Crown in Britain or overseas, the DOs and DCs relied on locally hired staff as drivers, housekeepers and guards, but also for translation and information. From the level of the district, reports were sent to one of the six Provincial headquarters, and the Provincial Commissioner reported to the central administration in Nairobi.[16]

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[16] The Provincial administration survived the transition to independence and was not formally abandoned until the 2010 Constitutional renewal, which can be read as testifying to its efficacy as a vertical system of rule.

As a vertical chain of command, the Provincial administration represented something entirely new in comparison to the pre-colonial period. At the local level, however, chiefs lessened or at least differentiated the control of traditional authorities. Sara Berry (1993) has noted that the customary authority exercised before colonial rule was often contested and unstable, subjected to constant negotiations and altercations. The imposition of chiefs as a link in the provincial chain of command can be interpreted as an attempt to create 'customary' systems of a higher degree of stability and predictability. [17] The result was, nevertheless, that 'fluid, flexible social boundaries and structures of authority' (Berry 1993:37) were maintained and the local-level struggles over authority became embedded in a system of state control. For instance, as land markets were treated by the colonial administration as unknown and foreign to the Africans, land in the native reserves was placed under the full discretion of 'customary' chiefs. For Africans, therefore, access to land had been premised on social relations prior to colonialism and continued to be so under colonial rule. The difference, epitomized by the instigation of chiefs, was that the social relations were supplemented by an institutional framework for colonial control.

In order to unfold how state attempts to establish control centred on definitions of both community and land usage, I will turn to the case of Olenguruone, situated in the same area of the Highlands as Molo (see Map 2).

OLENGURUONE: POLITICS OF LAND CONTROL

A prerequisite for the rule of the bifurcated state was the confinement of the local population into limited geographical areas, or native reserves. Over time, as the population grew, this premise would turn on its own limitations. By the early 1930s, sections of the native reserves were already

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[17] See also Robert Southall (1970) and Terence Ranger and Eric Hobsbawm (1983). This perspective on African customs as colonial inventions have been criticized for ignoring the participation of African 'natives' in this construction (Berry 1992). However, in terms of how projects of tradition are interconnected with projects of power, I believe that analyses of the colonial construction of chiefs are illuminating.

overpopulated. The solution was to move sections of the population in the reserves to land at places such as Olenguruone (BNA: CO/533/557/6). What has been recorded in the archives about the settlement and subsequent evictions of a Kikuyu community in Olenguruone illustrates how land control was central to both maintaining and challenging colonial rule (BNA: CO/822/233).

When it became known that the colonial administration would open up Olenguruone for settlement, the Department of Settlement received a steady stream of applications from landless people. In the end, 392 individual plots were allocated in 1941 primarily to Kikuyu families. Overall, the settlement would number 4,000 people (KNA: DC/NKU/1/6/2).

However, the colonial administration imposed strict rules for settlement, cattle keeping and farming at Olenguruone. Each settler and his first wife recieved eight acres in total, of which 2.5 acres were for cultivation, 2.5 acres for temporary grass ley and the remaining three for a homestead and grazing of cattle. For each additional wife, each settler received five extra acres. Aside from the general stipulations regarding what indigenous Kenyans were allowed to farm or not (cash crops, for instance, were forbidden), the Olenguruone settlers were to refrain from fencing their plots and from bringing in additional cattle without permission. These rules were deeply unpopular and before long, the Olenguruone settlers made it clear that they had no intention of complying with them (KNA: DC/NKU/1/6/2, see also KNA: MAI/7/9 Olenguruone Settlement 1940-4, BNA: CO/533/557/6, CO/822/232).

When the administration confronted the settlers with their failure to follow the regulations, the settlers stated that the regulations had never been explained to them in a comprehensive manner. Judging from the correspondence between state officials, the colonial state did not give much credence to the counter-argument. Rather, the administration perceived every failure to comply as an act of political contempt, connected to a wider reluctance to comply with colonial rule. In a letter from the then acting Governor in Kenya, G. M. Renning, to the under-secretary at the colonial office in London, it is made explicit that the administration saw the disobedience in Olenguruone as being about more than the control over a single settlement scheme:

> For political reasons attempts are being made to prevent the
> necessary control of the Olenguruone settlement and this can be
> taken as a test for all future schemes. If settlers are not prepared
> to abide by the conditions laid down, the strongly held view of
> the Government is that they must give place to those who will,
> and the government does not admit any liability to find land for
> such as refuse to admit its authority to impose conditions. There
> is a large number of applicants for plots at Olenguruone and the
> government intends to accommodate as many of these as
> possible in this settlement as soon as the present recalcitrants
> [sic] have been removed.
>
> <div align="center">June 27th 1947, KNA: DC/NKU/1/6/2</div>

These 'political reasons' were seen as connected to the increased political
resistance towards the colonial administration which was particularly
prevalent among sections of the Kikuyu communities in Kenya. The
District Commissioner states in his 1945 annual report that the 'attitude of
the settlers at Olenguruone was in great part influenced by political
pressure from Kiambu [where the Kikuyu reserve was located] where it is
hoped the situation might be used to bolster up a renewed effort to obtain
more land for the Kikuyu tribe' as part of the 'campaign for lebensraum'
which was said to have been launched from the Kikuyu reserves. Similar
sentiments are echoed in the next annual report, where it is said that the
settlement in Olenguruone continued to pose a 'formidable problem' to
the administration (KNA: DC/NKU/1/5).

Here, the 'formidable problem' facing the state captures how systems of
land tenure are also systems of social, economic and political control. To
comply with the regulations of the Olenguruone settlement, the Kikuyu
were expected to give up their farming techniques and to refrain from
dividing land among themselves. Stripped of most social and political
rights, the right to land was the most viable route to self-determination for
most Kenyans. For the colonial administration, on the other hand, control
over land allocation and usage became inseparable from the maintenance
of colonial rule.

This section has outlined how land control was central for the
establishment of colonial rule. The native reserves illustrate how colonial
rule relied on intricate but rigid definitions of land and people and the
activities which they were permitted to undertake. The creation of

difference was central. Some people needed to be singled out from 'their group' in order to assist with the dominion over this same group. Concomitantly, it was also a system founded on glaring injustices. Before long, these injustices—as injustices often do—would provoke resentment.

Episode 2: Uprising

The Mau Mau Uprising was the outlet for a brewing discontent among large sections of the African population in the Kenya colony, brought about by longstanding economic hardships, social injustices and political oppression. The British colonial power responded to the uprising by declaring a State of Emergency in October 1952. Meant to last for a maximum of three months the Emergency dragged on for eight years, unleashing state sovereignty in its most unpredictable forms.

Due process rights were limited to a minimum, magistrates exercised the power of Supreme Court judges and trials were streamlined so that the accused no longer had the right to know the nature of the evidence raised against them in court. In several cases, convictions were based solely on confessions under torture. Even more importantly, the Emergency regulations included wide powers of detention and the extension of the death penalty to offences such as sabotage, illegal carrying of firearms, assistance of insurgency groups, and the administration of certain types of oaths (TJRC 2A:19ff).

At the same time, the British government was less than willing to provide adequate financial resources. Caroline Elkins (2005:56) has called it a civil war on a shoestring budget. One of the effects of the tight financial situation was that it forced the Governor to delegate his Emergency powers to personnel who had no prior experience of serving the colonial state. For instance, settlers became temporary District Officers in the Provincial administration and loyal sections the Kikuyu population became salaried members of the Home Guard. Overall, the colonial crackdown on the Mau Mau Uprising between 1952 and 1960 resulted in more than 100,000 people were being killed and almost a million detained (ibid).

Notwithstanding the effects of the Mau Mau as a national trauma, I will focus on the connections between land and politics that the war brought to the fore. To this end, I will return to Olenguruone.

THE OLENGURUONE EVICTIONS

In the late 1940's the political organization among sections of the Kenyan populations took on increasingly militant expressions. The Olenguruone evictions illustrates both the growing sentiments of anger and frustration over colonial rule and the administration's violent response.

In 1947 it was decided that the entire Kikuyu settlement should be removed from Olenguruone. On March 22nd the administration presented the Olenguruone settlers with an ultimatum: comply with the settlement regulations or leave (KNA: DC/NKU/1/6/2). However, at this point, intelligence reports suggested that militant insurgents were lurking in the forests in the Central and Rift Valley provinces (BNA: CO/533/557/6). The administration could not let the Olenguruone evictees evade colonial control to join them. At one point, a detention camp at Olenguruone was considered (KNA: DC/NKU/1/6/2). Instead, the administration opted to send the 'non-co-operators' to the detention camps that were already operating, mostly between Nairobi and the coast, for the purposes of isolating people with suspected Mau Mau-allegiances. Between the first threat in 1947 and the final implementation of the eviction in 1950, the colonial administration rounded up Olenguruone settlers and sent them to detention on several occasions. Eleven men were rounded up in January 1950, followed by another round of 25 men and 11 women in February (KNA: DC/NKU/1/6/2). Before that, the administration demolished the homes of the Olenguruone settlers.[18] In August 1948, the DO in Olenguruone found this note pinned to the door of one of the homes that was to be demolished:

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[18] The correspondence over the demolition of homes (or 'huts' as the administration preferred to call them) is interesting in its own right. The administration found it difficult to recruit workers to carry out the demolition in the vicinity and ultimately brought in workers from Kisumu in Western Kenya, NNA: DC/NKU/1/6/2.

I want to inform you British that you are not to spoil the boundaries of Olenguruone *shambas*. If you just think since you came to Kenya you have never seen an African with a gun. I am the one to inform you that the Wakikuyu[19] have more power than you have with guns. Just wait until the year 1949 you will have to be sorry for the rules which you are giving us now and when it will be my turn to order you in the same way. I have not any other letter to send to the king or the Governor except this notice.

    I am Njoroge Waweru, my plot number is 167 and that is where I am staying.[20]

<div align="right">DC/NKU/1/6/2
Olenguruone settlement 1947-50</div>

Mr Waweru probably referred to the coming escalation of the Mau Mau Uprising. His letter also speaks to the wider issues at stake in Olenguruone. In the first Episode—'Colonial rule'—I described how land control in Olenguruone became interwoven with questions of political control. The Olenguruone evictions had similar political overtones. Scholars have underlined the Olenguruone events as central for the subsequent development of the Mau Mau Uprising (Throup 1987; Furedi 1989; Lonsdale 2000; Kanogo 1987; Kershaw 1997). Mr Waweru's note speaks to the blatant threat of violence that colonial rule was relying on, but also to the violent response that such forms of rule are likely to breed. The administration presented the Olenguruone settlers with an ultimatum: comply or leave. There was no room for negotiation, no middle ground to be had. Either you were with the colonial rule or you were against it; this was the logic along which the Mau Mau war would unfold.

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[19] The 'wa' in 'Wakikuyu' signals plurality.

[20] The original note has been translated by the DO in his letter to the DC in Nakuru, dated 3 August, 1948. This letter is one of the few testimonies from Kenyan subjects to be kept in the archival records. Whether this is because few such testimonies were ever written, or because few of them were saved by the colonial administration for posterity is difficult to know.

A WAR BETWEEN HAVES AND HAVE NOTS

During the first part of the Emergency, the colonial administration already interpreted Mau Mau as a Kikuyu affair. The administration never fully shook off the suspicion that other tribes might join the rebellion (KNA: PC/NKU/2/1/225, BNA: FCO/141/5817), but the definition of Mau Mau as 'Kikuyu' resulted in the punishment of the rebellion being meted out on more or less the entire Kikuyu-population—save for a minority of state loyalists and their families (Kanogo 1987:138-143). The collective punishments ranged from forced labour to detention camps similar to concentration camps. Whereas detention required suspected Mau Mau-allegiance, forced labour in community projects for 90 days per year was imposed on every adult Kikuyu during the years of Emergency (Elkins 2005:117).

   At the same time, a large section of the colonial staff which administered these punishments were from the Kikuyu community. This has led some scholars to conclude that the Mau Mau war was, if not entirely, then at least to a large extent an intra-Kikuyu affair (Furedi 1989:6). At a descriptive level, this might be correct; the majority of the people who fought and died during the Emergency were Kikuyu. To talk about the Mau Mau as intra-Kikuyu, however, runs the risk of making invisible the colonial relation of dominion over which the Mau Mau war was fought.

   As was noted in the previous section, colonial rule in Kenya had always been indirect, which implied direct involvement of sections of the indigenous population. The fact that the colonial administration recruited staff among the Kikuyu is related to the position of the Kikuyu communities at the time of the British arrival. The early colonial activities took place in what was later named the Central Province, where Kikuyu communities controlled the land. As a result, Kikuyu communities found themselves in closer relation to the colonizers than any other Kenyan group. This meant that some sections of the Kikuyu communities could benefit both politically and economically from the colonial project. At the same time, the Kikuyu communities would lose comparatively large tracts of land to the colonizers, and with the establishment of the native reserves, they would find themselves in a particular position of land scarcity.

   Rather than defining the Mau Mau-war as an intra-tribal affair among the Kikuyu, I agree with what John Harbeson observed in 1973, namely that

the Mau Mau was a war fought between those who had lost and those who had gained from European rule (Harbeson 1973:22). As a large section of the well-situated were co-opted by the colonial state as state servants in the process, the Mau Mau war also served to foster administrative continuity in ways that would continue to prevail after independence. Daniel Branch and Nic Cheeseman describe how the Kenyan political elite became 'indoctrinated' in a model of rule that centered on the maintenance of the prevailing political order (Branch, Cheeseman & Gardner 2010:12). Thus, the lasting effects of the Mau Mau Uprising appears to have been to consolidate the colonial structures of rule.

MAU MAU'S LASTING IMPORTANCE

> We went to the forest since the colonial government had made us slaves.
>
> Mau Mau veterans group,
> 21 September 2011, Molo

The Mau Mau veterans group in Molo was one of the former Mau Mau fighters' groups organized across Kenya when human rights activists and scholars initiated a court case against the British government in 2011. Several of the members of this Molo-group of veterans were still children during the years of insurgency. Some had assisted Mau Mau by passing messages between guerrilla groups hiding in the forests and all of them had suffered the consequences of being children of people found guilty, with or without trial, of (famously ill-defined) 'Mau Mau offences'.

The large number of people joining veteran-groups in 2011 might speak to the temptation of getting a share of the handsome sum of money that was expected from the court case. But the court case was historical as the first attempt to compel the colonial state to answer for the atrocities, several of them well-documented, which were committed during the last decade of colonial rule. The prospects for justice attracted not only the ageing former insurgents who had suffered directly from the violent crackdowns, detentions, economic losses and land dispossessions, but also their children. Therefore, the number of people joining Mau Mau-veteran groups also testifies to how the Mau Mau, fifty years later, remain not only

a hotly contested piece of Kenya's history, but also an open wound for many people who took part in it, were accused of taking part or had relatives who did.

The material extent of the violence inflicted on Mau Mau-supporters—actual and accused with little discrimination—is still unfolding. At independence, much of the colonial recordings of the repression was deliberately destroyed. Among the files brought back to London, the majority were claimed to be "lost" for more than half a century. The retrieval of these files in 2012 was largely the result of arduous work by human rights activists, historians and—not least—one of the archivists at Hanslope Park, where the files were found (Anderson 2011).[21]

Even before these files had been retrieved, it was becoming increasingly clear that the atrocities—including extrajudicial killings, forced sterilisations and torture—were far more widespread than the British government has been willing to admit (see particularly Anderson 2005; Elkins 2005). To give just one example, the official death toll was around 10,000—until Elkins' (2005) findings increased the figure tenfold to a likely 100,000 deaths, probably more. However, with the lost files found again, it becomes possible to confirm some of these atrocities, which the court case proved. On 6 June 2013, the British government agreed to a £19.9 million settlement which was paid out to the 5,228 Mau Mau-veterans represented by the plaintiffs (The Guardian 6 June 2013).

Aside from the human sufferings caused by the colonial atrocities and subsequent neglect, the Mau Mau is an important historical episode since it reinforced what has become enduring tendencies in Kenyan politics. The colonial administration fought the war by a range of collective punishments targeting the Kikuyu population. This was a strategy that confirmed, in an extreme manner, that the central relation of rule was that between the central state and the tribal collectives. Furthermore, the Mau Mau Uprising was both driven and crushed by the desire for land control. The Mau Mau fought for access to land, and access required political authority. The colonial administration fought for maintained political control, which

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[21] The fate of these files is telling in its own right when it comes to the character of the colonial rule, the crisis which the Mau Mau Uprising against it and how the United Kingdom largely avoided dealing with the consequences of its imperial legacy afterwards. For more informed accounts on the missing files, see David Anderson 2015; Caroline Elkins 2015.

implied preserved land control. The Mau Mau Uprising can then be read as an example of the connection between land and politics and, indeed, the use of land as a tool for political means. I will have reason to return to the ethnic dimensions of the Kenyan state and politics and its interconnectedness to land in the next two historical episodes.

Episode 3: Independence

The Mau Mau Uprising laid the groundwork for the first implementation of large-scale land reform in Kenya. Even though the uprising had been crushed, it had revealed a widespread and brooding discontent with the glaring material injustices in the Kenya colony. The colonial administration found itself hard-pressed to undertake reforms of land redistribution (Leys 1971; Kanyinga et al 2008).

Swynnerton's *Plan to Intensify the Development of African Agriculture in Kenya*, presented in 1954, was never intended as a concession to the Mau Mau supporters, but rather sought to consolidate a class of yeomen farmers who would have vested interests in opposing the insurgency (Haugerud 1989:64, 1983:65; Klopp 2000:16; Sorrenson 1967:250f).[22] Similarly, but less intended, the Swynnerton Plan underwrote gendered inequalities in access to land. As has since been recognized as a general effect of land consolidation, it entails the dispossession of secondary right holders, including the youngest and oldest family members but most prominently women (Toulmin & Quan 2000). The Swynnerton plan was no exception, as the dispossession of the Mau Mau-rebels also befell their wives and extended families (Brownhill 2009:170). In addition, the Swynnerton Plan refrained from addressing historical land grievances, and landlessness and land scarcity in some areas were allowed to continue unabated (TJRC 2013:196-7).

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[22] The idea of the development of yeoman-farmers was encouraged by the British before independence and taken up by post-independence donors and the World Bank to become a central ingredient in most post-independence titling projects in Sub-Saharan Africa (Wily 2011).

Swynnerton based his recommendations on an analysis of the land trouble as resulting from 'traditional African land tenure' and not from overpopulation. Therefore, the solution included the consolidation of fragmented holdings, adjudication of clan lands, enclosure and, finally, the registration of individual freehold titles (Haugerud 1989:63). But the plan also introduced some general steps to lessen colonial control over agriculture, for instance by granting African access to land in the hitherto literally White Highlands, by lifting restrictions on the production of export crops, and providing credit opportunities (TJRC 2013:196). Seen in the international context, the land reforms suggested by Swynnerton came during a period when the pressure for land tenure reforms was mounting. Since the economic depression in the 1930s and the ensuing Second World War, liberation movements had been on the upsurge across Africa, demanding land and freedom. Land reforms, often premised on the substitution of communal for private land rights, promised both economic returns and moral emancipation. As holders of property rights, the colonial subjects were believed to evolve into rational men less prone to revolt and disobedience (Bassett 1993:4). Hence, land reform became a tool for the colonial state to revive its crumbling political control. However, in Kenya—just as in other colonies across the continent—the colonial state nevertheless crumbled.

In January 1960, the British government announced that Kenya would move rapidly towards independence. The colonial office had realized that the racial segregation, which underpinned British rule in Kenya, could no longer be defended (TJRC 2013:201). The benefits of British rule were largely limited to the protection of white settler interests, whereas the potential cost of maintaining it was, as the British government imagined it, 'violence, radicalization and communism' (ibid).

NEGOTIATING LAND AND POLITICS

During the negotiation of independence, Kenya's political scene coalesced into three parties: the Kenya National Union (KANU), the Kenya African Democratic Union (KADU) and the New Kenya Party (NKP). NKP, which primarily represented settler interests, would be comparatively short-lived. KANU and KADU, however, embodied political differences

that would remain central points of contention in Kenyan politics: land control and administrative structure.

KANU united some of the African fractions and interest groups in the legislative assembly behind a call for rapid decolonization. There were internal divisions within KANU over how land should be transferred from European to African hands. The radical fraction of KANU demanded *nyakua*, or that the former European land ought to be taken 'back' without compensation and used to settle the landless masses. The more moderate fraction in KANU opposed *nyakua* out of fears that a seizure of land would threaten investments and economic stability. They argued, instead, for a market-based solution.

KADU, for its part, was deeply opposed to the ultimate aim of both KANU fractions, namely that former settler land was to be allocated to landless people from all over the country. Large sections of former white settler land were in the Rift Valley, where KADU's support base had strong land interests. KADU argued for a federal administrative system, where the power to allocate land would be vested at the regional level. This would protect the land in the Rift Valley from encroachment by the economically stronger but land-poor groups from other parts of the country, particularly from the Central Province. Regarding land distribution, KADU had their natural allies in the NKP for, as a contemporary analyst commented, 'the tribes with plenty of land are worried and hasten to secure their own tribal land from being given to others.' (Carey Jones 1964:29). In a less colonial vocabulary, these land-rich groups included the departing settlers.

The final agreement meant a partial victory for KANU, but with important concessions made to KADU and NKP (Kanyinga 2000:53). Land was to be transferred according to the market principle, but at the same time the system of rule, including the control over land, would have federal elements. The agreed system of tenure brimmed with paradoxes. On the one hand, it implied that Kenya became the first independent African state to adopt a European model of land tenure (Ahluwaila 1996:40). At the same time, it was a model more or less forced out of economic necessity; without the registration of land titles, the World Bank would not fund the Kenyan land programme (Leys 1975:72). The economic feasibility of the land transfer programme was questioned from the outset, as it would divide large sections of the land into plots too small to produce economic surplus (Leys 1975:74). More contradictory still was

the fact that, even though Africans were provided with individual land rights and titles, the colonial legal framework for land was left intact. Under colonial rule, land had been divided into three categories: *government, trust* and *private* land. *Government land* was all land currently in use by the state and all land left idle. The Lancaster House Agreement promised discretion over government land for the regions (TJRC 2013:210). The second category, *trust land*, comprised the former native reserves. It was to be held in trust for the local population by the new regional governments. Trust land was governed by customary law, but eligible for privatization. The third category of land, *private land*, could be held by individuals, companies (including the land-buying cooperatives) and parastatals.[23]

Overall, the independent Kenyan state would emerge with far-reaching powers to allocate land, albeit according to an essentially colonial judicial framework and with an enduring political split over whether a central or federal system of rule was preferable. Importantly, the direct involvement of the state and state actors in land allocations, which had been central to the upkeep of colonial rule, was maintained in the postcolony. For example, the 1961 constitutional draft granted regional control over land allocations, so regional leaders were handpicking members for the first settlement schemes. KANUs decisive victory in the 1963 general election resulted in a constitutional amendment that diminished the regional powers, but the handpicking of settlers continued (Boone 2014:145). Furthermore, John Harbeson (1973) has noted how those who spearheaded the move towards a centralized system of government were the same people who came to benefit from the settlement schemes: 'many of them have even gained plots for themselves or their relatives in the settlement scheme program since 1961' (Harbeson 1973:73).

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[23] Private land could be held either as freehold or leasehold. Leaseholds provided ownership for either 99 or 999 years, whereas freehold grants absolute ownership. However, the Kenyan state has retained its radical title to land. Originating from the feudal notion that all land emanates from the sovereign (TJRC 2013:211), radical title means that the state has unlimited control over access to land. Although this is a common judicial clause in many countries, the 'radical title' in Kenya has gained the reputation of making all individual ownership in land remaining valid 'only as far as the state has no immediate interest in it' (Kanyinga, Lumumba & Amanor 2008:108).

Over the years, the question of a regionalised system of power (majimboism) and the customary or historical rights to land would reappear as a central point of divergence in the Kenyan political debate. At the time of independence it was, however, swept under the carpet as KANU won the 1963 election and KADU dissolved into KANU in 1964 (Kanyinga 2009:329). In addition, the question of majimboism was probably eclipsed at the time by the more imminent question of the redistribution of land; a process which had been initiated before independence and would, through a series of settlement schemes, preoccupy the postcolonial administration well into the 1970s. I turn to these settlement schemes next.

ONE MILLION ACRES FOR RE-AFRICANIZATION

The independent administration redistributed land to African hands largely via large-scale settlement schemes. The schemes resettled more than 500,000 Kenyans during the 1960's and 1970's. The schemes allowed the state to assume direct authority over land allocation and land use in some areas (Boone 2014:38).

The first resettlement scheme distributed roughly one million acres. Of the 7.25 million acres under European settler control, around half consisted of cattle ranches and tea, coffee, sisal or wattle estates, and half were mixed farms (Leys 1971:320). The Million Acre programme targeted the mixed farms for purchase. The independent state had vested economic interests in keeping the more specialized farms intact, as these contributed handsomely to export production. With financial support from the World Bank and West Germany, the British government entrusted the Kenyan administration with £13 million sterling to purchase land from the departing settlers at market rates (Morgan 1963:152). One third of the money was a grant to cover settler investments that lacked value for smallholdings, such as the costs of the large residential houses and commercial buildings. The remaining two thirds were a loan. Responsibility for the repayment—including a 10 per cent surcharge—was placed on the shoulders of the smallholders who received land via the Million Acre Scheme (Leo 1978:625).

From the perspective of the World Bank, the Million Acre scheme in Kenya was an example of success, which would be used in the Bank's 1975

policy paper on land reform in order to motivate support for redistributive land reforms elsewhere (Deininger & Biswanger 1999:255).

Both the Swynnerton and the Million Acre plan unabashedly favoured the already 'progressive farmer'. The ability of these farmers was, however, most often determined solely by their ability to make a cash down payment—in the case of the Million Acre scheme 10 per cent of the purchase price—with the effect of making the schemes appear to promote an obvious 'class doctrine' (Leo 1978:619).

Since independence, settlement schemes have been local scenes for political competition. Here, my focus has been on the state-controlled settlement schemes, but private land-buying companies also appear to have been at least partially important in this regard. In the Rift Valley, these privately owned land-buying companies were formed by wealthy individuals who used them to settle landless people, according to shareholder principles similar to those of the state-run schemes. Even though Karuti Kanyinga notes that the land-buying companies did not receive much political support from the leading political movements, they often received state assistance (Kanyinga 1995:74-5).

The lingering effects of the settlement schemes that transferred land from European to African hands in the 1960's and 1970's will be detailed in Chapter 4 through a history of the Temoyetta Co-operative Society. Generally, the settlement schemes connected the land privatization to a process of politicization, which would take on additional twists with the re-introduction of multiparty elections in the early 1990s. Multipartyism provides the fourth episode.

Episode 4: Multipartyism

During most part of its first three independent decades, Kenya was a single-party state, with KANU as the state-bearing party. As soon as opposition parties formed, they were pushed underground and routinely illegalized. In the 1980s, however, the opposition movements grew stronger and would gradually attract attention and support from the international donor community. In July 1992, Moi's KANU regime finally succumbed and declared that the first multiparty elections since the 1960s

were to be held in December. Episode 3 described how state abilities to control land transfers had also remained central during independent rule. With multi-party politics, land-distribution became a part of the electoral dynamic. This implied that the competition for state control through land-related measures would be brought to a head at the time of the elections. I take the return of multi-party politics to mark the fourth historical episode of central importance to the politicization of land.

1992-1997 ELECTORAL VIOLENCE

Multiparty politics had been long awaited by national opposition-movements and the international donor community, but when it finally came about, it happened fast. Along with political power, the control over land was clearly on the table. Robert Bates (2008:86) relates how, during the five months that passed between July—when the December election was declared—and the election itself, 'the Rift Valley became a breeding house for the formation of armed militias, as politicians sought to build reputations for being able to defend rights to land'.

Where there are arms, violence is never far away and the 1992 general election was saturated with it. The state, and particularly the local level administration and the police, has been criticized for its passive response (Government of Kenya 1999:80, 146, 157). It has been suggested that, since the violence appeared to confirm the state's long-standing argument against multiparty politics—that it would breed chaos since the nation was not ready for it—the Moi administration had vested interests in allowing it to happen (Haugerud 1997:39).

The image of KANU politicians attempting to cling onto power by all means necessary is confirmed by local dynamics in places such as Molo. The pre-election violence in Molo was largely seen as driven by the political urge to prevent the opposition from winning the MP-seat (Hornsby 2012:489-50). The first violent outbursts in Molo occurred in 1991 with well-coordinated attacks against non-Kalenjin communities, assumed to side with the opposition. The attacks forced people to take refuge in towns and shopping centres. By early May 1992, the death toll in Molo district had reached 57 and 50,000 people had been displaced (Daily Nation 12 May 1992; Government of Kenya 1999). Violent attacks recurred

throughout 1992 into 1993 and included revenge attacks that targeted Kalenjin communities (Government of Kenya 1999:134). The 1997 general election provoked similar patterns of violence in Molo and in other parts of the Rift Valley and Western Provinces.

Table 2: POLITICAL PARTIES, ELECTIONS AND VIOLENCE

Election year	Main political parties	Ethnicity used to mobilize voters?	Organized electoral violence?
1963	KANU, KADU, NKP	Yes	No
1992	KANU (Moi) DP (Kibaki), FORD Asili, FORD Kenya (Oginga Odinga)	Yes	Yes
1997	KANU (Moi), NDP (Raila Odinga)	Yes	Yes
2002	KANU (Uhuru Kenyatta), NARC (Mwai Kibaki)	No	No
2007	PNU (Mwai Kibaki), ODM (Raila Odinga)	Yes	Yes
2013	Jubilee (Uhuru Kenyatta & William Ruto), ODM (Raila Odinga)	Yes and No*	No
2017	Jubilee (Uhuru Kenyatta & William Ruto), NASA (Raila Odinga)	Yes and No*	No

* In most parts of the Rift Valley, Kalenjin and Kikuyu groups came out in support for Jubilee in the 2013 and 2017 elections and no ethnic mobilization took place. In Western Kenya, ODM targets Luo sympathizers and Jubilee Kikuyu, ethnic mobilization occurred to some degree.

The exact number of victims of the electoral violence in the 1990's is unknown. One estimation says that that between 1991 and 1999, 1,500 people died in the Rift Valley and Western Province alone, and that 600,000 people were displaced nation-wide (KHRC & National Network of IDPs 2009:14).

Although two committees—headed by Mr Kennedy Kiliku (appointed in 1992) and Justice Augustus Molade Akiwumi (appointed in 1998)— identified leading politicians as spearheading the violence (Kanyinga 1995:89), no criminal investigations followed (KLA 2009:1). Whether the state was involved in the clashes and to what extent remains unclear, but witnesses from several locations have testified to how security forces refrained from stepping in to protect the victims (Government of Kenya 1999).

The 2002 election was largely peaceful. Moi had stepped down and anointed Uhuru Kenyatta as his successor as KANU's presidential candidate. Kenyatta's bid was endorsed by William Ruto, perceived to be the future Kalenjin strongman in the Rift Valley. The opposition, including Raila Odinga with his support-base among the Luo of Western Kenya, had united under the umbrella-party, NARC, and backed Mwai Kibaki's bid for the presidency. Kibaki and Kenyatta share the same Kikuyu ethnic descent, so the potential ethnic outlet for anger and frustration was removed (Branch 2011:245-6). However, at the time of the subsequent election in 2007, the political competition and rhetoric had again shifted to centre on historical injustices and ethnic mobilization (see Table 2).

THE POST-2007 VIOLENCE AND REFORMS

In the run-up to the 2007 elections, the political campaigns came to centre on historical grievances, often over land, which were provided with an ethnic outlet. Particularly in poor areas, Mwai Kibaki's PNU and Raila Odinga's ODM mobilized gangs of equally frustrated youth on the basis of their different ethnic affiliations. In Nairobi and Kisumu poor sections of predominately Luo were pitted against equally poor groups of Kikuyu; in the Rift Valley the line of ethnic competition was instead drawn between groups identifying with Kalenjin and Kikuyu politicians, respectively.

The 2007 electoral logics were similar to those of 1992 and 1997, but the 2007/08 violence was unprecedented in terms of scale and intensity. Over the course of two months, more than 1,100 people were killed and an additional 650,000 were displaced from their homes. Furthermore, the 2007/08 violence was set apart by its aftermath. For the first time, a formal peace agreement brought an end to the violence. The peace agreement included political reforms, criminal investigations into the violence, and assistance for its victims. Neither the 1992 nor the 1997 electoral violence had prompted any major political reforms (President Moi clang onto power more or less as if nothing happened), the criminal investigations had stopped at official reports, and national efforts to assist the victims had been largely absent.

The backbone of the 2008 peace agreement was a grand coalition government which literally brought the rival sides from the 2007 election into the same government. This parliamentary situation spawned two important and contradictory processes. The new grand coalition parliament blocked every attempt to initiate judicial processes against the senior individuals identified as organizers of violence by the official investigation, headed by Justice Philip Waki. At the same time, the parliament did succeed in finalizing the long-awaited constitutional renewal.

In early 2011, Louis Moreno-Occampo, the then first Prosecutor of the International Criminal Court (ICC), initiated criminal investigations in relation to the 2007/08 violence against six high-ranking individuals. Four of these cases would continue to trial, among them the cases against Uhuru Kenyatta from PNU, and ODM's William Ruto. In early 2013, while their trials were still ongoing, Uhuru and Ruto came together in an electoral alliance, Jubilee.

The fact that the ICC trials appeared to strengthen 'Uhuruto's' credibility among large sections of the Kenyan public is not as counter-intuitive as it first may seem. At the time of the indictment of Uhuru and Ruto, the ICC was under widespread criticism for only investigating African leaders. "Uhuruto" skilfully tapped into this criticism, and their portrayal of the ICC as a neo-colonial institution lent them, the accused, the status of anti-colonial protagonists (The Star 21 October 2013). When several Western diplomats publicly advised the Kenyan public against voting for Uhuruto,

the anti-Western and patriotic sentiments that Uhuruto sought to dress their campaign in were further nurtured (Clarke et al 2016:245).

THE 2010 CONSTITUTION

Uhuru's and Ruto's Jubilee-alliance won the 2013 election. Both Jubilee's victory and the 2010 Constitution speaks to how the political elite in Kenya came together after the 2007/08 violence. Daniel Branch (2011:282), among other commentators, has related the wide parliamentary support for the 2010 Constitution to the tenuous political situation that drove proponents for more radical reform, such as Raila Odinga, to side with the more moderate politicians supporting Mwai Kibaki in campaigning for a yes. The 2010 Constitution promised devolution and regional discretion, which widened its support base. In August 2010 the Constitution was approved by a national referendum.[24]

The major reforms brought about by the 2010 Constitution included more checks on and oversight of presidential power and a regional devolution of power (Bøås and Dunn 2013:74). In addition, and perhaps even more importantly to the history of the politicization of land, the Constitution also implied far-reaching reforms of the legislative and institutional framework for land tenure. The multiple and often over-lapping land laws that had guided land tenure since independence were replaced by Kenya's first coherent National Land Policy and a Land Commission was created to address past injustices. At least on paper, the 2010 Constitution provides checks and balances on state powers over public lands, for instance by placing the control over previously state-administered trust lands at the community level (Wily 2011:744).

Even though the National Land Policy suggested far-reaching and progressive reforms, including the addressing of historical injustices and promises of land re-distributions, much of the progressiveness was lost when the policy was translated into new land laws. Technicalities and aspirations to conform to international best practices were generally given priority over political and contextual issues, including prevalent land-

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[24] 70 percent of the 12 million registered voters came out and passed the Constitution by 68 percent (Kramon and Posner 2011:1).

grabbing and historical injustices. The resulting laws failed to detail the structure of the new land administration, including the crucial issue of the roles and powers of the Ministry of Lands and the National Land Commission and the relationahip between them (Manji 2012, 2015). In summary, the land reform corresponds to what Ambreena Manji (2015:4) argues has been a trend among land reform processes throughout East Africa, namely to reduce land reform to land *law* reform, leaving political questions about distribution, past injustices and corruption basically unaddressed. Furthermore, the allocation of land rights by presidential decree appears to be maintained in practice. During his tours through the country, President Uhuru Kenyatta has been reported to 'hand out' titles (Daily Nation, 8 January 2016 and 22 July 2017).

THE 2017 ELECTION

In the light of the promises of reform brought about by the 2010 Constitution, the August 2017 general election was a disappointment. Just as in 2013, the political landscape coalesced into two major alliances: Jubilee, led by incumbent President Uhuru Kenyatta, and Raila Odinga's Nasa (National Super Alliance). Weeks before the election, Chris Msando a senior official of the Independent Electoral and Boundaries Commission (IEBC), was found tortured and murdered (The Guardian 31 July 2017). Furthermore, misuse of state resources and voter bribery were among the reported malpractices (KYSY 4 August 2017).

   The election results, declaring a conclusive victory for Kenyatta in the presidential polls, were questioned by the opposition. Just as in 2013, the opposition took their complaints to the court. This time, however, the court's investigation found that while the voting had proceeded according to protocol, the IEBC's final count had been tampered with. In a historic verdict, the court nullified the election and declared a re-run between Odinga and Kenyatta for 26 October.

   The opposition argued that the leadership of the IEBC had to be replaced, which Jubilee opposed. Opposition supporters took to the streets in Nairobi and in Odinga's strongholds in Western Kenya. The protests were met with widespread police brutality, which resulted in the killing of at least 44 people (HRW 2017). In a last ditch effort to derail the re-run,

Raila Odinga withdrew his candidacy. However, the next day a court ruling cleared a handful of minor presidential candidates, who had received less than one per cent of the vote in August, to stand in the October election. As expected, Uhuru Kenyatta won a landslide victory, amassing more than 98 per cent of the vote. Partially because of a boycott among oppositional supporters, voter turnout was less than 40 per cent, as compared to almost 80 per cent in the August election. Again, the opposition challenged the credibility of the election, but this time the Supreme Court unanimously upheld Kenyatta's victory. On November 28th, Uhuru Kenyatta was sworn in for a second term in office.

Even though the Supreme Court's nullifying of the October election was historic in that it was the first time—in Kenya and in an African country—that the attorney-general took such a clear stand against the president who had appointed him, the 2017 election leaves a bitter aftertaste. It gives the international community, whose election observers declared the October election to be generally free and fair, reason to question their observatory practices. Given the ill-disguised threats Uhuru Kenyatta has directed against members of the Supreme Court, alongside the spectacular resignation and exile of one of the senior officials within the IEBC, purges targeting the judiciary and the administration, resembling those of the Moi era, no longer seem unlikely (see Sjögren 2017-09-05).

Recurring histories

In this chapter, I have traced the contemporary politicization of land back to four historical episodes. In the first episode, 'Colonial rule', the colonial administration used land to establish political control over the communities populating it. Aspects of these early colonial restructurings would prove to be difficult to roll back entirely after independence. The homeland-narratives which figures frequently in contemporary debates about land in Kenya, can be traced back to the early years of colonial rule.

With the creation of the native reserves, the colonial state used (re-)definitions of communities of belonging in order to create structures for control. In the short term, the native reserves proved to be an efficient tool for the establishment of political control. However, the native reserves

were accompanied by policies that effectively trapped large sections of the population in poverty, something which would breed discontent among the majority of Kenyans who experienced the colonial systems of oppression on a daily basis but saw little of the perks. The discontent was directed towards the colonial state, but it would also sow animosity between different groups of Kenyans.

This underlying discontent would receive an explosive outlet during the second episode, 'Uprising'. The Mau Mau Uprising remains a symbol for the injustices inflicted by colonial rule. Furthermore, the Mau Mau shaped an administrative culture that would survive well into independence. It was a culture wherein the administration habitually related to its citizenry as communities rather than as individuals. The Mau Mau spawned the land reforms that were first initiated to quell the rebellion but which would prove to have long-lasting effects on both land distribution and political formation in post-independence Kenya. During the transition to independence, private property rights to land were introduced on a large scale via settlement schemes. This process was analysed in the third episode, 'Independence'. With the settlement schemes, access to land came to be closely intertwined with politics.

With the fourth episode—'Multipartyism'—the politicization of land became connected with electoral competition. The competition for control over land and politics among national elites quickly transferred to voters on the ground—and would become something partially different in the process. Electoral completion is not only over electoral positions and material benefits—such as access to land. Kenyan elections have also come to play upon deep-seated emotive narratives about historical injustices. In effect, the first three historical episodes analysed in this chapter have taken on renewed significance. For instance, recent attempts to address past injustices, including over the distribution of land, have revived the debates about ethnic communities and homelands which first emerged during the colonial appropriation (Episode 1). In light of these debates, state attempts at the redistribution of land is associated with past administrative techniques to maintain political control in ways which speak directly back to the Mau Mau era (Episode 2). The redistribution of land has also reinvigorated the importance of how land was redistributed after independence through the large-scale settlement schemes (Episode 3). In the following Chapters 4 to 7, I will focus on how these trajectories can be

unfolded as histories of property and belonging at the local level of Molo, with a special focus on Temoyetta.

4
Settlement schemes

Politics of privatization

We are sitting in one of the two rooms in Mrs Omariba's house: me and my research assistant Lucy Njeri, Amelia Omariba, Mr Chomba and Mr Sonkoro. The light of the midday sun outside means our eyes struggle with the dimness of indoors, where the only light is filtered through the piece of cloth hung across the doorway and the tiny, glass-less window. It is a Sunday in September 2012 and, as I will learn later on today, the houses of Mr Chomba and Boniface Sonkoro have an identical set-up. This is only the second time we have met, but I have passed by Rwangond'o or 'the blue houses', where Amelia Omariba, Mr Chomba and Boniface Sonkoro live, several times since my first visit to this side of Molo slightly more than a year ago. [25] If I had passed along this road just a few years earlier, however, there would have been nothing here.

   The state purchased Rwangond'o farm in 2009 in order to resettle 56 internally displaced families. The families had spent most of their time since the previous election and its accompanying violence in Shalom camp

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[25] As can be seen on Map 3, Rwangond'o is divided into two villages, A and B. In early 2013, the Rwangond'oners used to differentiate between the villages, and they had two separate village councils. By late 2015, they had taken a decision to be one village, and had elected a joint village council. They call their joint village Shalom Rwangond'o, thereby making reference both to where they came from and where they now are. For the sake of simplicity, I just use the name Rwangond'o. The surrounding communities commonly still talk about 'the blue houses'.

outside Nakuru. In 2010, each family was allocated 2.25 acres of land at Rwangond'o. Initially, they brought with them the tents they had been living in at Shalom. Aside from the tents, a change or two of clothes and some household utensils, most of the families had nothing. To start life in Rwangond'o was, literally, to start life from scratch. After a few months, contractors, who used local techniques of mud walls to build small two room houses, constructed their homes. The iron sheets used for roofing were bright azure blue, the colour which has given Rwangond'o its popular name. A local NGO provided seeds and fertilizers and for some months the state made sure that they received relief food—beans, maize, rice and cooking fat.

The families who were settled at Rwangond'o came from the hot lowlands around Kisumu and Lake Victoria, and although they might have had some experience of farming in those areas, most of them had been making their living as small-scale vendors in the cities. Farming in the Highlands was a new experience for most of them. And most of them had never set foot in wider Molo before. Although the host communities— including the Temoyettans, scattered on agricultural land or clustered in the nearby shopping centre of Kamuri—were never hostile, they did not have much more than the occasional *kibarua*, or daily agricultural labour, to offer the newcomers. They, too, had been hit hard by the 2007/08 carnage; family-members had been killed or displaced, houses and property had been lost, harvests had gone to waste and land left idle. Without access to local networks and familiarity with the climate, it was clear from the outset that it would take hard work to make Rwangond'o prosper.

In September 2012, the March 2013 general election was edging closer. It was the first election since the December 2007 vote that had sent Molo into mayhem, so the average Moloite was holding their breath, praying for peace. The people at Rwangond'o shared the fear of a renewed wave of violence, but they had additional concerns to contend with. The state had not provided the 2.25 acre plots unconditionally. According to the formal regulations of the resettlement programme,[26] the beneficiary would have

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[26] The Rwangond'o settlement scheme was part of a national state-led programme for the resettlement of internally displaced persons (IDPs). The resettlement programme was preceded and succeeded by programmes that provided cash handouts instead of land. All these programmes have been fiercely criticized (see KHRC and National Network for IDPs 2008). In Molo, the local

to live on the land for ten years before he or she could issue a title deed. Meanwhile the beneficiary would have an allotment letter showing the state's *intention* to allocate the land but not a legally binding proof of land ownership.

Sitting in Amelia Omariba's house, Boniface Sonkoro pointed out that the Rwangond'oners had received their land from the then President Mwai Kibaki. Kibaki was not running in the 2013 election and Boniface Sonkoro reckoned that the Rwangond'oners could not know what would happen to their land when a new administration was voted in: 'Perhaps they will just take our land?', he suggested, 'and displace us, like this administration has displaced people that got land from Moi?' (Focus Group 1, Rwangond'o, 25 September 2012).

Boniface Sonkoro was directly referring to the recent mass evictions of smallholders from nearby Mau Forest. Initially settled under the auspices of the Moi administration, these smallholders were evicted as part of the Mau restoration project undertaken by the grand-coalition parliament in office during Mwai Kibaki's second term (2008-2013). However, Boniface Sonkoro's statement also alludes to a broader history of the politicization of settlement schemes. As was explained in Chapter 3, settlement schemes were first initiated in Kenya during the process leading up to independence in order to redistribute land and to alleviate the acute landlessness. With time, settlement schemes have evolved to become centrepieces in the game over political power in some parts of rural Kenya.

<div align="center">* * *</div>

This chapter is about how settlement schemes have contributed to the politicization of land by informing perceptions of the nexus between land and politics. Pauline Peters (2009:1319) has noted that land reforms via settlement schemes on a willing-buyer, willing-seller basis in Kenya, Zimbabwe and South Africa have all failed to meet the desired outcomes of rapid land transfers. Peters relates these failures to how the attempts to install unified tenure systems have failed to accommodate the multiplicity of land tenure principles on the ground.

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administration has been accused of allocating money earmarked for IDP-families to other people (Daily Nation 11 October 2010).

For Kenya it has been convincingly argued that the early post-independence settlement schemes were instrumental for local political formation, since the emerging political elites used the schemes to vest their constituents with land (Kanyinga et al 2008; Kanyinga 2009). Furthermore, the political importance of the small-holder settlement schemes created in the Rift Valley in the 1970s and 1980s gained an additional twist with the re-introduction of multi-party politics in the early 1990s, when the tenuous nexus between ethnic belonging and politics received a competitive outlet via elections (Kanyinga 2009; Boone 2014, 2012). Hence, settlement schemes can be said to have simultaneously fostered a privatization and a politicization of land. The settlement schemes were gradually subdivided into individual plots to which the owner could issue a title deed as soon as s/he paid off the purchase sum. At the same time, the access to these individual plots was often conditional on political support.

This chapter takes as its point of departure these previous studies of how state elites have exploited the privatization of land via settlement schemes for political purposes. However, I suggest that settlement schemes did not only provide a route to politicization of land from above, but that they also fostered enduring notions of the connection between politics and land among people on the ground.

In Episode 3 in the previous chapter, I described how the settlement schemes were instrumental for the consolidation of state power in postcolonial Kenya. In this chapter, I will analyse how the politics of land from above elicit local histories about land and politics. In Kenya, the state-initiated settlement schemes of the 1970s are now largely an institutional arrangement of the past, but I argue that the local notions of the connection between land and politics fostered via these schemes have remained in actuality.

The first section of the chapter is a history about how land in Molo was distributed from European to African hands as the White Highlands gradually dissipated after independence. Special attention is given to Temoyetta and the large-scale framing initiated there after the settler departure. In the second section, I turn to histories of access and evictions in Temoyetta to show how the settlement schemes also fosters contemporary relations to and around land. In the third section I elucidate three themes in these histories which informs interpretations of the nexus between land and politics.

From European to African hands

The establishment of the Temoyetta settlement scheme is part of the history about how land in the White Highlands was transferred from large European holdings into small-scale African farming. Europeans who owned prime farm land were considerably less anxious to sell than those who resided on marginal land, so the state received land offers that were simply not attractive. A further problem was that the land-buying schemes would increase the mounting levels of unemployment in the agricultural sector. This was partially an expected effect of that the departing settlers discharged their squatter labourers, but also more unexpectedly because several of the remaining settlers chose to do the same, 'calculating perhaps that after independence they would no longer be allowed to evict Africans.' (Leo 1978:622).

The policy was that the state would primarily target farms that were underdeveloped in relation to their potential, but that no settler should be forced to sell. It was hoped that the offer of full compensation would make it possible for the remaining European landowners to rest assured of that there was still a market for their land and that economic stability would be preserved throughout independence (Leo 1978:621). Reality was messier. John Harbeson (1971:242) reports both of settlers feeling forced to sell off their land for the purposes of resettlement and of settlers begging the state to buy their farms. In the latter case, the purchases were referred to as 'compassionate case schemes'.

THE WHITE SETTLERS IN MOLO

The first European land application in Molo is dated 1894, when a trader, E. Muzworthy, applied for land. At that point, Molo was still situated in the area between the Uganda protectorate and the Imperial British East African Company territory—virtually a no-mans-land—why the only land rights on offer were of mere possible future formalization, should the land become Crown land (Sorrenson 1968:48). It was not until 1903, after the railway had been completed, that the first formal land grants were offered to European settlers in Molo. However, despite the fact that 5,000-acre

plots were offered for free, it would take some years before white settler-presence would consolidate in the area, largely due to the immigration of farmers from South Africa (Morgan 1963:151). The initial plots were appropriated adjacent to the newly completed railway, cutting through Molo on its way to Lake Victoria from the coastal port of Mombasa via Nairobi (KNA: DC/KER/3/18; Sorrenson 1968:217).

As independence drew nearer, several of the white settlers in Molo opted, at first, to stay on (informal conversations, Temoyetta). Some might have stayed on through free choice—but others seemed more or less trapped with their farms in this relatively desolate location. In Molo, Mrs Abrahms and Mr Alexander were two examples of the latter. Mrs Abrahms applied to the state for a 'compassionate purchase' of her farm in 1964. So, too, did her neighbour, Mr Alexander but almost ten years later, in the early 1970s. Both Mr Alexander and Mrs Abrahms owned mixed farms, and they appeared to have had similar reasons for wanting to sell: old age and a wish to leave Kenya for England. If anything, Mrs Abrahms appeared to be in an even more desperate situation, not only getting old but also managing the farm as a single woman at a time when the landscape was literally changing around her—and into something considerably more hostile.

Like elsewhere in the White Highlands, the population in wider Molo had remained predominately African throughout colonial rule. As independence edged closer, these Africans had been living as squatters without even theoretical possibilities of becoming owners of the land that they were tilling. Independence brought promises of formalized land rights. When sections of the settler population departed rapidly after independence, the landless squatters grabbed the opportunity to put idle land to active use. In some areas, they were accompanied by landless from elsewhere (see Leo 1978).

Settler absence and squatter presence, alongside the general insecurity brought on by independence and the radical transformation it implied, presented the remaining settlers with a fundamentally different way of life. Some of them, like Mrs Abrahms, surely felt threatened by this transformation. In her application for compassionate purchase, Mrs Abrahms made the following notation under 'Other relevant circumstances': 'Farm house broke into and goods stolen to value £500 total. Once in day/night cattle and sheep constantly stolen. Threatened by aggressive trespassers on several occasions till [sic] reluctant to challenge

them. Labour completely uncooperative and sullen when checked impossible for a woman to get a day's work out of them.' (BNA: FCO 141/19266). Nevertheless, Mrs Abrahms' request was turned down.

When Mr Alexander's request was accepted some ten years later, the acceptance seems to have come about for reasons related specifically to Mr Alexander and the timing of his plea, but also for reasons related to the nature of the land resettlement programmes. In Mr Alexander's file there is reference made to personal communication of an informal nature, indicating that he personally knew the state official handling the request. Furthermore, the initiation of new settlement schemes was underway, which is referred to in the correspondence (BNA: FCO 141/19272). Policies—such as the plan for 'compassionate purchases' and the ensuring Million Acres scheme—obliged the state to look after the interests of the vulnerable, be they landless African squatters or widowed European settlers who had fallen from grace. Nevertheless, my main impression from what has been preserved in the archives about the procedure for the purchase of farms from white settlers (and of the subsequent allocation of this land to Africans) is that the state was prioritising the large-scale goal over the small-scale effects.

The purchase of the 6,000 acres composing Temoyetta farm did, however, fit the state's plan for large-scale agricultural development. Temoyetta had belonged to a single white settler, Mr Trench, during most of the colonial period. Mr Trench was an engineer and constructed dams and roads at various locations in the Rift Valley (KNA: PW 8/6/4/110). The large Baringo dam bordering Temoyetta, which still provides cattle and farms with water, was of his making. During the colonial years, Mr Trench kept his farm under mixed use, growing wheat, barley, oats and pyrethrum, setting aside sections for cattle and sheep grazing. He also had an impressive machine-park with tractors and lorries, which were part of the deal when he sold his land to the state in 1965.[27]

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[27] The information about Mr Trench and his whereabouts is, in addition to the archival sources, derived from conversations with elderly people in Temoyetta, particularly with Moses Macharia, Mr Kiprop and Mr Kipsang.

THE MILLION ACRE SCHEME

If the departing settlers had diverse motivations for selling their land, ranging from free choice to economic desperation, the people on the receiving end were equally mixed. From its inception in 1962 until its completion in 1970, the Million Acre settlement scheme settled 35,310 families on 1,179,024 acres of land (KNA: Department of Settlement 1972). Land within the scheme was divided into three categories: high-density, low-density and the Z-plots.

A total of 29,136 families were allocated land within the high-density section of the scheme, which covered the majority of the land, 812,754 acres. These families received on average 25 acre-plots against a loan that covered 100 per cent of the purchase sum. The high-density scheme targeted the 'landless and destitute' (ibid), whose only criteria for qualification was that they could manage to cover the registration fees.

The low-density scheme differed both in terms of the plot sizes and the qualifications of the beneficiaries and in terms of the state backing (Leo 1978:623-4). Low-density plots were substantially larger and were intended for farmers with an annual income of £100—in comparison to the £25-70 earned by farmers in the high-density scheme (Hazlewood 1985:446). Generally, the imagined recipients for plots within the low-density scheme appears to have shared the characteristics of the yeoman farmer envisioned in the Swynnerton Plan in the 1950s, which was discussed in Chapter 3.

The third division of the Million Acre scheme, the Z plots, was the far most controversial. The Z plots contained the former settler houses. When it was realized that these houses were far above and beyond the standard that even the most industrious farmer could be expected to aspire to, it was decided that these excisions would depart from the Million Acres scheme's overall aim to alleviate landlessness (Hazlewood 1985:446). The well-established beneficiaries of the Z plots were in no obvious need of the huge farms they were vested with. By 1972, the Department of Settlement found it pertinent to admit that 'performances on these plots have usually been poor in comparison with the occupied low and high density plots', a fact which is attributed to the fact that 'a majority of settlers selected for this category had alternate employment and could not therefore live on the plots' (KNA: Department of Settlement 1972:2).

As several of these beneficiaries were, in fact, well-connected politicians, state servants or business people, rumours of corruption surrounded the allocation of Z plots (see Hazlewood 1985). Against the backdrop of these rumours, the silences in the annual reports on the Million Acre scheme are conspicuous. For instance, in its summary of the first 10 years of the Million Acre scheme, the Department of Settlement details both the terms of purchase, the number of plots and their acreage for both the high- and low-density part of the scheme. No such information is provided for the Z plots (KNA: Department of Settlement 1972).

TEMOYETTA 1971-1983:
SHIRIKA SETTLEMENT SCHEME

The Million Acres of the first resettlement programme were not enough to alleviate landlessness (Hazlewood 1985; Kanyinga 2009). Throughout the 1970s, new settlement schemes were introduced to respond to the pressure from the landless. However, by 1965 the focus of state policy on former settler lands had already shifted away from alleviating landlessness to large-scale farming (Hazlewood 1985:448-9; Kanyinga 2009:332).

The Agricultural Development Corporation (ADC) was establish to acquire large farms and lease them to suitable tenants. Often, these farms were even leased back to the European owners from whom they had been bought (Hazlewood 1985:448). While this appears to reveal the state's predisposition for large-scale agriculture, it was the small-scale that would be defining for the future development of land in the settlement schemes. Over the years, many of the large farms that were initially allocated in areas such as Temoyetta, would be sub-divided by their owners, others were left idle and spontaneously cultivated by the large remaining landless masses (informal communication, Temoyetta).

The spontaneous usage of idle farms occasioned the state to appoint a Special Commissioner to register squatters. The squatter registration took the form of additional settlement schemes. At times, these schemes happened swiftly and *ad hoc*, as is signalled by the name of one of the schemes: *haraka* is Swahili for haste. On other occasions, these schemes were strictly planned. Such was the case with the *Shirika* settlement scheme. The *Shirika* scheme was meticulously organized (tellingly *shirika* means

organization): 109,000 hectares of land were sub-divided into settlement schemes where a total of 12,000 families received 2.5 acres each. The schemes combined individual subsistence farming with collective and large-scale agricultural activities which were planned and audited by farm managers who were directly appointed by the Department of Settlement (Hazlewood 1985:448-9).

Temoyetta Cooperative Society was established within the S*hirika* scheme in 1971 on land that had first been farmed by the ADC. Between the lines of official descriptions of the *Shirika* scheme appears a state which has failed to meet the demands from the landless and is trying yet again:

> Unlike all [other settlement schemes], the qualifying share capital and the membership fees were not charged and will be recovered gradually from the earnings through employment on the farms. This new policy will ensure that those genuinely poor and landless will no longer be disqualified from being settled on grounds of inability to pay cash deposits.
>
> Department of Settlement, 1971:3.

As a Cooperative Society, Temoyetta would settle both people who had worked for the ADC (and for the white settlers before that) and landless people from other parts of the country. Temoyetta was to be run collectively according to a large-scale model. Each individual member became a shareholder by paying a symbolic membership fee and was provided with a half-acre plot to construct a simple house. After some years, the members who had remained at and worked for the Cooperative were vested with two additional acres for subsistence farming. As is illustrated in the quote above, access to the individual plots was tied to a loan that was subject to repayment in the long term. In essence, then, the *Shirika* scheme was designed to ease the pressure from the landless by specifically targeting this group for settlement. At the same time, the meticulous organization and auditing of agricultural activities implied that the state could use the *Shirika* farms for the purposes of large-scale agriculture.

Large-scale farming in the *Shirika* scheme was supervised by a farm manager, appointed by the Department of Settlement (Wanjala 2000:33). The intention was that the management of the *Shirika* farms would gradually be placed in the hands of tenant cooperatives (Hazlewood

1985:449). In the case of Temoyetta this was never realized, but the Cooperative remained under tight supervision. The appointed farm manager reported to the settlement controller, stationed in Nakuru, who in turn reported to the director of settlement in Nairobi. Each *Shirika* scheme was to fulfil an annual profit quota, but the agricultural activities undertaken in order to meet the quota was a matter of negotiation between the farm manager on the ground and the settlement controller in Nakuru, who made regular visits to supervise the progress on the schemes (KNA: AVS 15/136).

For Temoyetta, it was decided that during the first agricultural year (1972), 1,500 acres of the 3,140 used by the Cooperative for collective purposes would be used to grow wheat, barley and oats. 400 acres would be used for pyrethrum (ibid). The pyrethrum flower is used in insecticides and in the 1970s Kenya was one of the leading producers. Pyrethrum is a highly profitable but sensitive crop and as the flowers are handpicked the harvests are labour-intensive. The Temoyettans who resided at the farm as children, under Mr Trench's rein, have memories of picking pyrethrum, sometimes at the expense of attending school (informal communications, Temoyetta). The remaining 1,230 acres were used as leys, grazed by 5,000 sheep and 450 heads of cattle, the majority of which were kept for milk (KNA: AVS/15/136).

DISTRIBUTION OF INDIVIDUAL PLOTS AT TEMOYETTA

The Temoyetta Cooperative farm was in production until 1983. Then the state decided to sub-divide the farm into four larger settlement schemes; Temoyetta 1-4. Members received on average five-acre plots, but plots of 10 to 50 or even 100 acres were demarcated to cater for a number of people. Although Temoyetta was not formally demarcated until 1983, at least one influential person had received a large land grant within the scheme before that. This plot contained the former home of Mr Trench, the white settler, and it came to be given to a Mrs Gladys, among the Temoyettans reputed to have been a dancer and a close friend of President Kenyatta's (informal communications, Temoyetta).

The list of the original allocations made in 1983 has been kept by Mr Gathu, one of the area elders. He has a small office in Mugetho where he

shows me the list while telling me about his plans to write a chronicle over Kikuyu land claims in and around Temoyetta. As we browse through the list, he points out several of the names as aliases: sometimes, he explains, the names of family members were used, making it seem as if the concentration of land into single hands was less than was actually the case. At other times, the aliases are claimed to be outright falsifications, given by benefactors who for one reason or another did not want to appear in the registry.

In Chapter 5, I will have reason to return to the ongoing significance of the 1983 list. Regarding what happened in 1983, the list confirms the general history of ethnic patronage as an inherent aspect of the distribution of land within the settlement schemes (Kanyinga 2009). The 1983 distribution was made one year after President Moi's ascent to power and most names on the original list—authentic or not—are from Moi's Kalenjin community. Hence, the distribution of land within the Temoyetta settlement scheme could be seen to underwrite the general history of how both Kenyatta and Moi favoured their 'ethnic own', Kikuyu and Kalenjin, respectively, when it came to distributing land in the Highlands.

Temoyettan histories of access and eviction

In the previous section, I described how the allocation and usage of land in Molo and in Temoyetta from the colonial period up until the 1980s has been interconnected with broader land policies. In this section, I will turn to individual histories about access and dispossession which are informed by the recurring electoral violence. This section represents individual histories which were first told to me by three of the Temoyettan narrators; Mr Ikinya, Mr Macharia and Mrs Gathoni. As I now re-tell them, these stories have been fused with my understanding of Temoyetta's history and, rather than transcripts of narratives 'as they were told', these histories read as my condensed interpretations of these narratives.

"THE LEADERS HAVE BEEN MISUSING PEOPLE"

Mr Ikinya has lived in wider Molo his entire life, 'I have never gone to any other place', as he puts it. He was born in 1951 in the area which today is in Kuresoi South constituency (Temoyetta is in Kuresoi North). His parents worked for a white settler, so they did not have any land to give to their children. Peter Ikinya got his land at Temoyetta in 1987. It was a five-acre plot, which he received after the sub-division of the Temoyetta settlement scheme. He could not afford the purchase sum, so he obtained the land though a loan. 'I have never repaid', he confesses, 'but once I do, I will get the title deed.' Peter Ikinya goes on—perhaps in an attempt to save face—to claim that none of the 42 people who received land in the part of the settlement scheme falling under Temoyetta 2 have received titles, due to trouble at the Ministry of Lands. He is right in that many people share his title-less predicament, but wrong in saying that everybody does. And although the Ministry of Lands did not use to make it easy for people to acquire deeds, I never heard of a specific problem facing Temoyetta 2 *per se*. However, Peter Ikinya's bending of the truth is understandable, given the paramount importance that a title can hold, should land ownership be questioned. And Peter Ikinya's right to his land has been questioned, violently so.

Before the 1992 elections, his house was burned down and he fled with his family to Mugetho, the trading centre in the middle of Temoyetta. Thereafter he has never rebuilt his house at his *shamba,* but he has managed to buy a plot in Mugetho. Together with his family, he goes back to farm his *shamba.* After the election-related violence this has become a common strategy for people who seek to keep the land they were evicted from and at the same time escape future potential bouts of violence.

Peter Ikinya knows that some of his former neighbours were involved in attacking him. Yet, he is crystal clear as he pin-points the cause of violence as political. 'The leaders have been misusing the people in order to create conflicts.' And people are easily manipulated, 'at least when they are being promised land'. Peter Ikinya might no longer trust his fellow Kalenjin neighbours, but he places the blame with the leaders, local and national politicians, who acted as 'the masterminds of violence'. They still live here, those leaders, he says, and gives the example of a Mr G, a former councillor at Keringet, 50 km away as the crow flies, who was responsible for planning

the violence, but who 'is still our neighbour'. As a response to my direct question, Peter Ikinya says that the current local MP[28] is indeed involved in activities that divides the communities, but that this man 'makes divisions through development' as the Constituency Development Funds[29] and the electricity lines favour the Kalenjin (Peter Ikinya, 26 September 2012, Temoyetta).

"IF YOU SHIFT THESE PEOPLE…"

Mr Macharia was born in 1959 and moved to Temoyetta in 1985, after the settlement scheme had been divided into four sections. He became a member of Temoyetta 3, which had 100 members. Moses Macharia used to own land in Narok as well, 'but that was taken in the 1992 clashes', he explains, answering my question about whether he has ever attempted to go back to reclaim it with a silent 'no'. He tells me how the elections since 1992 have been used as excuses to evict people from Temoyetta. When I ask him to explain the link between the elections and the violent evictions, he replies that the politicians have interfered: 'People cannot wake up and burn houses—they need to be organized by someone.' He, like many of his neighbours, attributes peoples' willingness to take part in the violence to the lack of land. 'The plots are small here, partially due to subdivisions in connection with the generational shifts. Most people here own no more than five acres—imagine if he has five sons…' Although people have the right to move and to acquire land on their own, there are many landless people in the area, and many of them are young. 'That way', Moses

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[28] Kenya has a first past the post electoral system, similar to that of the UK, with Members of Parliament elected by and representing their constituency. Until 1997, Temoyetta belonged to Molo constituency which was divided in 1997, after which Temoyetta became part of Kuresoi constituency. After a further division instigated by the adoption of the 2010 constitution, Temoyetta is now in Kuresoi North (see Chapter 7).

[29] Constituency Development Funds (CDF-funds) are earmarked for local development project and administered by the local MP's office. The CDF has, since its introduction in 2003, been surrounded by controversy and allegations of mismanagement, corruption and lack of involvement of local communities in decision-making over spending (Ochoki Nyamori 2009).

Macharia explains, 'they become easily tricked and cheated by the MPs: if you shift these people… Then you can start the violence.'

However, Moses Macharia underlines that some people owned large plots, up to 100 acres, around here. But he says that most of them have sold to the state in order to settle IDPs. According to Moses Macharia, this is a good idea; 'when one person owns 100 acres, the *shamba* is idle. If you give [the land] to these people here, the clashes will never end. It is better, then, to give land to people from outside.' (Moses Macharia, 5 September, 19 and 27 November 2012, Temoyetta).

Both Peter Ikinya and Moses Macharia received land via the Temoyetta settlement scheme at a time when they were seen to belong to the 'landless masses'. The formal political purpose was to get the country's poor majority on track, which was deemed necessary for economic development. However, as I discussed in the previous section, the settlement schemes came to function as means for aspiring politicians to build rural constituencies (see Boone 2012; Kanyinga 2009). Peter Ikinya's and Moses Macharia's histories illustrates how these practices were not lost on people on the ground. They further indicates how the political involvement in land allocation within the framework of the settlement schemes did not end in the 1970's, but has continued since. Aside from the Rwangond'o settlement scheme—which I visited in the beginning of this chapter—there are a dozen of other settlement schemes in wider Molo that have been initiated since the 2007/08 electoral violence.

The politicization of land within the settlement schemes does not end with political actions from above. Rather, the settlement schemes have given vent to practices and histories among people on the ground, and the politicization of land has been transformed in the process. I will return to such histories in the next three chapters, but in the next section I will give an example of how people on the ground have made use of the settlement schemes in order to gain access to land. This history is not set in the 2010s, like that of the Rwangond'oners, or in the 1980s, like those of Peter Ikinya and Moses Macharia, but in the 1990s. It is pieced together from my visit to Mrs Gathoni's.

LAND-BUYING COMPANIES

It is the first time that Naomi Gathoni has shown Lucy Njeri and me into her main house. She lives close to the roadside together with her daughter, Lillian, and her son, Paul. In late 2012 and early 2013, we visited Naomi Gathoni regularly, meeting her in the small one-room side-house that is used for cooking. But now, in late 2015, we hadn't seen her in almost three years and although we are warmly received by Naomi Gathoni at the gate to their carefully fenced homestead, something of the familiarity that I remember from before is lost. Last time we met, I was visibly pregnant: the fact that I tell her that my son is now two and a half years old appears to emphasize the time that has passed.

Naomi Gathoni is sitting on the bed in the combined bedroom and living room and Lillian readily removes heap of clothes and blankets from the wooden chair in the corner and brings in a plastic chair for Lucy. We are left alone with Naomi Gathoni while Lillian prepares hot chai. Like most people we have encountered on this short return visit to Temoyetta, Naomi Gathoni is surprised to see us and confesses that she had given up on us ever coming back again. She tells us that things have improved 'slowly by slowly' in her life since the last time we met. The fact that the 2013 election took place peacefully was a great relief, and she has some confidence in the new Uhuru government since she has been able, for the first time, to receive a Sh. 1,000 monthly old-age pension from the state. [30]

In addition, Naomi Gathoni is now the owner of a piece of land in Kangundo, Machakos, which is on the far side of Nairobi, a distance of at least 500 km from Temoyetta. It is a 0.375 hectare town plot which she bought after the clashes. She admits that her memory is a bit unreliable, since she cannot remember whether it was after the clashes surrounding the first 1992 election or the second in 1997. But she did buy it via a land-buying company, Kenya African National Traders and Farmers Union (KANTAFU), and she keeps the proof of membership carefully folded in her handbag. It is dated 1996.

Alongside state-controlled settlement schemes, land-buying companies (LBCs) have been a common route of access to land for small-holders in Kenya (see Boone 2011). Normally, the LBC is formed when an individual

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[30] 100 Kenya shillings (Sh) is roughly equivalent to 1 USD (March 2018).

or a small group of people purchases a large parcel of land, sub-divides it and makes the smaller plots eligible for purchase to members, who buy a share of the company and make gradual down payments on their plots.

Ever since Naomi Gathoni joined the company she has been undertaking repeated trips to Nairobi in order to make down payments at KANTAFU's office. In total, she has paid Sh 200,000 for the plot itself, and an additional Sh 25,000 for the processing of the title. She relates the high cost for the title to the fact that she had to first pay her part for the demarcation and for the certificate to the plot, and then proceed to the issuing of the title deed. The title deed was signed on 6 July 2015 in Nairobi.

When I ask to take a photo of her title, for my own records as I assure her, she laughs silently and carefully places it back into the safety of her handbag. Perhaps my person and the unreliable frequency of my visits provoke her caution, but this caution is probably also called for by the prevalence of multiple titles. Many land disputes in Kenya have revealed multiple title deeds to the same plot, so it is probably wise to hold on tight to one's title, lest it be forged.

Perhaps it is also due to my sudden request for a photograph that she does not immediately show me her second prospective piece of land elsewhere. In any case, it is not until, after some twenty minutes, we politely announce our departure that Naomi Gathoni brings out a second piece of paper. It turns out to be a certificate of her membership in a second land-buying company, also issued in 1996, but by a different company: Mukuyu Weneruone Company. This plot is located in Thika, which is also on the far end side of Nairobi, but to the north and even further away than Machakos. However, for this plot, Naomi is still to pay the Sh 25,000 for a certificate and a title deed (Naomi Gathoni, Temoyetta, 20 December 2015).

Naomi Gathoni's history illustrates how land-buying companies can be a means for poor people to secure access to land. Naomi Gathoni holds a title deed to her plot in Temoyetta, but the title did not protect her from displacement in 1992, 1997 or 2007. After her first displacement in 1992, she explains, she heard about the land-buying companies, and bought herself membership in two of them as a protective measure, should things get bad enough in Temoyetta to keep her from returning to her piece of land.

Naomi Gathoni's decision to purchase land elsewhere in the early 1990s mirrors the action taken by the Peter Ikinya and Moses Macharia in the 1980s; they also bought shares (albeit in a state cooperative rather than in a private company) to gain access to land. Like Naomi Gathoni, Moses Macharia and several of the other people who became members of the Temoyetta settlement scheme were strangers to the area in which they obtained access to land. From these stories, I conclude that most people joined the settlement schemes and the land-buying companies for the same reason: to escape landlessness and to improve their access to land. As was noted above, most settlement schemes have been interconnected with political projects. In state-run settlement schemes, politicians and state actors have attempted to influence the membership composition, while private land-buying companies have either been owned or brokered by politicians (Boone 2011, 2014; Kanyinga 2009). Yet to the people who obtained land through those schemes and companies, the fact that they might have been taken advantage of as prospective voters by aspiring politicians appears to have mattered less. Nevertheless, as illustrated by the histories told by Peter Ikinya, Moses Macharia and Naomi Gathoni, how land is obtained will affect how access to land is justified.

In the next section, I link the specificities of the Temoyetta settlement scheme to a wider discussion on how land and settlement schemes have been used for the purposes of political gain, in Kenya and elsewhere.

The politicization of land allocations

Settlement schemes were initiated during the years surrounding independence in several British colonies. The settlement schemes were used for a wide variety of purposes, including land consolidation, cash crop introduction, marketing cooperatives and state farming. Often, these schemes corresponded to modernist ideas of development (see Chambers 1969; Dunham 1982).

Even though the settlement schemes undertaken in Kenya were on a far more modest scale than the villagization reforms in, for instance, Tanzania, the schemes appear to have been premised on similar beliefs in the modernity of the village, or 'a clustered assembly of dwelling places'

(Roberts 1996:18). In contrast to the communal land holdings of Tanzanian villagization, the Kenyan settlement schemes were intended to be at least partially developed into individual holdings. Nevertheless, the Kenyan settlement schemes generally followed a design were dwelling houses were clustered in one section of the scheme, whereas farming, although on individual plots, would be undertaken in other sections. This was as true for Temoyetta in the 1970s as it was when Rwangond'o was created in 2010.

Marilyn Silberfein (1998:51) has argued that the preference for villages is underpinned by an evolutionary theme, where villages—no matter if state imposed—form the apex of a development from dispersed farmsteads via more clustered hamlets. Moreover, settlement schemes appear ideal for the purposes of state control, as they provide the administration with the capacities to concentrate previously dispersed settlements. Thereby, social cohesion can be achieved (Roberts 1996:12)—but also political control.

The fact that settlement schemes were supposed to foster progressive development is something they share with a host of other development schemes. Such schemes have been a common way for the North to engage in the Global South ever since the colonial era. Scholars have noted how the 'development paradigm'—far from the altruistic ring it may have—has been used as a powerful instrument to shape the international arena through discourses of expertise (see Bøås & McNeill 2004; Easterly 2006; Killick et al 1998; Mosley et al 1991). In addition, it has been noted that development schemes have tended to create outcomes quite different from and often beyond those first intended (see Li 2008). Tania Murray Li (2014) has analysed how a Canadian seedling project in Sulawesi, Indonesia—initiated as a development project—enhanced already existing economic inequalities among the recipients. As a result, schemes for development—including many state-initiated schemes for land resettlement—might unwittingly aggravate differences between the haves and the have nots and strengthen the position of the already strong in ongoing struggles over land. 'By ignoring inequality, the project helped to intensify it', Li writes (2014:108).

When it comes to the distribution of land, the Kenyan settlement schemes had similar effects. As was shown in Chapter 3, Episode 3, the Kenyan settlement schemes were implemented as a means to re-distribute land at independence. This implies that the settlement schemes came into

being at a point in time when political power was on the negotiating table. Apart from the fact that the settlement schemes came to mirror already existing distributional injustices of material wealth (by simply adding comparatively more land to the holdings of the already landed), they also came to be entwined with political competition and to provide opportunities for political control.

To my knowledge, there are few studies of the connection between settlement schemes and political control outside Kenya. But by comparing what has been written on Kenyan settlement schemes (see Boone 2014; Harbeson 1971; Hazlewood 1985; Leo 1978; Leys 1975) and Dunham's (1982) overview of studies of settlement schemes in Sri Lanka, Uganda, Taiwan, and parts of Latin and Central America, a couple of shared observations can be made. Firstly, the central management of the settlement schemes generally appears to have been both premised on and facilitated by the fact that the settled groups were largely landless and unemployed. As a result, the settled groups were both economically vulnerable and on the receiving end of a relationship with ambiguous terms of reciprocity. These ambiguities were laid open for state officials and politicians to manipulate. Therefore, secondly, politicians have often been able to exploit the settlement schemes in order to vest prospective supporters with land (Dunham 1982:47-50; Boone 2011).

Ato Kwamena Onoma has argued that leaders who have the ability to accrue gains from land *indirectly* through the productive exploitation of land will have vested interests in securing property rights, whereas leaders who stand to accrue gains from land *directly* have no such interests (Onoma 2010:4). Political careers founded on money from farming, mining, tourism and real estate would constitute indirect gains, whereas direct gains require the capacity to influence processes of land allocation. The Kenyan settlement schemes implemented around independence appear to conflate the line between indirect and direct gains. On the one hand, the *shirika* and *haraka* settlement schemes were intended to run as large-scale farms. They would thus contribute to state agricultural revenue, or indirectly to political gains. On the other hand, politicians and state officials frequently used the allocation of land within the schemes as a direct means to consolidate political support.

The conflation of indirect and direct political gains was made possible in two ways. Firstly, the colonial state's capacity to allocate Crown land was

basically kept intact and transferred to the President's office. Secondly, the state primarily instigated settlement schemes on land that had been under mixed settler production. In contrast to the profitable large coffee, sisal or wattle farms, the mixed farms were contributing only insignificantly to state revenue. The Highland farms bought from departing settlers, therefore, resembled land beyond the frontier as it meant prospective benefits for both the incoming African administration *and* African small-holders.

   The analytical distinction between indirect and direct gains from land can be used to explain why Kenya's political elite has remained uninterested—despite far-reaching land privatizations—in securing property rights, for instance via the establishment of a coherent land registry. However, when the focus is turned on how the politicization of land from above is read and responded to at the local level, I interpret the direct/indirect distinction as becoming largely unimportant. In Temoyetta people have simply come to expect politicians to gain from land in any way; indirectly via incomes from settlement schemes or via the direct distribution of land within those schemes. Such expectations that land will be politicized have fostered enduring themes around land and politics in Temoyetta, to which I will turn next.

THEME 1: POLITICAL SUPPORT AND ACCESS TO LAND

When the settlement schemes were created in Kenya in the 1970s it was not the ideal long-term tenure system that was on the table. The politicians did not hesitate to act on their opportunity to hand pick members for the settlement schemes. Political allocations of land forged a political tie between the members of the settlement schemes and the state. Catherine Boone (2014:147) has argued that this tie was maintained by administrative mechanisms; that the Land Control Board had to control each land transfer; that titles would not be issued before an individual's share in the scheme had been repaid in full; and that nearly all settlers were members of the state-organized agricultural cooperatives.

   I would add that the tie between settlers in the schemes and politicians would come to gain far less instrumental characteristics. The premising of access to land on political support also re-structured local perceptions of land and politics. For instance, when Peter Ikinya describes electoral

violence as a result of how politicians had been 'misusing the people on the ground', sowing bad feeling between the communities, he confirms an image of land and politics as interconnected. But even though the violence originated from political manipulation, it has destroyed his trust in some of his neighbours. Moses Macharia relates how idle land in the area would best be distributed to people from outside, since the allocation of land to people within the area would breed violence. Both Peter Ikinya and Moses Macharia, therefore, conveys how land is vested with political connotations beyond the electoral arena, where access and redistribution have been laden with emotive content connected to questions of trust, community and belonging. I will return to questions of belonging in Chapters 6 and 7; for now, I merely propose that it is suggestive of the emotive aspects of the politicization of land.

The emotive aspect of land is not only tied to how histories are used to justify access, but also to the fact that land in Temoyetta—as in many other places—is central to rural livelihoods. Land is also in limited supply—there is only so much to go round, and even more so in the former settlement schemes where individual allocations were small from the outset. And, as Moses Macharia notes, with the generational shifts—two or three of which have already occurred since the schemes were introduced—the land available for people now entering adulthood is miniscule, if existent at all.

The connection between access to land and political support has shifted in nature but it has been present in the Highlands since the departure of the Europeans in the 1960s, through the settlement schemes in the 1970s and 1980s and up to the era of electoral violence in the 1990s. The 2013 election was generally peacefully conducted throughout the Highlands.[31] Therefore, during the final weeks of 2015, the Temoyettans were largely confident that no large-scale disruptions of current land patterns were imminent. Nevertheless, there was wide agreement about the fact that political development is central to the future stability of land tenure, coupled with the remaining suspicion that there were political interests of some sort behind the most recent settlement at Rwangond'o.

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[31] This is also true for the 2017 election, with the notable exception of Laikipia and Baringo, where the election appears to have reactivated old tensions between primarily pastoralist and peasant populations (see The Standard 14 July 2017; HRW 11 July 2017).

The shifting political practices of the past appear to have left most Temoyettans grimly banking on the fact that politicians, or someone rich, will stand to gain if land changes hands via state involvement. Even though the Temoyettans are confident for the time being that nothing in the near future will challenge their land holdings, people are still finding ways to insulate themselves against the risk of such future events. Like Naomi Gathoni, they might be making investments in land elsewhere. Or they might, as Peter Ikinya did, move to a plot in the community centre while continuing to farm their shamba. But beyond such strategic practices, the connection between politics and the allocation of land also influences how people come to perceive access to land in terms of property. This leads on to the second enduring theme.

THEME 2: PROPERTY RIGHTS DO NOT PROTECT ACCESS

After the displacements brought about by the electoral violence in 2007 and 2008, mass evictions have once more been inflicted in parts of Molo. The state programme for the restoration of the Mau Forest resulted in thousands of small-holders being evicted in 2009. The restoration argument is generally lost on people on the ground. Instead, they perceive of the Mau Forest evictions as being motivated by similar political impulses to those surrounding the general elections in 1992, 1997 and 2007. Although different in nature, all those evictions had the consequence of removing one community and leaving other communities unscathed. What is more, all the evictions occurred regardless of whether people had titles to their land or not. In Temoyetta, this is nothing new. Although the members of the Temoyetta settlement scheme were allocated individual plots, ever since its inauguration, land use has been conditioned by top-down decisions. This was manifested both in plot distribution and in agricultural activities. In close collaboration with the settlement controller at the Provincial level, the farm manager decided what to grow and when to harvest. Judging from the administrative correspondence of the time, these decisions were taken largely over the heads of the members. The farm manager's wide control over settlement activities was enhanced by his discretion over staffing and wages.

When the members of the newly inaugurated Temoyetta settlement Cooperative arrived in Molo in 1971, the member were each allotted half acre plots on which to construct houses. But as an additional two acres for subsistence farming were demarcated for each member a couple of years later, people were more often than not forced to move out of the houses they had built. Ostensibly, this was because the new plot allocation was determined by a ballot. No mechanisms to deal with injustices caused by these procedures were provided—for instance to compensate someone who would be forced by the ballot to move out of a carefully built house and into a house constructed with less care (KNA: AVS/15/136). Hence, the initial formal structures of the Temoyetta settlement scheme underlined the fact that any discretion over individual plots and agricultural activities emanated from some authority above and beyond the control of the scheme's members. Whether or not scheme members had formal ownership rights to their plots mattered little when general decisions were made.

Evictions, then, have been experienced in Temoyetta either as the result of national political or local administrative decisions. Evictions have threatened access to land, regardless of whether it has been backed up by a title or not. Hence the second theme; property rights alone do not protect access to land.

THEME 3: SOMEONE RICH WILL ALWAYS GAIN

The colonial land tenure system, as I mentioned in Chapter 3, was designed to favour settler interests. At independence, the incoming administration was expected to do away with such policies. But even though the state's racist streak was removed, its classist tendencies would remain. This is visible in the fact that even though the settlement schemes have always been formally intended to alleviate landlessness among poor people, they have repeatedly also been used in order to vest well-situated and well-connected people with land.

In Temoyetta, these allocations are still materially manifest; some plots are simply substantially larger than others. Settlement schemes have occupied a grey area between regular and irregular, legitimate and illicit allocations. The question of what to do with the large former settler houses sometimes opened the door for allotments to the rich and well-connected and that door was then thrown wide open when large land grants became used

systematically in order to build support for the administration in office. This was done during the Kenyatta era and under Moi (see Government of Kenya 2004; Klopp 2000). The N'dungu Commission's investigation into illegal allocations of land found that more than 200,000 titles to public land had been illegally issued between 1962 and 2002, the bulk of them during Moi's rule, 1986-2002 (Manji 2015:7). As individual plots were demarcated, Kalenjin names could, as they did in Temoyetta, begin to appear on the lists of allottees, and as the land was being surveyed, several large plots would materialize. These semi-institutionalized provisions of large pieces of land within the settlement schemes has fostered a third enduring theme: someone rich is likely to gain from settlement schemes designed for the poor.

Still waiting

As the 2013 election drew closer, Boniface Sonkoro was concerned about the Rwangond'oners access to land. They only had allotment letters to their land and they had received them under the outgoing Kibaki administration. Given how the various state administrations have in the past used settlement schemes in order to bolster their position, Boniface Sonkoro's concerns were justified. Nevertheless, as we met again in late 2015 and the Uhuru Kenyatta administration had been in office for two years, Boniface Sonkoro was still on his land. Moreover, despite its humble beginnings the Rwangond'o farm had visibly prospered. Previously modest household gardens were now flourishing, solar panels had appeared on some of the blue roofs and every house had been provided with a water tank and a system for rain rain-water collection. Before, no-one could afford to keep livestock, but now sheep and goats were tied up along the roadsides within the village and I was taken to greet the first cow bought by a Rwangond'oner. Hence, actual developments had proved Boniface Sonkoro's fears unfounded—at least this time.

Recently elected to the position of village chairman, Boniface Sonkoro was not prepared to let the issue with the title deeds rest entirely, however. Instead, in December 2015 he was looking for ways to pressure the state to issue title deeds to the Rwangond'oners immediately, instead of within

the 10-year timeframe that the resettlement programme stipulates. Although Boniface Sonkoro agreed that things in Rwangond'o looked a lot better than when we last met in early 2013, he explained that their access to the land remained in the hands of the state. And even if the state has not yet let the Rwangond'oners down, its actions remains largely unpredictable: 'We are still waiting for the government to bring transparency' (Boniface Sonkoro, 22 December 2015, Temoyetta).

During the colonial era most people in Molo could remain for their whole lives as squatters without formal land rights. African access to land in the White Highlands depended entirely on continued employment at a settler farm. In this chapter I have argued that some of the ambiguities over access to land and how it was connected to politics were maintained after independence. Part of this ambiguity is found in the formalities of the settlement schemes. Since land in the settlement schemes was provided by means of loans, formal ownership became conditional on people's ability to repay these loans. For many Temoyettans, lingering insecurity with regard to formal access has ensued.

The insecurity in terms of access is directly related to the politicization of land fostered by the settlement schemes. Three themes of politicization have been discussed here. Firstly, Kenyan elites have had the opportunity to intervene directly in the allocation of land in the settlement schemes. This has fostered the local perception of access to land as both enabled and threatened by political support.

People in and around the settlement schemes have been periodically evicted from their land. These evictions have followed upon politically instigated violence at times of elections from the early 1990s onwards. However, evictions and resettlements have also occurred as a result of policy, directed towards evicting people in order to preserve the Mau Forest or towards resettling formerly displaced persons on new land, such as the Rwangond'o farm. Regardless of what motivated these evictions, they have occurred regardless of whether people had title deeds to their land. The second enduring theme is, therefore, that formal land rights offer no guarantees against eviction. The third theme concerns how settlement schemes have been used in order to vest rich and well-positioned individuals with land.

Taken together, these themes illustrate how the allocation of land in the settlement scheme still influences local histories of land, politics and

community. As Boniface Sonkoro observes, the reasoning of the state regarding whom to settle and where remains obscured for people on the ground, leaving them still waiting for what the next step in state interference in settlement might bring. In the following chapters, I will return to how such histories about the politicization of land have been transforming relations of property and belonging.

5
Property relations

The limits of property

In addition to the settlement schemes implemented around independence, which were discussed in the previous chapter, later state administrations also crafted settlement schemes. One of these schemes is Kapsita. Situated between Molo and Elburgon, Kapsita came into being when the Moi administration cleared land in the Mau Forest in the 1990s. Kapsita settlement scheme was originally intended to vest 7,000 families who had been displaced by the 1997 election clashes with plots of five to eight acres, but has turned into something rather different. Driving through the area some fifteen years later one finds an uneven pattern of settlements. Small homesteads and plots of a few acres are scattered between large fields covering many acres and big estates hidden away behind carefully constructed fences. According to official maps and land records, the majority of these homesteads, farms and estates should not be here. This is forest land, with the only exception of those 7,000 small plots which were supposed to have been established in 1998.

Mr Mwaniki moved into Kapsita in 1998. He received his seven-acre plot through a state-led settlement scheme after being displaced by the 1997 electoral violence. He explains that much of the land at Kapsita that was intended for the settlement of displaced families was allocated to "other people", such as one of the former MPs in Moi's government, who reputedly received 50 acres. The name of this MP will not be found in the land records. Neither does the official record mention the people who were already present in the area when the state vehicles arrived to clear the forest

in 1997. Long-time forest dwellers, these original inhabitants never had title deeds to their land which is why, according to the land records, they are not here. Still, Mr Mwaniki points out that it is locally accepted that this is the ancestral land of those communities (Mr Mwaniki, 23 September 2012, Kapsita).

Mr Mwaniki holds a title deed to his land, and by industriously farming his seven acres, he manages to send his two eldest children to a boarding school in Molo town for their secondary education. It is Mr Mwaniki who introduces us to Mr Kipchoge. They are friends, they assure me. Yet, when the church Mr Mwaniki attended was burnt down in the 2007 clashes, Mr Kipchoge was involved on the attackers' side.

Mr Kipchoge used to live in the dry Baringo lowlands north of Molo where farming was difficult. On hearing that the state was opening up Mau Forest situated in more fertile areas of the Rift Valley for settlement, Mr Kipchoge and several of his neighbours decided to take their chances and leave Baringo. As they travelled the 100 km distance to Kapsita they had received no guarantees that land would be available, but relied on the rumour. Still, Mr Kipchoge estimates that around 1,000 families came from Baringo to Kapsita and cleared five-acre plots with the permission of the leader of the forest-dwelling community. He never received any kind of paper for his land here and neither does he expect to receive one in the near future. His community has been holding grudges against their Kikuyu neighbours whom the state provided with both land and titles. Mr Kipchoge's community reckons that they are equally deserving of such provisions. Other people in the wider Molo area—primarily those who identify with the Kalenjin community—hold similar grudges against the Kapsita settlement. For instance, Mr Ledama, the chairman of the Kipsigis council of elders in Olenguruone, uses the Kapsita settlement scheme to illustrate how the assistance for victims of electoral violence has systematically disfavoured the Kalenjin. He was among the people who were displaced from Olenguruone in 1992, and says that 'As a Kalenjin, I was given nothing, but they took the Kikuyu from the Central Province and settled them in Kapsita.' (Mr Ledama, Olenguruone, 21 February 2012).

Despite these past hostilities, in the years after the 2007/08 violence, Mr Kipchoge and several of his neighbours in Kapsita have gradually re-established their former friendly terms with the Kikuyu community. In

explaining how reconciliation was possible, Mr Kipchoge distances himself and his neighbours from the attackers. The attackers, Mr Kipchoge explains, were from the Kipsigis community, living further inside and at the far end of the forest, while he himself belongs to the Tugen community. But according to the local dynamic of community boundaries during the 2007 electoral violence, the Tugen and the Kipsigis—as well as the original forest-dwellers who define themselves as Ogiek—were seen to be part of the same Kalenjin community. In this part of the Rift Valley, the Kalenjin were pitted against Mr Mwaniki's Kikuyu group and thus, Mr Kipchoge explains, he came to be on the same side of the raiders who attacked Mr Mwaniki. Even though they are on friendly terms now, Mr Mwaniki will later, in private, tell me that there are certain things Mr Kipchoge will not talk about when he is around.

Apart from its violent past, Kapsita is also troubled by poor infrastructure. The settlement scheme is set on a steep slope making for a trying and muddy one-kilometre trek uphill from the main road connecting Molo to Nakuru; and Kapsita is still accessible in comparison to the settlements located further into the forest. Aside from the motorcycle taxis there is no public transport, and most people are used to covering the hilly terrain on foot. At lunchtime, we meet a group of women carrying heavy loads of charcoal down the hill and back to the main road. They got up at four in the morning in order to reach the sellers, who live far inside the forest.

Life in Kapsita might be strenuous and, at least at times of elections, potentially volatile, but Mr Kipchoge prefers it over life in Baringo. He holds title to his land in Baringo, but that did not protect him from the climate in the area, which forced him to rely on relief food during the dry months of the year. Here, with or without title, he is self-sufficient even after he moved his entire family here (Mr Kipchoge, 23 February 2012, Kapsita).

* * *

PROPERTY-PROBLEMS OR IMPLEMENTATION FAILURE?

The history from Kapsita illustrates how the distribution and disruption of property rights in land are contingent on political sympathies and positions. This history could be read as an indication of how property reforms are too far removed from existing landed contexts to be successful or it could be read as an implementation failure of otherwise robust property systems.

When property fails, explanations of implementation failure are often resorted to by scholars and analysts who argue that property reforms are always desirable, since secure property rights to land will spur development and contribute to the eradication of poverty. From this perspective, faulty, corrupt or incomplete institutions are the main obstacle to functioning property rights (Demsetz 1974; Feder & Feeny 1991). Building on this work, economist Hernando De Soto (2000) suggested that by titling of informally held land, poor people could be provided with access to capital, which would spur economic development as well as social stability and well-being. Aside from De Soto's personal involvement in policy reform, his advocacy for the implementation of private property rights to land has inspired several titling attempts worldwide (Hall 2013; Mitchell 2005).

De Soto would appear to depart from some of the more traditional proponents of property—for instance, those of the neoclassical property school—in that he repeatedly emphasizes the importance of contextual sensitivity when property regimes are implemented. To build land reform on existing tenure systems has been popular among policy-makers and donors and De Soto's writing further inspired this move (Li 2010; Manji 2005; Peters 2004). However, De Soto's critics have pointed to the fact that neither De Soto's theories nor the ways by which they have been implemented succeed in taking context properly into account (Benjaminsen et al 2009; Hall 2013; Joireman 2008).

De Soto's argument for property rights rests on two basic premises; that property rights will provide access to credit and eradicate poverty. However, there is scant empirical support to suggest that these two premises hold. In and of themselves, secure property rights do not provide access to credit, particularly not for women (Manji 2010). This is for a number of reasons, including the absence of access to financial institutions (Joireman 2008:1234) and an unwillingness to put up land for mortgage (Shipton 2009). Furthermore, over time the link between access to

property and the eradication of poverty has also been difficult to establish without the fulfilment of a set of additional criteria, including redistributive reforms and broader administrative changes (Benda-Beckmann 2003; Gilbert 2002; Manji 2010; Otto 2009; Sjaastad & Cousins 2008; Ubink et al 2016; Unruh 2002).

Instead, scholars have pointed to how existing inequitable structures and property rights systems might in some contexts effectively hinder capital formation among the poor (Joireman 2008; Shipton 1988). In addition, the imposition of property rights institutions might come into conflict with existing mechanisms for land adjudication (Chimhowu & Woodhouse 2006; Joireman 2011; Manji 2005; Peters 2009), exacerbate existing conflicts over access (Greiner 2016; Lund 2008) and lead to the dispossession of secondary right holders, among whom women and young people are overrepresented (Cotula et al 2004; Daley & Englert 2010; Peters 2004).

Examining property systems in seven Sub-Saharan African countries, Catherine Boone (2014) distinguishes between authority-based and market-based land tenure systems. In authority-based systems, the distribution of land is not primarily directed by market forces but by informal or formal loci of authority. Even though all systems are to some extent hybrids of the two, Boone notices that very little—on average 10 per cent—of land in Sub-Saharan Africa is governed under private property regimes that allow land to be traded on open markets. In addition, even though land markets might also exist in authority-based systems, all relations of access will be saturated in 'political relationships involving hierarchy and dependency' (Boone 2014:25f). Thus, the causes of property failure need to be traced back not only to the institutions guiding property rights but also to the wider institutional setting, including political authorities of the public, customary and informal kind.

So far, two different modes for explaining property problems have been presented. The first explanation focuses largely on the issue of implementation failures, where the solution is to strengthen the institutional framework safeguarding property rights. Hence, when seen as an implementation problem, the solution to property trouble is a general one. Systems of property rights will, as long as they are correctly implemented and institutionalized, produce the same results everywhere, regardless of contextual and historical trajectories.

The second line of explanation is more complex and argues that existing systems for allocations and access are bound to influence property reforms. Property failures, therefore, cannot simply be referred to as problems of implementation, but are likely to be founded in contextual factors, such as competing authorities, prevalence of political allocations and existing inequalities of access.

As I return to Molo below, the analysis will centre on property relations. Two characteristics of access to land in Molo have been established in the previous chapters: on the one hand, most land in Molo is held as private property, on the other hand, property rights in land have been interwoven with social and political relations. While certain aspects of property problems in Molo might be accounted for by both the implementation failure explanation and the contextual mismatch explanation, neither of these appears to capture the full complexity of how property rights are interwoven with other histories about what legitimate access to land entails. In the concluding section of the chapter I will suggest that relational property might be used to analytically capture this complexity.

Property papers

Boron Farm—like Temoyetta—was transferred from the departing European settlers to African smallholders via state-led settlement schemes in the 1970s. The demarcation of individual plots was finalized in 1982 and some well-positioned individuals were also vested with land in the process. One of them is Mr Kimurgor, who worked as a public servant under Moi and owns a 50-acre plot. When I visit Boron in February 2012, Mr Kimurgor is no longer on his land. Instead, his land has recently been used to settle around 20 internally displaced families.

The Kipsigis council of elders, based in Olenguruone, has accompanied me to Boron, which is situated some 15 km southeast of Temoyetta (see Map 2). A group of almost 20 people, all from Boron, welcomes us. Some of them bring wooden benches and, as we sit down to talk under the speckle shadows of some eucalyptus trees, we can see the IDP tents at Mr Kimurgor's land. During my visit, however, I do not meet anyone from the group of IDPs and neither does anyone from my host delegation enter the

camp as we walk past it on our way back and forth to the main road. The only people I see at the camp are children and they stop to stare at us, in silence.

The IDPs had been moved into Boron by state lorries two months prior to my visit. According to the Boron delegation, they had not received any detailed information from the state administration about the settlement, such as when it would occur and how many people would be settled. What they knew was that, in late 2011, the state administration came in to evict Mr Kimurgor from his land, demolishing his house in the process. The state claimed to have bought the land from an absentee landowner. Hearing this, Mr Kimurgor realized that what had worried him for almost a decade had finally happened. Mr Kimurgor was allotted his 50-acre plot in 1982 but he did not clear his loan until 2000, when he also processed a title deed. However, in 2003, a man from outside turned up and presented a title deed to the same 50-acre plot, claiming that he had recently bought it. Mr Kimurgor protested, but since the outsider disappeared as fast as he came, Mr Kimurgor thought it best to hope that it would all blow over. And during the following eight years this seemed to have been the case; Mr Kimurgor did not hear anything either from the outsider-owner or from the authorities—not until the state administration demolished his house in late 2011, claiming to have bought the land from the absentee owner.

Many issues remain uncertain in the case of Boron. I do not know the details of Mr Kimurgor's court case and I never heard the story from the perspective of the IDPs. The fact that I only visited Boron once, and was unable to bring a research assistant and hence reliant on interpreting by the Kipsigis council of elders, further narrows my understanding. My only outside confirmation of the events at Boron was provided by a representative from the National Network of IDPs, but according to this version of what happened, the administration had attempted to bring in the IDPs once before but failed because the people in Boron had blocked the path of the lorries. However incomplete, I find the Boron narrative to be illustrative of both the perceived importance of property papers and the ambiguities that might lurk in such seemingly straightforward documents of ownership.

TITLES, DEEDS AND ALLOTMENT LETTERS

The ambiguities over the property rights to Mr Kimurgor's land complicate the assumption that titles will bolster the effectiveness of land as property. Some aspects of this are connected directly to property papers, which hinges on institutional arrangements that are not easily confined to the realm of property regulation, alone.

In its most straightforward definition, a title is an 'enforceable claim to some use or benefit from something' (Macpherson 1978:3) and summarizes a world of complexity into a neat piece of paper. This piece of paper, the title, presents what appears to be the only relevant information: who is the owner of what piece of land. As such, a title to land is recognized in Molo and is likely to be in most places in Kenya.

However, the story from Boron suggests that the straightforward nature of titles might be illusory. To begin with, there were multiple titles to Mr Kimurgor's land. In order to have full judicial standing as a deed, a title must be supplemented with some additional information, such as the name of the previous owner and the sum of the purchase price. In Kenya, these details are recorded in the land registry. The seemingly simple world of titles is thereby somewhat complicated by the existence of title deeds. In order to make matters more complex still, there is a third piece of paper which confirms a land right, namely the allotment letter.

An allotment letter is, in practical terms, an offer to buy a particular piece of land, presented to a particular allottee by the Land Commissioner. According to the legal formulation, the allotment letter lapses and has no further effect if it is not complemented by a purchase and a transfer of a title within 30 days. In itself, an allotment letter is not tradable. In Kenya, however, markets in allotment letters have occasionally been allowed to thrive (Manji 2012:474).

The allotment letter and the title only concern the relationship between the seller and the buyer of the land—in case of the allotment letter the *prospective* seller and buyer—with reference to a given piece of land. Only the title deed conveys something about the formal status of the land. Whereas everything that exists in the world of allotments and titles are the promises made by sellers and buyers, the title deed is what makes a property claim possible to confirm via a third party, namely the land registry.

In practice, the establishment of a coherent land registry is a complex task. In fact, to set up a land registry is so complex and costly that it has deterred many countries from undertaking land privatization reforms in the first place.[32] Hence, while we remain within the realm of property papers, there are already areas of indistinction or ambiguity where some sort of explanation or motivation is required in order to make the property paper stand as a land claim.

As far as property papers go in Molo, the kinds of ambiguities that can result from discrepancies between what is in the record and what is practised on the ground are common. Many people in Temoyetta lack title deeds. This is mostly related to economic issues: some of those who received land via the Temoyetta settlement scheme have never been able to process title deeds. For others, title deeds remain out of reach for different reasons. For instance, as was mentioned in Chapter 4, none of the Rwangond'oners hold title deeds. In accordance with the policy for resettlement, the IDPs have been given allotment letters to their 2.25-acre plots. Not until a period of 10 years has elapsed will the allottee be able to formalize his or her ownership to the land, provided that he or she is still residing on the plot (National Network of IDPs, personal communication).

These ambiguities do not necessarily result in conflicts over land, but they produce a glitch between the formal status of property rights (that will be corroborated by the land record) and local understandings of whose access can be justified (which need not necessarily be corroborated by any of the above-mentioned property papers). To make matters more complex

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[32] During the period of fieldwork (2011-2015), Kenya was in the midst of a process to set up a coherent land registry as a part of the 2010 constitutional reform which included a clearer legal and institutional framework for the allocation, ownership and transfers of land rights. The task was herculean, and beset by allegations of corruption, made possible by old and new accountability problems. For instance, when I visited the Ministry of Lands in February 2012, the physical land registry had recently been placed under the discipline of locks with fingerprint recognition. At that point, the individual with the authority to grant access to the registry was employed by the Swedish mapping, cadastral and land registration authority (Lantmäteriet) which had been contracted to supervise the setting up of the registry and land survey by the Swedish Aid Agency, Sida, one of the core-funders of the registry reform. Anecdotal as it may seem, this illustrates some of the problems of accountability in which complex and costly land reforms might result.

still, in Temoyetta titles and allotment letters are not the only property papers that appear to be important when it comes to determining who is the owner of what piece of land. There are also local lists of plot numbers and owners' names.

PROPERTY LISTS

The local lists of plot numbers and owners' names in Temoyetta are directly related to the history of the settlement scheme. Chapter 4 described how the Temoyetta Cooperative Society was established in 1971 and how the members were settled on half-acre plots which were later supplemented with two acres for subsistence farming. The list of this initial membership appears to have been of limited local importance, primarily serving as a tool for state control. In the Kenya National Archives, this list is filed alongside the detailed correspondence about the agricultural activities that were to contribute to state revenue (KNA: AVS 15/136). However, when the Cooperative was divided into four settlement schemes in 1983, the membership lists would acquire the status of local property registries.

Mr Gathu keeps one copy of this 1983 list of the original plot allocation. He has made hand-written notes to mark the names he claims to be false, that is, the pseudonyms, names of spouses or next of kin that the real beneficiaries used, for one reason or another, to omit their presence in the records. Although Mr Gathu has not updated his list to keep up with subsequent land transactions, he holds onto it as an important document, an artefact that conveys the original allocation of individual plots—including its inaccuracies.

When Mr Gathu showed me his list, it was not the first time lists of the demarcation of plots within former settlement schemes had been presented to me at various locations in Molo. At first, I failed to understand how these apparently outdated lists could be of any importance and I interpreted them mostly as a reflection of the power and importance of papers. In many Molo households, there are few formal documents and those there are—titles, allotment letters, birth and death certificates—are often kept carefully protected in folders and envelopes tucked away in the best handbag or the most solid locker.

I believe that two points can be drawn from the continued local importance of the original list of individual plots in Temoyetta. Firstly, though this original list has not kept tabs on subsequent transactions and developments, such as the processing or transfer of title deeds to individual plots, it does read as a record of the first or original land ownership in Temoyetta. Thus, the list provides both historical alibis for current land claims, should they be questioned, and a catalogue of the injustices of the original distribution of the plots. Secondly, the importance of this list is probably bolstered by the physical distance from the land registry and the often cumbersome and costly procedure that the registration of titles has entailed.

Recently, the significance of the original list of plot distribution in Temoyetta has been mirrored by the importance of additional lists of property which, like land records, are vested with the power to mean the difference between material want and satisfaction. These later lists of property came into being with the distribution of state assistance after the 2007-2008 electoral clashes.

THE BLUE HOUSES

> When it comes to giving things to people, there is always the
> politics of deciding on people's needs.
>
> Mary Gichuru, 30 October 2012, Temoyetta

Mentions of the 'blue houses' in Temoyetta are most commonly made in reference to the Rwangond'o farm, where blue-roofed houses have been constructed for the IDPs who were settled in 2012. However, similar 'blue houses' were also constructed at selected plots or *shambas* in other parts of Temoyetta. In both cases, the blue houses are compensatory provisions offered by the state to the victims of the 2007 post-electoral violence. In principle, according to the state-led programmes for IDP assistance, every person who lost a house should be entitled to a new one. This is, as Mary Gichuru indicates in the quote above, a procedure not without complications.

The blue houses were to be allocated in the following way: the Ministry of Special Programmes assigned local chiefs to compile the names of the

owners of houses destroyed in 2007/08. Thereafter, the Ministry of Special Programmes would hold local meetings in collaboration with international and local NGOs in order to confirm where the new houses should be built. A subcontractor would be brought in to build mud-walled houses with iron-sheet roofing. In Temoyetta, the Danish Refugee Council (DRC) was involved in the first round of construction (ending in early 2012) and the Norwegian Refugee Council (NRC) took part in the second round, lasting into the first months of 2013. In addition, UNDP funded part of the reconstruction. When the construction was completed, the Ministry of Special Programmes was to return to inspect the houses and compensate the contractors (Chief Josiah Njuki, 29 November 2012, Temoyetta; NRC-staff, 21 January 2013, Molo office).

Although this suggests a rather complex process involving several actors, this version of the distribution of the blue houses makes clear who is to benefit and how this is to be decided. However, my Temoyettan narrators are of a different opinion: their versions vary considerably, especially regarding how the number of houses to be constructed was decided and for whose benefit. What most narrators do agree on, however, is that there was no consistency between the names on the lists of beneficiaries and the names of those who, in the end, were provided with houses.

The area chief explains that the inconsistencies started when it became clear that the supply of houses would not meet the need. The list of 150 destroyed houses far outnumbered the new houses offered by the Ministry of Special Programmes. As a result, the list of beneficiaries was redrafted. The new list was based on a ranking of vulnerability, so that the most vulnerable of the 150 listed beneficiaries would appear at the top. Determining vulnerability is not easy, but according to the chief, it was done through a collective discussion (Chief Njuki, Temoyetta, 29 November 2012).

However, Mrs Wambugu tells me that although she knows that they used certain criteria to limit the number of beneficiaries to 50, she does not know what criteria they used. She also questions whether the first 50 names on the list would automatically have been given houses:

> Some of the persons who registered their names did not get. They could give to number one, but not to number two, then to number three and so on. That problem was there. There have been many complaints: one farm received five houses, for the

four sons and the father, whereas other households with big families got only one house.

Mrs Wambugu, 5 November 2012, Temoyetta

To Mrs Wambugu, it is clear that the Ministry of Special Programmes and the various NGOs consulted with 'the big people of this area: the chairman, the treasurer and the secretary'.[33] Mary Gichuru, who is equally uncertain about how 'vulnerability' was determined, holds similar views: 'I do not know which criteria they used… It is like Lucy [my research assistant] was listed and got—whereas I was listed as well and did not get' (Mary Gichuru, 26 November 2012, Temoyetta).

Some narrators, particularly those who did not benefit from the distribution of the blue houses, also questions the involvement of the NGOs. For instance, Mr Kipkoech who has been living at the adjacent Gacharage Farm since he was displaced from Temoyetta in 2007, states that he would not even have been informed about the ongoing house construction if one of his former neighbours had not called him and told him about a meeting that was to be held by the DRC. According to Mr Kipkoech, who self-identifies as a Kalenjin, the DRC assumed that all the beneficiaries in Temoyetta were Kikuyu. At the meeting, Mr Kipkoech explains, 'The DRC did not know that we (people from the Kalenjin community) were present, and they said that 75 per cent of the houses would be given to 'you' (the Kikuyu) and 25 per cent were to be given to 'your enemies'. The DRC lady who said this, was a Meru' (Mr Kipkoech, 6 December 2012, Gacharage).[34]

Ever since I first visited the area in 2009, I have heard allegations about how the NGOs involved in relief work in the area 'benefit one community'. Partly, this reflects a polarized discourse of belonging, to which I will return in Chapters 6 and 7. This probably also testifies to how the NGOs have been affected by and have perhaps incorporated this discourse,

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[33] The treasurer and secretary are in the council of elders, elected by the community members to assist the chief. Unlike the chief, the members of the council are not salaried by the state.

[34] Meru is one of the ethnic groups in Kenya that has historically been associated with the same group as the Kikuyu, GEMA, which stands for Gikuyu, Embu, Meru, Akamba.

reproducing the image of the Kikuyu as victims and the Kalenjin as perpetrators.

The DRC had already left the area when I began to discuss the matter of the blue houses with people in Temoyetta. When I brought up the matter with the NRC staff at the Molo office, the NRC clerk first assured me that his office had nothing to do with the distribution and selection of beneficiaries, that was done entirely and independently by the communities. However, after the interview, as he was walking me back to my car, he stopped to say that naturally the distribution of houses had been skewed in favour of one community, since the violence had targeted only one community (NRC staff, Molo office, 23 January 2013).

When the second round of blue houses had been constructed in Kamuri, the small trading centre in Temoyetta, I noticed that three ragged-looking tents were still standing in the midst of the village. 'These people are not returnees, but IDPs', said Chief Josiah Njuki and explained how the former are people who had land to return to after the violence, whereas the latter includes landless people. The landless were not included in the distribution lists, as there would literally be nowhere to construct houses for them. Chief Josiah Njuki tells me that the families living in the tents 'have their names' with the Ministry of Special Programmes and that they will be provided with land. 'But…', and here Josiah Njuki hesitates, 'that is if their names were captured in December 2008 when the registration was conducted.' (Chief Josiah Njuki, Temoyetta, 29 November 2012).

So far, I have described property lists—or lists of would-be beneficiaries of property in the form of blue houses—are turned into highly contested terrain of local politics. At the beginning of this section I positioned the lists of the blue houses, compiled in 2010-2012, in relation to the lists of property that were used in the late 1970s and early 1980s in order to formalize access to land in the Temoyetta settlement scheme. However, as indicated above by Chief Josiah Njuki, the blue house lists are just one instance of numerous lists identifying people as eligible or not for property which have figured at the local level since the 2007 violence. All the lists have been tools within two consecutive state-initiated programmes which aimed to provide assistance to the 2007/08 victims of violence: the *Rudi*

Nyumbani and the *Eco Farm* programmes.[35] Neither of these programmes are generous enough to be termed compensatory, most victims of violence lost property and livelihoods at values which far exceed what these programmes offered. Nevertheless, the benefits from these programmes are greatly needed and desired by people in places like Molo where attempts to build a more prosperous future by means of hard, mostly agricultural, labour have repeatedly been wasted due to periodic electoral violence. Just as with the allocation of the blue houses, I understand these state alleviation programmes to confirm how property is deeply embedded in social, political and economic relations. Furthermore, they appear to reactivate and to a certain extent reinvent histories of property rights as co-constitutive of histories of community and belonging, which often take on ethnic expressions in the local context.

THE POLITICS OF IDP-ASSISTANCE

The initial state-led assistance to the people displaced by the 2007/08 violence was a cash hand-out during the immediate aftermath of the violence. Sh 10,000 was to be paid to each family registered at one of the 235 official IDP camps set up across the country (KHRC 2008:43). Later, these families could apply to qualify for another round of money, Sh 25,000, by providing evidence that they had lost property in the process of displacement. The programme was called *Rudi Nyumbani* (return home) and the intention was to assist people financially to return to where they had been displaced from. The *Rudi Nyumbani* was beset by several problems. Most importantly, to 'return home' was simply not an option for many victims of violence (KHRC and National Network for IDPs 2009). Furthermore, to make assistance conditional on evidence of lost property would prove problematic. The histories from Boron and Temoyetta have

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[35] In 2013, these two programmes were complemented with a third programme. With the intention of finally evacuating the remaining IDPs from the camps, the newly elected government of Uhuru Kenyatta promised that Sh 300,000 would be allocated to each family in order to provide them with the opportunity to buy (a few acres of) land at a location of their own choosing. To my knowledge, no one in Temoyetta has been registered for this third round of state assistance.

illustrated how access to land might be well known and accepted as property rights at the local level, but impossible to prove formally. In many of the rural areas hit by violence in 2007/08, few people held title deeds to their lost lands, and many of those who did failed to hold on to their papers. Therefore, the lack of formalized property rights hampered the provision of the Sh 25,000 (ibid). Additional problems would mount during the implementation of the programme.

Women appear to have been consistently disfavoured. Monetary assistance was initially awarded on a family-basis to the person registered as 'the head of household', which traditionally is male. Further, female names rarely appear on title deeds. From several locations there are reports of corrupt practices among state officials, mostly District Commissioners and District Officials, in charge of the distribution of money (KHRC 2009; KHRC 2008b). Mary Gichuru's history illustrates some of the possible inroads for political manipulation of the distribution of money.

During the clashes, Mary Gichuru fled from her home in Temoyetta and sought refuge at a camp in Molo. The Molo DC was the person responsible for the distribution of the monetary assistance. According to Mary Gichuru, the trouble with the distribution already began with the first round of money, the Sh 10,000 to which every registered IDP ought to have been entitled. Several of the people from Temoyetta who had registered as IDPs failed to receive assistance, since the lists were tampered with by the officials in charge. Mary Gichuru explains how all the names of the registered IDPs had been listed in a black book, which mysteriously disappeared as soon as the Ministry of Special Programmes had delivered the money. Instead, the DC presented a new list which contained fewer names. 'I know that the Molo DC knows what happened with this money! I went to Molo and stayed there for three days and I witnessed those disputes', Mary Gichuru says agitatedly (Mary Gichuru, 26 November 2012, Temoyetta).

The problems facing the *Rudi Nyumbani* programme are also reflected in the fact that the programme failed to get people out of the camps, which necessitated the launch of the *Eco Farm* programme in 2011. Instead of monetary assistance, the *Eco Farm* programme was committed to the actual resettlement of the IDPs. The idea was that owners of idle land would

approach the state and offer their land for sale. [36] The IDPs would then be grouped into collective farms and be allocated 2.25 acres per family. Two acres would be held individually by the family and the remaining 0.25 would be utilized in order to construct homesteads and communal facilities, such as schools, dispensaries, churches and market places. Rwangond'o is one of those *Eco Farms*.

All the programmes undertaken to assist the victims of violence have raised questions about who is deserving and why. The absence of a comprehensive definition of what an 'IDP' is has, alongside the haphazard registration process, created considerable room for manoeuvre, both for corrupt practices among officials and for opportunistic behaviour among people on the ground. As nobody seems to be able to tell why somebody ends up on a list, there is no clear limitation to the number and nature of the strategies people can use—or be suspected of using—in order to be included on it.

However, from the discussion of the distribution of post-violence aid above it can be gathered that some things appear to have influenced who received what. Firstly, being a 'Kikuyu' appears to have made it easier to be defined as a 'victim' of violence, thereby more easily gaining access to resources than a non-Kikuyu.[37] Secondly, being among 'the big people' appears to have granted a position from where to influence the distribution

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[36] Allegedly, people in powerful positions took advantage of the programme to sell land to the state well above the market price. These allegations have so far been difficult to verify. What is certain is that the land offered for sale for resettlement has not always been the land preferred by the IDPs themselves, who in some instances opted for land in different geographical locations, with better soil quality or where provision for infrastructure has been made.

[37] Aside from the numerous national politicians who have publicly lamented the fact that the Kalenjin community in the Rift Valley was systematically disfavoured when the victims of violence were compensated after 2007/08 (Daily Nation 26 March 2012), in its 2013 report on the post-2007 programmes of assistance, Human Rights Watch (HRW) indicates the existence of similar logics. According to HRW, the majority of the 300,000 Kalenjin displaced in the 2007/08 violence did not receive any assistance. As an example, HRW mentions the Ndefo/Mauche area in wider Molo, where the numbers of displaced persons were similar in both locations, but where 908 new houses were provided at Ndefo, where the majority identifies as Kikuyu, while only 34 were provided in predominately Kalenjin Mauche (HRW 17 January 2013).

of resources. Thirdly, women appear to have been in an adverse position since most of the lists for the distribution of assistance mainly contained male names. These three differences—ethnicity, class and gender—tend to structure access to property in Temoyetta even beyond the distribution of post-violence aid. In the next section I will look at how these structural differences influence access to property.

Structures of gender, class and ethnicity

Just as with global wealth, the distribution of global property rights to land reflects divisions of class, gender and race. Temoyetta is no exception but, as in most places, these structures take on contextual characteristics. To some extent, these structures have changed over time. Currently, a Kikuyu man old enough to have been around when individual land rights were first attributed in 1983, owns most land in Temoyetta. The richer this Kikuyu man is, the more land he will own. Hence, access to land in Temoyetta is visibly structured by gender, class and ethnicity. Since independence, the race question has been taken entirely out of the equation in Temoyetta, although some white landowners still hold on to their land in the wider Molo area.

As we will see in Chapters 6 and 7, the ethnic division in terms of access to land is less straightforward than the colonial question of race. It is notable that the predominant position of male Kikuyu landowners nowadays is not mirrored in the original list of ownership from 1983, where many names will be found to be Kalenjin. Later events, particularly the recurrent electoral violence, have re-structured ownership and increased the share of Kikuyu land holders. Other locations—such as neighbouring Baringo or Gacharage—will reveal similar ethnic homogenization, but the opposite way around, with a majority of non-Kikuyu landowners.

The structural difference that appears to be most persistent over time in Temoyetta is the weak position of women. Although female names figure both on the original list of plot distributions and on contemporary title deeds, women are still largely under-represented with regard to property papers. I will next examine how gender structures access to property, before going on to present analyses of class and of ethnicity.

GENDER

It is not that women do not own land in Temoyetta. Women do own land, only not to the extent that men do. In Kenya, according to the most recent figures I have, women are estimated to hold four per cent of the title deeds to private land (KLA 2004). I did not conduct any statistical surveys in Temoyetta, but based on my interviews, I would estimate the share of women who have their names on title deeds to be above four but below ten per cent. Often, women's absence from the property papers appears to be somewhat nuanced by property practices, where wives have an equally strong say about land usage as their husbands, even though the name on the title or in the property lists might be his. However, below I will give a few examples of when women's absence from property papers puts them in precarious situations.

Mrs Wambugu lives on a five-acre plot that originally belonged to her parents, who received it via the Temoyetta settlement scheme. 'From what I heard', Mrs Wambugu says, 'they got the land since my mother was one of the dancers singing for Mr Kenyatta.' When her mother died in 1984, the title deed was transferred to her father. Currently, she is the only person staying at the *shamba*. Her two brothers live elsewhere. However, Mrs Wambugu knows that it is only a matter of time before her brothers subdivide the land. When this happens, she will have nowhere to stay.

> The girls are not allowed to own land. If the parents are alive,
> they can give inheritance to their daughters. But my father did
> not. So my brothers will stand to inherit it. The land is theirs.
> They can tell me to leave at any time.
>
> Mrs Wambugu, 5 November 2012, Temoyetta,

Mrs Wanderi also lives on her family's land. The title deed is in the name of her deceased father, but he made his children promise not to subdivide it before their mother died. She is still alive, albeit ill. Mrs Wanderi has five sisters and four brothers and there is no doubt in her mind that the land will be divided only between her brothers. 'There is nothing I can do about it, it has been arranged in this way, there is no way that I could turn it the way I would want.' She does not know if her mother has an opinion on the matter, they have never discussed it. When I ask her what would happen with the land if she only had sisters, she smiles: 'Then it would be divided

among ourselves. Now, my brothers are very satisfied' (Mrs Wanderi, Temoyetta, 26 November 2012).

Just like Mrs Wanderi and Mrs Wambugu, Mrs Nyawira finds herself in a position where her future on the family land is highly uncertain. Currently, she lives on the family plot alongside one of her two brothers and their mother, who is too old to work. She has been living here since she divorced her husband 13 years ago. Since then, she has been the sole provider for her three children. Recently, her eldest daughter had a baby, which Mrs Nyawira cares for while her daughter is at secondary school in Molo. Mrs Nyawira makes a living from farming. She rents land at different plots in the area and she explains that the rent varies between locations: 'The half an acre I rent at Baringo (farm) is Sh 3,000 per year. It is owned by a person that lives outside, a Kikuyu called Gitebi, he has a big land. In Temoyetta, the land rent used to be Sh 2,500, but from next year it will be 3,000 for half an acre.[38] The land I rent here is from Sam K. He owns a small piece of land that was given to him by his parents. Further, I rent an acre of my family land at Sh 6,000.'

The family land is a total of five acres. Mrs Nyawira's brothers farm three and a half acres between them. One of them is living in Nakuru but he cultivates his field with hired labour. Mrs Nyawira's brothers allow her to farm half an acre at no cost, but for the remaining acre she is expected to pay rent at the local going rate. 'I rent my share of the land because it is in the Kikuyu custom. The sons say it is their inheritance', she says and explains that her father would have had the authority to grant a piece of the family land to her. However, he did not do so before he passed away. At that time she was still living with her former husband.

Mrs Nyawira's two eldest children are not living with her anymore, as they are now independent, but she admits that money is still tight these days; even when she manages to add to her income with her earnings from

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[38] This is potentially interesting as it suggests some sort of land-rent agreements. However, when I made inquiries into rent-setting practices, the most common answer is that 'each person decides', which suggests that rents are regulated by the market. However, the future increase of rents to Sh 3,000 envisioned by Mrs Wanderi, appears counter-intuitive to a purely market logic, especially since land rentals are arranged beyond the reach of the state and are paid in full in advance, so interest rate levels ought to have only secondary effects.

kibarua, she can only just cover her expenses (Mrs Wanderi, 26 November 2012, 20 December 2015, Temoyetta).

Mrs Wambugu, Mrs Wanderi and Mrs Nyawira share the predicament of farming family land without formal land rights. This situation seems to be shared by numerous women, particularly those who are divorced or come from land-poor families. And in Temoyetta, most families are land-poor. The land plots were already small when they were first demarcated in 1983. One, sometimes two, generation later, it is often impossible to divide the land between siblings without compromising either equity or economic efficiency, and traditions of male inheritance works to legitimize the disinheritance of daughters—even when it means, as in the case of Mrs Nyawira and Mrs Wanderi, that women lose their sole source of income.

However, there is one institution that can potentially elevate women's economic position, and women in Temoyetta have frequently used it to do so. Since independence, the formation of local self-help groups among women has been advocated in Kenya. Self-help groups are connected to the tradition of *harambee*, 'pull together', which captures a broad range of collective and cooperative participatory activities within communities (Brownhill 2009:215-224; Ngau 1987).

In self-help groups, the members make smaller weekly down payments to a joint fund, which is then distributed among the members according to a rotating system. By saving a small sum of money on a weekly basis, every member can expect to get a larger sum of money every third month or so. In Kenya, such groups are popularly referred to as 'merry-go-rounds'. Members of such groups indicate that household utensils, school fees and equipment for subsistence farming are common ways to spend the bounty (informal conversations, Molo). Some groups have enhanced their cooperation beyond money-saving to start up joint businesses, such as keeping chickens for commercial purposes or constructing a fish dam.

In Molo, these groups have in the past, from time to time, also received funding from outside. However, 2015 was the first time I heard about the involvement of bank loans in the funding activities of self-help groups. By then, several banks appeared to have entered Temoyetta's financial scene. Since few people in Temoyetta have property that they are able or willing to put up for mortgage, bank loans used to be rare. Now, the banks appear to have come up with a solution to get round the lack of mortgageable assets without increasing their risks. Building on the merry-go-round

structure, the bank gives a loan to one member of a collective group and accepts a collective mortgage from the rest of the members, such as livestock, motorcycles, TV sets, or cells for solar power. If the beneficiary fails to repay his or her loan, all members lose their property to the bank. Although the structure of women's groups appears to lend itself particularly well to this new form of bank loan, I also heard about several other groups forming among men.[39]

CLASS

There are several layers of class in terms of access to land in Molo. The big landowners, holding 50 acres or more, are at the very top of the pyramid. People below the highest strata are divided by varying levels of wealth and political influence, but these divisions are less clear-cut and also appear to change with time. For instance, whereas chiefs in the area are commonly spoken of as people who used to be particularly well-off or well-connected, the most recently appointed chief comes from a humble background. He does not, for one thing, own any other land apart from the three small plots he bought together with his wife, and there is nothing in his way of living that appears to set him apart from his neighbours in Kamuri township.

With the 'big men' it is different. Often living elsewhere, managing their farms through salaried managers, these big landowners are associated with the political class, or the uppermost elite. Whether they have an actual background as politicians or civil servants or whether they are just assumed to be politically well-connected makes no great difference to how they are talked about on the ground. According to the general notion of money and political influence as going hand-in-hand in Kenya, these large landowners are all 'big men' with strong potential to influence politics.

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[39] I did not have the opportunity to follow up on these new groups within the frameworks of this project and to my knowledge none of them had been formed with the purpose of buying land. Nevertheless, these groups offer potentially interesting cases for further studies of the politicization of land, as they appear to add an additional collective dynamic to the local relations around property and belonging—that of market mechanisms leaning on or even being disguised as local networks of trust and collaboration.

Of these big landowners, I have only interviewed one, Mr Kiptoo.[40] Coming from a rural background, with a father who never managed to send him to secondary school, Mr Kiptoo rose through the ranks under Moi's rule and was among the leading figures of KANU in the 1990s. According to his wealth and status in Molo, Mr Kiptoo belongs to the absolute upper class. But by his own measure he is still a rural man of the people. He is the owner of a 150-acre farm, married to the daughter of a former white settler and they live in the 12-bedroomed mansion that used to belong to her father. This is one of the few former settler houses in the area which remains intact. Yet his current wealth and status does not seem to have completely erased his sense of being the uneducated cousin from the country-side, which is how he described his position during his KANU years. He might have shared power with the other men in the political elite, but he never developed a sense of being at home among them. In contrast to his wife, Mr Kiptoo is not comfortable with speaking in English, so our meeting was mediated by my research assistant Begotty Chepkorir (Mr Kiptoo, 22 February 2012, Keringet).

Among other people—and particularly among those who are not his immediate neighbours, like those in Temoyetta—Mr Kiptoo is nevertheless regarded to be a man of almost incomprehensible wealth and influence. He is attributed with the same virtually mythical character as other wealthy people and particularly those who are involved in politics. Mr Kiptoo earned a large part of his local reputation by being associated with the hard-liner opposition to multiparty politics within KANU in the early 1990s. For instance, Mr Kariuki exemplifies the hatred he has felt from the Kalenjin community in Molo by recalling how Mr Kiptoo, during the campaigns against multipartyism, used to say: 'If anyone thrusts two fingers [the then symbol for multipartyism], that hand is to be cut.' (Mr Kariuki, 14 September 2011, Turi). Mr Githinji still keeps a news cutting from the Swahili daily paper, Taifa Leo (8 June 1992), covering a public meeting held by Mr Kiptoo who was then the KANU chairman of Nakuru. He is cited saying that the Kikuyu profited much on Kalenjin land and that they should go away (John Githinji, Temoyetta, 30 October 2012; see also

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[40] My decision to interview Mr Kiptoo was motivated by that among the local big men, he was the one who appeared most frequently in histories about land and politics.

Daily Nation 2 May 2011). Two decades later, Mr Kiptoo himself is coy about the matter; he prefers to talk about his current involvement in peace-building activities among political leaders in Nakuru County.

The local histories about Mr Kiptoo corresponds to what I took to be a general assumption among my narrators in Molo, namely that the politicians have been deeply involved in inciting and organizing the outbursts of electoral violence. Indeed, the fact that the electoral violence was orchestrated in 2007, as well as in 1992 and 1997, has been pointed out before, both in state reports (Government of Kenya 2008, 1999, 1998) and by independent investigations (HRW 2011; KHRC 2008). The violence has never, however, been subjected to judicial investigations which have resulted in perpetrators being charged and sentenced (see Chapter 3, Episode 4).

In Temoyetta, the absolute upper class is often talked about as people who might lead their lives in the same rural location as everybody else, but who remain unaffected and unfettered by the hardships and constraints bound up with life in this place. In this sense, they are grouped alongside the absentee landowners. Living in Nakuru or Nairobi, the absentee landowners are nevertheless often described as having considerable influence over local politics, either directly or by being assumed to be connected to the actual politicians. In the interviews, these men are described as influencing the distribution of CDF money (Mr Cherop, 22 February 2013; John Githinji, 22 February 2013; Mr Kerubo, 22 October 2012) or as the masterminds behind local outbursts of violence (Focus Group 1, 6 October 2012; Mrs Keiyu, 6 November 2012; Moses Macharia, 27 November 2012; Mr Owiti, 26 September 2012; Mrs Wanderi, 26 November 2012).

In addition, the most well-to-do people who reside in the area are somewhat dislocated from Temoyetta's material conditions. The velocity of their private four-wheel drive vehicles insulate these men—and occasionally women, such as the widow of a former KANU top-level politician who is now forging a political career of her own—from the hurdles of transportation. Transport problems are a central factor in the lives of most Temoyettan's life: what can be transported to and from the area is limited to what can be carried on a motorbike, since local taxis and mini-buses fail to reach the area during the rainy times of the year. By being economically solvent enough to send their children to boarding schools

elsewhere and connecting their homes to the electricity-grid in otherwise grid-less neighbourhoods, they are not affected by the lpoor schools and the lack of electricity. Vacating the area well ahead of elections, the wealthy have never needed to feel that their lives were at risk, should things turn violent again.

The perception of the well-to-do as distant masterminds gains an additional twist in relation to the electoral violence. When speculating about the perpetrators of violence, faceless politicians from Nairobi often figure in the stories of my narrators. As Mrs Keiyu explains:

> From what we hear—and maybe we can hear but we cannot verify—these leaders are just there peacefully while you and me fight. And yet, you and me we get nothing from the violence. I do not know how the leaders in Nairobi benefit, I do not know how they live. These leaders could give you money to go and kill people, while they themselves are just staying in Nairobi.
>
> Mrs Keiyu, 6 November 2012, Temoyetta

Later, as she waits with us for our driver by the road, a man on a motorcycle stops to hand out some leaflets, urging us to vote for one of the candidates for the local MP seat. As the man continues into the small café nearby, Mrs Keiyu winks, 'Oh the politicians, they always bring chai!'

Sometimes, my narrators also contrast the pre-electoral promises delivered by campaigning candidates—as high-flying in Molo as anywhere—with the grim aftermath of elections. Mrs Nyawira does not mince her words:

> Politicians are not to be trusted. Their main aim is to enter into those seats; they have promised us many things but they have not delivered. When they entered the seats they promised peace, but that peace never came. They were promising to fight thefts, they have never done that. I think they can even be inside the violence; otherwise they would have attempted to curb it, now they just left us alone.
>
> Mrs Nyawira, 26 November 2012, Temoyetta

A similarly disillusioned outlook on political leaders is held by John Githinji, who sighs: 'When you elect the leader today, you will see the same

leader during the next election promising the same things…' (John Githinji, 22 February 2013, Temoyetta).

ETHNICITY

Ethnicity also structures property and property claims. At first glance, the ethnic structuring of property is as straightforward as the racial segregation of ownership during the colonial era. At that time, Molo was in the White Highlands where access to land was strictly reserved for white people. Indian land rights were restricted to the highland shopping centres, whereas Africans were tolerated only as workers (Sorrenson 1968:23). From their status as workers, during some periods Africans could access squatters' rights to land (Lonsdale 1992:35-6; Sorrenson 1968:140). At the same time, colonial rule segregated African access to land in the native reserves along ethnic lines. In this section, I will give a few examples of how ethnicity structures property in Molo, but I will have reason to return to these descriptions of 'ethnic structuring' in the following two chapters. Even though the colonial practice of ethnic segregation has left its mark, subsequent developments have worked to vest 'ethnic' claims to land with additional dimensions which need to be unpacked in order to make full sense of these contemporary claims.

   At a descriptive level, as was mentioned at the beginning of this section the majority of the current landowners in Temoyetta self-identify with the Kikuyu community. Many of the former Kalenjin residents—such as Mr Kipkoech—have moved to neighbouring Baringo and Gacharage farms. At times, they have kept their land in Temoyetta and return to farm these plots during the day. Similarly, Luke Natelo, who resides at Baringo Farm, describes how the composition of the residents used to be cosmopolitan, mixing people from several communities, whereas since the electoral violence, it has gradually changed to become predominately Kalenjin.

   However recent the Kalenjin-Kikuyu-division might be, most of my narrators talk about it as being acutely felt. This division is a grim manifestation of how whether people have been able to return after the clashes has hinged less on the legal status of their property rights and more on their social relations with the surrounding communities. These relations were shaped by electoral violence, meaning that the community one was

seen to be a member of came to determine whether or not one was perceived as being safe, at home, to belong. Below, Mr Owiti describes how he interprets the nexus between violence, land and ethnic belonging:

> The causes of conflict are incitements from politicians and tribalism. For instance: If a Kalenjin bought land from a Kikuyu and there is an election the Kikuyu will say that if we defeat you, I will go and bring back that land.
>
> Mr Owiti, 26 September 2012, Mugetho

My impression is that such interpretations are widespread in Molo. Not all my narrators are willing to detail how elections have altered the patterns of access to land, but several of them mention that they have changed. An elderly woman, belonging to the Kikuyu group, eloquently avoided my question of why large sections of the Kalenjin community have left the Temoyetta settlement.

> Naomi Gathoni: - The Kalenjin have isolated themselves. They are selling their land here and going to Makueni [an adjacent settlement, further away from the main road]. Some have sold to the Kisii… Maybe they have a lot of money?
> Me: - Do you know why the Kalenjin sell?
> Naomi Gathoni: - I do not. But here, there are also Kikuyu that sell and leave. Before 1992, they never used to sell.
>
> Naomi Gathoni, 17 September 2012, Temoyetta

Most testimonies, like Naomi Gathoni's, of what happened in the aftermath of the 1992, 1997 and 2007 elections indicate that, while the Kikuyu in Temoyetta settlement scheme were at first attacked by Kalenjin raiders, revenge attacks were subsequently directed towards the Kalenjin families who lived in Temoyetta. It is not so strange, therefore, that Naomi Gathoni is quite unwilling to go into the details about why so few Kalenjin are nowadays willing to buy land in the area. The causes of violence may be sensitive and remain unknown, but the consequences are plain enough: Kalenjin have become hesitant to remain in the area, or to buy land here. Naomi Gathoni also tells us that the Kikuyu are selling and leaving, nowadays. 1992 is given as a turning point. That was when the first violent clashes occurred in Molo.

Relational property

So far, I have described how the idea of property rights to land is generally accepted as legitimate in Molo. Nevertheless, access to land is not solely determined within the legal realm but is shaped by surrounding social, political and economic relations. In terms of land, questions about who does what, who owns what and what they do with it are shaped by structures of class, gender and ethnicity. But moreover, when it comes to property papers, property claims might also need to be backed up by histories invoking past and present relations. Thus, the empirical findings in Molo described in this chapter suggest that property rights in Molo must be related to social, economic and political relations, which requires a conception of 'property' that ventures beyond the legal domain.

To perceive property as embedded in social relations differs from common definitions of property as 'things', such as that in the Cambridge dictionary where property is defined as 'an object or objects that belong to someone'[41]. Seen as an object in somebody's possession, property is often attributed functions of being a 'prime mover'—of the market, of the human conditions. Thus, property is vested with instrumental importance; it is to *do* something. Franz von Benda-Beckmann, Kebeet von Benda-Beckmann and Melanie Wiber (2006:2) have argued that such conceptions of property, due to their general yet imprecise characteristics, have led theorization of property away from descriptions of existing property regimes and in the direction of ideal forms of property. This reinforces the notion of property as primarily capturing not empirical processes but ideal situations, which makes it possible to stick to the simple and unproblematic definition.

From this perspective, the allure of property and property reforms, such as De Soto's titling-projects, lies partially in how a simple definition of property (as a thing to be possessed) is brought to resonate with aspirations regarding what property ought to *do*, namely, bolster individual and societal wealth and development. But these aspirations are normative rather than descriptive. Therefore, in order to move the conception of property closer to the empirical realities, scholars have suggested that we conceive of

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[41]Cambridge Dictionaries Online http://dictionary.cambridge.org/dictionary/english/property, (retrieved 2016-06-21).

property as a relationship among people with respect to things rather than as a relationship between people and things (see Benda-Beckmann et al 2006; Blomley 2005; Rose 1996; Strathern 1999, 2013).

In order to expand the view on property beyond the legal domains, where property rights are a result of transaction and legality, Marilyn Strathern suggests that property is seen to not only underpin social relations, but to co-construct social positions and express 'different modes of sociality' (Strathern 2013:233). When property rights are established and defended, it is not only the relations of property, but the social positions of the haves and have nots that coalesce and are structured by fields of power that will pose the have nots as subordinated to the haves. The different modes of sociality which result partially relate to property in its legal sense, but also to wider societal norms and desires. Stealing, then, might not only be motivated by a (material) desire for property and by the dispossession of another person; it can also be motivated by a desire to cause the other person harm (Strathern 2013:234). Hence, when property figures as a relational construct it might be both the means and the end and, frequently, both. To understand how property works as a relational construct, studies following the relational thread have looked beyond the confines of judicial procedures and analysed how property regimes work on the ground in order to problematize the normative order of property which underpins legal property regimes (Benda-Beckmann et. al. 2006:8).

Carol Rose (1996) has observed that the common perception of what property is rests on the acceptance of the premise that 'we will always want more rather than less'. Thereby, our preferences regarding property become predetermined, and our actions become predisposed and possible to predict for every possible situation. Rose argues that if we, instead, wish to examine property from an empirical point of view, then we need to free ourselves from this predisposition and instead rely on post hoc examples to support our reasoning:

> That is, we may only be able to understand property arrangements through narrative discourses like literature and history, discourses that construct a story of how things got to be that way – a story in which there were genuine choices along the way and in which things were not really predictable in advance and did not have to wind up the way they did.
>
> Carol Rose 1996:30

If the notion that 'we will always want more rather than less' underpins the traditional conception of property, then 'to construct a story of how things got to be this way' can be said to underpin a relational take on property. From a relational perspective, there are no universally valid definitions of what property 'is', but property always needs to be related to the relational context in which it unfolds.

Property relations, not property problems

> The right to the land is held by the owner. Who the owner is, is defined by the land ownership, which is settled by the government.
>
> <div align="right">Mrs Chebor, 19 September 2012, Baraget</div>

Most Moloites accept the notion of property rights to land, that is, the eligibility of land for exclusive ownership that can be bought and sold. The bulk of my narrators have led their lives as farmers, shop keepers, traders, drivers or craftsmen. Molo might be fairly remote, but the lives of the Moloites are as entangled in the daily activities of capitalist society as I am in my life in southern Sweden. The Moloites buy their cows at the cattle market and sell their milk to the milk drivers from Brookside or one of the other large dairies. They harvest their potatoes and haggle over the price with brokers who then drive the produce off to town markets. They buy sodas, sweets, soap, washing powder and tea from the small shops in the trading centre and they pay school fees for their children.

   This is, to put it briefly, a reality where the money one earns each month has a direct bearing on the quality of one's life. And in this reality of rural Molo, land is the most constant source of wealth one can own. To my understanding, this is what makes most people accept the notion of property rights to land as being legitimate. At the same time, however, the grounds on which property rights to land were acquired is highly contentious.

   In this chapter, I have argued that although ownership of land is generally accepted in Molo, ownership is constantly related to other histories, relations and structures, extending through time. But how does this

argument relate to the two theoretical explanations of property failure, contextual mismatch and implementation failure, discussed at the beginning of the chapter?

The social contingency of property rights in Molo might have been first brought into being by an implementation failure. The fact that the long list of land reforms in Kenya is paralleled by an equally long list of illicit and irregular land allocations does suggest that land privatization was never backed up by sufficiently solid institutions. A coherent land registry, for instance, was not set up until after the 2010 Constitutional reform, and the wide allocating powers of the presidency were formally in place up to that point as well. However, nowadays, the contestation over access to land in Molo does not only concern disputes over who is the formal owner of land. Rather, contestations over property rights invoke histories about social and political relations premised on ethnicity, gender and class. Hence, the failure to implement property rights might have set the stage for the subsequent contestations over property, but it does not assist an understanding of the way these contestations unfold.

Then what of the explanations centred on contextual mismatch? Previous studies attentive to contextual factors have opened up the study of property failure to also consider wider structural settings. For instance, consider how, in the quote above Mrs Chebor explains how the right to a particular piece of land lies with the owner at the same time as who the owner is has been ultimately determined by the state. This situation complies with the land allocating practices that are fostered in authority-based tenure systems (Boone 2014), where various loci of authority—local or national levels of the state, customary authorities or informal institutions—intervene in land allocations.

Catherine Boone's (2014) institutionalist perspective is shared by Sandra Joireman (2008, 2011) and both authors make important observations about how existing institutions may contribute to unexpected and undesired effects of property reform. However, institutionalist explanations offer limited assistance in unfolding how land is constructed as property and of how such constructions feed into the (re)creation of politics and identities. A relational perspective of property gives scope for such analyses.

A relational perspective on property makes it possible unfold the various empirical examples from Temoyetta of how property rights frequently

becomes intermingled with social and political relations. Formally, title deeds are the only legitimate proof of ownership of land in Temoyetta, as title deeds are assumed to be in many other places. Yet, in Temoyetta, title deeds appear to compete for their status as formal documents of property rights with other pieces of paper: allotment letters, (unregistered) titles and official lists for the distribution of plots and landed resources. This is so for historical and contextual reasons.

When the Temoyetta Co-operative Society was formed in 1971, the distribution of land rights was settled in two steps: first with the initial membership lists, and then with the list of plot allocations in 1983. It was the original allocation of plots, completed in 1983, that at the community level came to define who had the right to what piece of land. Subsequent acquirements of title deeds have proved to be less important. Materially, the distribution of plots was made via a thorough process of demarcation, supervised by a surveyor and made manifest by clear boundary-markers. The material demarcation was mirrored in the lists of plot numbers and individual members who would, over time and as they paid off their loans for the land, become the owners. From the outset, therefore, whether or not somebody owned their land in a formal sense by holding a title deed was largely irrelevant.

The land transfers that resulted from the waves of violence and the concurrent displacements and resettlements made title deeds necessary. But far from everyone in Temoyetta who wanted to sell land had title deeds, which led to situations where land changed hands on the ground but not in the record. Although my narrators have told me that this occurred in several cases, I know only of one instance when this has led to outright conflict over land in Temoyetta in between the outbursts of violence. Just as with the land conflict in Boron, detailed above, the land conflict in Temoyetta was provoked by the involvement of the state. Mr Mwangi had been long-time neighbour of the local sub-chief, who had never questioned Mr Mwangi's property rights to his piece of land. However, when Mr Mwangi was evicted by the electoral clashes, the sub-chief took the opportunity to settle on the land. When Mr Mwangi attempted to return, he found his ownership challenged, and since he had no title and the person who challenged his rights also represented the state administration at the local level, Mr Mwangi's scope for resistance was limited. For the last 20 years, Mr Mwangi has been living on a plot in

Mugetho centre, while making repeated attempts, with the help of lawyers based in Nakuru, to claim his rights to his former plot (Mr Mwangi, 4 October 2012, Temoyetta).

The revived importance of title deeds has also not appeared to replace or lessen the importance of property lists. On the contrary, the importance of property lists appears to have increased recently, with the distribution of state resources as a means of assistance to victims of the 2007 electoral violence. Once again, the composition of lists determined who was going to gain access to resources, in this case to the construction of simple houses and to monetary assistance. The negotiations over these lists—and the histories told in order to make sense of them—connect property to other social and political relations. Moreover, as in the case of the first list for the settlement allocation of land, these lists are also constitutive of histories of land. Firstly, the lists confirm access as justified in ways similar to how title deeds are normally described to function. Secondly, the lists are concurrently read in the political context of their making, meaning that people who were granted membership of the former settlement schemes under the Kenyatta administration will attribute their access to land as 'given by Kenyatta', whereas people who obtained their land during the Moi era, such as Mr Mwaniki in Kapsita, attributes their access to him.

But the political context is not limited to the question of the current administration. While national politics have influenced local land claims, this chapter has shown how the politicization of land has also found expressions in localized histories of property. Furthermore, I read these histories of property to be productive also of local identity formations, to which I will turn in the following two chapters.

6
Boundaries of belonging

Boundaries over content

Traveling the 15 km between Temoyetta and Molo town, we were yelling over the sound of the motorcycle engine and the wind. The short rains of the season had not been too bad and the mud-road remained passable, allowing us to venture into one of the less accessible locations in this part of wider Molo. An exhausting but exciting day had left us in a joyful mood and, as I remember it, our conversation went jokingly something like this:

> Lilian: - You will recognize the Luhya by their very broad noses!
> Me: - How can you tell a Luhya apart from a Luo?
> Driver: - The Luo have darker skin.
> Lilian: - Yes. And the Kikuyu are often light-skinned.
> Driver: - Since they used to live near the Europeans!
> Informal conversation, 7 October 2012, Molo

The motorcycle driver is from the Kikuyu group and has his home in the area, whereas Lilian Jerono—who accompanied me as a research assistant—is a native Kalenjin speaker, living in Nakuru but counting the Uasin Gishu area, some 70 km to the north, as her original home. Their different backgrounds aside, they both agreed on the basic physical features by which you can recognize the various ethnic groups in Kenya, such as the Luo, Luhya and Kikuyu, and they claimed, with emphasis, that they could always tell which ethnic group a person belonged to just by his or her appearance. I found myself trying to argue against this certainty by asking questions such as, 'What if people are of mixed descent, like that

person we just met?' or exclaiming 'But this person is a Luo and still not that dark!'. However, my comments fell on deaf ears, of course, since my discussion partners were not talking about real people but about the stereotypes we use in order to make sense of the world. Their description of ethnicity was not based on the average appearance of real people they had met, but on the general depictions of the physical characteristics of 'Kenya's tribes' that have been floating about since—at least in the case of the 'light-skinned' Kikuyu—colonial times.

As the conversation above exemplifies, ethnicity has deep-seated roots in the lived experience of many Kenyans. However, Atieno Odhiambo (2010:230) argues that it is important to distinguish between such lived experiences of ethnicity and the use of ethnicity as an analytical tool to understand that lived experience, since these two do not necessarily have the same meaning (see also Comaroff & Comaroff 2009:38-42; Cooper & Brubaker 2005).

When an analytical concept, such as ethnicity, identity and nation, is also a category of contested and debated practice, it is likely to be imbued with a wide range of contested meanings.[42] These meanings are pre-constructed via journalistic, social or political common-sense, which renders the concepts cumbersome to use analytically. As an example, Frederick Cooper and Rogers Brubaker (2005:70) have suggested that 'identity' has been overburdened and diluted to the extent that it encompasses most 'practices involving naming and self-other distinctions'. Instead, they argue, identity ought to be replaced with alternative—and probably several—terms to do 'the theoretical work identity is supposed to do without its confusing, contradictory connotations' (Cooper & Brubaker 2005:71). Identification, self-understanding and social location, for instance, lack the reifying connotations of identity and are situational and contextual (Cooper & Brubaker 2005:72-3). In a later contribution, Rogers Brubaker has made a similar suggestion for ethnicity (Brubaker 2013). Apart from enhancing analytical clarity, the abandonment of overburdened categories has the added political benefits of avoiding the reification of those categories. In

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[42] Indeed, Jean and John Comaroff (2009:38) indicate that already Max Weber identified the shortcoming of ethnic group as an analytical category due to the difficulty of sustaining a precise definition of the concept.

this respect, Fredrik Barth's (1998) focus on the boundary between groups is instructive.

A focus on the boundaries between groups makes it possible to divert attention away from the plausible content of these groups, such as cultural practices, languages and traditions, towards trying to understand why the boundary between them is maintained. Barth notices that even though there is contact and even mobility between groups, the boundaries separating them are maintained through categories of exclusion and inclusion. Whereas the 'the cultural stuff that [the ethnic group] encloses' (Barth 1998:15), is ever-changing and, often, exceedingly difficult to identify, the boundary between groups is made visible as it is denoted by histories and practices. An analysis of those histories and practices will emphasize the boundaries between groups, rather than the cultural, historical or socio-political characteristics that are prescribed for or self-ascribed to by these groups.

Also focusing on the boundaries between groups, Nancy Peulso (2009) has analysed how they may shift over time both in terms of the strength of the boundary and of how it is drawn. Thus, the boundary between in-groups of belongers and out-groups of strangers may shift so that those included today might be excluded tomorrow. But the boundary might also be easy to traverse at some points in time, but almost impossible to traverse at other points. Examining the politicization of ethnic identities in West Kalimantan, Indonesia, Peluso argues that boundaries of belonging are hardened as they are vested with political meaning and take on violent manifestations.

In this chapter and the next, I will look at how boundaries between communities in Molo are produced and maintained. The focus in this chapter is on how the boundaries between groups have been emphasized by periodic outbursts of violence and sustained by practices and histories in between those outbursts. Thus, the political dimension of those boundaries is introduced. These political dimensions of belonging will then be the focus of Chapter 7, where I analyse how state-led reforms and policies on the distribution of land and land-related resources have reinforced boundaries of belonging and vested them with political meaning and moral histories.

Electoral violence

The 1992, 1997 and 2007 electoral violence affected most areas in wider Molo, including Temoyetta. Various explanations of why the violence occurred, how it was organized and whom it affected have been suggested for different localities. However, there is broad agreement over the idea that the violence was provoked by the election results but centred on past and present trajectories of land injustices—including irregular or politically motivated allocations, colonial appropriation and contemporary corruption (Boone 2011; Branch 2011; Government of Kenya 2008; Hornsby 2012; HRW 2011; Kameri-Mbote & Kindiki 2008; Kanyinga 2009; KHRC 2008; Klaus & Mitchell 2015; Mueller 2009).

The violence has had far-reaching impacts on local livelihoods in terms of material destruction and personal tragedies. Almost every person in Molo has horrific histories of violence to tell. The focus here is not on these violent histories per se, but on the wider context of political competition over access to the land on which the violence took place. I will begin with the history of Lare settlement scheme. Situated in a different part of Molo (see Map 2), Lare settlement scheme illustrates how the grievances brought about by electoral violence are connected to histories about access to land and the boundaries between communities.

VIOLENT EVICTIONS AND RESETTLEMENT

The heavy rains come suddenly, pounding the iron roof so loudly that we have to move closer to make conversation audible. My research assistant Grara Jepleting and I are sitting with Mrs Cheruyot, Mr Kipsaina, Mr Rotich and Mr Kipmagut in a school, which is empty since today is Sunday. My conversation partners live in Baraget settlement scheme but we have decided to meet in Keringet centre. At this first meeting, I am still unaware of how far away from the main road, schools, shops and churches Baraget is located. Only as we begin to speak do I realize that these four elders have trekked the seven kilometres to Keringet on foot just to spare me the strenuous journey to Baraget.

In connection with the 1997 electoral violence, the four elders were displaced from Lare, located in the warm lowlands on the other side of the Mau Forest. The 1997 violence in Lare has become nationally notorious as a massacre. Its importance for the general history of the electoral violence at the time was denoted by the fact that high-level state officials attended the burial ceremony for those among the victims who supported the government party, KANU. The four elderly Lareites were on the 'KANU-side', an affiliation which was further confirmed when they were resettled on a state initiative in Baraget in 1998 (Focus Group 2, 7 September 2012, Keringet). Such boundaries between groups characterizes the histories of both Baraget and Lare settlement schemes.

The history of Lare settlement scheme as I know it begins with the exodus of the white settler farmers from the Rift Valley in the 1960s.[43] In the case of Lare, the departing settler was known as *Mr Mrefu*, or 'Mr Tall', owing his nickname to his physical stature (Focus Group 2, 7 September 2012, Keringet). Lare is adjacent to the Mau Forest, and as I visit the area in February 2012, it remains unclear to me where the farmland ends and the forest begins. The remaining Lareites themselves have good reasons to be coy about the matter. During the settler era, when they lived as squatters on Mr Mrefu's land, some of them used what was formally forestland in order to expand the basis of their livelihoods (Focus Group 3, 24 February 2013, Ndefo).

When Mr Mrefu left, his land would fall under two different settlement schemes; Ndefo, where the state settled former Mau Mau fighters and a scheme created by a private land-buying company, Njoro Mutukaino Co Ltd. The Mutukaino was primarily funded by Mr Kihika Kimani, who

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[43] Like all the other histories conveyed in this thesis, my history of Lare settlement scheme is pieced-together. Since this is also a history about violence, and probably the most disputed one in wider Molo, how it was pieced together merits some further precision. My history of Lare is based on oral interviews primarily with the Lareite elders who now reside in Baraget, but also an interview conducted in Ndefo, from where the attackers displacing the Lareites in 1997 are said to have come. Those oral histories are supplemented by the Akiwumi Report, the official inquiry into the 1997 clashes (Government of Kenya 1999, made public in 2002) and by the Memorandum the elderly Lareites sent to the Truth, Justice and Reconciliation Committee in 2010 (Lare Clash Victims Committee, 26 October 2010).

bought more than 51,000 acres in the area. Each share of land within the Mutukaino was 2.5 acres and could be bought at Sh1,050. Kimani himself acquired at least 353 acres. According to the formal investigation into the 1997 violence, the Akiwumi Report, the 'only aim' of Kimani's land-buying business in the Rift Valley Province was to settle landless Kenyans (Government of Kenya 1999:147). However, for financially strong men like Kimani with political aspirations, the land-buying companies became instrumental in creating loyal constituencies (see Boone 2012; Kanyinga 2009). Kimani had initiated his political career in 1974, when he was voted in as the parliamentary representative of Nakuru North, the constituency which included Lare at the time.

The Akiwumi Report describes how the post-independence settlement schemes around Lare settled people from 'different communities' (Government of Kenya 1999:147). The elderly Lareite elders, for their part, argue that they, together with members of other non-Kikuyu communities, were systematically disfavoured by Kenyatta's administration and Kikuyu politicians, like Kihika Kimani. The Lareite elders did not receive land through the Mutukaino Co Ltd, nor did they receive papers to the land where they were residing at the time. Instead, over the years to come they would live under the constant threat of eviction since the state planned on rehabilitating their land as a forest area. They recall how one year in the 1970s, just after the harvest, the special police from the General Special Unit were brought in to evict them (Focus Group 2, 7 September 2012, Keringet).[44] In their memorandum to the Truth, Justice and Reconciliation Committee (TJRC), the elders describe how the Kalenjin community in Lare was harassed on several occasions between 1973 and 1975 (Lare Clash Victims Committee 26 October 2010). The direct involvement of the state in this harassment is not made explicit, but the memorandum underlines that no level of the administration—from the assistant local chief up to the provincial commissioner and the president—intervened to put an end to the harassments until 1976 (ibid).

The Lareite elders lived as squatters until 1980, when settlement schemes were separated from the Mau Forest (Focus Group 2, 7 September 2012, Keringet; Government of Kenya 1999:147). At that point, Moi had taken

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[44] The GSU is a paramilitary wing of the Kenya Police Service which has commonly been sent in to assist in acute situations in armed conflicts.

over the presidency. To the Lareites, it was not accidental that a Kalenjin president issued title deeds to them. According to the widespread certainty in Kenya that presidents tend to cater 'for their own', ethnically speaking, the Lareites view Kenyatta's (Kikuyu) death as their saving moment, since his death brought Moi (Kalenjin) to power and Moi brought title deeds to Lare.

Nevertheless, other communities were also vested with title deeds in Lare in 1980; alongside Kalenjin, Kikuyu made up the majority, but there were also Turkana, Luhya, Luo, Kisii, and Maasai (Focus Group 2, 7 September 2012, Keringet; Focus Group 3, 24 February 2012, Ndefo). The Akiwumi Report notes that class divisions tended to align with ethnic boundaries as members from the Kikuyu community came to dominate the local businesses, owning most of the shops, bars, restaurants, transport businesses and milling facilities (Government of Kenya 1999:148). Nevertheless, both the Akiwumi Report and the Lareite elders describe community relations as peaceful and well-integrated, with intermarriages and joint economic and social activities.

With the re-introduction of multipartyism in the 1990s, the histories of how access to land was granted on the basis of belonging were vested with an electoral dimension. In the Akiwumi Report, the political animosities in Lare are said to have centred on the question of parliamentary representation. Between 1988 and 1992—the last electoral period of the single-party state—Lare was part of Molo constituency and was represented in parliament by Njenga Mungai. Before the first multiparty election in 1992, Mungai left Moi's ruling party KANU and defended his seat on a Ford Asili ticket. His change of party was read as a strategic manoeuvre to win the votes of his Kikuyu kin, said to be generally critical of KANU's single-party rule (see also Throup & Hornsby 1998:195-7). In the 1997 election, Kihika Kimani, who had made a comeback on the Molo political scene, challenged Mungai. With his long-time reputation as a local Kikuyu strongman, Kihika Kimani was likely to gain a large share of the Kikuyu vote, so Mungai reverted to KANU, this time to appeal to the Kalenjin voters in the area.[45] His strategy failed, but as Mungai lost his seat

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[45] Mungai's party-hopping has continued: in 2014 he decided to leave CORD, one of the parties allied with ODM in the 2013 election, to pledge allegiance to the Jubilee Alliance (The Standard 16 December 2014).

to Kihika Kimani, many Kalenjin KANU-supporters apparently saw his loss as grave enough to dispute it by violent means.

On the night of 25 January 1997, a gang of warriors attacked Kikuyu homes by setting them on fire and murdered some of the residents in cold blood. The clashes spread to Ndefo and other neighbouring farms. On the next day, retaliatory attacks organized by the Kikuyu would hit Lare particularly hard: houses were burned and people were injured or even killed (Government of Kenya 1999:151). What the Lareite elders describe as 'mayhem' lasted for three days, 25-27 January 1998.

Many people sought refuge in different areas, depending on which side of the boundary between communities they identified with—the Kalenjin/KANU supporters and the Kikuyu/DP supporters (Focus Group 5, 7 September 2012, Keringet). The Lareite elders, identifying with KANU, went into the Mau Forest. For a year they camped in the woods, before the state cleared a section of the Mau Forest in Baraget, where they settled 1,500 of the people displaced from Lare. The Lareite elders describe their settlement in Baraget as the beginning of a difficult transition. In the school in Keringet, more than a decade after the resettlement, Mr Kipmagut's voice is still thick with emotion as he recalls:

> We came here just naked, without anything. The government cleared the land for settlement, but other than that, we got no other assistance. There was no infrastructure. We still remain without electricity and proper roads! Currently, there is one secondary and two primary schools in the area to cater for the population which has grown far beyond the original 1,500…
>
> Considering that we lost out on more than our land in Lare—property, houses, infrastructure, health care and education for our children—we do not believe that the land we received in Baraget is adequate compensation!'
>
> <div align="right">Mr Kipmagut, Focus Group 2,
7 September 2012, Keringet</div>

The history of the Lareites' transition to Baraget illustrates both the patterns of displacements and the resettlements caused by the electoral violence in the Rift Valley. Furthermore, it shows how the boundary between communities, which is brought to a head by the violence, has been constituted over time by political mobilization and histories of land

distribution. When I return to Temoyetta in the following section, I will analyse how such boundaries of belonging are also maintained in the everyday.

Belonging in Temoyetta

The Temoyettans can describe, in terrible detail, what it means to live in a place that has been periodically destroyed by violence: the perpetual sorrow of losing your loved ones, having your house destroyed and paying to rebuild it (often many times), to be literally unable to reap what you sown as your harvests are uprooted or stolen, to be forced to take your children out of school and then—once the end of violence would permit you to reinstate them—to find yourself unable to pay their school fees. To be a victim of electoral violence implies, then, that one's life is fundamentally altered for the worse. Therefore, it goes without saying that the violent outbursts have also had far-reaching effects on social relations. In the following section, I will relate some examples of how the transformation of social relations serves to demarcate the boundaries between communities—drawn by the electoral violence—even in the periods between violence.

At a mundane level, the transformation of the boundaries is visible in how, since the 1992 violence, the Temoyettans have become prone to building bamboo fences around their homesteads and are more careful to lock up their cattle during at night. Commonly, my Temoyettan narrators refer to the period prior to the electoral violence as a time when 'we inter-mixed'. 'We' refers to the Kalenjin and the Kikuyu, and inter-mixing alludes to participation in the same activities, for instance attending joint funerals, markets and church-services. These practices are, however, interconnected with interpretations that draw on histories of earlier events. The instance of oathing offers a case in point.

OATHING

During my visits to Temoyetta in the months leading up to the 2013 election, I noticed that the tendency to interpret events as signs that the upcoming election would be violent grew stronger as the election date came closer. Past outbursts of violence have inscribed several such signs in the collective memory. Often, the signs are difficult to distinguish from actions taken as precautions, such as when people vacate their farms a couple of months before the election date in order to go and live with relatives in less violence-prone areas. There are also signs that point directly to the pre-planning of violence, such as nightly meetings and the reputed administration of oaths.

Seen in a historical context, these signs of secret and hidden organization can be compared to oppositional activities undertaken both during the era of the independent single-party state and during the colonial Mau Mau war. These parallels are most visible when it comes to secret oaths, which were probably prevalent organizational tools among opposition movements during colonial rule (Kershaw 1997:183). During the Mau Mau war, oaths became a punishable offence that could lead to a death sentence. The nature of the oath a Mau Mau-suspect had taken became the focal point when his or her degree of involvement with the movement was to be formally ascertained (BNA/FCO/141 5817; see also Lonsdale 1990:396; Throup 1985:415; Kanogo 1987:136ff). The archival records convey an administrative preoccupation with Mau Mau oaths that borders on obsession. In letters from officials stationed in the districts to their superiors in Nairobi, the bestial details of the Mau Mau oathing—often reported in third or fourth hand—depict the Mau Mau as savages beyond retribution. Contemporary histories on oathing in Molo appear to fulfil similar functions, depicting the oath taking 'other' as bestial and brutal. However, nowadays, the image of the other is composed not primarily by the state administration but at the community level.

As the former Lareites in Baraget described the violence that forced them out of Lare and into the Mau Forest after the 1997 election, they identified suspected oathing at Ndefo settlement scheme as an important ingredient (Focus Group 2, 7 September 2012, Keringet). When I visited Ndefo in the early months of 2012, the upcoming election was still scheduled for December 2012. Even though the election was 11 months away, elders in

Ndefo presented me with a list of signs of potential electoral violence. These signs were the result of their careful monitoring of the other communities in the area. Nightly meetings, where oathing is expected to occur, were at the top of the list (Focus Group 3, 24 February 2012, Ndefo).

While founded in real experiences of violence, rumours about oathing and nightly meetings appears to make the boundary between 'us' and 'them' more absolute. During the Mau Mau war, the suspected taking of oaths strengthened the colonial administration in its conviction that the Mau Mau resistance was limited to the Kikuyu group. The correspondence reveals some suspicions about the spread of oathing from the Kikuyu to other 'tribes'; in the case of Molo primarily to the Kipsigis, which was otherwise seen as the most loyal of Kenyan tribes (FCO 141 5817). Nevertheless, oathing was and has continuously been associated with notions of tribal loyalties. When I ask a Kikuyu elder in Temoyetta about whether the electoral violence could really be blamed collectively on the Kalenjin community—as a whole and as opposed to on the individuals who actually committed it—he laughs hesitantly. 'I would say it is all of them, because if one of them refused, he would be killed…it is just as with the Mau Mau oath; if you would say no, you'd get killed.' (Moses Macharia, 27 November 2012, Temoyetta).

EVERYDAY BOUNDARIES OF BELONGING

Boundaries of belonging are also manifest in the interpretation of violent events that are not obviously connected to elections. For example, the theft of guns from the local police post; a husband's attempt to kill a man for having a love-affair with his wife; a father's brutal killing of his entire family—all of these interpersonal tragedies are in one way or another related to electoral violence, either to actual violence which occurred in the past or to prospective future violence. The thefts of police guns and the attempted murder of the lover were read as evidence of the general level of tension between the communities, heightened by the availability of fire arms. The father's cold-blooded murderer of his wife and children was immediately related to the traumatizing effects of previous outbursts of electoral violence as the father was said to have been a member of the

youth gangs that were recruited to attack and kill people in the 1990's. Such seemingly apolitical violent outbursts are expected to increase at times of elections.

Most of my Moloite narrators share a general notion of how the boundaries of belonging have become more manifest since the 1992 election. However, the perceived nature of these boundaries and their effect on material practices are described in slightly different ways. The different approach to boundaries of belonging taken by Mrs Kihara and Mrs Watene can serve as an example.

Mrs Kihara and Mrs Watene both live in Temoyetta 5 and self-ascribe to the Kikuyu group. They were both personally affected by the 2007/08 electoral violence. When we met in 2012, Mrs Kihara described how she was doing *kibarua* or casual labour alongside Kalenjin again, whereas Joy Watene explained that when she hired people to do *kibarua*, her first choice would always be Kikuyu and Kisii. I connect these differences to economic positionality. Mrs Kihara, who depends on *kibarua* in order to provide for her family, is less likely to be able afford to acknowledge the boundary between the Kikuyu and the Kalenjin than Joy Watene, who is in a position that allows her to select her workers. I have found similar interpersonal differences between people who were differently affected by the violence. Those who were gravely affected, for instance by losing family members or being unable ever to return to their land, are generally less prone to traverse the boundaries of belonging. Again, there are exceptions. For instance, one of Mrs Gathoni's closest friends is Mrs Jemotai. Mrs Gathoni is Kikuyu and has been violently evicted from her home three times; Mrs Jemotai is identified as a Kalenjin, but has resided in Temoyetta 5 for the last few decades and her close association with Mrs Gathoni as well as with other Kikuyu neighbours appears to have been largely unaffected by the violent outbursts.

Despite such interpersonal differences, my general impression is that the periodic electoral violence has hardened the boundaries between communities in ways that have lingered on even through the periods of peace. The essence of this is eloquently captured by one of my elderly narrators form Temoyetta; 'In 1992', Peter Ikinya says, 'a very bad seed was planted between the communities' (Peter Ikinya, 26 September 2012, Temoyetta).

Mrs Kihara describes how the communities, in between the periods of violence and displacement, send their children to the same schools and attend the same parents' meetings. But, during times of violence, 'They will tell us that we have to leave, because the land is theirs. They say that we are too many in the Rift Valley.' Even though 'they' refer to the Kalenjin, Mrs Kihara underlines that these opinions are not shared by all people with an ascribed Kalenjin identity: 'Others will warn us. Some neighbours will want us to stay.' After the violence, Mrs Kihara describes how most people will come together again and interact. To me as an outsider the oscillation between being friends, neighbours, co-workers— and enemies fearing attacks by one another, appears absurd, schizophrenic. But for Mrs Kihara and the other Temoyettans who need to find ways to continue their lives despite the absurdity of the situation, the relief of the non-violent periods appears to be great enough to at least partially overshadow the distrust. 'I am happier when we interact, talk', Mrs Kihara says simply (19 September 2012, Temoyetta).

In some ways, the mundane interaction between the communities in Temoyetta have been altered in more permanent ways. Joy Watene recalls how joint shops used to be the main arena of interaction. In addition, Kalenjin residing outside Temoyetta used to frequent the Kamuri shopping centre. Now, she says, referring to the period after the 2007/08 violence, 'The Kalenjin even built their own shopping centre and most of them go there. It is not like before, every community is now in isolation.' Joy Watene notes one improvement in the inter-community relations that has occurred after peace forums were organized by local NGOs in 2012, namely that after these forums the Kalenjin began to use the main road again. 'After the violence they did not take this road, but followed other roads, forest roads.' (Joy Watene, 15 September 2012, Temoyetta).

VIOLENCE, POLITICS AND ACCESS TO LAND

The electoral violence has also altered patterns of access to land. While landownership in Temoyetta was relatively cosmopolitan prior to the 1992 election, in the subsequent years it has become a primarily Kikuyu affair. Similarly, some neighbouring farms have experienced the reversed tendency of soaring Kalenjin ownership. One example would be Baringo

Farm, where Luke Natelo resides. Luke Natelo self-identifies as a Luhya and he is married to a woman whom he characterizes as a Kikuyu. Luke Natelo narrates the developments after 1992 in the following way:

> Up until 1992, Kenya was a single-party state. By 1992, which was the election year, the heat of multipartyism was quite high. Non-Kalenjin tribes, or communities, were the proponents of introducing more parties… Politics is numbers—it is about who gets the highest number of votes. And the issue of votes has been ethnicized until today. That is why people had to be displaced from this place [Kuresoi North]. Then gradually, people came back. But in 1997 the issue of numbers arose again—and so it had to be ensured that some people moved away.
>
>   This [2009-2013] is the first period for more than 20 years that we stayed without violence one month before the elections. Normally, most people would have migrated by now. Like during the last election, most people were already camping here [pointing to the police post on the neighbouring plot].
>
> <div align="right">Luke Natelo, 23 January 2013, Baringo Farm</div>

In Luke Natelo's account, the outbursts of electoral violence have gradually altered land transfers at Baringo Farm along ethnic lines. Baringo is adjacent to Temoyetta and even though the majority of its residents have always been Kalenjin, prior to 1992 Baringo—just like Temoyetta—used to be cosmopolitan. With his Luhya-descent and Kikuyu wife, Luke Natelo is a case in point. However, since the violence started, Baringo has become increasingly homogenous. Luke Natelo interprets this alteration as being to some extent the result of individual decisions taken by people on the ground, where more and more sellers are Kikuyu and more and more buyers are Kalenjin. However, he reads the alteration as being partly driven by local politicians who have taken advantage of the boundaries between communities in order to mobilize electoral support.

> Over the years the numbers of returnees [after the violent election related clashes] have gradually decreased. For instance at Baringo Farm all the Kikuyu have sold their land and it has now been bought by Kalenjin. Here, people reduce their farms, they sell two acres then buy a plot in Molo, then they sell two

more acres and buy more land elsewhere, and so on. It is the Kalenjin in this area that call in others. The Kalenjin are coming in from Bomet and Trans Mara. But the trend of movement is the same everywhere, people move according to the violence, according to what people are already at a place.

For the Kalenjin it is a bit of a game: you scare them a bit, you buy their land, you scare them a bit more… It has also become an economic business.

The violence has brought in land brokers, the land speculators they earn a lot. Politicians and brokers—they are the stakeholders. They benefit from the violence. It is about numbers, it is a game that is being played. For instance, that house used to be made of timber. It belonged to a Kisii. It was burnt down and then rebuilt by the Kipsigis. We had a big house-warming party, and this Kipsigis politician came… He said in Kalenjin—he did not realize that there were other people around—and he said "this is the way to get rid of them".

<div align="right">Luke Natelo, 23 January 2013, Baringo farm</div>

In January 2013, when our interview takes place, peace has prevailed since 2009, which is a comparatively long period of time. Nevertheless, there is nothing to indicate that the land-transfers which have occurred over the last 20 years will suddenly be rolled back. The communities might heal the animosities intrinsic to the boundaries between them, but as physically manifest in terms of property in land, these boundaries will prevail.

The description of how land transaction is becoming an increasingly intra-Kalenjin affair in Baringo is echoed by how land affairs in Temoyetta are conducted almost exclusively between Kikuyu. For instance, Joy Watene explains how most Kikuyu who used to have farms in one of the other neighbouring farms, Gacharage, have now sold and moved to Temoyetta (Joy Watene 19 September 2012, Temoyetta). It is not land as property *per se* that is challenged by electoral violence here; people still sell and buy land. But these transactions are not directed by any invisible market hands, instead they are restructured by political violence.

However, as I demonstrated in my analysis in Chapters 4 and 5, it is not merely the electoral violence that has structured land markets and expanded property well beyond the purely economic realm. Property and patterns of access are imbued with social and political relations in the

present, but they are also shaped by past events and histories. Not least the geographical aspects of the boundaries between communities can be traced back to the colonial era.

Colonial crafting of belonging

> Here … there used to be only Kipsigis—and Ogiek, which is a sub-tribe of the Kipsigis. These groups are differentiated by how they used to live: Ogiek made the bee hives, others used to farm. The Ogiek people liked honey and meat, and stayed in the forest. A Kipsigis is a person that wants land and cows. The Ogiek were hunters, that is what differentiated them. When we are born, one can like hunting and bee hives, the other can like farming and cattle. That determines who you are.
>
> Mr Kiprop, Focus Group 4,
> 7 October 2012, Chepsonoi

Differences between ethnic groups are often associated with ancestral origin and are hence seen as impossible to traverse or transcend. But in Molo, one does not have to make too many inquiries before the boundaries between groups start to blur at their edges. Consider Mr Kiprop's account above where he describes the boundary between the Kipsigis and the Ogiek.

When I visited Mr Kiprop and a group of other elders in Chepsonoi, a small trading centre further into the interior, down the road from Mugetho, both my research assistant, Lilian Jerono, and I were at first confused by the shifting definitions of ethnicity that the group of elders used in our conversation. When we spoke about elections, they referred to themselves as the Kipsigis, with a natural affiliation to the Kalenjin community, whereas, when we spoke about the local colonial and pre-colonial history, some of them referred to themselves as Ogiek.

Mr Kiprop gave the account above as he was explaining how one of the other elders, Mr Kipsang, had grown up in an Ogiek family and spent the first years of his childhood in the forest. However, when he was still a young boy, his father had been employed by one of the white settlers in

the area and received squatter rights to a piece of land. As an adult, Mr Kipsang had also been employed by the settler for a short period, and had remained on his father's piece of land thereafter. Consequently, Mr Kipsang had changed his ethnic affiliation (Focus Group 4, Chepsonoi, 7 October, 2012).

It needs to be underlined that the relation between the Ogiek and the communities they used to live alongside is especially fluid. The bulk of Kenya's 42 official ethnic groups have remained intact in terms of denomination and language at least since the colonial period. I know of a few instances of similar fluidity between groups, such as the chairman of the Kalenjin council of elders, who was born a Maasai but now identifies as a Kalenjin and has gained a social position which signals that he is also ascribed a Kalenjin identity by others. But when communities intermingle, it is far more common that ethnic denominations are kept, although the importance of the differences is downplayed.

The notion that some communities of belonging are attached to particular areas in Kenya was a novelty brought about by colonial rule. Most accounts of pre-colonial tenure describe systems of considerable flexibility and fluidity. Land rights were complementary and overlapping, and collective land rights prevailed for sections of land (Brownhill 2009:35). Mobility, both of groups between places and of individuals between groups, appears to have been common (Bates 1989:48) and access to land was mediated both through market transactions—such as leases, rentals or purchases—and social relationships (Berry 1993:16; Daniels 1980; Shipton 2009).

The establishment of a settler colony radically transformed these existing land tenure systems. One of the lasting effects of the colonial system of rule was that 'tribes' came to be marked out by district boundaries on maps (Colson 1971). Thus, both the composition of the 'tribes' and their geographical location became fixed. Before long, these 'tribes' came to claim the fixed tribal characteristics that the British expected of them (Lonsdale 1992:38). Hence, the fixed connection between people and land via the notion of tribal belonging was imposed by the administration, but it was also to a certain extent amended and manipulated by the African subjects themselves. Although much of the administrative control in the districts hinged on the maintenance of tribal boundaries on which access to land was premised, the establishment of these boundaries was often a

far from straight forward task. The drawing of the boundary between the Ogiek and the Kipsigis is a case in point.

DEFINING THE OGIEK

During the demarcation of the native reserves in the 1920s, a geographical area was designated for each recognized major ethnic group. This did not apply to the Ogiek. In wider Molo, the majority of the Ogiek remained in the Mau Forest. It was not until the 1930s, with the establishment of the Kikuyu settlement in Olenguruone (see Chapter 3, Episode 2), that the colonial administration had reason to ponder the question of where to settle the Ogiek who were living in the forests around Olenguruone. The discussion centred on whether the Ogiek, who were grouped under the 'Dorobo'-umbrella, would be defined as a separate tribe, or whether they could be consolidated into the Kipsigis, or 'Lumbwa', and settled in the nearby Kipsigis reserve. That the denominations the colonial administration used for both groups are strongly derogatory terms taken from the Maasai speaks to the limited knowledge of and contact with those groups. 'Lumbwa' refers to non-pastoralist people who were held in low esteem by the Maasai (Barton 1923:42), whereas 'Dorobo' was used by the Maasai to depict poor people living in the forest, without cattle (Ng'ang'a 2006). In the Carter Report—which was the first large-scale investigation into indigenous land questions in Kenya—'Dorobo' is defined as 'a general term including most kinds of hunting people … They are pre-tribal and pre-pastoral' (Kenya Land Commission 1934, Evidence vol. 3, p. 2131).[46] 'The Dorobo' came to encompass what appears to have been a wide array of very different people who lived in small groups scattered across the Rift Valley, Central Province and the Coast. The Carter investigations found that 83 'Dorobo' families resided in Olenguruone. Despite their ascribed

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[46] Notions of property and civilization frequently intersects in colonial projects. For instance, Nicholas Blomley notes how colonial ideologies in British Columbia held that indigenous peoples were too primitive to fathom concepts of land ownership (2003:129). Similar observations are made by Cowen and Shenton (1996:242f) on the British development doctrine in the early 20th century.

status as 'pre-pastoral', these families were noted to hold 815 head of cattle among them (ibid).

The recommendations presented by the Carter commission regarding Olenguruone were, in short, that the 'Dorobo' would be moved into the Kipsigis reserve, while land at Olenguruone would be used to settle landless people of an exclusively Kikuyu identity. Essentially, this was a proposition for tribal consolidation, which ran counter to the logic of tribal separation that underpinned the administrative systems of control.

Insights into the administrative headache occasioned by the practical solution to this issue are provided by a statement given by a Mr Conway Harvey. As a former member of the Executive Council in Kenya, Mr Harvey was called by the Carter Commission as an expert witness on the drawing of administrative boundaries.

> [I]t is highly desirable, under present-day conditions and under conditions which are likely to arise for many years to come, that the various tribes should be segregated … both from an administrative point of view and in the interest of the natives themselves. They all have different customs and traditions. …
> [The Dorobo and the Lumbwa] already have intermingled to a considerable degree. Of course, that Committee [of Native Squatters] to which I referred also recommended that the Dorobo, who were more Lumbwa than Dorobo should be returned to Lumbwa, but the ones who were not closely allied to any other tribe should be given a portion of Chepalungu [forest reserve, adjacent to the south-west reaches of the Mau Forest].
>
> Mr Conway Harvey, quoted in The Kenya Land
> Commission, Evidence, 1934:2859.

Mr Harvey is struggling to both keep to the idea of 'tribal segregation' and to open an escape path from this doctrine in the case of some of the Ogiek Dorobo, who 'were more Lumbwa than Dorobo'. This section of the Ogiek Dorobo could then apparently be safely moved into the Kipsigis reserve, whereas the remainder of the group would be best kept in segregation in a forest reserve. The outcome was that some Ogiek Dorobo were indeed moved into the Kipsigis reserve, whereas others were settled in the Chepalungu Forest (KNA: DC/KER/1/12).

In 1950, however, the question of the 'Dorobo' identity was re-actualized by the eviction of the Kikuyu from Olenguruone. As was described in Chapter 3, the Kikuyu settlers and the colonial administration did not see eye to eye on how land was to be used and controlled in Olenguruone, which eventually resulted in the eviction of more or less the entire Kikuyu settlement. To hinder illegal encroachment of land in the now empty Olenguruone, the administration began to discuss another attempt at controlled settlement of the area. The question was which group to settle. In the end, the administration opted for the 'Dorobo' families who had been moved into the Kipsigis reserve in the 1930s, a decision that appears to have been largely motivated by practical reasons. The Olenguruone settlement could not cater for a large number of settlers and the 'Dorobo' in the Kipsigis reserve were numerically few.

The original provision of land in the Kipsigis reserve had upon its creation in 1909 been comparatively generous. Traditionally a pastoralist community, the Kipsigis in the central parts of the Rift Valley would have lost most of their prime grazing land to European appropriation by 1913 (Sorrenson 1968:219), so it became necessary to move the remaining Kipsigis into the reserve (PC/NZA/3/49/7/4). Gradually, the land abundance in the Kipsigis reserve was depleted and by the early 1930's, the Kipsigis reserve could not cater for any additional heads of cattle. Although the administration acknowledged that there were adjacent lands that could be added to the reserve, they staunchly refused to do so, unless the Kipsigis abandoned their pernicious pastoral lifestyle in favour of 'civilized' agriculture (Governor Belfield, quoted in Sorrenson 1968:253).

To impose 'civilized agriculture' on the Kipsigis and restrict their pastoral activities was also motivated by a need to pressure them into becoming squatter workers at settler farms. In 1932, the former DC of South Lumbwa observed that, since the bulk of the pastoral land was taken from the Kipsigis Lumbwa, they had been forced 'to become serves [sic] to the Europeans if they want to get necessary grass and salt for their cattle.' (KNA: PC/NZA/3/49/7/4). Concomitantly, the demand for land was high in the Kipsigis reserve; a factor that is also likely to have motivated 'non-Dorobo' families to apply for land at Olenguruone.

From this follows the fact that the administration still ended up having more people applying for land at Olenguruone than there was land available, which made the definition of 'Dorobo' a pertinent issue. In the

administrative correspondence, there are frequent mention of Kipsigis and Nandi 'posing as Dorobo' (KNA: PC/NKU/2/1/225). There is also a request for land in Olenguruone (repeated in two letters) from one Kipkoeach which is declined with the rationale that the settlement is for 'Dorobo', alone (first request sent 10 July 1955, first rejection 19 July 1955). The chief conservator of forest notes in a letter sent in September 1954 that the problem of people posing as 'Dorobo' had also been reported from the various forest reserves where some Ogiek Dorobo families still resided (ibid).

On the ground, the colonial officials did what they could. They travelled through the area, interviewed the applicants directly or sought information about their family history from area chiefs (KNA: DC/NKU/2/24/79). Already in the procedure, there are several flaws that likely affected the outcome. Often not speaking the local language, the colonial officials were relying on interpreters, impersonated by locals or the chief himself. At other times, the chief was requested to provide the officials with lists of names of 'genuine Dorobo' (KNA: PC/NKU/2/1/225).

Another complication was that far from all the families assigned a 'Dorobo' identity by the colonial administration self-identified as belonging to the same group. At a meeting between colonial officials and Ogiek Dorobo elders in 1956, one of the elders underlines that many of the 'East Mau Dorobo', who defined themselves as 'Maasai Dorobo', would not be pleased to go to Olenguruone that was inhabited by 'a mixture of Nandi and Kipsigis Dorobo who had little affinity with the Maasai Dorobo. He said that the Maasai Dorobo would like to have a reserve of their own' (ibid).

ALTERATIONS OF BELONGING

Judging from my narrators in Molo and Olenguruone, the Ogiek Dorobo who were in the end settled in Olenguruone appears to have taken on an increasingly Kipsigis or Kalenjin identity. This would resonate with the general tendency of smaller groups speaking various Kalenjin dialects to come together under a Kalenjin umbrella during the Moi era for the purposes of gaining political clout (Lynch 2011, Anderson 2002). However, though the Ogiek are a Kalenjin-speaking group, their status within the

Kalenjin community has been somewhat ambivalent. For instance, Gabrielle Lynch (2011:14), who has written the most exhaustive account of the construction of the Kalenjin identity to date, does not categorize the Ogiek as belonging within the Kalenjin community.

In addition, in Molo there is reason to distinguish some groups which could potentially be Ogiek from others. In contrast to people in Olenguruone and in Chepsonoi who might be, for one reason or another, self-identifying more and more with the Kipsigis, people in another corner of Molo, around Kiptororo, would seem to have good reasons to enhance their status as Ogiek.

In 2009, the Kenyan state embarked upon a preservation scheme for the Mau Forest. The Mau Forest is a natural water tower for many of the rivers that run through the fertile Rift Valley, but in recent decades it has been depleted to the extent that in some areas the forest is no longer a forest at all. The motive underlying the preservation appeared to attract broad consensus; how the preservation was implemented has, however, been subjected to rightful criticism.

Within the area of the forest that was demarcated for preservation there are several private holdings, ranging from a few acres to well over one hundred acres. One of the most well-known is probably the tea farm belonging to the Moi family. While virtually all squatters or small-holders living in the forest were issued with eviction notifications in 2010 and 2011 and have left their forest homes, voluntarily or by force, the Moi tea farm has been left untouched. Moreover, the state did not accept the title deeds that were issued during the Moi era, reducing most of the small landholders to squatters without any legal rights to claim compensation for what they lost during the process of eviction.

These evictions coincided with the global trend of increased recognition of indigenous land rights. Since the scope for getting legal recognition on the basis of private property claims had been substantially narrowed, to raise the demand for compensation based on indigeneity suddenly seemed more promising. Thus, claiming an Ogiek identity was turned into a strategy of better potential success in this section of Molo (see Fuchs 2015). In May 2017, the African Court on Human and Peoples' Rights found that the Kenyan state had violated the Ogiek's rights to land, both through the recent evictions and by the granting of large concessions for logging and

tea plantations in the past (Reuters 26 May 2017, Financial Times 13 October 2017).

The political opportunities of boundaries

The literature on colonialism in Kenya has traced the spatialization of community boundaries back to the colonial policies, for instance of native reserves. The native reserves designated a specific geographical area for each tribal group and the backbone of colonial rule in the native areas came to rely on tribal control in those areas (Berry 2002:643; Coldham 1978; Coray 1978; Mackenzie 1998; Peters 2013). This chapter has added to that literature by illustrating how spatialized boundaries of belonging were also, to a certain extent, permeable. Even so, the amount of energy and innovation that the colonial administration appears to have invested in maintaining the boundaries of belonging speaks to their political importance.

A reading of colonial correspondence about settlements in Olenguruone during the colonial era and of the contemporary histories from Molo reveals that boundaries of belonging are produced and made manifest in intimate connection with issues of land control. During the colonial era, the state used spatialized ethnic boundaries as a tool for land control; in contemporary Molo, these boundaries are also maintained by intercommunal practices. Boundaries of belonging are denoted by agricultural activities and property transactions. Considerations regarding belonging are taken into account as farm workers are hired locally to dig the land, as well as when land is bought and sold. These boundaries are also made visible by histories about violent events, both those which occurred in the past and those which it is feared will occur in the future.

By revisiting the periodic settlements and evictions that occurred in Olenguruone, I illustrated how the definition of ethnic boundaries was a demanding task that needed to be altered with circumstance. The Ogiek Dorobo were defined to be more closely related to the Kipsigs when land control necessitated their movement into the Kipsigs reserve and defined to be different form the Kipsigs when it was administratively expedient to move sections of the Ogiek Dorobo out again. In this chapter, I have

drawn parallels between those colonial meanderings over ethnic boundaries for the purposes of political control and contemporary events, where the nexus of belonging, land and politics has also proved contentious among people on the ground. With multiparty politics, boundaries of belonging have been entwined with electoral logics. Politicians vying for seats have alluded to community affiliations rather than formulating programmatic appeals. This chapter has analysed how this has had consequences for community relations even beyond and in between general elections.

The persistent effect of the electoral violence is visible in everyday activities. Patterns for shopping and land-transfers and settlements indicate that community boundaries are not so much premised on perceptions of the other group as essentially different, on the contrary, most middle-aged and elderly people can remember a time when they were acting as neighbours and attending the same social activities. Instead, the boundaries of belonging denote an awareness of how each coming election might make the importance of community boundaries pertinent.

The boundaries of belonging are not invented out of thin air, but are founded on histories about the past. One example which was addressed in this chapter is that of oathing. I compared contemporary rumours about oathing at the community level with how the colonial authorities during the Mau Mau war used oathing to draw boundaries between people loyal to the state and those challenging it. Then as well as today, oathing signals the boundaries between groups and vests them with political meaning.

Boundaries of belonging are not haphazard or established independently from broader trajectories of histories and politics, a subject to which I will return in the next chapter. What this chapter has established is that how the boundaries of belonging are drawn and between whom has nothing much to do with the 'ethnic content' which is sometimes ascribed to these groups. Even though it might often be possible to determine whether someone is a Kalenjin, Kikuyu, Kipsigis or Ogiek, the importance attached to such identities are contingent on the political and administrative context.

In this chapter I have shown how the boundary between the Kalenjin and the Kikuyu has been vested with additional importance since the reintroduction of multiparty politics, when political support, ethnic belonging and access to land came to collapse into a single point of contention. The history about Lare exemplified how the political

mobilization from above has to a certain extent shaped the boundary between the Kalenjin and the Kikuyu, primarily by conditioning access to land on political support. Furthermore, the violence surrounding the 1992, 1997 and 2007/08 elections has contributed to the maintenance of boundaries between the Kikuyu and the Kalenjin in between elections as well. These boundaries are made visible both as people conduct their daily business and in how patterns of land ownership have been altered as some people vacated some farms in the wake of the political violence.

People on the ground are not passive spectators of these processes (see Berry 1992). Just as colonial subjects attempted to 'pose as Dorobo' in order to gain access to land, so contemporary Moloites attempt to amend the definitions of the boundaries between communities in their favour. The next chapter will examine the results of this politics of belonging at the local level.

7

Politics of belonging

The convincing qualities of belonging

On the maps, Molo is situated adjacent to the Mau Forest. Yet when one is in Molo, the forest-line is hardly visible. The most tangible presence of the forest are the timber trucks which run to the Timsales[47] sawmill in Elburgon, two kilometres south of Molo. In order to reach the actual forest-line, you have to travel and one place to travel to is Kiptrororo. Like the Timsales plant, Kiptororo is formally located within the Mau Forest, but unlike the land rights held by Timsales, the rights to land in Kiptororo are subject to an ongoing dispute between the Kiptororo community and the Kenyan state.

One of the Kiptororo elders, Mr Carl Kamaniki, carefully talks me through the complicated process of land litigation which his community has been mounting against the state. Carl Kamaniki's story—which he carries from his elders and will pass on to his children, as he assures me— is sprinkled with documentation: letters and memoranda to DCs, PCs and other state officials, land registries and demarcation maps from different points in time, correspondence with attorneys in Nakuru, and so on. Carl Kamaniki's community was granted formal land rights in 1963 and was

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[47] Timsales is a timber-company which holds large concessions in the Mau Forest and used to be co-owned by Ngina Kenyatta, first President Jomo Kenyatta's fourth wife, popularly known as Mama Ngina. It is one of the largest employers in the area, but its large logging concessions have been repeatedly criticized in the light of widespread deforestation problems (Wily 2017).

evicted in 1972/73, in both instances by the state. Since the 1970's they have been waging what comes across as a low-intensive war on the state using legal procedure in order to reclaim access to land.

The Kiptororo community's land is situated along the shifting boundary of the Mau Forest. Sections of the forest were first cut down by the state to provide room for the community and then they have been repeatedly evicted—in 1972/73 and most recently in 2005—when the state has attempted to provide room for the forest. The community returned after each eviction. Over time, then, the interests of the state, the community and the forest have shifted and these interests have been represented by a variety of actors: politicians and state officials at all levels, attorneys, civil society groups, elders and local activists. Carl Kamaniki is thorough and patient, but soon the complex trajectories of the land litigation process are making my head spin.

Eventually, Carl Kamaniki falls silent and brings out his traditional implements and attire: a bow for wooden arrows, a loincloth of animal-fur, a hunting horn. These, he explains, were the only things his ancestors needed to make a living in the Mau Forest by hunting and keeping beehives. Carl Kamaniki's ancestors lived in clans with the territories divided among them. If an antelope was hunted and driven across the river onto other peoples' territory before it was killed, at least one front leg had to be given to those other people. Today, though, Carl Kamaniki's community do not live from hunting and gathering anymore: state regulation has left space only for the beehives. They might no longer control the old territories, but they know where those territories were, covering the area up to Nakuru (Carl Kamaniki, 13 September 2011, Kiptororo).

In the previous chapter, I argued that it is the boundaries between groups, not their content, which are of interest if we want to understand the politics of belonging. In this chapter, I will turn to how belonging has been constituted as a political project by state policies and moral histories about land rights. Carl Kamaniki's first story of land litigation, formal and documented, and his second story about traditional land use are one and the same in so far as they serve the same purpose. They both tell the land history of the community which nowadays calls itself the Ogiek in this part of the Mau Forest. Nevertheless, they form two fundamentally different ways of framing land claims. Whereas the first history is in line with an

understanding of land as property, the second history claims right to land on the basis of ancestral belonging. The ease by which I make sense of the history of belonging, and the difficulty I have piecing together the history of property rights probably reveals something about my person and position. However, these subjectivities aside, it also testifies to what I believe to be the universal efficiency of land claims based on autochthony, or on being sons and daughters of particular soil.

AUTOCHTHONY AND THE ALLURE OF THE PAST

In the literature on belonging as a land-claiming strategy in Africa, autochthony figures frequently. Drawing the line of belonging between in-groups of autochthones or sons or daughters of the soil and out-groups of immigrants, autochthony—like ethnic claims to belonging—invokes a shared historical past (Ceuppens & Geschiere 2005; Geschiere 2009; Nyamnjoh & Geschiere 2000). Autochthony rests on the assumption that whoever was here first has special rights to land. But what does it mean 'to be here first'? And how can it be proven? To these questions, there are several responses. Some people reckon their autochthonous presence through their ancestors who lived here generations back. In some cases, they prove it through records, in others via oral testimony. Other people tell stories about how their group has always been different from another group in terms of custom, practices, religion or language. Nevertheless, no-one arrives at answers to the questions of autochthony which cannot be challenged. This is why autochthony is such a perfect claim to make: it combines the safety of the past with complete plasticity concerning how this past is to be defined. Even with a considerably vague version of the past, histories of autochthony have the capacity to connect a person at once to land and to a group.

In the parts of the world where access to land is contested or competed for, autochthonous land claims appears to be on the rise (see Bøås & Dunn 2013; Kuba & Lentz 2006; Lentz 2013). Morten Bøås and Kevin Dunn notes that autochthony appears to be feeding on the nervousness that arises in situations where modern states fail to deliver employment, social services and basic security. Such contexts breed nostalgia, or 'a melancholy of a seemingly lost past' (Bøås & Dunn 2013:1). In Kenya, as in other

places, these sentiments have been mobilized by both top-down and bottom-up political campaigns which have conditioned access to resources on autochthonous claims to belonging. I will illustrate how by briefly citing two examples from the literature on land and belonging in Kenya's Rift Valley.

In Chebuyuk, close to the Ugandan border, Claire Médard (2010) describes how contention over the definition of autochthony has shifted over the years. During the Moi era Kalenjin-led land-buying companies came to dominate land ownership in the area. With the electoral clashes of the 1990s, which forced out more or less every non-Kalenjin resident, Kalenjin domination was almost complete. However, this did not mark the end of the contention over land. Instead, as Médard apprehensively shows, in the mid-2000s, the boundary of belonging shifted from being drawn between Kalenjin and non-Kalenjin residents to being drawn within the Kalenjin community itself, when some Kalenjin began to argue their position as more indigenous than others and to make claims to land on those grounds. Similar claims to enhanced indigeneity have been described by Gabrielle Lynch (2012) at Lake Bogoria. When Moi's rule came to an end in 2002, it was no longer beneficial to base land claims on belonging to the larger Kalenjin-group at Lake Bogoria. Instead, one of the Kalenjin sub-groups has successfully managed to mould their tale of autochthony away from being Kalenjin and into becoming the indigenous people of Lake Bogoria.

What both these examples show is that narratives of autochthony can be strategically remodelled in order to fit prevalent political preferences or legitimate discourses. As long as the Moi regime backed up land claims based on Kalenjin autochthony, the Kalenjin identity was embraced by groups in both Chebuyuk and Lake Bogoria. But when the Kalenjin claim lost credibility in the 2000s, groups sought instead to remodel their history of autochthony. By leaning on the international recognition of indigenous land claims, groups could legitimize their land claims. Thus, the line of autochthony was re-drawn pitting new groups of sons and daughters of the soil against out-groups which these sons and daughters would have considered as their 'ethnic kin' a couple of decades before.

Similar shifts in autochthony over time have been noted by studies in West Africa, where scholars have highlighted that autochthony might in addition be intersected by social and economic divisions. These differences

might cut across generations, for instance when fathers are resisted by their sons as they break old ties of autochthony by selling the land to wealthy newcomers (Chauveau 2006; Hagberg 2006). Similarly, in-migration can bolster land markets and make it possible for large landowners to amass wealth by renting and selling land to in-migrants. As a result, the boundary of autochthony is cancelled out by economic logics, as the well-to-do choose to side with the in-migrant non-belongers against the land-poor and land-less belongers (Lentz 2013:20).

The examples above all point to fairly instrumental deployments of autochthonous discourses for the purposes of land control. Even though all the above-mentioned authors, and particularly Carola Lentz (2013) have explored belonging far beyond such instrumentalities, the discussions around the concept of autochthony appear to attract reasoning on belonging as (reduced to) a land-claiming strategy. But the allure of belonging is also in its more emotive aspects akin to what bell hooks (2009) explores in her autobiographical exposé of how the American mid-western landscape of her childhood has become inseparable from her identity. I think that questions of belonging to land, particularly, tend to turn on such vague but strong sentiments at least as much as on strategies for land claims. Sara Ahmed (2004) argues that part of the attraction of imagined communities of belonging lies in their emotional appeal to people's desire for home and safety. The other, or the non-belongers, then become personified threats to these desires.

When Ahmed (ibid) speaks of affective economies she captures an aspect of belonging that is constructed by emotions of fear and hatred. Belonging in Ahmed's vision works to define communities as exclusive clubs reliant on the constant policing of boundaries to keep outsiders from flowing in. On the other hand, belonging can also be mobilized for the purposes of solidarity and care. In Aimee Carrillo Rowe's (2005) vision of *be longing*, belonging can be used to transgress the individualistic appeal of identity by turning attention away from the subject to the spaces between us. Instead of denoting an 'I', this vision of belonging advances 'a sense of "Self" that is radically inclined towards others, toward the communities to which we belong, with whom we long to be, and to whom we feel accountable' (Rowe 2005:18). Instead of policing boundaries between us and them, belonging can be differential, allowing for movements between various modes of belonging (Rowe 2005:33).

The strong emotional appeal of belonging thereby appears to make it a double-edged sword with the capacity to build communities both by fostering positive emotions of prospective 'be longing' and by propelling negative emotions of distrust. In the first vision, focus is on the inside of belonging, the construction of community, whereas the second vision enhances the outside of belonging by keeping up the boundaries of belonging against outsiders as potential threats to community. From this it follows that belonging as a tool for political mobilization might either tap into belonging as exclusive and exclusionary, leading to a politics that is conservative at best and xenophobic at worst, or, belonging can be held out to denote our capacity—and indeed desire—to belong, and build a radical and progressive politics of care. In which direction belonging will operate, then, becomes an empirical question. In order to unpack the empirical complexities of belonging, Nira Yuval-Davis suggests an analytical separation of the various components of belonging (Yuval-Davis 2006).

POLITICS OF BELONGING

Yuval-Davis (2006, 2011) distinguishes between three different levels of belonging: social and economic locations, identities, and ethical and political values. The first level, economic and social locations, is constructed along axes of difference, such as gender, class, race or kin-ship, profession or age. Even though identity politics projects, or official statistics, might aspire to construct these locations as unidimensional, locations are intersectionally constituted. I am not simply a woman, my race, class, profession and kin-ship also affect the kind of woman I am. Furthermore, particular locations never exist in and of themselves, but need to be pointed out by social actors. The status of a particular social location will vary between different moments in time and is contingent on wider grids of societal power relations.

The second level of belonging is identities, encompassing identification and emotional attachment. These are the histories 'people tell themselves and others about who they are (and who they are not)' (Yuval-Davis 2006:202), and what communities they belong to. As these histories are told, versions of belonging are constructed and vested with meaning.

Both locations and identities of belonging exists within the third level of belonging: ethical and political values systems, by which people judge their own belonging and the belonging of others. The locational and the emotional aspects of belonging are not always interconnected. Whereas I emotionally identify with being a Northern Swede, I might still vote for the left-wing party, rather than the local Norrbottenspartiet, since I believe that the class aspect is the most important social location. Hence, the first level of my belonging, my social location as a leftist, is separated from the second level of my *identity* as a northern Swede. But at certain points in time, identities are forced on people, making identities connected to emotions and belonging central aspects of people's social and economic identifications. Thus, the politics of belonging has the potential to demarcate boundaries between insiders and outsiders to projects of belonging which, at first glance, might seem counter-intuitive from the perspective of shared economic and social interests.

Geographers have noted that belonging has an inherently geographic dimension, as it often signals that some subjects, objects or practices are meant 'to be' or to occur in a place. Although the spatial dimension of belonging has largely been as under-theorized as belonging itself, there is an emerging body of research which has attempted to tease out the spatial connotations of belonging: how definitions, perceptions, practices and performances of belonging are co-constitutive with notions of spatiality (Antonsich 2010; Mee & Wright 2009; Wright 2015). As I return to Molo below, I will explore how I perceive spatiality as intrinsic to belonging when it is being claimed in concert with claims to property.

THE POLITICS OF BELONGING IN MOLO

The politics of belonging revolve around the construction of the boundary between belongers and outsiders. Inherent in many political constructions of belonging—that is, when belonging is invoked to serve the purposes of some political project—is a fixed notion of identity. In Chapter 6, I analysed colonial constructions of ethnic identities, where belonging was politicized for the purposes of colonial control. In order to underwrite political order, belonging had to be defined so that each indigenous person could, with certainty, be ascribed a tribal denomination. A 'Kikuyu' needed

to remain a Kikuyu regardless of whether the person adhered to Kikuyu customs, spoke Kikuyu or lived in the Kikuyu areas; his or her political and economic rights were premised on *being* Kikuyu. This epitomizes a politics of belonging: people are ascribed certain identities which are said to define them as political beings. Hence, the content of 'tribal belonging'—how it was determined and what rights it was to entail, its social and economic *location*—was essentially a colonial creation. Nevertheless 'tribal belonging' alluded to existing group identities and hence to the *emotional* and identity-related aspects of belonging.

As was described in Chapter 6 regarding the boundary between the Kipsigis 'Lumbwa' and the Ogiek 'Dorobo', the colonial administration put much effort in trying to determine the boundaries between various tribal identities. It is precisely this 'dirty work of boundary maintenance' which, according to Yuval-Davis' definition, becomes the *politics of belonging*, separating people into 'us' and 'them', providing this division with political importance (Yuval-Davis 2006:204).

While the levels of belonging might be conflated in practice to serve some political purpose, analytical separation makes it possible to point to belonging as being politically constructed and hence possible to alter. With the 'politics of belonging' Yuval-Davis also draws attention to the fact that belonging is articulated and politicized when it is under threat. Here I would add that belonging is also articulated when other values are under threat, such as access to land in Kenya.

In Kenya, the colonial administration used 'tribal belonging' to stage a simultaneous definition of people and land, where a certain piece of land was designated for restricted usage by a particular 'tribe'. Similar ethnicity-land nexuses were actively used in the crack-down on the Mau Mau Uprising and re-emerged on the political scene with multiparty politics in the 1990's. During the multiparty era, politicians have re-activated tribal identities and brought them to bear on past land-related injustices and contemporary contention over access. The narratives and practices of the Moloites are responses to such political manoeuvres from above. However, as practices and new symbolic understandings of land are formed via narrative interpretations, the boundaries of belonging are re-drawn. The political clout of these boundaries of belonging is derived from how they coalesce social locations with identity. Hardened by violence, the boundaries of belonging renders community identities—Kikuyu or

Kalenjin, Kipsigis or Ogiek—key determinants for the social and political location a person is allowed to assume. Hence, political belonging is no longer defined by one's political opinions or ethical values, but by one's identity as a member of a certain community.

In this chapter, I will examine how belonging in Molo is constituted in concert with claims to land. In so doing, I wish to complicate the notion of belonging in relation to land beyond how belonging can be employed as a strategic means to ensure access. I will do so by analysing the politics of belonging or how the emotional aspects of belonging have been conflated with belonging as a social and political location.

Moral claims to belonging

Mr Kipkoech is an old man. He used to hold land in Temoyetta, but since the last outburst of electoral violence he lives at neighbouring Gacharage Farm. Along with my research assistant Grara Jepleting, I had paid an introductory visit to the home he lived in with his extended family. When we returned a week later, it had been decided that Mr Kipkoech was the person we ought to talk to. During the interview, Mr Kipkoech was accompanied by his second wife, Mrs Kipkoech. In addition, a number of younger relatives were present, but they kept coming and going throughout the interview. When we talked about Mr Kipkoech's property rights, the conversation went like this:

> Mr Kipkoech: - I got a piece of land in Temoyetta.
> Temoyetta was a settlement scheme and people from Njoro,
> from Nakuru was sent to this farm, although some were
> discouraged because of the coldness. I was not given land for
> free. I was buying the land… in the early 1940s…
> Mrs Kipkoech: - No, in the 1980s.
> Me: - Did you get a title deed to your land?
> Mr Kipkoech: - Yes.
> Mrs Kipkoech: - No.
> Mr Kipkoech: - When I was paying for the land I could just pay
> a little and it was not until you completed [the payment] that

you got the title. But somewhere round last year I completed. I
had the title deed issued in Nakuru, at the district office.

<div style="text-align: right">

Mr and Mrs Kipkoech,
6 December 2012, Gacharage

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To my understanding, Mr Kipkoech had been singled out to answer my
questions due to his position as the most senior, and therefore the most
knowledgeable, family member. However, with age comes a certain
vagueness of memory and I think that is why Mr Kipkoech was
accompanied by his wife. When Mrs Kipkoech made a correction regarding
the year the land was acquired, there are good reasons to believe that Mr
Kipkoech was simply confusing the numbers. Earlier in the interview, Mr
Kipkoech had asked his wife for help when he was pin-pointing his own
age. Moreover, the demarcation of most land in the area occurred in the
1970s and 1980s; in the 1940s, all land was still under settler tenure. Mrs
Kipkoech's second correction regarding the title deed, however, is another
matter.

   There is a certain prestige in receiving visitors from afar. I often found
people dressing up to the occasion, and Mr Kipkoech was no exception.
Furthermore, many Moloites invest considerable pride in holding a title
deed. If people have a title, they are happy to show me the piece of paper.
Similarly, people who do not hold titles to their land tend to launch
immediately into an explanation of why they do not have one, or their plan
for how to obtain one. Hence, Mr Kipkoech had good reasons to interpret
my inquiry about the title deed in a broad sense; as a question about
whether he is the formal owner of the land or not. Whether backed up by
a title or not, Mr Kipkoech clearly perceives himself to be the rightful
owner of his land.

BUYING THE HOMELAND

As the interview proceeds, it becomes clear that Mr Kipkoech considers
himself to be the rightful owner of the land for other reasons as well, which
illustrates the ambiguous relationship between rights of property and rights
of belonging:

> Mr Kipkoech: - In 1980, I was given land here through the
> Temoyetta settlement scheme. At that time, Jomo Kenyatta
> brought in the Kikuyu. Kipsigis, Ogiek, and Nandi had worked
> for the whites, but not all of us got land. There were Kikuyu
> that worked for the white man as well, but they were very few.
> Me: - Do the Kipsigis, Nandi and Ogiek belong to the same
> group?
> Mr Kipkoech: - The correct name is the Kalenjin! For the
> Kalenjin, the Rift Valley as a whole is our country. We were
> keeping animals, we did not know how to take or to till the
> land. The other people were just coming for the labour. And
> then, afterwards, after independence, they just remained where
> they had found the land. But they are not the owners of the
> land. Even you…you know you are not currently in your
> country, isn't it? So you do not claim to own the land here?
>
> Mr and Mrs Kipkoech,
> 6 December 2012, Gacharage

In Mr Kipkoech's account, the distribution of land is intermingled with notions of original access. Whereas the Kikuyu received land for political reasons, the Kalenjin are the original owners—and owners in a sense that has nothing to do with market transactions. This notion of 'ownership' is historically granted, and hence articulated before and beyond the reach of the market. The Kalenjin neither 'took' nor 'tilled' the land, and their original presence is ascribed a pristine quality in contrast to the current state of affairs, where land is bought, sold and subjected to ferocious digging.

Despite such arguments, Mr Kipkoech accessed his land in Temoyetta on the basis of precisely the kind of market transactions that he refutes. For Mr Kipkoech is not originally from Temoyetta, but grew up further to the north in the Rift Valley. His former profession as a teacher took him to the coast, before bringing him to Temoyetta, where he eventually retired. Thus, Mr Kipkoech's emotional attachment is not necessarily to the soil of a particular place—not to his actual farm in Temoyetta—but to an idea of a wider homeland, the Rift Valley.

Formally, Mr Kipkoech received his land according to the same procedure as everyone else, including the Kikuyu. He bought a share in a settlement scheme, which granted him an allotment letter and the future

right—provided he paid his instalments—to process a private title deed to the land. Even though this settlement scheme was among those which were implemented during Jomo Kenyatta's (a Kikuyu) period in office, Mr Kipkoech relates his access to land to his belonging to the Kalenjin group. From Mr Kipkoech's perspective, it is the emotional attachments due to his belonging to the Kalenjin-group and to the Rift Valley homeland that confers a higher moral standing on his land claims. For the same reasons, Kikuyu land claims in the wider Rift Valley and in Molo are illegitimate. The full extent of this illegitimacy is brought to the fore when the status of the Kikuyu as strangers is compared to that of mine, the European.

Mr Kipkoech thus conditions rights of ownership on belonging. In order to be the rightful owner, one does not only need to possess formal property rights, but one must also have obtained these rights form an acceptable position of belonging.

I read this as connected to the history of land allocations in Molo on the one hand, and the economic conditions of everyday life on the other. As I analysed in Chapter 5, the acceptance of land as property, that is, as alienable and as something which you can hold individual rights to, appears to be widely shared in Molo. At the same time, however, the grounds on which the property rights to land were acquired are highly contentious. The contention centres on the Kalenjin claim to the Rift Valley as their homeland, which is often refuted with reference to the Constitution. In its 1963 version, the Constitution already clearly stipulated—in response to the demands for ethnic distribution—that every person in Kenya had the right to access land in all parts of the country. Below, three of my narrators share their view on the constitutional right in relation to homeland claims:

> Kalenjin claim that the land in this area is originally theirs. They say that we have snatched their land, that the Rift Valley as a whole belongs to them. But in my opinion, it is in the Constitution that you are allowed to buy land anywhere. The government bought those shambas at independence. But to the Kalenjin, the whole problem remains at the time when the white settlers came here and allocated the land and decided that the Kikuyu ought to live in the Central Province, the Luhya in the Western and so on. But before the colonial period there was neither Kalenjin nor Kikuyu in this area – only the Dorobo.
>
> Mr Muriu, 8 September 2012, Temoyetta

In Kenya the government was that way: it said everybody has the right to settle anywhere. But in spite of this, you cannot go and settle in the Central Province, since you are not a Kikuyu. These Kikuyu have a right to live in our land, but we cannot go to their places. This area belongs to the Kalenjin…the Rift Valley. We were supposed to share it between us, the Maasai and the Kalenjin, which are mostly. Originally this land was meant for the Kalenjin. But when the whites left, Kenyatta brought in Kikuyu.

<div align="right">Mr Owiti, 26 September 2012, Mugetho</div>

Me: - What about historical or communal claims to land?
John Githinji: - These ones are like dreams to me. Before we bought land, the land used to belong to the settlers and they all came in to buy this land. Before [colonialism] there were no people here.
Me: - What about in other areas?
John Githinji: - People came and they all came from different places – I can't see the point of people coming from different places and then claiming original rights to land [by now, John has crossed his arms].

<div align="right">John Githinji, 30 October 2012, Temoyetta</div>

The above interview excerpts all exemplify the robustness of the homeland claim, which is explained by Mr Owiti. His defence of the homeland claim is underwritten by what has been a longstanding empirical reality of land transactions, namely that very few Kalenjin have bought land in the Central Province. This is interrelated to the colonial history of overpopulation in the Kikuyu reserves—and to the colonial policies that aimed to incite Kikuyu workers to migrate from the reserves in the Central Province and into the white settler farms in the Rift Valley. Implicit in Mr Owiti's claim, therefore, is that time has been turned back some 90 years or so, to a period when there were no Kikuyu residing in the Rift Valley. The unrealistic premise of this argument is pointed out by John Githinji and Mr Muriu. What is interesting, however, is that even though John Githinji and Mr Muriu believe that land claims based on original belonging are unrealistic, neither of them can steer entirely clear from such arguments. Instead, they are drawn into speculations about original settlement in the Rift Valley,

John Githinji arguing that 'there were no people here' and Mr Muriu stating that the original presence was made up of neither Kikuyu nor Kalenjin, but of the Ogiek. In my reading, this is yet another indication of how histories of homeland or autochthony have an inherently convincing quality; somehow, these histories are impossible to dismiss without getting into a discussion about origin.

Taken together, the narrative excerpts from my conversations with Mr and Mrs Kipkoech, Mr Owiti, Mr Muriu and John Githinji suggest that, even though the idea of property in land is accepted, it is difficult to entirely insulate it from ideas that some communities are more entitled to some soils. In the next section, I will turn to how the history of the Rift Valley as a Kalenjin homeland is challenged, but how first-comer claims remain difficult to debunk completely.

DIGGING IN THE RIFT VALLEY

In the previous section it was suggested that histories of homelands and the allure of the past appears to confer legitimacy and morality on land claims. A different way to argue moral rights to land is by referring to the labour one invested in digging it. In Molo, histories about digging the land are sometimes told to counter homeland histories. For instance, the morality of digging is often returned to by the people at Rwangond'o, the settlement scheme created by the state in 2012. As recent settlers, the Rwangond'oners do indeed have very weak historical rights to the land where they currently reside. Furthermore, their access to land is also insecure in a formal sense, documented only by allotment letters which will only be transformed into titles if the Rwangond'oners remain on their land for ten years. Hence, the property rights of the Rwangond'oners are merely prospective, eligible for realization only ten years into the future, in a context where access to land has been periodically contested.

> Boniface Sonkoro: - In the real sense, the electoral clashes are to chase us away from here. But in the real sense the Kikuyu and the Kisii [the ethnic belonging of the Rwangond'oners] are the hard-working people. Most of the people—there are a few Kalenjin—but most of the people doing business here are Kisii and Kikuyu.

> Amelia Omariba: - And then there is the scarcity of land, which spurs that fear that they will have no areas for grazing their cows.
> Boniface Sonkoro: - …there is even the fear of other tribes; Luo, Luhya entering their land, they would want to send them away (as well).
> Amelia Omariba: - …it is also that the farming in the Rift Valley is so fruitful.
> Mr Chomba: - …and that the Kalenjin didn't like farming. They see your farm yields and then they want to chase you away.
> Boniface Sonkoro: - Most of them, they are idlers! When you pass through Gacharage, you see them sitting beside the road, talking from the morning up to the evening, instead of working.
>
> Focus Group 1, 6 October 2012, Rwangond'o

Few people who have seen the Rwangond'oners' *shambas* would have any reason to refute that they are, indeed, hard-working, which renders land claims based on digging the soil particularly credible in their case. The moral claims of rightfully belonging to the land by the virtue of digging it can be connected to discourses on development which in agricultural areas centre on the need to make land more productive. In the Kenyan case, this discourse was emphasized during the transition to independence as well by the incoming independent administration which during the first few decades desperately needed to develop the national economy. As one of the Mugetho elders, Mr Mugo, loses himself into histories about Kenyan pasts, he illustrates how these national discourses on the need to develop the land is readily translated into moral claims to land.

TRACTORS

Richard Mugo takes a keen interest in history, and during one of our many informal conversations we begin to speak about the Temoyetta settlement scheme. Richard Mugo is a fairly recent resident of Temoyetta and Mugetho. He bought land here after the 1992 clashes when land prices slumped, so he points out that he probably is not the best person to talk to

about the settlement details in this area. 'But!' he interposes; 'Did I tell you about Kenyatta's tractors?'

Richard Mugo's story of Kenyatta's tractors also dates back to the settlement schemes around independence, when the state was bent on settling landless people and putting idle land into active use. Chapter 4 discussed the settlement schemes in the Rift Valley, but such schemes were instigated in several other parts of the country. The settlement schemes on the coast would later prove to be controversial. Most smallholders in the Coastal Province does not have title deeds to their land, due to the lingering effects of an old land agreement between the Sultan of Zanzibar and the colonial administration (see Kanyinga 1998). The settlement schemes instigated on the coast by the independent administration would primarily settle people from other parts of the country, who then gained access to formal land documents which remained beyond the reach of the majority within the host population. Like access to land in other settlement schemes, coastal land rights became interconnected with electoral competition in the 1990s. As a result, the land rights of the people from 'up-country' were widely and sometimes violently questioned.

Richard Mugo, for his part, explains that the coastal settlement schemes came into being after President Kenyatta had visited the area and seen the idle state of the land there. Kenyatta talked to local officials escorting him and vented his frustration over that the full potential of the rich agricultural land was not being exploited. The officials tried to explain themselves, blaming the poor state of the land on the lack of tractors in the area. To this, Kenyatta is said to have responded: 'I will bring you tractors!' Then, Richard Mugo relates how Kenyatta made sure that Kikuyu settlers were moved to the coast. Thereafter, it was only a matter of months before the land was yielding rich farm produce. During his next visit, Kenyatta mused to the local officials, 'I told you I would bring in tractors!' (Richard Mugo, 19 December 2015, Temoyetta).

Richard Mugo narrates this story about Kenyatta's tractors as a way to underline the hard-working ethos of Kikuyu farmers. In this narrative, the Kikuyu ability to turn idle land into active production morally defends their presence in places outside their 'original homelands', be it on the coast or in Temoyetta and the Rift Valley. Despite his firmly stated belief in Kikuyu industriousness, Richard Mugo does not manage to steer entirely clear of the homeland-narrative. Instead, like Mr Muriu and John Githinji in the

previous section, he finds himself refuting the Kalenjin homeland claim by presenting an alternative story about the original presence in the area.

During one of our formal interviews, Richard Mugo outlines a historical rebuttal of the Kalenjin claim to unique historical presence in the Rift Valley. Firstly, he produces an old photograph of his grandfathers. The photograph shows several men posing for the camera, one of them in traditional Kikuyu attire. According to Richard Mugo, this picture was taken in 1927 in Eldoret, in the Northern Rift Valley where Richard Mugo was born. The men—including the man in traditional Kikuyu dress—were members of the area's council of elders. 'See?', asks Richard Mugo rhetorically, 'If there were no Kikuyu in the Rift Valley before the post-independence settlement schemes, then how come they could be in the council of elders?'

Richard Mugo brings up his second item of historical evidence of Kikuyu presence in the Rift Valley, this time in Molo. This is an appendix to the 2009 *Kenya population and housing census*, entitled 'Historical calendar of events'. The appendix contains a list of the age-sets for different geographical areas since 1900. Age-sets—traditionally used among many Kenyan communities in order to determine when a person reached adulthood—were typically named after events, not infrequently after disasters, which had occurred that year (see Ng'ang'a 2006). For instance, in one year there was a large outbreak of the venereal disease syphilis, which gave its name to that year's age-set, whereas another age-set is named after the locust invasion which destroyed that year's harvest. In the appendix, the age-sets are listed according to geographical area, so that the Kikuyu age-sets appear where the group was present at the time but not in other areas. While the Kikuyu age-sets appear in most locations of the Central Province, they are absent from many areas, such as Baringo in the Northern Rift Valley, where only Tugen and Pokot age-sets are listed. But, the Kikuyu age-sets do appear, from as early as 1920, in the area referred to as 'Nakuru/Naivasha/Molo' (Richard Mugo, 4 September 2012, Temoyetta).

By 1920, white settlers had already been present in Molo for a decade. Hence, the Kikuyu age-sets in Richard Mugo's lists may well refer to the Kikuyu workers who had at that point already migrated to Molo and other areas of the Rift Valley. Nevertheless, in Richard Mugo's history, these lists corroborate the fact that the presence of his forefathers in the Rift Valley

dates back to the pre-colonial period. The purpose of Richard Mugo's carefully pieced together history is to challenge the Kalenjin homeland history. Thus, to defend the Kikuyu presence in the Rift Valley by reference to their industriousness, their ability to work the soil as if they were tractors is not enough. Instead, Richard Mugo finds it pertinent to back up Kikuyu claims to land with a history that challenges the Kalenjin history—not of being first-comers, but of being the *only* first-comers.

Apart from serving as a moral history to back up Kikuyu land claims, Richard Mugo's history about Kenyatta and the tractors also illustrates how sense is made in local histories of the direct involvement of the state in land allocations. Below, I will move from land allocations to state provisions of infrastructure and analyse how these state actions also inform local histories of the politics of belonging.

State structuring of belonging

ELECTRICITY LINES

The settlement schemes described in Chapter 4 illustrates both the formal extent of state involvement in land allocations and how this involvement is interpreted in local histories of land claims. However, settlement schemes are not the only state involvement which has fostered land claims and entwined them with political loyalties. In this section, I will relate the histories which were generated by the provision of electricity to Temoyetta. Electricity has been a gradual and much-awaited state investment and the histories of belonging surrounding it is illustrative of how state provisions of resources has come to influence a politics of belonging which reinforces community boundaries.

In December 2015, electricity was finally arriving to Temoyetta. Mugetho had already been connected as a part of the GPOBA electrification project, targeting urban and rural slums (World Bank, 20 August 2015). I have supper with the Mugetho family hosting me under electric lights, which they attribute to the 'Uhuru electrification project'. Each night, the lights

confirm their conviction that the right man won the presidential election and that this man, Uhuru Kenyatta, wishes them well.

For at least some people in Mugetho, the coming of electricity also testifies to the fact that patronage, for a long time directed to communities in other parts of the constituency, was finally coming their way. There is an enduring history about what happened the last time electricity was supposed to have been provided to the area. The history—as told by a group of elders in Mugetho—goes roughly like this:

> Electricity had been decided for Temoyetta in 1990. This was before the clashes in 1992. An aid agency carried out a facilitation study and found that the electricity should be in Temoyetta, since the population density was highest here. Though, before the government implemented what the aid agency had recommended, they changed the names of the locations. Suddenly, the other side, known as Ikombe, became Temoyetta and this side was given the name Tulwet…
>
> By then all decisions in the government was going by those who were close to the president. For instance, Moi's niece who has a farm in Ikombe, was very influential, another Kalenjin in Ikombe was in charge of Kenya Power… Electricity was also drawn to Major D, who had served as the personal bodyguard of Moi, and to a judge at the court of appeal. My father in law resides in Ikombe, so from him I heard that each person was to pay between Sh 15,000 and 35,000 to get electricity to their homes. But I do not know of any public facilities that benefitted. Even one of the schools in Ikombe, situated next to one of the big farms that got electricity installed, lacks electricity to this date.
>
> However, back in 1990, when the people went to inquire into what happened [with the electricity promised to this side] they were told that the project was still in the pipeline.
>
> We only came to know about the name change after the clashes in 1992. Before the clashes, there was only one chief, Ndegwa, in all of this area – after the clashes there were suddenly more than 20 chiefs and sub-chiefs. It was when those sub-locations were created and named that we realized that we were no longer in Temoyetta… And there was nowhere to complain! Along the entire chain of government, you could meet no-one who was friendly and willing to answer

your questions. There was the direct enmity between the
Kikuyu and the Kalenjin—and the Kalenjin were the ones
who were at most office positions.

Richard Mugo and Mr Kiano,
2 February 2013, Temoyetta

The elusive behaviour of the state in this story leaves ample room for interpretation and these elders have been doing their fair share of analysis. In their history, the vague appearance of the state, the unclear lines of decision-making and the absence of administrative mechanisms for accountability are coupled with histories about ethnic belonging, which were confirmed by the clashes in 1992, that is, by events that occurred *after* the provision of electricity.

Although it is hard to know whether this history conveys what actually happened with the electricity in 1990, it does convey how a politics of belonging is co-constructed by local histories when material resources are dealt with. As we are having dinner under electric lights in Mugetho in 2015, then, the two elders not only see the electricity as a manifestation of President Uhuru Kenyatta's capacities. They also interpret electricity as proof of the fact that Uhuru Kenyatta, a non-Kalenjin, looks after 'his own', or that the flow of patronage is finally benefiting people other than the Kalenjin. In their view, the history of the electricity line installed in 1990 not only confirmed the separation between the haves (people who could afford to pay Sh 15,000-35,000) and the have nots, but also the boundary of belonging between the Kalenjin and the Kikuyu. The poor Kalenjin in Ikombe lost out on the electricity as much as the poor non-Kalenjin in Temoyetta, but the subsequent electoral clashes, where gangs of Kalenjin youth would attack non-Kalenjin people, probably influenced Richard Mugo's and Mr Kiano's history about the electricity, and turned it into a history that not only reveals patterns of patronage from above, but also boundaries of belonging among people on the ground.

However, this history is not shared or supported by everyone who voted for Kenyatta and is a non-Kalenjin. People in Kamuri, less than two kilometers away from Mugetho, are also mostly non-Kalenjin and Kenyatta supporters: yet, they are still eating dinner in the dark. The main grid has been installed to their village, but at the time of my visit in December 2015

it was still unclear whether or not individual residential houses would be connected at the state's expense.[48]

The half-realization of the electricity program was mirrored in 2015 by the improvements to the roads. Following an initiative by the county council, the small roads around Temoyetta had already been improved. The main road, however, is the responsibility of the MP, Moses Cheboi. When Cheboi campaigned for votes in 2013, he promised that it would be tarmacked, but by the end of 2015 he was still to deliver on his promise.

Although the improvements to the roads and the provision of electricity were still to be completed, the anticipation of those improvements had been enough to send land prices skyrocketing. Joy Watene told me how prices for the 50 x 100-foot plots closest to the road in Kamuri centre had risen from Sh 65,000 to Sh 200,000 over the course of two years. 'When the seller saw the electricity line coming in', Joy Watene explains, 'He did freely shout: 200,000! What will happen', she asks rhetorically, 'When the seller sees the road?' (Joy Watene, 20 December 2015, Temoyetta).

My host family in Mugetho relates the coming of electricity directly to President Uhuru Kenyatta. To Joy Watene, who is a prospective land buyer in Kamuri, the arrival of the electricity line is, so far, a curse as much as a blessing. She is still waiting for the electricity line to reach her house, while the price increases, more concretely, are preventing her from purchasing additional land. Both Joy Watene and the family in Mugetho supported Uhuru Kenyatta's candidacy in the presidential election, but whereas the Mugetho family perceives the electricity as confirmation that they supported the right candidate, Joy Watene draws no such conclusions.

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[48] The coming electrification of Kamuri appears to be a part of the Last Mile Connectivity Project, where rural households situated near the main grid are offered connection at a cost of Sh 15,000, in comparison to the Sh 1,500 paid by households like those in Mugetho, covered by the GPOBA electrification project. The electrification is 90 per cent funded by the World Bank and the Africa Development Bank (AfDB) and is part of a countrywide effort which aims to increase access to electricity from 32 per cent (2014) to 70 per cent by 2020. (The Standard 10 November 2017; World Bank 20 August 2015).

NAMING OF PLACES

So far, in this chapter I have analysed how the politics of belonging is connected to material land practices and state provisions of resources. Next, I will turn to how the naming of places and the drawing of administrative boundaries provides additional dimensions to the politics of belonging in local histories.

> Long time ago, this used to be Kerisoi, but they changed it to Kuresoi, which is a Kalenjin word for 'grazing land'. The name was put there by the leaders, so they could occupy the land. It is not as much about power as it is about occupying the land. Even during the post-election violence, we heard a wording: 'to remove somebody from a place, you have to remove their homestead', which was a rephrasing of the old saying that if you want to remove the bird you have to remove its nest.
>
> Mr Waiyaki, 8 September 2012, Temoyetta

Mr Waiyaki recalls how the area was previously called 'Kerisoi', but has recently been renamed 'Kuresoi'. Mr Waiyaki's statement is a subtle way of rejecting the Kalenjin first-comer claim by saying that he remembers how the area used to be called something other than Kuresoi, which is Kalenjin for grazing land. Hence, the Kalenjin claim to indigeneity is portrayed as nothing more than an invention, a land claim made out of thin air, or a territorial strategy employed in order to control the land. But his story also gives us a hint as to the potential power inherent in naming things.

This is not the only version of the origin of the name 'Kuresoi' that I have heard. Mr Kipkoech, the elderly Kalenjin who nowadays lives in Gacharage, for instance, explains that the name is taken from a particular kind of tree, which is named 'Kureseit' in Kalenjin. Though different, Mr Kipkoech's description of the origin of the name 'Kuresoi' fulfils the same function as the narrative of Kalenjin re-naming of Kuresoi that Mr Waiyaki recounts. In both versions—though one of them is refuted by Mr Waiyaki—the original presence is to be underlined by the naming of a place.

The power of naming is further elaborated on when Peter Ikinya and Naomi Gathoni talks about the new Constitution. One of the administrative changes brought in by the new Constitution was that

Counties replaced the former Provinces. As was noted in Chapter 3, the provinces first came into being as part of the colonial administrative system of control at the district level. As the native reserves were created, some provinces came to be solely associated with particular ethnic groups: the Central Province as the homeland of the Kikuyu, the Rift Valley Province of the Kalenjin and the Western Province of the Luo. The depiction of such homelands always rested on gross simplifications (these provinces also hosed other communities and the same community—such as the Maasai—was sometimes found in several provinces). Nevertheless, as I touched on in Chapter 6, histories of provinces as ethnic homelands have proved to be resilient over time.

> Now when they will introduce the new counties there will be no more provinces, so this question of whose province this is will no longer be there. The question of the Rift Valley [Province] will cease now, after this next election things will be peaceful. Unless the government comes in again and let things get bad.
>
> Peter Ikinya, 27 September 2012, Temoyetta

> Naomi Gathoni: - One part of this [the violence] can be land. On the other hand, it is political: they [the Kalenjin] do not want the Kikuyu leader in this area. But with the new Constitution, maybe the land issue will be better. From my point of view, the issue of county governments and land issues… you will not call this your land when this is a county. The Kalenjin used to say that the Rift Valley is their land and that the Kikuyu should go to Murang'a. The name change to Nakuru County will have an effect!
> Me: - And what about the change of county governments?
> Naomi Gathoni: - I do not know about the change of leadership since it is not determined.
>
> Naomi Gathoni, 17 September 2012, Temoyetta

When Peter Ikinya talks about the 2010 Constitution, he does not mention the far-reaching administrative changes which, among other things, will vest each location with new political representatives and decentralize power. Instead, he mentions the importance of the re-naming of the Rift Valley Province. Since the part of the Rift Valley Province where Molo is

located will from now on be 'Nakuru county', and the Central Province will no longer be the 'Central Province', he draws the conclusion that Kalenjin histories of the Rift Valley homeland will lose leverage as a land claim.

Naomi Gathoni mentions the administrative change which will bring a new county government. When I try to persuade her to speculate about what the change of representation might imply for the Kalenjin narrative on land, she simply brushes my question off with reference to the fact that the election has yet to take place. To be fair, the name change had not yet happened, either. So why is she ready to speculate on that matter? I cannot know, of course. But to speak about names is more innocent, perhaps, than to speak about political leaders. Political leaders, for one, can come back and haunt you—names are just names. I think that naming has certain, at least seemingly, innocent and mundane traits which makes it a more viable and accessible strategy to talk about politics than discussing, for instance, leadership.

CONSTITUENCY BOUNDARIES

The importance of naming is relevant for understanding local interpretations of constituency boundaries, which have been redrawn twice since the 1990s. The first changes were made before the 1997 election, when Kuresoi constituency was carved out of Molo constituency. The second came with the adoption of the 2010 Constitution which increased the total number of constituencies nationwide; in Molo two constituencies became four. Kuresoi's division into a northern and a southern part was among the alterations.

As was related in Chapter 6, in the wake of the 1992 general elections Njenga Mungai deflected from KANU and won the Molo MP seat for Ford Asili. This indicates the strong support for the opposition in many parts of Molo. Against this backdrop, the fact that Kuresoi constituency was hived off from Molo before the 1997 election is easily interpreted as an elaborate attempt by Moi's administration to carve out a KANU stronghold from erstwhile opposition-friendly Molo. The majority of the population in Molo constituency as a whole was Kikuyu, whereas the boundaries of the new Kuresoi constituency were drawn in a way that

ensured that the majority of its citizenry would belong to the Kalenjin group, traditionally loyal to President Moi. The manipulation of constituency boundaries has been identified as one of the strategies deployed by Moi's administration in the 1990s in order to cling on to power (Rutten et al 2001). Most of my Moloite narrators would agree. Here is how John Githinji describes it:

> John Githinji: - When it [this area] changed to become Kuresoi, they [the Kalenjin] said it would be their home now. But there was no big change.
> Me: - Why was Kuresoi constituency created?
> John Githinji: - I think it was political. They wanted this side of Molo to remain with the Kalenjin, and the Kikuyu could be in Molo [constituency]. They were trying to isolate the Kikuyu in Kuresoi, we are not so many, so they knew that they could take the power, if they created the boundary so that the Kalenjin could win on one side.
>
> John Githinji, 30 October 2012, Temoyetta

The second constituency change was carried out in a completely different context, namely as part of the restructuring of the political and administrative system after the adoption of the 2010 Constitution. In short, the 2010 Constitution would replace the unicameral legislature with a bicameral one; the administrative provinces would be abandoned and counties with elected county governors and women representatives installed; at the local level councillors would give way for county governments with directly elected representatives. With the new constitution, the area which made up the Molo constituency until 1997 would be divided into four constituencies: Molo, Njoro, Kuresoi South and Kuresoi North, in which Temoyetta is situated. In 2010, the constituency boundaries were redrawn under the auspices of the grand coalition government (see Chapter 3), so gerrymandering was probably more difficult.

On the ground in places such as Molo, however, the politics of belonging had not suddenly evaporated. When describing the political situation in 2012 and 2013, my Moloite narrators frequently fell into 'us and them' notions, where the boundary of belonging corresponded to the political division between Kalenjin and Kikuyu in the disputed 2007 election. This,

in combination with the fact that the 1997 re-drawing of the constituency boundary was fresh in minds, provides a contextualization for the local interpretations of the constituency division as politically motivated:

> Me: - What do you think about the division of Kuresoi North and South?
> John Githinji: - This one is favouring us [the Kikuyu]. In Kuresoi South, there will be many Kalenjin, but in North, it will favour the Kikuyu. Here, we, along with the other tribes, constitute a majority over the Kalenjin. If we act in unity with other tribes, then we will have an MP for ourselves. But you never know about politics, though…. It is hard to predict, politics is unreal. Like now, I heard of a meeting where Kalenjin met with Raila. If Ruto is to unite with Raila, people can even abandon Ruto… And again, no-one knows since Uhuru and Ruto have their cases in court.[49]
> Me: - How do you feel about the next election?
> John Githinji: - I stay with mixed feelings. Now it is very silent. But I would not know what is happening on the political ground. I would not know what people are thinking … especially not what the Kalenjin are thinking. By this time, the politics has not yet picked up. When politics pick up, you will know who is on what side. When politics start, it is as if fire starts. If I am in TNA [Uhuru Kenyatta's party] and the Kalenjin will be in another party, they will want me to join them—and I will want them to join us. That brings a lot of conflict. But yet we have not known who will support who. It is not like in the Central [Province], where the big people are already calling meetings. Here there has not even been a meeting on development called by the chief.
>   John Githinji, 30 October 2012, Temoyetta

When John Githinji envisions the upcoming election it is clear that he sees it as a matter of ethnic politics, depicted as a dangerous affair in which one has to thread carefully. Politics is 'unreal', hard to predict and a burning issue which has worked to disunite people on the ground. Politics is described as a game dictated by those at the top—the likes of Raila Odinga

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[49] At this point in time, the ICC trials against both Kenyatta and Ruto were still ongoing, and they were yet to announce their joint electoral alliance, Jubilee.

and Uhuru Kenyatta—at the same time as it stirs up strong emotions among the people on the ground. As the previous empirical narratives in this section have illustrated, these political and emotive aspects of belonging are closely connected to land issues, both in terms of access and ownership and in terms of boundaries and naming. In the next section, I will look at how these various aspects of belonging—the emotive, the political, and the spatial—can be understood in relation to one another.

Belonging to owned land, homeland or dug land

This chapter has analysed how belonging is constructed through local histories when state presences inform a politics of belonging. I have traced belonging via moral histories about homelands, but also about virtues stemming from digging the land. Such moral histories are frequently used in order to back up property rights in land.

Among moral histories constructed in order to claim access to land, the literature suggests that autochthonous claims are particularly alluring. Part of this allure is probably connected to the fact that there is no pre-determined definition of what it means to be a first-comer to an area or how this status is to be proved. Autochthony can therefore be claimed by everyone and no-one, a plasticity which makes it available for strategic definitions. When autochthony is challenged, the burden of proof often ends up not with those claiming autochthony, but with those who have neglected or infringed their rights. From the emptiness and plasticity of autochthony it follows that it can easily be combined with other strategies.

In the Rift Valley, autochthonous claims are typically associated with Kalenjin communities. In this chapter, I have shown how histories about digging or owning the land are used to challenge Kalenjin claims to autochthony to the Rift Valley by refuting the entire idea of homelands or of some people being sons and daughters of particular soils. Surprisingly often, however, histories about digging and owning are interwoven with histories of homelands. In addition, staunch defenders of the principle that anyone has a right to own land anywhere in Kenya frequently find

themselves entangled in discussions about origin when they attempt to counter the Kalenjin claim to autochthony.

I am not the first to analyse moral dimensions of Kenyan land claims. Gabrielle Lynch (2012:9) has noticed that belonging to the soil is one way of arguing for control over land, whereas a sense of collective achievements and a communal work ethic might be another (see also Jenkins 2012; Lonsdale 2008). Whereas the focus of previous studies has been on how these histories compete and are used as vehicles for political power and representation, the focus of this chapter has been somewhat different. While the empirical narratives from Molo do suggest that claims based on autochthony are, to some extent, countered by claims based on working or digging the soil, the opposition between these narratives is also nuanced in several ways. Both the claim to autochthony or original belonging and the claim to land by digging it are used in order to complement property rights to land. Hence, neither of these narratives challenges property rights in general, but they are invoked to legitimate or disqualify the property rights of some groups in some areas.

In Kenya, all three claims to land—as owned property, held by virtue of homeland claims or of digging—have been vested with moral authority both by competing political projects and by state-controlled distribution of land and land resources. Since the reintroduction of multiparty politics, community boundaries have been entwined with electoral logics. Politicians vying for seats have been alluding to histories of belonging rather than formulating programmatic appeals. It is no coincidence that these attempts to emphasize belonging as a political identity have invoked the emotional aspect of belonging. Thus, belonging as a political project has coalesced with the emotive side of belonging as connected to personal and deep-felt identities.

In this chapter, I have unfolded histories about how the politics of resource distribution have been imbricated with personal and emotional identities. The re-drawing of the constituency boundaries in 2010, for instance, was probably not inspired by strategic political calculations. Seen in the local context, however, the 2010 re-drawing of boundaries is associated with both the 1997 constituency alteration, which was probably an example of gerrymandering, and with the recurring electoral violence. Meanwhile, people on the ground have attempted to amend the definitions of the boundaries between communities in their favour. For instance, the

histories about 'Kuresoi' told with reference to Kalenjin etymological origins serve to reinforce Kalenjin claims to land in Kuresoi. Similarly, the interpretations of seemingly non-political events of violence as being connected to electoral logics feed into other narratives—for instance of Kalenjin violence—and can be used to invalidate Kalenjin land claims. As these strategic claims are motivated with reference to real or imagined pasts or presents, the histories simultaneously vest the politics of belonging with new content.

When the politics of belonging establishes boundaries between communities of diggers and sons or daughters of the soil, the naming of places, the provision of electricity and administrative boundaries also become issues which are at once deeply emotional and seen to be contingent on political power. Thus, political sympathies turn on matters of access to land and infrastructure as conflated with notions of communities. The outcome is neither reduced to the use of belonging for strategic purposes nor to the forging of patron-client relations. Rather, the histories that are told by the Moloites appears to continuously transform what belonging entails. As the politics of belonging unfolds, what belonging means, and how the emotional dimensions of belonging are connected to belonging as a social and economic location, made visible by the distribution of land and resources, are likely to be transformed.

8

Politicization of land

'The whole world seems to be embracing private property as a form of economic and political organization. What are we getting ourselves into?' law professor Joseph William Singer (2000:3) asked himself in the introduction to an edited volume in which the authors explored alternatives to both public and private ownership. Singer's astonishment centres on how property rights are assumed to be simple and smooth edifices which can be employed to ease out every opacity and potential source of conflict regarding who owns what, how and what they are allowed to do with it. Instead, Singer argues that property is composed of complex and potentially contradictory bundles of rights which are contingent on a wider context of social relations. In this thesis, my concerns regarding classical property rights to land have been similar. Singer's chapter is entitled 'Property and social relations', and relationality has been at the centre of my investigation of what land entails. However, while Singer, together with researchers within the fields of law (Rose 1994), legal geography (Blomley 2007) and anthropology (Strathern 1999) has been analysing property beyond the classical conception and as turning on relationality, I have widened this analysis to also encompass the political realm.

In this concluding chapter, I will develop how I see land in relation to the political and explore the relevance for the politicization of land in various situations and contexts. I will begin by summarizing my analysis of the politicization of land in Molo. Building on my findings on the politicization of land in Molo, I argue that the classical conceptions of property—and land reform building on such conceptions—lend themselves to processes of depoliticization. I underpin this argument by

drawing on contexts beyond Molo and point out three situations which will probably bring the politicization of land to the fore: moments of property, matters of social organization, and makings of dominion. In the third and final section, I reflect on how the findings in this thesis are contingent on my empirical, methodological and theoretical choices and suggest some potential arenas for further explorations of the politicization of land.

Results and contributions

The aim of this thesis was to explore the politicization of land in a local setting. This entailed looking at how access was justified by histories about relational property and belonging. I used the notion of deep politics in order to suggest that these histories of property and belonging transformed not only meanings of land but meanings of politics. In the empirical chapters, I described how the ordeals of the high politics of the state— such as the creation of settlement schemes, the provision of landed resources, or the alteration of constituencies—have given rise to Moloite histories about how property and belonging are constituted, also in relation to one another. When these histories are told, belonging and property take on new meanings and, as this happens, the political is redefined.

Although the histories of property and belonging explored in this thesis are informed by contemporary events—such as general elections or the provision of electricity—they frequently draw on histories about the past. In relation to the contemporary politicization of land in Molo, a number of past historical episodes figure frequently. These episodes are general in so far as they concern historical developments at the national level; at the same time they have had repercussions in local places such as Molo. In relation to what previously has been written about Kenyan history, these episodes are well known. The contribution of my approach lies in how I relate these episodes to the contemporary histories unfolding in Molo, whereby the localized importance of these broader events is made visible. In order to further detail this contribution, I will rekindle these episodes and how they offer historical frames of reference for contemporary histories. Thereafter, I return to Chapters 4 to 7 and a summary of the core empirical findings.

THE LASTING IMPRINT OF FOUR EPISODES

The first historical episode analysed in Chapter 3 was the establishment of colonial rule. A land tenure system differentiated along scales of race and ethnicity came to form the backbone of colonial control. The result was economic inequality and social and political oppression. Four decades into colonial rule, this situation had become untenable, and the widespread discontent exploded in the face of the colonial administration with the Mau Mau Uprising, which is the second historical episode. For the subsequent development of the politicization of land in Kenya, the establishment of colonial rule and the revolt against it form important historical episodes.

Colonial appropriations and land tenure systems spatialized community boundaries in novel ways which would prove to be resilient. Colonial tenure systems conditioned access to land on either racial (regarding access to the Highlands) or tribal (in the reserves to which African ownership was confined) definitions of community. Thus, geographically fixed homelands were established. Histories of homelands remain in popular conceptions of land and community in Kenya. Periodically, such histories have been revitalized by various political projects.

Homeland histories establish boundaries of belonging in often contradictory and contested ways. The colonial state's crackdown on the Mau Mau Uprising offers a striking example. On the one hand, the Mau Mau hardened the boundaries between communities by being treated and punished as a tribal affair. A Kikuyu identity became synonymous with suspected Mau Mau-allegiance and the Kikuyu community as a whole was targeted by confinements to detention camps or enclosed villages. On the other hand, the personnel recruited to fight the Mau Mau alongside the colonial administration were also primarily Kikuyu. Fifty years later, the legacy of the Mau Mau is reflected both in remaining material inequalities within the Kikuyu community and in histories about the rebellious nature and organizational capacities of the Kikuyu. This offers some indications of how it is inadequate to perceive boundaries of belonging as seamlessly aligning ethnic communities.

Just as the imposition of colonial rule fundamentally altered Kenyan land tenure systems, so did independence. During the period straddling independence, access to land in the former White Highlands was transferred from European to African hands. Both of these alterations

have given vent to grievances over land-related injustices. Even when irregular and illegal land allocations have been subjected to state-appointed investigative commissions (primarily Government of Kenya 2004 and TJRC 2013), historical land-related injustices have never been comprehensively addressed by the state or the judiciary. In this light, there is certain promise in the Kenya Land Commission's recent cancellations of illegally appropriated titles in places such as Karua forest in Nairobi and areas in Nakuru (Daily Nation 27 July 2017; 17 February 2018). The establishment of the Land Commission was part of the administrative reforms introduced with the 2010 Constitution. Critics have pointed to the fact that the relationship between the Land Commission and the Ministry of Land remains unclear, so the progress of land reforms pertaining to redistribution risks becoming deadlocked (Manji 2015, 2014).

At independence, the re-distribution of land came to coalesce with the transition of political power. With the reintroduction of multiparty politics, the fourth historical episode covered in Chapter 3, the land-politics nexus, would take on an added twist. At times of elections, land became a central political bargaining resource, utilized not least by the incumbent Moi administration in order to stay in power. Previous research has addressed the abuse of landed resources by Kenyan political and administrative elites (Boone 2014, 2012; Klopp 2000, 2001; Lynch 2011) and to some extent its local-level repercussions (Jenkins 2012; Lynch 2012; Médard 2010;). Less attention has been paid to how the game over party politics and land has shaped local understandings of land, politics and community, which has been a focus of this thesis.

SUMMARY OF THE EMPIRICAL FINDINGS

Although revolving largely around events occurring since the 1990s, with a particular focus on the period after the 2007 general election, the empirical chapters of this thesis frequently draw on the four historical episodes presented in Chapter 3. Historical trajectories are particularly visible in Chapter 4 where I analyse how the settlement schemes of the 1970s and 1980s have come to bear on contemporary histories of access. The distribution of land within the settlement schemes has repeatedly been used to foster political support. This has left the Moloites and the

Temoyettans coldly banking on the fact that they will need to act strategically in order to safeguard both their current and future access to land and landed resources, such as electricity and roads. At the same time, the competition over access to resources has influenced histories about property and belonging. It is these histories, shaped by but not limited to state actors' use of land for political purposes and local-level responses to such actions, which constitute the politicization of land. I found these local histories of land to centre on notions of property and belonging, which was developed in Chapters 5, 6, and 7.

In Kenya, individual property rights to land were first formally established for the European settlers. By 'formally established' I do not mean to say that there were no prior notions of private land rights; historical research suggests that precolonial private land rights were widespread in some areas such as parts of Central Kenya. But with colonial rule, property rights in land came to be adjudicated and administered by the state. In Temoyetta, property rights to land were formalized with the 1983 demarcation of the former settlement schemes into individual plots.

Formal property rights in land are widely accepted in Molo, but are justified in different ways. In Chapter 5, I analysed how property papers other than title deeds—allotment letters and local property lists—are locally accepted as justifying property rights to land. Neither allotment letters nor local property lists have a judicial standing which is even roughly comparable to that of title deeds. Nevertheless, these other property papers figure frequently at the local level to back up land claims. Papers—in the plural—of property indicate that even though property rights are accepted in principle, there are, in practice, other ways to back up property rights to land. Aside from property papers, histories of belonging and property are frequently used in order to claim land. These histories illustrate how property in Temoyetta and Molo does not primarily denote possession of things, but the relationships between persons with reference to the thing—in this case, land.

Chapter 6 established how belonging is different from the notion which is so prevalent in Kenya of ethnic communities. Here, I analysed how boundaries of belonging in Molo have been reinforced by outbursts of electoral violence, but also demarcated by local practices in between elections. Moreover, I traced the importance of belonging in relation to access to land back to the colonial era and the colonial administration's

troubles with making the rigid principles of ethnic separation fit the considerably more complex situations on the ground.

The nexus between belonging and politics was further explored in Chapter 7. I analysed the political appeal of histories of homelands or claims of first origin but also related them to different notions of belonging through the virtues of buying or digging the land. The various claims to belonging may collide and compete, but they may also be used in concert to underwrite one another. Nevertheless, they work in ways that emphasize the boundaries of community or the boundary between those who are entitled to claim land and those who are not.

Returning to the research question about how access to land is justified, a first answer is that there is nothing constant about these claims, but they are bound to alter with the passing of time and changes in context. This is related both to structural circumstances of colonial appropriation, settlement schemes or other forms of (re)distributions and party-political competition, and to how people on the ground have responded to these structural circumstances by altering their practices and histories about property and belonging. I have argued that land never has a constant or pre-political definition—not even when it is being claimed as property. For instance, when various claims to belonging are made—by virtue of owning land, digging it or tracing one's homeland back to it—boundaries between communities are formed and new histories about what constitutes property emerge. These different histories about property and belonging are not mutually exclusive. A person who has formal property rights to land might still argue that only sons or daughters of the soil are legitimate owners of land.

However, since these histories are told in the context of political competition over land and power, they also work as co-constitutive of political identities. This is evident not least in how, on various occasions, state logics and actors have vested some histories of property and belonging with moral authority. The colonial state premised all indigenous land rights on belonging to a particular group and by the fixing of this group to a particular territory. The first independent administration emphasized the market principle, but frequently intervened in the distribution of land by means of direct grants, determined and differentiated along lines of political support, ethnic identity and personal wealth. At the same time, all administrations—colonial and independent—

have praised and rewarded the industrious digger of the soil. Illustrative in this regard is the fact that one of the primary intentions of the first major land reform (the Swynnerton Plan) was to reward, encourage and consolidate a class of large-scale farmers. Furthermore, all three land histories have been mobilized by politicians and vested with political content.

CONTRIBUTIONS

By deploying relational property and belonging in concert, this thesis contributes to the literature on access to land in Africa by suggesting that when property rights in land are generally accepted, they might also still need to be backed up by other claims, such as various histories of belonging. Previous studies have pointed to the fact that formal property rights are not the only notion of individual ownership to land, which might also be embedded in customary systems (Chimhowu & Woodhouse 2006). It has also been recognized that several mechanisms for access might be prevalent at the same time and in the same place (Lund & Boone 2013). However, the idea that property rights, even decades after titling-reforms, might be simultaneously generally accepted and complemented with other notions of what constitutes legitimate access to land has, to my knowledge, not been detailed by previous research. This adds further complexity to the notion of property as inherently relational and potentially eligible for politicization. Additional light is hereby cast on why conflicts over land might not be solved but instead reinforced by land reforms (Lund 2008).

  This ties back to the aim of this thesis, namely to examine the politicization of land in a local setting. My research findings from Molo indicates that the politicization of land is contingent on processes well beyond the use of land by political leaders to consolidate power. In this thesis, I have shown how the politicization of land unfolds in the sphere of deep politics, as people on the ground claim and contest, defend and demand access to land. The histories they tell to do this were found in Molo to revolve around property and belonging, which were simultaneously redefined in the process. Just as claims to property were found to be embedded in social, political and economic relations,

belonging was found to be entwined with land claims. This is the main theoretical contribution of this thesis.

On a methodological note, this thesis contributes to the current development of ethnographic methods within political science (Gustafsson & Johannesson 2016; Schatz 2009), primarily in two ways. Firstly, by emphasizing the 'practicalities of interviews'—the situations in which they were set, the cooperation with translators which enabled them to happen—I have suggested some ways by which questions of ethics and collaboration can be addressed. Secondly, and more broadly, by emphasizing the importance of context, both of interviews and of the broader setting in which fieldwork is undertaken, I hope to contribute to the furthering of such discussions.

The contribution to writings on Kenya's history was mentioned above. By analysing the details of the politicization of land in Molo, this thesis not only contributes to studies of local politics in Kenya but, hopefully, also to more general questions about the politicization of land, to which I will return in the next section. The politicization of land offers a view on land issues which is far removed from the liberal vision of land that is most commonly held when land laws are reformed. The liberal notion centres on the classical definition of property, which was briefly touched upon in Chapter 5. Below, I will scrutinize classical property in order to explain why it is so problematic in the light of the politicization of land.

Politicization beyond Molo

THE MYSTERY OF CAPITAL
AND OTHER HISTORIES OF PROPERTY

When it comes to the contemporary debate and policies on property rights in land in the Global South, no single work has been more important than Hernando De Soto's *The Mystery of Capital. Why capitalism triumphs in the West and fails everywhere else* (2000). In *The Mystery*, De Soto argues that property rights to land are crucial for the eradication of poverty. Moreover, he

presents a model for successful titling. The impact of De Soto's work is hard to overstate. Many of the subsequent land reforms undertaken in the Global South have been influenced by his ideas—an influence that is visible even in the formulations in the World Bank's 2003 policy report on land (Manji 20015:8). *The Mystery* offers straightforward solutions to the problem of poverty, endemic to most capitalist human societies. Perhaps, this explains its impact.

However, though De Soto's contribution was perhaps particularly timely and well phrased, *The Mystery* is essentially a history about why property rights and the imagination of land as a commodity which can be bought, sold, mortgaged and registered in a cadastral system, will always be necessary. Such histories have been told before. The classical thinkers, John Locke and William Blackstone, argued along similar lines for the necessity of establishing property rights to land. The classical histories of property, as well as that told in *The Mystery*, all embody a central contradiction, between the universalistic appeals of the claims they make and the narrative order of argument on which they premise their claims (Rose 1994:25ff).

Two points have been made concerning this contradiction. Firstly, Carol Rose (1994) notes that while these classical thinkers all present property as a rationalistic, scientifically derived concept, on scrutiny, these classic notions of property are revealed to be founded on narrative. Rather than the outcome of scientific inquiries striving to understand the universal laws about the conditions of the market, the law or the state, the classical conceptions of property are founded on histories about humankind. They are, to put it short, constructed from archaic situations and not on the basis of empirical descriptions. Secondly, classical property as a 'prime mover'—of the market, of the condition of humankind—has continued to underpin a diverse range of topics and theories. Thus, property is vested with instrumental importance and theorization of property is led away from existing to ideal property regimes (Benda-Beckmann et. al. 2006:2).

"CONFORMITY TO THAT WHICH IS PROPER"

The normative connotations of property described above surface only upon scrutiny. At first glance, property is taken to be captured by a

definition as simple as universally valid, namely as denoting a thing that belongs to someone. In the English tradition, the confusion between property and the thing property denotes possession of is mirrored by its etymology. Property derives from *proprius*, the Latin word for own or peculiar as opposed to *communis* (common) or *alienus* (another's) (Blomley 2005:618). However, what is one's 'own' is of course marked in relation to others and embedded in normative judgements. From the same etymological origin as property comes propriety, denoting 'conformity to that which is proper'. In English legal thought the notions of property and propriety appear entrapped in ways which often makes it hard to tease out whether property rights were primarily for the benefit of the individual owner making autonomous decisions about its usage; or whether they are to confirm the proper societal order (Blomley 2005).

   The coupling of property to the proper social order is particularly visible in classical liberal as well as contemporary neoliberal thinking. For Locke, it was God who commanded man to till the earth 'for the benefit of life' and, in obedience of this command, man established property rights to his land (Locke 2005 [1689]:32). De Soto, for his part, describes property rights as capable of both 'bringing life to dead capital' and to providing poor countries with the key to development and the good society (De Soto 2000, 1993). In Locke's thought, property rights come into being as men till the soil, why the absence of property rights is associated to a situation where men would not till or improve the soil at all. For De Soto, the world of property rights is portrayed as the polar opposite to the disorderly chaos of poverty in slums and favelas. Thus, property rights are not presented as *one way* out of hardships and towards development, it is argued to be *the way*. This implies that property rights in land are technical and judicial matters which can be settled via land reform. One consequence of treating land as property in its classical form has been that the technical and judicial aspects of land reforms are allowed to completely overshadow the political questions of distributional inequalities (Manji 2005).

PROPERTY WITHIN "THE POLITICAL"

The classical notion of property, as eligible for constant and universal definition, and the technical mode of reform to which property thus

defined can be subjected, is far removed from how I found land—also when accepted as property—to be constituted in Molo. I have suggested that access to land is justified via histories of property and belonging, and I situated these histories within the realm of deep politics (Lonsdale 1994). Deep politics is where the high politics of the state—in Molo the colonial appropriation of land, the settlement schemes, and politically driven allocations and dispossessions—intersects with and are responded to by Moloite histories of what land entails. Thus, land ceases to be a pre-political entity or resource and there cannot be any technical and ready-made answers to how land is to be defined, distributed and used. Rather, what land is will be defined within the sphere of the political, so land-related questions beg political answers.

This resonates with Chantal Mouffe's (2005) conception of 'the political' as the dimension of antagonism which is fundamental to every human society. Mouffe invokes Machiavelli's depiction of every city as inhabited by people of two desires—rulers who like to order and oppress the people, and the people who hate being ordered and oppressed by the rulers—to illustrate the fundamental opposition that hierarchy creates in every society. The implication of this is that people will always be affected differently by political decisions. This vision of the political, where conflict is a constitutive element, is radically different from liberal conceptions which aspire to overcome and reconcile difference and antagonism. In liberal thought, 'the advance of individualism and the progress of rationality' will lead to a consensual and essentially post-political situation built on a general agreement over the common good (Mouffe 2005:6-7).

Classical property regimes strive towards a separation of land from the political realm by stipulating that it is to be transferred via the mechanisms of the market and regulated by judicial institutions. In this sense, property rights regimes become arenas for depoliticization, or arenas which are designated to be protected from political processes. In contrast, to pose questions about how land is politicized is to assume the existence of the political as an arena for conflicts and contestation, meaning that there are no post-political situations, such as property in the classical form, occurring outside of politics. With that said, whether or not land will be subjected to political debates is contingent on when and how it is being politicized. I will now look at three situations where the definitions, distributions and uses of land are subjected to politicization, namely the moment of

property, the meaning of property for social organization, and property and the makings of dominion.

THE MOMENT OF PROPERTY

Several of the histories told in Molo in order to justify access to land turn on arguments about original moments of property. In Molo, at least two different moments of original property, or arguments for when land rights first came into being, can be discerned; the moment of colonial appropriation and the moment of land re-distributions around independence. Both moments served to establish new rights of access to land and to simultaneously undo previous land claims.

The British colonial state appropriated land in Molo to the white settlers without compensating the mostly pastoral and forest-living peoples already present on the land. With independence, land was again subjected to large-scale redistribution, but also at this point the state failed to acknowledge historical land injustices. When access to land in Molo is justified in the present, both the colonial appropriation and the post-independence settlement schemes are invoked as original moments of property. It is not incidental that arguments about original ownership tend to resurface when access to land is called into question. Rather, most regimes of property rights operate from an imagined original moment of property.

The moment of property can be more or less difficult to establish. When it comes to land, the moment of property tends to be on the difficult side, since a point in time before which there were no claims to land by anyone would, in many places, be situated a long way back in history. A common solution has been to narrow the definition of who can qualify as 'anyone', which is a political project that relies on drawing boundaries between in-groups of rightful owners and out-groups of insidious encroachers. This thesis has described how such boundaries were drawn (Chapter 6) and how they became political (Chapter 7).

Often, the original moment of property is determined in the court. However, the rulings of the court are also underpinned by (and, indeed, work to underpin) a certain moral position, which is connected to a societal order.

PROPERTY
AND MATTERS OF SOCIAL ORGANIZATION

In the literature on the intersection between social organisation and the distribution of resources, there are ample examples of how property regimes are neither objective nor inherently just. Writing on the moral economy of the masses, EP Thompson (1971:78) looked at how property regimes are likely to bolster the well-being of one section of society over others. The explanation of why poor people in 18th century England rose up to riot and protest, Thompson argues, will be plain if one puts together the index of unemployment with one for food prices. To the ruling classes the behaviour of the poor was nevertheless inexplicable; if anything, it merely seemed to confirm their image of the lower classes as predisposed to violence and chaos (ibid). Thus, the property order which was challenged by the moral economy of the masses was also underpinned by a moral position; that of the ruling classes.

The interests of the stronger party—in the person of the feudal lord, the colonial conqueror or the noble man—have tended to structure property regimes. This structuring could not be too ruthless, as it also had to keep at bay the discontent of those who benefitted least. One way of doing this was material, by, to speak with EP Thompson, making sure that the mismatch between unemployment levels and food prices was not too severe. Another way was to entrench the property regime in legitimating histories. A classic example would be the way in which the feudal lords' outrageous riches were made to resonate with the poor by proposing that they were granted by divine order. Thus, the feudal lord could continue to command a large share of the crop produced when the poor tilled the soil (Jacoby et al 1971:95).

Apart from EP Thompson's study of early modern England, the association between property and societal orders is illuminated particularly well in studies of agricultural societies in the 1960s and 1970s. Barrington Moore (1993 [1966]) suggested that peasants in parts of Europe, Russia and Asia alike have tended to create and defend property systems with a high degree of equality. While admitting the danger of romanticizing history, Moore argues that this notion of an innate peasant morality is motivated by material conditions. Peasant tenure systems are pragmatic products of power, where the poor people strategically unite against the

rich. Furthermore, equality as a basic principle for peasant tenure systems had strong functionalist motivations. An equal distribution of resources created insurances against unexpected events, such as natural hazards. Moreover, if each member of the community subsisted well enough, s/he would be able to contribute to the 'collective struggle for survival' undertaken by the community (Moore 1993[1966]:497).

Similarly, James C. Scott (1976) suggested that peasant societies were premised on a subsistence logic. Rather than profit maximization, which would spur risky attempts at making it big, peasant economies were underpinned by a need to ensure economic survival. This resulted in practices such as farming on scattered stripes, the existence of communal land and the use of several seed varieties.

Hence, Thompson's, Moore's and Scott's studies of peasant societies all identify the advocacy of property regimes based on subsistence. One conclusion which can be drawn from this is that peasant politics cannot easily be understood from the vantage point of neoclassical theories of human behaviour (Scott 1976:9-10), but demand other frames of analysis. I suggest that the politicization of land is such an alternative frame.

In the literature, alternative organizations of property rights have often been associated with Ellinor Ostrom's work (Ostrom 1990). Just as proponents of relational property have attempted to undermine the universal claims of classical property, Ostrom sought to puncture a narrative claim turned into scientific truth, namely Gareth Hardin's tragedy of the commons. Hardin argued that the commons is a tragedy which can only be prevented from happening by rigid state regulation or privatization of property rights. In similarity to the classical notion of property, Hardin's tragedy of the commons was a theoretical construct. Ostrom built her argument on detailed empirical and contextual studies of how commons were actually managed. What interests me here is less Ostrom's results—summarized as a list of necessary traits for successful management of the commons (Ostrom et al 1999)—than her cases.

Ostrom details how Turkish fishermen, in order to avoid over-fishing, agree upon, organize and maintain a system of rotating fishing-rights (Ostrom 1990:51-54). Landowners in a part of Spain particularly prone to prolonged drought have established a sophisticated irrigation system (ibid, 114-122). Farmers in Japan, relying on a large area of common lands for grazing, have made access to the grazing conditional on the joint upkeep

of the land, organized as collective felling of trees and mowing of meadows (ibid, 109-113).

Ostrom's common-pool resource regimes are illustrative of how property rights to material resources are inherently relational arrangements. They indicate that the sustenance of property rights regimes, including throughout times of scarcity and potential competition, seem to require more than once-and-for-all definitions of what is yours and what is mine. Rather, these property regimes hinge on shared practices and norms which ultimately stem from the resource they are set up to manage.

What these instances of local initiatives to construct or resist property regimes suggest is that property is never neutral or objective but embedded in societal orders. Since the examples depicted above might seem to promise at least some degree of organizational freedom when it comes to how property is defined and how property systems are to be organized, a word of caution might be called for. Most societies across the globe, no matter how isolated, have probably been affected by the norms and structures of the global capitalist economy. For instance, in *Land's End*, Tania Murray Li (2014) describes how a rural subsistence economy in the Indonesian highlands—which might well in the past have had traits of Moore's peasant localism—was absorbed in recent decades by wider market forces, driving a wedge between those who benefitted from the transition and those who lost out. The prevalent norms of capitalism and property did not, of course, come into being in and off themselves. Instead, attempts to make property systems travel between contexts have been at the core of many political projects of power, not least that of colonialism and the appropriation of new territories, to which I turn next.

MAKINGS OF DOMINION:
PROPERTY AND COLONIALISM

In *Nomos of the Earth*, Carl Schmitt (2003:61) described how in the 15th century, expanding European powers sought to divide the world between them. Building on Aristotle's *nomos* as the original distribution of land, Schmitt defines nomos as land appropriation. The act of appropriating land entails the creation of a new order for the land in question, which will replace what was there before. *Nomos*, therefore, denotes the same point in

time as the moment of property, when what previously existed was either undefined or unknown but which is now turned into clearly defined ownership of or control over land.

The creation of new *nomoi* is motivated by projects of political power, at the same time as they constitute these projects. Schmitt provides the example of the Spanish and Portuguese rulers in the 15th and 16th century. When these rulers drew up global divisional lines, the lines did not fill the primary purpose of separating the Christian world (ruled by either the Spanish or the Portuguese nobility) from the non-Christian world (which lay open for these nobilities to conquer), but to define the Spanish and Portuguese political projects in relation to one another. Hence, the political projects were premised on a shared understanding of legitimate land appropriation: 'internal divisions between two land-appropriating Christian princes within the framework of one and the same spatial order' (Schmitt 2003:92).

Postcolonial scholars have argued that later colonial projects fulfilled similar functions of defining European powers in relation to one another (and as defining the European individual in relation to the Other (Said 2000 [1979], see also Loomba 2005 [1998]). From the perspective of land regimes, the world beyond Europe served both as a warning example of the disorderly existence beyond the grasps of property regimes and as an arena for the first attempts at large-scale imposition of those property regimes. Just as colonialism served to establish modes of European identities, it also assisted in the development of property techniques. For instance, British surveying techniques were rapidly improving when they were applied on Irish soil when two and a half million acres were seized by the British in retaliation for the 1641 uprising (Blomley 2003:128).

It is no coincidence that the surveyors have been called 'the point men of British imperialism' also in relation to later colonial conquests, such as that of India (Edney 1993:62). In Kenya, as was mentioned in Chapter 3, the initial appropriation of land was undertaken largely without surveying. Thus, property in the Kenya colony from the outset appears vague, on the one hand established on the ground by social relations and on the other soon subjected to rigid land laws which would grant the Crown the original land right and be used as a direct means for political control over the indigenous population. As elsewhere in Africa, the British colonizers

pondered over whether or not the natives in Kenya could be trusted with property.

On the one hand, property rights were perceived as a pre-requisite for economic development. On other hand the Africans were regarded as too primitive to master it. The property dilemma was thus intimately connected to the general dilemma of colonial rule, namely, whether the colonized subjects were to be civilized or rather preserved in their primitive state. While the legitimacy of often ruthless colonial rule appeared to require depictions of the savage Other, in many places colonialism was to some extent relying on the incorporation of sections of those savage Others into the structures of rule.

Both visions had their drawback, and colonial policy oscillated between the two (Cowen & Shenton 1996). During the first period of colonial rule in British East Africa, colonial policy was oriented towards preservation. The African subjects were not yet ready to enter into the modern world. These ideas favoured an administrative and legislative set-up where property rights were preserved for the European settler minorities, whereas Africans could not hold any private rights to land. Such doctrines of preservation were replaced by a development doctrine after the Second World War. The change of doctrine was forced by both economic and political developments. The doctrine of development was underpinned by a need to propel agricultural productivity (Cowen & Shenton 1996:278), at the same time as human rights criticism of colonialism was mounting.

The land-related aspects of colonial dominion speak to the inherently political dimensions of land. Furthermore, the histories of land in Molo unfolded in this thesis have illustrated not only the lingering effects of colonial definitions of property and belonging, but also how these definitions have gained contemporary importance in present-day contestations over land and politics. Similar histories of land are likely to resurface in other postcolonial places when contemporary access is contested.

Reflections and future explorations

REFLECTIONS

The findings presented in this thesis are contingent on several empirical, methodological and theoretical choices—I believe in that order of importance. Empirically, how would my results have differed if I had studied the politicization of land in a different, less conflict-prone setting than that provided by Molo? This question is directly related to how relevant my findings from Molo are for an understanding of processes elsewhere. This chapter has provided several examples of how they might be. Nevertheless, as I explained in Chapter 2, Molo was selected as the area of study partially due to its history of both land-related transformations and conflicts. A setting with less conflicted land trajectories would probably have presented configurations of property, but perhaps not of belonging. I contend that it is the conflicted status of land in Molo which brings questions of belonging to the fore, and renders the nexus between property, belonging and politics crucial. Nevertheless, as I have argued in this chapter, the fact that such configurations of property, belonging and politics present themselves in Molo suggests that they might also be presented in different settings if and when land becomes subjected to transformations or conflicts.

Furthermore, even though property and belonging came into being in dialogue with the empirical material, these concepts brought out some dimensions in the material while other dimensions were to some extent obscured. Gender and class-based differences are cases in point. While such differences were identified in the empirical material (see Chapter 5), my analysis of the politicization of land in Molo did not centre on class and gendered differences. The analytical concepts opted for in this thesis—property and belonging—would not suit the theorizing of class and gender. In other contexts, however, the politicization of land might turn on gendered and class-based differences, which is indicated not least by previous studies of land reforms (Peters 2004). In this regard, what would be interesting to explore further in Molo are the strategies women and the land-poor have employed in order to gain access to land. More precisely,

the new financial arenas created over the course of the last two or three years as a result of the fact that the banking sector has started to offer micro-loans to groups of lenders against collective mortgages (see Chapter 5, footnote 38) are likely to highlight different aspects of the politicization of land.

Regarding my theoretical choices, lastly, my Marxist position means that I find questions about material distribution and power relations to be both interesting and interconnected. This position is also to a certain extent normative in so far as I do believe that people ought to be in charge of their economic conditions and that resources and political power ought to be distributed more evenly than they are today. This position underpins my argument for why politicization is of interest to explore in the first place, since it conjures up an analytical framework for perceiving land—a central economic resource in many parts of the world—as too economically, socially and politically important to be confined to judicial and technical land-law reforms. Since land-law reform has rarely resulted in economic justice for the poor (Manji 2005; Benda-Beckmann 2003), it is about time that land is brought fully into the realm of the political, where poor people might also have a say.

FUTURE EXPLORATIONS
OF THE POLITICIZATION OF LAND

When considering other arenas for the study of the politicization of land, land grabs are perhaps the most obvious (see Sassen 2014). Since the mid-2000s there has been a surge in land-grabbing or large-scale land acquisitions brokered between governments and foreign interests—companies or state administrations—over the heads of local populations. The land grabs have particularly targeted Sub-Saharan Africa. Although Molo has so far been spared, Kenya has not. Cautions over large-scale land-grabs have been heard regarding both prospective farmland in the Tana River delta (FIAN 2010) and potential sites for oil exploration in Turkana in connection with the gargantuan infrastructure project LAPSSET (Lamu Port-South Sudan-Ethiopia Transport corridor) (Citizen TV 7 February 2017, Enns 2017). In this thesis, the politicization of land has largely revolved around the need of state actors to elicit support among people on

the ground. To look at land grabs such as those in Turkana and Tana River would probably highlight the ways in which state actors find ways to overlook their relationships with the people on the ground. As a result, those cases would allow for a focus on matters of political recognition and representation (Fraser 2008).

'Land grabbing' indicates that land is being illegally or at least irregularly appropriated by some actors in violation of the rightful owner. However, when it is disputed who 'the rightful owner' is, the existence of land grabbing is much more difficult to ascertain. This is often the case when the traditional land use or natural environments of indigenous groups are threatened by projects driven by economic profit. Consider, for instance, the current conflict over the Dakota Access Pipeline for oil, planned to be drawn through Standing Rock Reservation in North and South Dakota, United States. The pipeline plans have provoked intensive protests form the Standing Rock Sioux tribe, which has gained widespread solidarity from both environmental groups and indigenous communities across the world (Carasik 21 November 2016). In this case, the politicization of land appears to revolve around both legal or technical issues about land rights and more moral questions about community rights and environmental protection. In addition, histories about past injustices—such as the land losses and political repression suffered by indigenous communities—are brought to the fore. Similar conflicts over land are looming in Sápmi, in northern Norway, Sweden, Finland and Russia, where the recent mining boom has attracted various mining explorations, including in areas which have traditionally been used for reindeer herding and singled out for environmental protection (Haikola & Anshelm 2016; Persson, Harnesk & Ishlar 2017).

Furthermore, but quite far removed from the above cases, the politicization of land could also be empirically studied in places where construction is booming, real estate prices surging or cities being rebuilt— including from scratch—or even moved. For instance, in northern Sweden, parts of the mining town of Kiruna are being moved in order to provide space for new mining excavations. Similarly, in the Zambian copper belt new mines have necessitated the construction of towns where previously there were mere villages (Negi 2010; Kesselring 2017). Such rapid alterations in land use are likely to evoke notions of landed belonging,

where the connections between land claims and the formation of belonging analysed in Chapters 6 and 7 in this thesis could be further explored.

This thesis has analysed the connection between property and politics at the local level. Some of the above-mentioned examples of land grabbing suggest that the property-politics nexus would also be rewarding to study at other levels, as well. For instance, at the policy level, in particular Ambreena Manji (2005, 2015) has indicated how land reforms have tended to eclipse political issues pertaining to land. However, further studies are needed of the ways in which land titling and property rights reforms have depoliticized land in the international arena. Furthermore, scholars have raised caution about how land reform and the creation of cohesive records and cadastral maps in a context of surging international land-grabs might make small-holdings easier to identify and thereby more vulnerable to grabbing (Hall et al 2015:478). For reasons probably related to access to the venues where such land deals are brokered, the connection between land grabs and property reform also remains understudied.

In conclusion

The aim of this thesis was to examine the politicization of land in a local setting. From my study of Molo it can be concluded that, as access to land is justified, questioned or competed for, new meanings of land, politics and community are constituted. Therefore, I have argued that what land is and how access to it is justified and attributed are inherently political questions. In this final chapter, I have elaborated on the implications of this for understanding and analysing land conflicts more broadly.

Remember Joshua Gichuki? In the introduction to this thesis he likened the European presence in Molo to someone who, caught in a downpour, is able to shelter from the rain in somebody else's house but before long, has taken advantage of the hospitality of the person whose home it is to possess the entire house. To Joshua Gichuki, this story epitomized the illegitimacy of European claims to ownership of land in Molo. I am inclined to agree with him. However, my agreement is not grounded in judgements about true or false, right or wrong. Rather, through the process of writing this thesis, I have come to understand questions about what land is and to

whom it rightfully belongs as turning on histories; and I have analysed such histories in some detail. Yet just as there are no pre-given answers to what land is in Molo, there are no final answers. They will be contingent on how histories of land are told.

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Empirical material

31 August	Interview with National Network for IDPs and Internal Displacement Policy and Advocacy Centre (IDPAC) Nakuru
1 September	Interview with employee at Baraka farm, Molo, Molo town
10 September	Interviews, Olenguruone
12-16 September	Interviews in wider Molo: Molo town, Temoyetta, Kiptororo, Baraka and Good Hope farms

7 February	Interviews, Kenjoketty and Asanyo farms
21-27 February	Interviews in wider Molo: Kenjoketty, Mugetho, Kapsita, Likia, Mauche, Ndefo, Boron, Asanyo, Keringet
3 March	Conference with the National Network for IDPs, Nairobi
7 March	Interviews, National Network for IDPs
9-11 March	Visits and brief interviews at eco-farms for resettled IDPs around Nyandarua: Kirathimo, Maua and KENDA camps, KIDIPA and Ebenenzer farms.
15-17 March	Interviews, Temoyetta, Molo town, Turi.
13 & 21 March	Interviews at the Ministry of Lands

FIEDLWORK 3: AUGUST 2012-MARCH 2013, KENYA

4-8 September	Interviews, wider Molo: Temoyetta and Keringet
10-13 September	Kenya National Archives, Nairobi
17-27 September	Focus-groups in Baraget, interviews in Temoyetta
28 September	Meeting at Ndefo regarding PEV-assistance.
1-4 October	Interviews, Temoyetta
5 October	Interviews with staff at Kenya Land Alliance
6-7 October	Interviews, Temoyetta and Chepkonoyo
8 October	Interviews with women's self-help group, Nakuru
14-19 October	Kenya National Archives, Nairobi
30 October-6 November	Interviews, Temoyetta and Sundu river
8-9, 12-14 November	Kenya National Archives, Nairobi
26-30 November	Interviews Temoyetta, Rwangond'o.
4-10 December	Interviews, Temoyetta and Gacharage
12-14, 17 December	Kenya National Archives, Nairobi
14-18 January	Kenya National Archives, Nairobi
21-29 January	Interviews, Temoyetta, NRC-office, Molo town
4-8 February	Kenya National Archives, Nairobi
17-24 February	Interviews Temoyetta, Sirikwa, Nakuru (former civil servant), Keringet (former politician)
27 February-1 March	Kenya National Archives, Nairobi

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FIELDWORK 4: DECMBER 2015, KENYA

17-23 December   Interviews, Temoyetta

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3. Ulrika Waaranperä *Histories of land. Politicization, property and belonging in Molo, Kenya.* Malmö: Global Political Studies, 2018.

What is land? Both in legal reform and land policies land has often been treated as an economic resource subject to decontextualized blueprint reform. In contrast, this thesis argues that land is contextually and politically contingent. Though land in many rural areas is a fundamental economic resource, it is also crucial for histories of shared pasts and sentiments of homeliness and belonging. Furthermore, land has been central to many political projects of rule from above, but also for the construction of communities among people on the ground.

This thesis explores how land is politicized over time, and how understandings of both land and politics have been altered in the process. It builds on empirical material collected and constructed through extensive fieldwork in Molo, Kenya. An original finding of the thesis is that property rights are accepted but also complemented with other notions of what constitutes legitimate access to land. Additional light is hereby cast on why conflicts over land might not be solved but instead reinforced by land reforms.