

Claiming Land: Institutions, Narratives, and Political Violence in Kenya

By

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Abstract

This dissertation is a study of local-level variation in electoral violence. Kenya has experienced recurring and large-scale violence, yet there are striking differences in the sites and scale of violence within each electoral period. Why does violence escalate in some contexts of Kenya, and not others? Elite-centered approaches to election-violence have identified important cross-national and temporal patterns, yet overlook how the electoral incentives of elites interact with the interests and motives of ordinary citizens. As a result, most studies do not identify the local dynamics that underlie the process and organization of electoral violence—both where it escalates and where it does not.

The dissertation demonstrates that variation in land rights between groups shapes the process and patterns of electoral violence across Kenya. By focusing on the politics of land security, I identify the mechanisms that link the motives and methods of elites with the interests of ordinary citizens. I argue that the escalation of violence is a process that relies jointly on three main factors: 1) land rights inequality between “insiders” and “outsiders,” 2) contentious land narratives between these two groups, and 3) the ability of political elites to use these narratives as a tool to organize election violence. Electoral violence is much more likely when elites can draw on land narratives to convince followers that elections present a credible threat to land rights or an opportunity to re-claim land.

The evidence for this dissertation draws from 15 months of multi-method research that I conducted in Kenya. The first stage of the research is a micro-comparative case study across government settlement farms and land buying cooperatives (LBCs) in the Rift Valley and Coast regions. In total, I interviewed 230 ordinary Kenyans and conducted twenty focus groups. The second stage is a household-level survey that I designed and administered to 750 Kenyans. The survey measures individual-level land security, belief in contentious land narratives, and election violence, while accounting for other factors.

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Land Rights and the Process of Electoral Violence

On the evening of December 30 2007, Kenya's Electoral Commission announced the winners of the General election. As the announcements came in over the radio and television, Kalenjins in the farming community of Mauche crossed into the neighboring village of Likia and began torching the homes and fields of their Kikuyu neighbors. A Mauche resident explains how some community members "resulted to fighting" when their candidate didn't win and "they knew the next thing was their eviction."¹ Another Mauche resident tells me: "We were forced to respond to attacks from the Kikuyu after they had been incited by their political leaders. Their aim was to force us off these lands so they could become the owners."²

Only twenty miles down the road, Kikuyu and Kalenjin farming communities also border one another. Yet residents provide very different accounts of the 2007 elections. Here they tell me, "It was peaceful." The electoral results did not signal imminent eviction from their land. Violence did not escalate during the 2007-08 post-electoral period, nor did it escalate in previous elections.

These contrasting accounts raise the central question of this dissertation: why did violence escalate between two farming communities, while a short distance away similar farming communities did not fight? Why do certain regions of the country experience significant violence while others remain relatively peaceful?

¹ Mauche -10-04-stage-3-2.

² Mauche -10-02-focus group-elders.

³ According to Straus and Taylor's AEVD dataset, twenty percent of elections in Africa have experienced significant

Kenya is among the few countries in Africa that has experienced recurring and large-scale electoral violence.³ Violence escalated during the first multiparty elections in 1992 and again in 1997. In both periods, the Kenya African National Union (KANU) organized pre- and post-electoral violence as a strategy to defeat opposition parties. The 2002 elections promised an important break from the past: the defeat of the authoritarian KANU party and a peaceful electoral transition. Yet in the next general elections in 2007, the country experienced the most devastating electoral violence in its history. According to official reports, at least 1,300 people were killed and nearly 700,000 people were displaced from their homes.⁴

Current explanations of electoral violence focus primarily on elite incentives to orchestrate violence. These studies find that violence provides politicians with a means of altering political outcomes or securing regime survival: by coercing voting behavior, suppressing turnout, or displacing opposition voters from contested territory (Wilkinson 2004; Davenport 2007; Kasara 2014; Kraetzschmar and Cavatorta 2010). While this elite-centered approach has identified important cross-national and temporal patterns, it overlooks how the electoral incentives of elites interact with the interests and motives of ordinary citizens. As a result, most studies do not identify the local dynamics that underlie the process and organization of electoral violence—both where it escalates and where it does not.

Yet as the opening accounts suggest, there are important differences in the sites and scale of violence during each election: across regions, constituencies, villages and neighborhoods. The map below illustrates the spatial variation in the *level of violence* across Kenya's forty-seven counties, which I measure by the numbers of reported deaths.⁵ The map shows that the majority

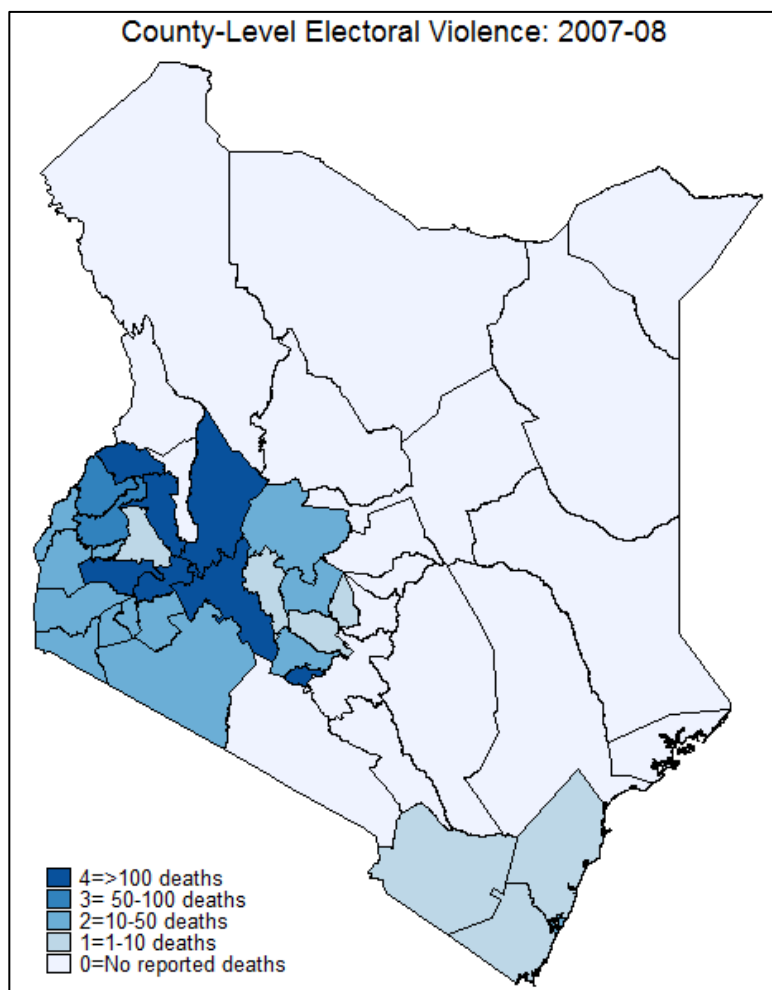
³ According to Straus and Taylor's AEVD dataset, twenty percent of elections in Africa have experienced significant violence.

⁴ Waki Report, National Democratic Institute (NDI).

⁵ These measures are based on the UCDP/PRIO armed conflict dataset, ACLED data, and the Waki Report.

of election-related deaths occurred in seven out of Kenya's forty-seven counties, most of which were clustered together (colored in darkest blue).⁶ Significant violence escalated within counties in Nyanza, Western, and the Rift Valley regions. Yet the map does not show the significant variation in violence *within* counties most affected by the violence. For example, in Nakuru and Uasin Gishu counties, hundreds of people were killed and thousands more displaced, while many communities and neighborhoods did not experience the violence directly.

Fig 1.1



⁶ Author's coding (see Appendix E).

Like many households across the country, residents in these unaffected areas watched and listened in horror as violence escalated elsewhere: in the nearby village, trading center, or distant capital city. This micro-level of analysis is critical in identifying the local-level motives and interests that worked to enable or constrain the escalation of violence.

I argue that variation in land tenure security between groups provides a powerful lens for explaining the process and patterns of electoral violence across different regions of Kenya. Specifically, by focusing on the politics of local land security, I identify the mechanisms that link the motives and methods of elites with the interests of ordinary citizens. Two questions frame the study. First, I ask how different forms of land access and security affect contentious land narratives between ethnic groups. I define land narratives as the stories groups use to talk about histories of land acquisition and loss, fears of losing land, and rights to claim land and territory. I find that where there is relative inequality in land rights between “insiders” and “outsiders,” contentious land narratives are more likely to form.⁷ Second, I ask how contentious land narratives enable or constrain the organization of violence. I argue that land narratives provide powerful tools to mobilize violence when elites use these narratives to convince followers their land access and rights to land hinge on the outcome of an election. By contrast, land narratives are ineffective mobilizing tools when citizens do not view elections as a credible threat to their land security or an opportunity to strengthen land rights. In sum, this dissertation contributes to studies of land conflict and election violence by examining the local, group, and individual-level factors that shape the escalation and non-escalation of violence.

⁷ Citizens and scholars use different terms to refer to people on both sides of insider/outsider dichotomy. Throughout this study I use the term “insider” to refer to groups of people who seem themselves as native citizens, “first-comers,” “hosts,” “sons-of-the-soil” (autochthon) or indigenous. In contexts such as Cote d’Ivoire, this status also confers national citizenship. “Outsiders” are groups who are viewed as people who originate from another place. Alternative terms include: “strangers” (*allogène*), “migrants”, “foreigners,” “guests” or “visitors.” I use these terms interchangeably unless I am quoting a respondent directly.

1. Why Land?

One of the main claims of this study is that land is a critical yet overlooked lens into understanding different forms of contentious politics and political violence, and electoral violence in particular. How and why does land have such power to mobilize collective action or participation in violence?

Scholars have debated the causal relationship linking land and political violence. One set of studies has focused on how land reform can diminish insurgency or rebellion, with particular emphasis on the peasant-based insurgencies in the former Soviet Union, Central America and South East Asia (Huntington 1968; Paige 1975; Wood 2003; Albertus and Kaplan 2012).⁸ The other side of this debate finds that land reform induces rather than curbs peasant based rebellion (e.g. Scott 1976; Skocpol 1979; Finkel et al. 2015). A related set of studies has tried to measure the relationship between land inequality and political violence in Central America (Midlarsky 1998; Muller et al. 1989; Brockett 1992).

Overall however, these studies have not found consistent empirical evidence that links land with the onset or escalation of political violence. One shortcoming of these previous studies is that they have focused primarily on the material or livelihood dimensions of land (e.g. land as plots that can be re-distributed) while overlooking the multiple pathways through which land shapes political action. I suggest that land can help explain the dynamics of political action in four broad and interconnected ways. Indeed, land does provide a material asset and source of livelihood. Yet land can also explain the dynamics of political action by serving as a form of political territory, a mechanism of state-building, and a source of identification. I explain each of these briefly.

⁸ The other side of this debate finds that land reform induces rather than curbs peasant based rebellion (e.g. Scott 1976, Skocpol 1979, and Finkel, Gelbach, and Olsen 2015).

(1) Material asset: The most common way that scholars evaluate the effects of land on violent outcomes is by looking at the material value that land provides for individuals or groups (i.e. land as a livelihood good). Despite rapid urbanization, land continues to provide a critical source of livelihood and financial security for a majority of the world's population.⁹ In countries where people rely on land as their main source of income, access to arable land shapes a person's ability to provide for his or her family, investment opportunities (e.g. in education and farm technology), and accumulation of wealth. When I asked respondents to explain what land meant to them, the prevailing theme was that land "is life itself." Others emphasized that owning land created freedom from landlord-tenancy relationships. I provide a few examples from my interviews to highlight how individuals from different regions of Kenya emphasize the material and subsistence value of land:

"Land is life! If you don't have land, you have no life."¹⁰

"If somebody denied me land then it's like denying me life."¹¹

"Land is important because it acts like the human heart that is the center of all body functions. With land I know my family is safe. I can get their daily bread, and more so, I am sure they will have hopes of living tomorrow..."¹²

"From the perspective of my community, one sees a piece of land as wealth because one can keep animals there, which is also wealth. So we value land so much that when you see someone selling his or her piece of land, we really feel that it is not right to do so. We value land more than anything else."¹³

"When you don't own your own land you are like a slave because you go working on other people's farms only to be paid peanuts."¹⁴

⁹According to the World Bank, 70 percent of people living in what "least-developed countries" live in rural areas, the majority of whom rely on agriculture. 75 percent of Kenya's population is classified as rural. 63 percent of people in sub-Saharan are classified as rural. <http://data.worldbank.org/topic/agriculture-and-rural-development>

¹⁰ Kwale Youth Focus Group, Msambweni, Kwale County, December 2012.

¹¹ Interview- Kinondo-A-1- Kwale.

¹² Interview- Ogilgei-09-03-2.

¹³ Interview- Elementaita-09-11_Oljari-2&3.

¹⁴ Interview-Mauche-07-20_12.

Understanding the material value of land, its ability to sustain life and livelihoods and endow future generations is important for understanding why barriers to land access can become a source of grievance and collective action. Analyzing land as physical parcels of land transforms land politics into a distributional question about how arable land is divided among members or groups within society and whether the status quo distribution of land threatens or maintains the political order (Acemoğlu and Robinson 2006).

(2) *Land as Political Territory*: Land is also important because it establishes the parameters of territory. Broadly, thinking about land as territory allows us think about land as more than soil, but as political space that can be claimed, controlled, or challenged (Toft 2005). These competing claims over land or territory can arise between different groups (e.g. ethnic groups or political parties) or between non-state groups and the state. In the context of multiparty politics in Kenya, political parties have transformed land into political territory. Each political party has used violence to assert dominance over their respective territories, displacing or disenfranchising people (voters) who “do not belong” on the land.

Viewing land as territory is particularly evident in the way that Kenyans frame conflict over land. In the narratives I record, the issue at stake is not simply an individual’s personal plot of land, but a larger territory that has been “invaded” or “taken over” by another group. Further, analyzing land as territory helps to expand theories of land and property rights to urban areas where it is not necessarily acres of arable land that are at stake. Rather, competing groups seek to assert claims to ownership or control over a section of a city such as a marketplace or informal settlement that “belongs” to those who “settled first.” Hence, by focusing only on the material value that land provides, scholars miss out on this key dimension that helps explain why people

feel both a sense of threat (of losing land, property, and power) and a motive to claim or expand territorial control on behalf the group.

(3) *Mechanism of State Building*: Land underlies the basis for formal and informal property rights institutions that link citizens to the state (Boone 2014).¹⁵ These institutions establish a “political relationship” between citizens making claims to land, and the state, which has the power to enforce, allocate, and revoke land rights from citizens.¹⁶ This relationship brings citizens under the jurisdiction of the state and thus provides one way for the state to expand its authority over citizens and space (Boone 2007; 2014; Herbst 2000).

(4) *Source of Identification and Belonging*: Land provides a way of claiming belonging: to a family, a clan, a village, or larger community. Similarly, it provides a way of self-identifying: as a member of a community or “ancestral home,” or the offspring of a prominent community member, or as a landed or landless member of society. One respondent remarks, “Land is of huge importance...it’s an identity of status. I identify myself as a landowner and with land I am viewed as someone in my community [...]”.¹⁷ Across many settings, the most salient and powerful identity is whether a person can claim to be a “son-of-the-soil” or native of the land or is instead seen as a migrant (*allogène*).¹⁸ These lines of identification affect how an individual or group members make claims to the land and the rights they can expect to receive—either formally or informally. In this way, identification and belonging are an important part of contentious claim-making and the violent politics that can arise from these competing claims.

Kenya provides a particularly good case to examine the relationship between land and

¹⁵ See for example: Lund and Boone (2013); Boone (2007);

¹⁶ Boone (2014) and Joireman (2011) make this point with respect to property regimes in Africa.

¹⁷ Interview- Ogilgei-09-04_3

¹⁸ See for example: Geschiere (2009); Lenz (2013), Lentz and Lund (2008); Geschiere and Gugler (1998)

political violence. Land provides a critical livelihood source, an investment opportunity, and means of identification. Yet the formal and informal rules that mediate access to land rights are arbitrary and exclusive. Rather than strengthening formal institutions, Kenyan leaders have used land as a source of political patronage, allocating land rights to followers while removing rights from opposition members. During election periods, leaders use land narratives to establish targets of violence. Opposition members are cast as “outsiders” who must be removed from the contested districts or blocked from voting. In this way, land has become synonymous with contested political territory. Equally, the provision of land rights has provided a way for the state to exert its authority over citizens.

Public opinion data also shows that citizens in Kenya believe that land more than any other factor, contributes to violent conflict. In the table below I show responses from Round 2 of the Afrobarometer Poll. I compare the top six response categories in Kenya compared with all African countries (averaged).¹⁹ These results also indicate that citizens across the ten surveyed African countries view land-related issues as among leading factors underlying violent conflict.

Afrobarometer Round 2 Poll (2002-03): What is the main source of violent conflict? (%) *		
	Kenya	African Countries (averaged)
Land/ Boundary Disputes	34	16
Animals/Livestock	12	2
Ethnic differences	9	6
Religion	0	5
Political Issues/ Leadership Disputes	18	19
Economic Deprivation/inequality ¹	6	9
Other**	21	43

* Results exclude “Don’t Know”/NA (N=15,649, 100%)

**For all responses not specified, the highest rate of response is 3%

¹ Combines economic problems, social deprivation, discrimination/inequality, income distribution

¹⁹ Countries included in Round 2 included: Botswana, Cape Verde, Ghana, Kenya, Lesotho, Malawi, Mali, Mozambique, Namibia, and Nigeria (results weighted)

2. Elections and Violence

Across much of the democratizing world, elections are marred by violence. These acts of violence take many forms. Incumbent regimes can use their control over public and private security to order targeted assassinations against individuals who threaten the power or status of the party such as opposition members, party activists, or civil society members. For example, in May of 2015, the leader of the opposition party in Burundi was assassinated for his outspoken position against the incumbent president's decision to stand for a third-term in office.²⁰ State security forces are often responsible for brutally suppressing, injuring, and sometimes killing opposition members who protest or organize during election periods. Political protests can also become violent when protesters engage in violence. In addition, incumbent and opposition parties can organize violence to intimidate, displace, or punish opposition supporters. In these cases, violence takes the form of ethnic targeting and can result in the mass displacement of communities from their homes, and tremendous loss of livelihood.

Many studies have analyzed trends in electoral violence. According to Hafner-Burton et al., (2013) "significant violence" resulting in at least one civilian death has occurred in 37 percent of all elections since 1981.²¹ A more conservative estimate, which uses a threshold of twenty-five deaths, finds that 23 percent of all elections between 1985 and 2005 have been violent (Arriola and Johnson 2012). Within Africa, Straus and Taylor (2012) find that twenty percent of all elections held since 1990 have been affected by violent repression or generalized violence.²² While these estimates suggest that that electoral violence remains far from the norm,

²⁰ The opposition leader of the Union for Peace and Development (UPD) was shot in Bujumbura on May 23, 2015 for speaking out against President Pierre Nkurunziza's decision to stand for a third term in General Elections scheduled for June 2015.

²¹ These figures from the NELDA dataset, where 30 percent of violence is pre-electoral and 7 percent is post-electoral.

²² These figures come from Straus and Taylor's African Electoral and Event Dataset (AEVD)

the fear of violence and the actual occurrence of violence undermine the democratization process as well as the prospects for durable peace and stability.

Discrepancies in accounting for the incidence of election violence also hint at conceptual challenges in defining electoral violence. For example, how do we measure or identify the organizers, participants, and targets of violence? Where do we draw the lines between each type of actor? What are the appropriate time periods for observing election-related violence? And what are the thresholds for measuring levels of intensity of violence? The ways that scholars define and measure election violence have important implications for the theories of electoral violence that emerge. Hafter-Burton et al. (2013) for example, limit their definition of election violence to “government-sponsored electoral violence: events in which incumbent leaders and ruling party agents employ or threaten violence against the political opposition or potential voters before, during or after elections (Hafter-Burton et al. 2013: 150). Other studies also find that the incumbent regime is responsible for most election-related violence (Straus and Taylor 2012). Yet this more narrow focus on government-sponsored violence overlooks cases where opposition parties instigate violence (Collier and Vicente 2012), or where ordinary citizens—rather than state officials alone—participate in violence.

I define electoral violence as a form of political violence in which the dynamics of electoral competition shape the motives of perpetrators (Staniland, 2014), the identification of targets (Höglund, 2009; Bekoe, 2012), and the forms and timing of physical violence.²³ The challenge for scholars is to identify acts of violence that may be linked to electoral politics and those acts that take a similar same form (e.g. assassinations or arson) but are not linked to elections. In many cases, acts of violence have multiple motives—where personal, territorial,

²³ Where the electoral period as any time six months prior and three months following the election (Straus & Taylor, 2012).

and electoral motives intersect. My micro-level approach to electoral violence aims to unpack these dynamics.

3. Theories of Election Violence

A growing literature is beginning to look at how competitive elections shape the possibilities for violence in democratizing or post-conflict settings. Existing theories emphasize the destabilizing process of liberalization, elite incentives to alter electoral outcomes (Wilkinson 2004; Bates 2008; Hafner-Burton et al. 2013, Kasara 2013), electoral fraud (Dercon and Romero-Gutierrez 2012; Norris 2013), ethnic polarization (Horowitz 1985; Collier 2009), and weak institutions (Mueller 2008; Branch and Cheeseman 2009) among other factors. I group these studies into three broad categories: rationalist (elite-centered), institutionalist, and identity-based approaches to election-related violence.

Broadly, I suggest that while these theories provide important insights into the factors influencing election violence, we still know very little about how the electoral incentives of elites interact with the motives and interests of ordinary citizens. One implication is that current theories assume that citizens will mobilize on behalf of a candidate or particular grievance rather than specifying why groups of citizens are willing (or coerced) to participate in violence. Instead of assuming that elites are able to mobilize citizens to fight or that particular institutional settings will inevitably give rise to violence, this project examines the local-level conditions that can either constrain or enable the organization of violent collective action in the context of elections. The project draws on recent micro-level studies of civil war and contentious politics that

emphasize civilian agency, grievance, and the process of violence to develop a theory about how access and rights to land structure the process and organization of violence at the local level.²⁴

Democracy and Violence

The early literature on electoral violence predicted the rise of violence with the onset of competitive elections. The prevailing assumption was that “democratization is often violent” (Snyder and Mansfield 2007; Carothers 2007; Berman 2007). Scholars claimed that multiparty elections in weakly institutionalized democracies would provoke violence and instability associated with contestations over power (Dahl 1971, Huntington 1991, Snyder 2000, Snyder 2007). From this perspective, election violence was merely a “side effect” of democratization that would subside as levels of democracy improved. Mueller (2001) for example, highlights the correlation between political change and violence, suggesting that this is because political entrepreneurs take advantage of the weakening state that accompanies the transition from authoritarian rule (Mueller 2001:22 in Kimenyi and Ndungu 2005). Several studies echo the claim that state-organized violence will follow political liberalization as political elites resort to extreme measures to maintain the status quo or defeat rivals (Hegre et al. 2001; Sambanis 2001; Mansfield and Snyder 2007).

Scholars studying the democratization process have also focused on whether and how certain conditions are necessary before a stable democracy could take shape.²⁵ Early on, Rustow (1970) claimed that democratization would falter if a consensus around national identity had not yet emerged. Snyder and Mansfield (2000; 2007a; 2007b) make the more forceful point that states that democratize prematurely are much more likely to experience civil or interstate war in

²⁴ These micro-level studies include Elisabeth Wood (2004), Stathis Kalyvas (2006), Lee Ann Fujii (2009), Scott Straus (2006), Séverine Autesserre (2009), Mike McGovern (2011)

²⁵ Rustow 1970; Carothers 1999; Linz and Stepan 1996.

part because their “institutions are too weak to manage the upsurge in the political power of newly enfranchised masses (2007a: 4).” Further these “out of sequence attempts to democratize,” would “propel countries on an illiberal trajectory (2007b: 7) and increase the chance of violence.

Yet as Straus and Taylor’s African Electoral Violence Database (2012b) reveals, the levels of election-time violence in Africa have been, on average, consistent over the last twenty decades (1990 to 2008). Both the onset and deepening of democratization in other words, does not correlate with patterns of violence. Kenya’s history of electoral violence illustrates the need for more fine-grained theories. The first episodes of violence occurred during Kenya’s first multi-party election in 1991-1992. Yet when violence erupted after the 2007 elections and left at least 1,500 people dead, Kenya was regarded as among the most democratic countries on the continent (Dercon and Guterrez-Romero 2012).

Rationalist Accounts

A more recent set of theories explains the use of electoral violence as an elite strategy to alter the electoral or political process. This rationalist approach builds on the democratic transition debate, but focuses on explaining when and why elites choose to incorporate violence into electoral campaigns. Broadly, these studies find that political actors have the greatest incentives to employ violence where vote margins are narrow (Wilkinson 2004) or where one side is uncertain about their probability of winning (Hafner-Burton et al. 2013). Violence provides a strategy of suppressing the turnout of non-supporters through coercion or intimidation, changing voter preferences, or by displacing opposition voters as a way of altering the political terrain (Kasara 2014; Boone 2011, Klopp 2001). In his study of ethnic riots in India for example, Wilkinson (2004) demonstrated how the degree of electoral competition at the

local-level helps explain whether the regional-level government would leverage the security forces to prevent or foment ethnic riots.

These studies also ask which type of political parties are most likely to engage in violence. Overall, most studies find that the incumbent party is more likely to use violence as they are best able to exploit state resources to deploy violence and also have greater incentives to maintain power (Straus and Taylor 2012; Hafner-Burton et al. 2013). Chaturvedi (2005) claims that political parties with lower levels of initial support are more likely to use violence. By contrast, Collier and Vincente (2012) find that opposition candidates are more likely to use violence to influence vote outcomes because they do not have the same comparative advantage as the governing party to use vote buying and electoral fraud.

In the Kenya context, several studies have documented how zones of political competition have overlapped with political violence, particularly during the first decade of multi-party politics under the regime of Daniel arap Moi. During these elections (1991-92 and 1997-98), the KANU government deployed violence as a way to displace presumed opposition supporters (“outsiders”) in politically competitive regions. There is less evidence to show how political calculations shaped the patterns of violence in the post-electoral violence of 2007. Kasara (2014) finds that election violence was greater in administrative locations that were “pivotal” to electoral outcomes of the 2002 parliamentary election. Harris (2012) by contrast, argues that the level of electoral incentives of local ward councilors, rather than higher-level candidates, explains much of the affinity between electoral competition and sites of violence in the Rift Valley.

My dissertation builds on the insight that the electoral calculations of elites shape decisions to organize violent mobilization. These theories however, make two sets of

assumptions that conceal many of the local dynamics that both foment and restrain violence. The first assumption is that political entrepreneurs use violence as a way to win their own political races. I find that there are many more reasons why political actors—particularly at the local level—choose to organize or participate in violence. For example, at the ward-level, the benefits of winning are rarely large enough for local councilors to run the high costs of engaging in violence. Instead, I find that local councilors organized violence and mobilized followers on the ground as a way to gain recognition, move up in the political party, win favors, and gain status as “big men” within their own community and within their political party. Violence in this sense was strategic in that it allowed individuals to advance at the local level. In other words, actors were not motivated solely by incentives to win elections, but by the opportunity to gain recognition, status, and employment. The second assumption is that these theories assume that the interests and motivations of citizens are homogeneous and unchanging, without explaining why certain people might be more or less compelled to fight for a particular political party or candidate. This dissertation argues instead that the escalation of violence is a “joint production” between elites and ordinary citizens (Kalyvas 2006). Political elites must have the incentives to use violence, yet violence is only feasible and thinkable when there are a set of logics and motivations that resonate with citizens and local political actors on the ground.

Electoral Fraud

Other scholars suggest that elections become violent when one or both sides perceive electoral fraud (Norris 2013; Dercon and Romero-Gutierrez 2012). Studies draw on evidence largely from Kenya, where fighting erupted when supporters of Raila Odinga’s Orange Democratic Movement (ODM) accused Mwai Kibaki’s Party of National Unity (PNU) of stealing the elections. The problem with this analysis is that elections are seen as single events

rather than a process with more complex underlying causes. Indeed, the election announcements provided the necessary trigger for violence, igniting a set of fears and anxieties that both political parties had inculcated in one another. Yet the elections were so high-stake—and the anticipation of fraud so great—because the narratives and rumors leading up to that point had culminated in a “winner-take-all” logic of war. In contested regions of Nairobi and the Rift Valley, the elections would decide who would face eviction from their farms and homes, and who would remain secure. These interpretations of the electoral outcomes developed out of local and national contexts in which access to resources hinged on having an ethnic patron in power.

In sum, studies that focus on electoral fraud are important for improving the integrity of the electoral process but fall short in being able to explain why perceptions of fraud would provoke violent mobilization in one town or farming community but not another, or equally, in one election but not another. Perceptions of integrity, and how these perceptions overlap with group narratives, are only one part in explaining the process of election-time violence. Nonetheless, in the case of Kenya’s 2007-08 elections, the announcement of the disputed poll results provided the necessary trigger to set violent events into motion. Yet while the elections are key to understanding the escalation of violence at the national-level, other events also set violence into motion, such as a bar fight, or a personal feud between neighbors or co-workers. Hence, when tracing the process of violence, we must use caution in ascribing too much causal power to a single, national-level event.

Identity-Based Explanations

The role of ethnic diversity or ethnic polarization is perhaps the most prominent and enduring explanations for violent conflict and war. Many recent studies linking ethnic polarization and conflict has followed Horowitz’s seminal work that analyzed ethnic conflict as

an outcome of group struggles to gain or assert political power. This was a departure from previous explanations that looked at ethnic conflict as motivated by either material factors or by “ancient hatreds.”

One line of quantitative research on ethnicity and violence examines how a country’s level of ethnic diversity increases the likelihood for violence (e.g. Sambanis 2001, Easterly and Levine 1997).²⁶ Other studies have focused more on the mechanism linking ethnicity and conflict. Bates (1983) for example, claimed that ethnic groupings matter because they provide a basis for collective action. Other studies have analyzed how ethnic identity groups can lower the cost of political organization and mobilization (Horowitz 1985), and specifically, that they can provide a low cost mechanism for elites to mobilize supporters (Brubaker 2004; Ferree 2006; Mansfield and Snyder, 1995; Collier 2009) and form minimum winning coalitions (Posner 2004; Wilkinson 2004). Hence, where “ethnic voting” is higher, the likelihood for electoral violence is also higher (Kuhn 2013).

Cederman, Wimmer, and Min (2010) claim that ethnicity matters because the “the nation-state relies on the ethno-nationalist principles of political legitimacy (Cederman et al. 2010: 321).” They specify the ethno-political configurations that make the escalation of violent conflict more likely. One implication of their claim is that ethnic groups who feel excluded from power are those who are most likely to instigate violence—either through protest or by challenging the state (Cederman et al. 2013; Collier 2009). Relatedly, scholars have observed that where ethnicity and patronage politics are salient features of political life, voters use ethnicity as a shortcut to predict the distribution of patronage goods or the implementation of policy (Long

²⁶ Where ethnic fractionalization is measured by the ethno-linguistic fractionalization index (ELF). This is calculated as the likelihood that two randomly drawn individuals speak a different language.

2012).²⁷ In these cases, elections become a zero-sum game where the loss of power means the loss of access to the “national cake” or the “democratic dividend” (Snyder 2000).

Another set of theories argues that the segregation of ethnic groups makes violence more likely (Varshney 2002). Kasara (2012) applies theories of ethnic segregation and inter-ethnic mistrust to the post-election violence in Kenya, arguing that self-segregation fuels animosity and facilitates violent organization during elections.

Recent debates over the role and measurement of ethnic identity have prompted a constructivist shift in the literature, in which scholars view the meanings and function attached to ethnic identities as an outcome of institutional arrangements or social and political processes (Lynch 2008, Chandra 2005; Boone and Nyeme 2015).

Few people would deny the role that ethnic identity plays in Kenyan politics. The dynamics of violence are often cast in ethnic terms—Kalenjin chasing out Kikuyu, Kikuyu taking revenge on Kalenjin or Luo, or the more recent communal clashes between the Orma and Pokomo in Tana River.²⁸ The challenge for scholars is to separate the act of ethnic targeting during an episode of violence from the conditions that explain why certain ethnic groups become the perpetrators or targets of violence—and why these identities are significant at certain times but not others. Building on recent constructivist theories of ethnic conflict, I argue that ethnic arrangements and ethnic identification are not sufficient predictors of election-time violence. Instead, I demonstrate that in insecure property rights environments, where group members struggle to access land or security (i.e. title deeds or plots), they are more likely to see a neighboring group of a different ethnic identity as a threat to their own security. In this setting,

²⁷ Bates 1983, Chandra 2004; Posner 2005, Wantchekon 2003

²⁸ These clashes occurred in Tana River District between 2012-2013 and left over 118 people dead and displaced over 13,000. The violence was instigated by disputes over rights to land, but investigations have found that local politicians were also involved. The high numbers of deaths were due to revenge attacks launched by each side.

narratives of land access and security are infused with narratives of ethnic identification and belonging. These highly contentious narratives, which delineate ethnic insiders and outsiders, provide an easy and volatile discourse for politicians to mobilize during elections. My project highlights however, that the salience and meaning of ethnic identification is endogenous to the property rights environment in which these narratives take shape. In sum, just as some scholars have argued that state institutions shape the role and salience of ethnic identity (Posner 2004; Lieberman and Singh 2012), this project argues that land institutions shape the political salience of ethnic identification.²⁹

Grievances

Grievance-based theories have focused on how inequalities in wealth and political power between groups or perceptions of marginalization by the state can generate violent and non-violent forms of collective action (Huntington 1968; Scott 1976; Horowitz 1985; Gurr 1993; Cederman et al. 2010).³⁰ Scholars have conceptualized grievances in terms of resentment by indigenous populations (Laitin 2007), ethno-nationalist grievances (Cederman et al. 2010), perceptions of “state or societal discrimination” (Fearon and Laitin 2003) and competition for state resources (Cedarman and Giardin 2007). With regard to Kenya, many explanations of election-time violence have focused on how “historical grievances” or “ethnic grievances” provide a basis for elites to mobilize “natives of the Rift Valley” against “non-natives (Anderson and Lochery 2008; Kanyinga 2009; Lynch 2008).

Critics of classical grievance theory have rightly observed that while grievances play a role in fomenting violence, conventional measurements of grievance cannot explain why some

²⁹ Boone and Nyeme make a similar argument in their paper (2015), “Land institutions and political ethnicity in Africa: evidence from Tanzania.”

³⁰ Gurr launched a dataset, the Minorities at Risk (MAR) dataset that has become main sources available for evaluating theories about ethnic groups (1993).

grievances provide sources of violent mobilization while the majority remain latent (Tilly 1978; Fearon and Laitin 2003). Cederman, Gleditsch and Buhaug refer to this as the “*ubiquity-of-grievances* claim (2013:19)”

There is however, renewed interest in the explanatory power of grievances. For example, Simmons (2014: 514) argues that by understanding the meaning that grievances take on scholars can better explain, “how and why social movements emerge, develop, strengthen, and fade.” One of the main shortcomings of grievance-based scholarship has been this failure to take the meanings of grievance seriously. As a result, the measures or proxies of grievances have been inappropriate. For example, scholars have measured income or levels of education to account for levels of material inequality. Yet as new several studies are finding, grievances are often rooted in a sense of injustice that cannot be captured by material measures alone. For example, Cederman et al. (2013) suggest that the “perception of injustice generates grievances that serve as a formidable tool of recruitment” in violent conflicts (2013: 47).

Greed-oriented explanations, on the other hand, specify the conditions under which rebellion or insurgency becomes economically feasible. Drawing on theories of collective action (Olson 1965; Popkin 1979), studies focus on how the opportunity costs of rebellion, such as wages or opportunities to loot, facilitate the recruitment of individuals into violent organizations (Collier and Hoeffler 2004; Blattman and Miguel 2010; Humphreys and Weinstein 2006). Yet by framing the debating into neat dichotomous terms, the greed-versus-grievance perspective limits the range of possible explanations (Cederman et al 2010; Kalyvas, 2003).

Rather than treat material and ideational incentives as theoretically distinct, I argue that ‘land grievances’ (or what I later term “land narratives”) have both strong material and ideational elements. While beliefs about the illegitimacy of land allocation can provide a powerful form of

grievance, the promise of a plot of land or a title deed can also motivate individuals to fight for private material gain. In other words, the mobilization of land grievances can encompass multiple logics: feelings of economic and political powerlessness, such as the inability to secure land tenure, alongside the hope that participation in fighting will yield private, materials payoffs such as a plot of land, a title deed, or livestock.

Institutionalist Accounts

Institutionalist accounts view election violence as an outcome of institutional weakness or breakdown. These studies focus on the formal and informal institutions that create a context for electoral violence—from weak property institutions (Boone 2011; Kanyinga 2009; Klopp 2002; Onoma 2010), weak public security and rule of law (Mueller 2008), entrenched patronage and clientelism (Reno 2008; Boone and Kriger 2012), or an all-too powerful executive (Branch and Cheeseman 2009).

Political patronage can increase the risk of electoral violence because citizens view elections as high-stakes game. In patronage-based political systems the distribution of state goods is far less equitable compared to more inclusive democratic institutions. Citizens (i.e. clients) must seek out patronage relationships to secure access to state goods like security, jobs, contracts, housing and land. Hence, elections create both the opportunity to secure these goods if the “patron” wins or maintains power. The flipside of this high-stakes game however is that the client has everything to lose when the patron loses. In the absence of inclusive democratic institutions, citizens fear that they will lose access to the state services and patronage goods if their party loses (Diamond et al 1995; Van de Walle 2007).

Other studies have argued that Kenya was particularly prone to electoral violence because there was both an entrenched practice of patronage and corruption alongside highly centralized

state power. This not only enabled national executives to use state resources for personal gain. More so, it allowed the state to use state-sponsored security forces as a repressive tool to retain power while ignoring legal institutions meant to safeguard political and human rights (Branch and Cheeseman 2009; Smith 2009)

While these institutional or structural accounts are an important part of explaining why electoral violence is possible, one shortcoming is that they provide retrospective accounts. The occurrence of violence is not a puzzle, but an inevitable event. For example, Susanne Mueller argues that in the lead up to the 2007-08 election violence “Kenya was precariously perched and *poised to implode* even prior to the election...” (Mueller 2008: 186). In particular, while many of these accounts focus on explaining the escalation of violence at the national-level, they are less well suited to explain the micro-level patterns of escalation and non-escalation. This is primarily because most accounts do not focus on how institutional features vary at the micro-level.³¹

This study pays particular attention to a set of scholars who draw links between land institutions, the politicization of land, and electoral violence. Scholars have pioneered this work in Kenya, Zimbabwe, and Cote d’Ivoire, where political elites promise to allocate land to reward ethnic or political clients and revoke land from the opposition (Boone 2014; Boone and Kriger 2012; Boone 2011; Klopp 2002; Chauveau 2006). This process of land revocation takes violent forms during elections. Boone (2011; 2014) has established an important research agenda, outlining the relationship between the property rights regime, the use of land as tool of political patronage, and patterns of electoral violence. Yet to date, there are few studies that examine

³¹ An important exception includes scholars who focus on land institutions, namely, Catherine Boone (2007, 2011, 2014)

systematically how people on the ground interpret promises of land, taking into account the local-level factors that shape their land access and security.

Why for example, might land be a more effective mobilizing strategy in some communities or regions rather than others? Why and when does land provide a compelling reason for ordinary citizens to fight? Rather than assuming that land patronage will incite violence, I specify the conditions under which promises of land provide (or fail to provide) compelling sources for people engage in violent forms of political action. By moving beyond a structuralist account of land and violence, I look at how people interpret the rules and norms that govern their land access and security alongside their changing political environment. This approach provides a more useful analytic lens for understanding why violence is a thinkable and feasible strategy for elites and ordinary citizens in one local context, but unthinkable in another.

4. The Argument

If elite incentives, ethnicity identity, and weak institutions alone do not explain local variations in election violence, what does? Broadly, this study demonstrates how land access and security underlie the process and dynamics of local-level election violence. I argue that the escalation of violence is a process that relies jointly on three main factors: 1) land rights inequality between insiders and outsiders, 2) contentious land narratives between these two groups; and 3) the ability of elites to use these narratives as a tool to organize election violence. Each of these factors is a necessary but not sufficient condition for the escalation of election-time violence. The table below outlines a simplified illustration of this process of violence:

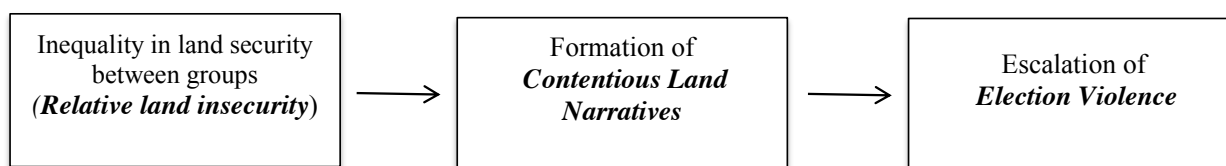


Fig. 1.2: Process of Electoral Violence

Election violence is only possible then, in contexts where all three factors exist. The project examines each of these factors as “stages” in the process of violence. In the first stage, I examine the determinants of variation in land security between groups (and individuals). I use the term “group” here to refer to at least two groups who identify along different ethnic, regional, or religious lines. In most cases, there is also a salient insider-outsider cleavage that distinguishes each group. That is, members of one group identify as the indigenous or “sons-of-the-soil” while the other group are cast as “outsiders” or “migrants.”

In the second stage I examine how variation in land security between groups shapes the formation of contentious land narratives between insiders and outsiders. I define contentious land narratives as the stories that group members use to express beliefs about the legitimacy or injustice of the land distribution process, fears of losing land or property, and strategies of asserting claims to land and territory based on identification or land documentation. In the third stage, I focus on how and when these contentious land narratives between groups can become a tool for elites to mobilize violence during election periods.

(1) Land Inequality

I begin the argument by explaining why land tenure inequality exists between some groups, but not others. Here I present my theory of relative land inequality. Broadly, I define “relative land inequality” as the disparity in the strength of land tenure security between two or more groups living in close proximity to each other. At the group level, I find that the most important indicator of land security is the type of land document that each community holds.³² Hence, relative land inequality exists if members of one group all have title deeds to their plots

³² The dissertation examines the causal importance of other measure of land security at different parts of the dissertation. These include the size of a resident (group member’s) plot of land, their assessment of their land security, and fear of eviction. I discuss how these matter in Chapter 3-6.

of land, while members from the other group do not. Relative land rights between claimants can take three main forms. The first form is when there is land rights *inequality* between two groups from a similar socio-economic class, such as that of smallholder farmers. Yet relative land inequality emerges when members of one group are able to secure stronger land rights compared to members of the other group. The second form is when two groups from the same class share the same level of land security. In this latter case, there is relative land *equality* between groups. The third form is when there is land *inequality* between two groups who occupy distinct socio-economic classes such as smallholder farmers and large-scale landowners.

At this first stage my goal is to explain regional variation in each of these arrangements in group-level land inequality. I begin with the claim that politicians in Kenya use land as a tool of state building and political patronage. Until very recent constitutional reforms, the Office of the President benefited from unchecked powers over the allocation of state lands. This has allowed executive-level politicians to use the distribution of state-owned land to build clientele groups among both ordinary citizens and other elites.

Yet this logic of land distribution varies regionally and temporally. Several factors help explain why politicians distribute land to ordinary citizens. The first scenario is when political elites seek to build or expand broad-based political support. Politicians can offer land—by settling the landless, providing land financing, title deeds, or protection of land—in exchange for political loyalty (Boone 2011; Kanyinga 2000; Onoma 2010; Lynch 2011). This motive for building mass-based support is strongest where politics is competitive. That is, where there are multiple groups with the power and ability to control the political sphere at the regional level.³³

³³ There is a well-established literature within the political economy of property rights that also argues that rights grantors (i.e. the government) will only allocate and enforce property rights when they perceive an advantage in doing so. See for example, Riker and Sened (1991).

Politicians may also distribute land downward as a mechanism for quelling potential unrest and political instability. Hence, in areas where grievances over land have shaped former episodes of violence or war, elites have strong incentives to ensure against future uprisings. Redistribution provides elites with a way of quieting dissent and co-opting potential challengers from below. In sum, land reform, or the distribution of land rights to the poor, can operate as a counterinsurgency tool during conflicts and as a mechanism to quell future uprisings directed toward state or elite interests (Huntington 1968; Albertus and Kaplan 2012). In the Kenya context this means that politicians, particularly at independence, have had strong incentives to take a pro-active approach to land reform in areas previously affected by the Mau Mau insurgency (zones of previous Mau Mau support). Yet if and where political elites do not see the landless majority as a credible threat to the political stability of the region or the property rights of elites, they are less likely to use land reform as mechanism of pacification (Branch 2009).

Further, political elites are more likely to use land reform or resettlement as a patronage good where there are public lands available for land re-distribution. Politicians were able to settle groups of ordinary citizens in the former White Highlands in part because the government had purchased the land from outgoing White Settlers. Along the Coast by contrast, families of Arab-descent owned much of the arable land that might otherwise have been used for resettlement. Governing elites were thus more constrained in how and where they settled their constituents.

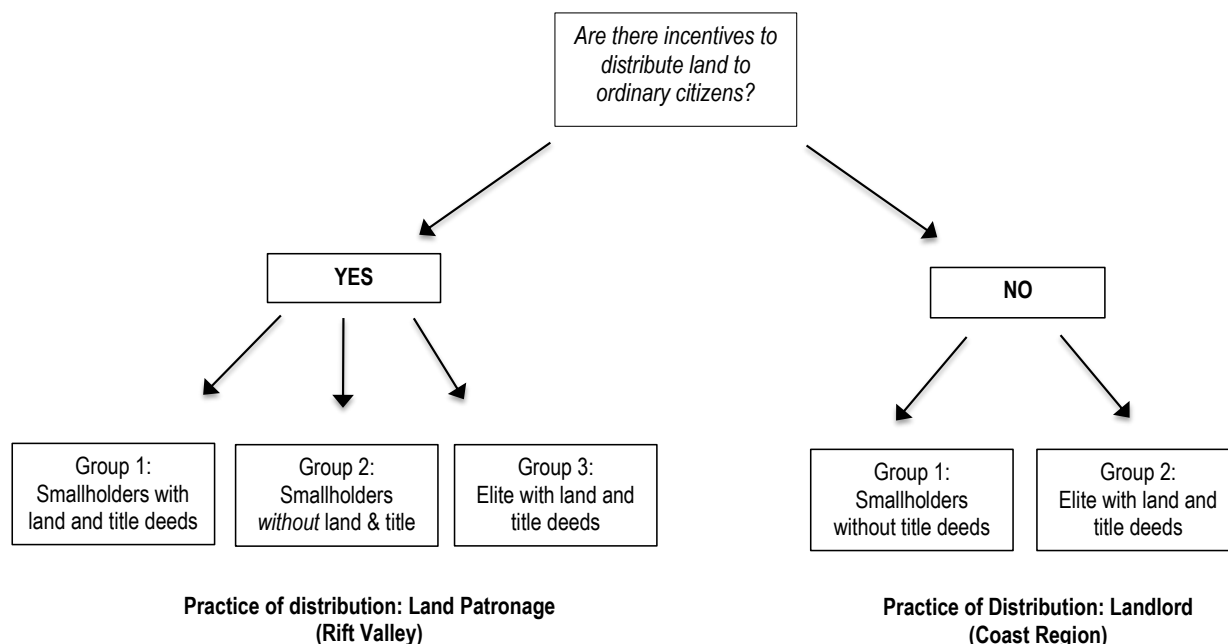
I argue that groups of ordinary citizens can only obtain land rights when these political elites have the incentive and ability to use land as a political good (as described above). If politicians do indeed have reasons to use land a patronage good, either to build political support or to prevent rebellion, then we are likely to see land rights allocated selectively across different groups. This shapes relative inequality in land tenure rights across identity-based groups but

from a similar socio-economic class. The distribution of rights toward particular groups will depend on the political interests of the politician or regime in power at the time.³⁴

By contrast, when political elites (i.e. the Office of the President) lack the incentive to distribute to land rights to ordinary citizens, citizens have few opportunities for gaining rights to land. The implication is that private and political elites will hold tenure rights to the majority of land in the region, leaving the majority as squatters or tenants. This creates the third scenario of relative land rights inequality that I've described. In this case, there is extreme land inequality in terms of both access and tenure security between the two main groups. In contrast to the scenario outlined above however, these groups are not from same socio-economic classes but from the landless majority and the land or property-owning minority. I demonstrate that in these regions where there are not incentives for land patronage, landlord-tenant relationships mediate land access among the poor. The figure below illustrates the linkage between elites incentives to distribute land to groups of ordinary citizens and the forms of group land inequality that are likely to emerge as a result. The key point at this stage of the argument is that in contexts where politicians use land as a political and patronage good, we are more likely to observe relative land inequality between rival groups. In these contexts, the process of distributing and claiming rights to land is tied to political and ethnic identification. Where politicians distribute land to ordinary citizens, there is significant land inequality, but not between competing or rival groups.

³⁴ This process of land allocation is mediated through different actors and institutions controlled by the state, primarily, the Provincial Administration and its hierarchy of officials. I discuss this in Chapter Two and Three.

Fig 1.3: A Model of Land Distribution and Group Land Inequality



(2) Contentious Land Narratives

The second stage of this study examines why contentious land narratives emerge between two groups. Broadly, I find that contentious land narratives are more likely to form where there is relative land inequality between two groups who occupy the same socio-economic sphere (e.g. smallholders or petty traders). This is the first type of group land inequality that I outline in the previous section. Here, one group has managed to secure fairly strong land rights while the other group has not.

I identify two types of contentious narratives that emerge from local environments defined by relative land inequality. The first is what I call the “*competing claims*” narrative. This narrative manifests when one or both groups believe that the land distribution process is unjust or illegitimate. Each side makes competing claims to the land/ territory. For example, members of one group may accuse the other of acquiring land illegally through networks of political patronage. A similar common claim is that the title deeds of a particular group are fraudulent or

illegitimate; they were produced and distributed to reward ethnic or political followers. Another common theme of this narrative is that migrants (e.g. Kikuyu and Kisii) have “stolen” or “invaded” the ancestral land of “natives” from the Rift Valley.

The key point is that members of each group believe they are the rightful inhabitants of a particular piece of land or territory. Yet because of the injustice or illegality of the land distribution or mediation process, competing claimants have been able to obtain land access or rights at the group’s expense. In many cases, these contentious land narratives manifest as debates over who is entitled to make claims to the land: the “sons-of-the soil” (e.g. Kalenjin) or the migrants who have worked the land (e.g. Kikuyu).³⁵

The second type of narrative is the “land insecurity” narrative. This narrative takes shape when group members (on one or both sides) fear that rival claimants will use their superior political or coercive power to displace group members from their land. Fears of land evictions or displacement are more likely when members of the group can recall personal stories of eviction by the state or rival group or can draw on stories from the past.

In sum, I find that contentious land narratives are more likely to form when members of one group feel that their land rights are less secure than the land rights of a neighboring group. In many cases, the group that feels less secure claims “sons-of-the-soil” or “ancestral rights” to the land, while casting the rival group as the “outsider,” “migrant,” or “invader.”³⁶

(3) Land Narratives and the Mobilization of Election Violence

³⁵ Fearon and Laitin (2011) find cross-national support for the observation that land grievances (land conflicts) arise when the state favors migrants groups as the expense of groups who see themselves as “sons-of-the-soil.”

³⁶ There is a growing literature examining the politics of land and identity through the lens of the insider-outsider dichotomy. Some of these scholars include Christian Lund (2008), Carola Lentz (2013), Peter Geschiere (2009), Ruth Marshall-Frantani (2006), Sarah Jenkins (2012), Gabrielle Lynch (2006; 2011) and Stephen Jackson (2006).

The third stage of the project examines the relationship between contentious land narratives and the escalation of election violence. I start by explaining how land narratives can shape the mobilization of violence. I argue that the two types of contentious land narratives that I describe can—under certain conditions—establish separate motives for participation in electoral violence. The figure below outlines the relationship between the type of land narrative, the logic of electoral violence that these narrative produce, and the form or function that violent action takes:

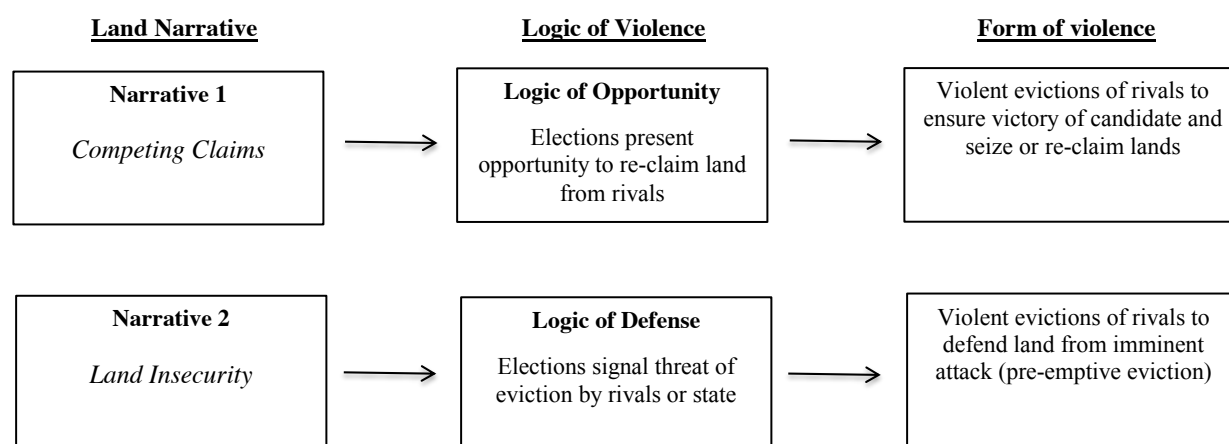


Fig. 1.4: Linking Land Narratives, Logics of Violence, and Forms of Violence

I suggest that the “competing claims” narrative can shape the *logic of opportunity*: the belief that elections present a narrow window of opportunity for group members to strengthen or re-claim land rights. Political elites construct this sense of opportunity by drawing on existing narratives about the rights of the group to re-claim, expand, or formally secure contested lands. Violence achieves three objectives: It can ensure the victory of a leader who will promote the expansionist land goals of the group. The violent eviction of rivals (competing claimants) can help ensure the victory of a candidate. Equally, it provides a way of physically “re-claiming” land. These acts can achieve both a material and symbolic objective of re-claiming land or

removing an outsider who does not belong. Violence can also provide a way for participants to physically seize lands and property for personal material gain.

Second, I argue that when political entrepreneurs are able to draw on narratives of land insecurity between groups, this can create distinct motives for participation in electoral violence. As I describe above, the land insecurity narrative emerges from the idea that the land rights of group members are insecure or unstable because the rival group benefits from greater land tenure rights, economic prosperity, and political representation. Participants in the narrative draw on memories of past land acquisition and fuel fears of losing land to state actors and rivals. In many cases, these rivals are cast as “outsiders,” foreigners, or “invaders.”

In the context of electoral competition, I suggest that politicians can tap into this narrative to establish the *logic of defense*. This belief forms out of the idea that group members must use violence to defend or pre-empt imminent attacks or evictions by rivals (rival groups or state actors). In contexts where members believe an attack is imminent, land insecurity narratives shape the belief that: “*we must attack or evict them before they can evict us.*” This threat gains credibility as rumors or planned attacks circulate during elections. Group members have incentives to fight as a way of defending their land access and security as well as the well-being of their families and communities.

I find however, that there are many contexts where at least one of these narratives is a salient feature of inter-group relations, yet violence does not escalate during the electoral period. I suggest that contentious land narratives are a necessary but not a sufficient condition for electoral violence. As I detail in Chapter eight, the study also theorizes why some contentious land narratives provide elites with a tool to organize violence, while contentious land narratives elsewhere do not.

My main finding is that land narratives shape the escalation of violence in contexts where politicians can convince followers that elections signal a threat to land rights or an opportunity to gain land. That is, violence is only possible when citizens come to believe that their access and rights to land hinge on the outcome of an election. The *competing claims narrative* and the *land insecurity narrative* can indeed provide useful devices for invoking both threat and opportunity linked to elections. However, I specify two key factors that influence whether group members associate elections with threats to their land or opportunities to gain.

The first factor is the strength or capacity of politician to act as “land patron.”³⁷ Elections represent opportunities to strengthen land rights when political elites have the capacity to distribute and protect the land rights to followers and have the authority to promote a viable group land claim. Yet where citizens view their political leaders as weak, constrained, or unwilling to advocate for their land rights, they are far less likely to see elections as moments of opportunity to alter the status quo distribution of land rights. In these settings where political patrons lack the capacity or political incentive to distribute land to ordinary citizens, I find that the norm of land distribution and access is instead defined by landlord-tenant relationships. Landlords have power to provide temporary land access and collect rent, but they lack the political authority to mobilize political action, and even more so, violent political action.

The second factor is the size of the outsider population relative to self-proclaimed insiders (autochthons). Elections are likely to signal threats to the land security of one group when outsiders are relatively equal in size to insiders. In this scenario, insiders and outsiders provide viable bases for mobilization and competition (Posner 2004). Further, where political competition closely aligns with a salient insider-outsider cleavage, electoral politics becomes a zero-sum game where outsiders compete over political power and resources (i.e. land) with

³⁷ By political patron I refer to a regional political leader such as the Member of Parliament.

insiders. In this scenario, each side has the political incentive and political power to use coercive strategies, such as forced evictions, to alter electoral outcomes in the pre and post-electoral periods. As a result, each side will associate elections with the risk of being evicted by the opposing group.

Yet when the insider or outsider group comprises only a small minority, the insider-outsider cleavage does not provide a viable cleavage to mobilize party support. Specifically, the smaller group is far less likely to pose a threat to the political power of the majority group in that region. As a result, there are few incentives for either side to use violent evictions to ensure an electoral victory. Hence, both groups are far less likely to anticipate threats from other political/ethnic groups during elections.

5. Research Design

The evidence for the dissertation draws from 15 months of multi-method research that I conducted in Kenya (May-Aug 2010, May 2012-May 2013). The research involved a three-stage micro-comparative case study and a household-level survey.

I conducted the micro-comparative case study across settlement schemes and land buying companies (LBCs) in two regions of Kenya: the Rift Valley (Nakuru County) and Coast (Kwale and Kilifi Counties).³⁸ I selected the case studies to systematically uncover the micro-foundations of electoral violence. Specifically, I used in-depth interviews and focus group discussions to evaluate hypotheses that linked the forms of land access and security (stage 1), the development of contentious land narratives (stage 2), and the escalation or non-escalation of violence (stage 3). In total, I interviewed 230 ordinary Kenyans living on settlement schemes and

³⁸ Settlement Schemes refer to farms (consisting many individual plots) that the government creates to resettle portions of the population. Land Buying Companies refer to land that is purchased by a company or cooperative. Individuals purchase plots as shareholders.

Land Buying Companies (LBCs) and conducted twenty focus groups with youth and elders of these farms.³⁹ To supplement these interviews, I also interviewed politicians and human rights activists relevant to each case study and examined transcripts from parliamentary proceedings, court cases, and archived materials.⁴⁰

I used paired-case comparisons to examine variation at each stage. I selected the first stage based on variation in the type of land institution (how members of each case study were allocated or acquired land). As the table below indicates, I selected communities where residents acquired land rights in four different ways. The first is a Land Buying company, where residents purchase their land as shareholders. The second is a settlement scheme, where the government allocated plots of land to residents in the 1990s. The third case is a settlement scheme recently created by the government for people displaced by the 2007-08 election violence (IDPs). The fourth case is an informal but settled community of workers who have established livelihoods based around Kenya's flower farms.

The second stage is based on the strength and salience of contentious land narratives (i.e. dependent variable is the contentious land narrative). Contentious land narratives exist between the first pair of farming communities, Mauche and Likia. Yet in the second pair, contentious narratives between the neighboring communities of Ogilgei and Kerma do not exist.

At the third stage, I hold contentious land narratives constant across the communities. The dependent variable of interest is the escalation of violence. The first set consists of three cases in the Rift Valley and Coast region where violence escalated. This includes Mauche and Likia (which I treat as one case at this stage), Oljorai (Rift Valley), and Likoni (Coast). The

³⁹ Appendix A provides details on how I conducted these interviews and provides a list of selected interview questions. Appendix B provides a list of all respondents.

⁴⁰ I accessed these documents at the Kenya National Archives (Nairobi). In addition, respondents provided me with non-classified land documents.

second set consists of three cases where violence did not escalate: Mau Narok (Rift Valley), Kijipwa (Coast), and Ramisi/Msambweni (Coast). The table below summarizes this research design and case selection. The appendix A provides a more detailed view of this qualitative case-design.

Fig 1.5. Three-Stage Research Design and Case Selection

Stage	Research Question	Case	Location
1	<i>How does the land distribution process shape the formation of local land narratives?</i>	1. Land Buying Company 2. Settlement Scheme 3. Settlement Scheme for IDPs*	Likia (Nakuru) Mauche (Nakuru) Giwa (Nakuru)
2	<i>Why do contentious narratives form in some areas & not others?</i>	Pair 1: Contentious Pair 2: Non-contentious	Mauche; Likia (Nakuru) Ogilgei; Kerma (Nakuru)
3	<i>Why do some areas with contentious land narratives experience election violence yet not others?</i>	1. Election Violence 2. No Election Violence	Mauche/Likia (Nakuru) Oljorai (Nakuru) Mau Narok (Nakuru) Kijipwa, (Kilifi) Ramisi (Kwale)

The second stage of the projects is a household-level survey that I administered to 750 households across four counties of Kenya (Nakuru, Uasin Gishu, Kwale and Kilifi) between January and February of 2013. I designed the survey to test the theories I developed based on my micro-comparative study. Specifically, I used the survey to measure the relationship between weak land security, the salience of divisive land narratives and their use by politicians, and patterns of election-time violence.

I used a multi-stage sampling method to select respondents. I began by strategically selecting two counties in the Rift Valley and Coast regions (Nakuru and Uasin Gishu in the Rift Valley and Kwale and Kilifi in the Coast region). Within Kilifi and Nakuru, I then randomly selected four constituencies. Within Uasin Gishu and Kwale, I randomly selected three constituencies. Within each constituency I randomly selected three electoral wards. I then

randomly selected six polling stations within the ward to randomize the selection of respondents. At each polling station, enumerators used a “random-walk” method to select three households (one respondent within each household). The survey sampled 210 respondents in Nakuru, 216 respondents in Kilifi, and 162 respondents in both Uasin Gishu and Kwale counties.

The survey instrument included attitudinal, behavioral, and experimental questions. It is innovative in several ways. First, the questionnaire draws directly from my in-depth qualitative work, enabling me to design context-relevant questions to measure and test my concept of land narratives. Second, as a way of improving accurate response rates for questions about political mobilization and participation in violence, I embedded two list experiments within the survey, a method that some political scientists are using to deal with social desirability bias and sensitive questions (Blair and Imai 2012). I also included an experimental question that randomizes the “ethnic cue” in a hypothetical situation, allowing me to distinguish the causal power of ethnicity. Another experimental question tests attitudes toward the state-led resettlement of internally displaced persons (IDPs) where I vary the ethnic identity of the IDP community.

Third, I conducted the survey in the month preceding the March 2013 general elections. This enabled me to measure individual attitudes at the height of a particularly high stakes election—the first since the violent elections of 2007-2008, the first under a new constitution, and one in which the politics of the International Criminal Court significantly shaped political and ethnic alliances. While the timing could reduce external validity and generalizability, it also provided a unique opportunity to measure the effects of intense political mobilization on beliefs about land rights and identity.

6. Organization of the Dissertation

I develop and test the argument I have outlined here through seven main chapters. Through these chapters, I aim to explain how land underlies the process of violence, from land institutions that shape access and security (chapter 2 and 3), the land narratives that emerge from these institutions (chapter 4 and 5), and the patterns and incidence of violence that escalate from these contentious land narratives (chapters 6,7, and 8).

Chapter 2 compares the political histories of land ownership and distribution between Kenya's highlands (Central and Rift Valley) and the Coast region to explain the variation in land security and claim-making today. I demonstrate how colonial administrators and post-colonial elites have used land to accumulate personal and public wealth and to build networks and organizations of followers through identity, ideology, and coercion. I argue that two images of political leadership—the vote-seeking land patron and rent-seeking landlord—help explain the different political trajectories of the Coast and Rift Valley regions.

Chapter 3 examines the politics of land distribution and access in multiparty Kenya. It examines why some groups of citizens are able to access strong property rights in land, such as title deeds, and the means of enforcing this title deed, while other groups cannot. I argue that where political leaders act as strong land patrons, citizens will have opportunities to claim land rights as clients.

Chapter 4 shifts from the level of the group to the level of individual. The first part of the chapter draws on my household-level survey data to examine patterns in how individuals access and secure land. I then derive a set of testable hypotheses about why some individuals are more likely to acquire land security compared to others. The chapter then examines why some individuals are more likely to believe in “contentious land narratives” than others. My main

argument is that individual-level land security is one of the strongest predictors in determining whether an individual agrees with a particular contentious land narrative (anti-outsider narrative).

In Chapter 5, I turn then to a paired case comparison between two sets of farming communities to identify the factors that give rise to contentious land narratives at the group-level. I find that where two neighboring ethnic groups gain access to land through different political and market processes, both groups are likely to challenge the legitimacy of the competing group's claims to land and as a result, contentious land narratives develop. Yet where different ethnic groups are both able to access and secure land through a similar acquisition process, contentious land narratives are far less likely to emerge.

In Chapter 6, I draw again on my household-level survey data to examine how individuals experienced and interpreted the post-election violence across different constituencies within the Rift Valley. The significant local-level variation in violence that I observe motivates the second question: Why were certain individuals living within the Rift Valley more likely to experience the election violence than others? In contrast to dominant explanations that focus on the ethnic or political identification of individuals or communities, the chapter demonstrates that the strongest predictors of experiencing violence are fear of eviction, belief in anti-outsider land narratives, and exposure to campaign statements that use land to encourage violence.

Chapter 7 examines how contentious land narratives between neighboring ethnic communities established the logics for violence at different stages of escalation during the 2007 electoral crisis. Specifically, I show how these logics, which include pre-empting eviction, opportunities to re-claim land, and revenge, shape different stages of escalation. The stages of violent escalation include the mobilization of land narratives, a trigger event, localized revenge and defense, and the importation of revenge.

In Chapter 8, I draw on evidence from the relatively peaceful Coast region to explain why contentious land narratives are not sufficient predictors for election violence. In the previous chapter I argue that in the Rift Valley, elites can use land narratives to signal to followers that elections pose an imminent threat to their land security or an opportunity to strengthen land rights. Yet in the Coast region, elites are not able to convince their constituents that elections will alter land rights. The implication is that citizens have few motives to fight and hence elites face very higher barriers to mobilizing violence. The chapter provides an explanation about why these electoral logics vary so drastically between the two regions, despite sharing similarities that might otherwise predict election-time violence.

In Chapter 9, I provide a brief summary of the argument. I then discuss the generalizability of the argument and provide examples that illustrate how and when land and mobilization might help explain election violence in other contexts.



Fig. 1.6 Map of Kenya (Source: One World Nations Online)

2

The Origins of Land Allocation and the Making of Landlord and Land Patron

One week after the March 4, 2013 elections the newly elected president, Uhuru Kenyatta had acquired a nickname along the Coast. “We call him our landlord,” explains a community activist from Kilifi County. “He owns most of the land here on the Coast, so this is just the way people see him.”⁴¹ Despite the Kenyatta family’s significant land holdings across the Coast Region, Uhuru Kenyatta’s newly formed coalition, the Jubilee Alliance, had polled only 35 percent of the vote across the six counties that comprise the Coast Region. Kenyatta’s control over much of the region’s land did not translate to his ability to control or leverage votes.

By contrast, in the fertile and populous regions of the Rift Valley, Central, and Nyanza regions, land ownership interacts with political loyalty in very different ways. Owning large tracts of land has been one of the political requisites to securing political office: it signals the ability of a leader to distribute land and other development goods to one’s ethnic community. Equally, securing office has provided one of the main mechanisms for elites to secure and acquire land. In these regions, political elites have had the ability and incentive to use land as a source of patronage to build political support among their mostly poor and rural constituents. As a result, most residents in the Rift Valley and Central Province have come to view their leaders as “land patrons.” As patrons or ethnic “big men,” citizens expect their leaders to protect or provide basic land rights.

⁴¹ Phone conversation with R.M, community activist and resident, Kijipwa Settlement Scheme, Kilifi County (3-12-2015)

Yet on the Coast, many citizens view their leaders as landlords. In part, this image of political leadership extends back to the caricature of the Arab landlord/master and African squatter/slave (Brennan 2008). The term “landlord” is also part of a larger national narrative about an outsider who leverages power and coercion to extract from the local population. The identity of this outsider has varied by place and time: once the Arab slave trader, the colonial official, the European landowner, or the “upcountry” Kenyan with more powerful ties to the State. The landlord has little incentive to protect the tenant. Landlords seek rents, whereas land patrons seek political supporters.

This chapter compares the political histories of land ownership and distribution between Kenya’s highlands (Central and Rift Valley) and the Coast region.⁴² At Kenya’s Independence from Britain in 1963, large segments of the population in both the highlands and the Coast had been rendered “squatters” or landless through colonial era land policies, civil war, or other forms of eviction. Yet as the opening paragraph suggests, the politics of land access since independence has created very different outcomes between the two regions. Despite persistent land insecurity across Kenya, far more ordinary Kenyans remain landless squatters in the Coast than in the Rift Valley or Central Regions. This chapter explains this variation in land re-settlement outcomes between the two regions.

I argue that the two images of political leadership: between the vote-seeking land patron and rent-seeking landlord reflect different modes and logics of land accumulation and distribution that have developed over different political periods in each region. I examine these different modes and logics of land under three phases of Kenya: colonial rule and the Mau Mau civil war, the single party rule of Jomo Kenyatta (1962-1978), and the single party rule of Daniel

⁴² In this chapter I use “highlands,” and “inland Kenya” interchangeably to refer to the present-day regions of the Rift Valley (i.e. Central and Western Rift Valley) and Central Region. I refer specifically to the arable lands in these regions that were formerly occupied by European settlers (called the “White Highlands”).

arap Moi (1978-1992). Specifically, I demonstrate how colonial administrators and post-colonial elites have used land to build networks and organizations of followers through identity, ideology, and coercion. Rights-holders have allocated land to followers or to the “politically correct,” while using this same power to undermine or revoke land from challengers: Mau Mau supporters, ethnic outsiders, or members of the political opposition. The ability of the colonial and post-colonial state to leverage such arbitrary and coercive power over land rights has created a close affinity between ethnic and political identification and territorial belonging. I show how this politics of land has shaped distinct narratives of land and identification, practices of claim-making, and strategies of political mobilization between the Rift Valley and Coast Provinces.

1. Losing Land to the Colonial State

When the British came here they asked to whom the land belonged. Our forefathers told them the land belonged to God. The British lied to them. They said that they wanted to find out the size of God’s land. So they put beacons on our land and stayed here as settlers [...] Unknowingly, the locals leased this land to these foreigners. And that’s where the lease system started.⁴³

The ability for elites to act either as land patrons, who supply land access in exchange for social or political support, or landlords, who rent their land in exchange for cash or kind, hinges on a population of landless people. That is, there must be a sufficient number of people seeking access to land but who cannot secure individual tenure rights as a result of ownership barriers or land shortages. Along Kenya’s Swahili Coast and in its interior highlands, landless groups have existed in different forms well before European colonial rule—as slaves, captives from war, tenants, or unmarried young men. For example, within the patron-client system that had defined Kikuyu societies until the 1930s, landless young men could work the lands of their elder land patrons until they had acquired sufficient wealth to begin a household (Berman and Lonsdale

⁴³ Interview with elderly resident, Chale, Makongeni, Kwale County, (Coast) 11-13-2012

1992).⁴⁴ Meanwhile, Mijikenda who migrated to the Coastal belt were able to negotiate somewhat favorable terms with Swahili and Arab landowners facing labor shortages on their plantations (Cooper 1980: 220).⁴⁵ While the flexibility of land arrangements between landless and landowners has varied over time and region, British Colonial rule did the most to institutionalize and formalize a system that protected the property rights of a narrow and racially-based elite while ensuring the persistence of a landless or land insecure majority. Kanyinga (2000) emphasizes, “The creation of a people without rights to land—the squatters—and the pre-eminence of land in the political process began with the incorporation of Kenya into the British colonial empire during the late nineteenth century (2000: 34).”

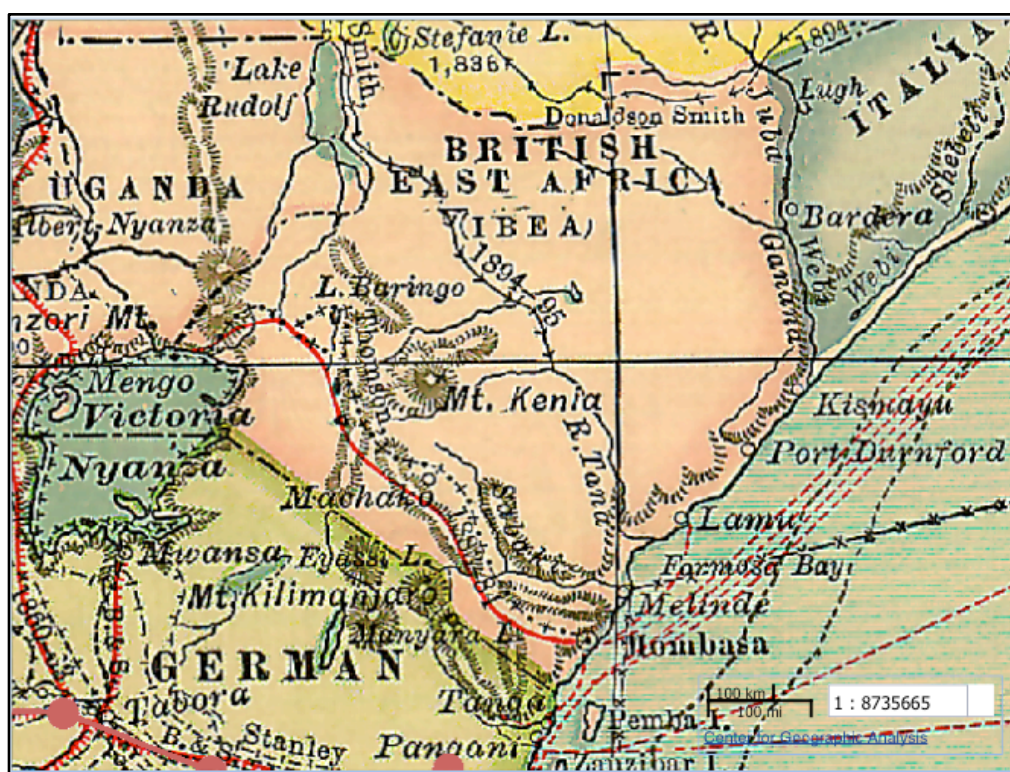


Fig 2.1: British East Africa (1911): Red lines indicate British trade routes from Uganda to the port in Mombasa and through German occupied Tanzania. Mt. Kenia (Mt. Kenya) became the heart of European Settlement. It was also the center of Kikuyu society (Map courtesy of *Africa Maps*, Harvard University).

⁴⁴ These landless were referred to as *ahoi*.

⁴⁵ The Mijikenda encompass the linguistically related coastal groups previously referred to as the “Nine towns” and include the Giriama, Rabai, Duruma, Chonyi, and Digo. Mijikenda became a unifying term of identification in the 1940s with the formation of the Mijikenda Union (Prestholdt 2014; Brennan 2008)

In the section below, I explain how a series of land rights legislation made the colonial state the *de facto* landlord, granting formal land rights to Europeans, Arabs, and Indians while excluding most Kenyans. These policies initiated, deepened, and formalized the squatter economy in the Kenya highlands and the Coastal belt.

I begin by looking at adjudication of land rights around the highly contested and strategically important *Mwambao*. Also referred to as the “Ten-Mile Strip,” it is a stretch of coastal land that extends from the border of Tanzania to the delta of the Tana River in Kenya and spreads “to a distance of ten miles from the high water mark into the interior” (Kanyinga 2000: 34).” Britain was interested in gaining territorial control of the region (which included the port of Mombasa) to facilitate its plans to build a railway linking Uganda to the Coast. At the time however, the Swahili Coast was under the control of the Zanzibari Sultanate.⁴⁶ As a way of asserting European influence and control in the region, Britain, Germany, and the Sultan signed the Anglo-German Agreement of 1886. The agreement divided spheres of influence between the three players, and leased out the ten-mile-strip to the British Government. While the agreement delimited the Sultan’s rights over land to the ten-mile strip, it failed to acknowledge Mijikenda land claims, both within and outside *Mwambao*. The implication was that the interior of the Coast was rendered “ownerless,” enabling German and Britain to compete over land and territorial rights (Kanyinga 2000; Ghai and McAuslan 1970).

Moving into the 20th century, Britain realized that its current investments in Kenya—including its lease of *Mwambao*—would be insufficient to finance its plans for a railway. It thus

⁴⁶ The Arab-Swahili slave trade, which provided the economic base of the Zanzibari Sultanate, was one of the catalysts for Mijikenda land dispossession. Mijikenda who had been cultivating along the Kenya Coast fled into less arable hinterlands to avoid slave capture (Kanyinga 2000: 11, Cooper 1980). Arab and Swahili leaders moved onto the vacant lands and used abundant slave labor to establish plantation economies. Slavery was officially abolished along Swahili Coast in 1888, though the practice continued informally.

turned to agricultural settlement schemes as a longer-term strategy for generating taxable revenue. An editor of the *Kenya Weekly News* later explains (in 1960):

The deficits on the Protectorate and the railway had to be borne by the British taxpayers... The only way whereby both Protectorate and railway could be set on a sound economic basis was by the development of the raw and almost empty lands on either side of the railway. If that task had been left to the Africans there would have been little chance of the railway paying its way within 20 years.⁴⁷

Several laws became essential to this process of land acquisition. Specifically, between 1902 and 1915, Britain passed four pieces of legislation that enabled the British Crown to seize African land and re-lease or sell these lands as individual title to European settlers (or in the case of the Coast, to Arab and Swahili landlords).

The first was the *Crowns Lands Ordinance of 1902*, which initiated European settlement in the interior of the country.⁴⁸ The Ordinance designated that the Crown “had original title to land” but facilitated the sales of land and leases to European settlers (Kanyinga 2000; Okoth-Ogendo 1991). Further, all land that was not occupied by Africans, described as “waste and unoccupied land,” was reverted to Crown Land and was then redistributed to European settlers.

A separate ordinance passed in 1908 applied specifically to the Coast region. The Land Title Ordinance of 1908 issued freehold titles to a few powerful Arab and Swahili families and plantation owners who had the power to stake individual claims to the land, privileging people who made individual claims and excluding the land claims of Mijikenda and other communities who made family or group-based claims to land. Cooper (1980) remarks, “European settlers and Indian businessmen had no desire to get involved in an intricate web of economic and social ties; they wanted titles (195). The process thus largely bolstered individuals whom “officials could accept in the role of landlord” (Cooper 1980: 192). Specifically, Arab and Swahili from

⁴⁷ Hill, Michael. 1960 (Essay). “The White Settler’s Role in Kenya.” *Foreign Affairs*.

⁴⁸ “Inland” here means all regions other than the Swahili Coast (though specifically, the region of Central Province and Central Rift Valley that would become known as the White Highlands).

prominent families succeeded in registering their claims because the process of claim-making was controlled through Arab administrators. Mijikenda were largely excluded from the Mosques, could not locate witnesses to verify their claims, nor could they rely on the Arabic documents that many Arab landowners used to track land inheritance and allocations (Kanyinga 2000: 58). Families along the Coast continue to tell stories of losing land to this highly exclusive process. In an interview with a family from Kikambala (Kilifi), the 1908 Ordinance is key to their story of losing land.

When the land tenure came from Zanzibar, this place belonged to the sultan of Zanzibar. And the sultan of Zanzibar in 1908 started land tenure for the 10-mile strip and therefore it reached here about 1912. The reason we have no land is that he was a Muslim and we are Christian and this land tenure was preached in Mosques... So those Arabs and non-Arabs who were attending the mosques came out and started claiming [land]. They got hold of us, telling us that we were going to be portioned some land for the natives to stay. But eventually they were just portioning [the] land for themselves [...]. And afterwards we came to realize that the land had been registered under their names. And we were squatters and we had to pay some fees for staying in that land.⁴⁹

All land that was not registered by Arab or Swahili families reverted to Crown land.⁵⁰ As happened in the rest the country, the majority who could not make formal claims were pushed onto communal “natives reserves”—mostly in far less arable hinterlands of the Coast. The only way that Mijikenda could access arable land was by squatting on the land of Arab and Swahili landlords.⁵¹ This historical moment, which privileged the land claims of the small elite while denying the land claims of the indigenous majority, remains the focal point for articulating a Coastal land narrative of dispossession or “historical land grievance.” The same family as I mention above explains further:

⁴⁹ Informal Interview with teacher and nurse. Kijipwa Settlement Scheme, Kikambala, Kilfi (Coast). Question: “*What factors prevent you from accessing a plot of land?*”

⁵⁰ Registration of land claims was suspended in 1922, in part because the process was slow and laborious. With the collapse of the Swahili plantations after WWI, the Colonial government focused its energy on registering the more agriculturally productive White Highlands. Registration resumed in the 1950s and again in the 1970s.

⁵¹ The economic decline of many Arab and Swahili landlords relative to European farmers, particularly after the abolition of slavery, meant that did not have the power to evict squatters and more so, that they needed the farm labor that squatter provided.

The injustice that has been done to us is that the land that should have been given to us has been given to other people. That is the injustice. Our ancestral land, which had no papers, had been grabbed by people. They got it while we were still there and they came and got the title deed and claimed the land. That is the injustice.⁵²

At Independence in 1963, the Kenyatta Government would inherit the Ordinance. All pre-existing claims became evidence of “absolute ownership of land, thereby sealing the fate of the landless and squatters and intensifying their tenure insecurity” (Kanyinga 2000: 53).⁵³

In 1915 the British Commission revised the Ordinance of 1902, paving the way for the Crown’s complete control of land rights across Kenya. The *Crown Lands Ordinance of 1915* transformed property rights in three key ways. First, the Ordinance expanded Crown Land to include all land occupied by natives, not only “waste and unoccupied land.” In effect, all public lands under the East African Protectorate fell under control of the British Crown. Expanding on the Ordinance of 1902, the Governor had full power to issue freehold leases of up to 999 years on land up to 5,000 acres (Klopp 1998: 54).⁵⁴

Second, it formally established the reserve system.⁵⁵ Africans were pushed into native reserves that were set apart from the more fertile lands designated for European settlement. Africans thus became “tenants-at-will” of the Crown, as all land belonged to the Crown (Okoth-Ogendo 1991: 54; Onoma 2000). One of the main objectives of the tribal reserves was to provide a ready source of labor for the Kenyan Government, particularly across the White Highlands. Hence, as Europeans gained control over lands, they built an administrative apparatus of control to extract labor and tax agricultural production within the reserves. They did this through the re-invention of local authority—instilling chiefs and village headmen to

⁵² Ibid.

⁵³ The 1908 Ordinance became Cap. 285 of the Lancaster Constitution, which took effect at Independence in 1963.

⁵⁴ Klopp (1998) echoing Berman (1990), note that ceilings on land purchases were ineffective, as families were makes purchases in the names of other family members.

⁵⁵ The boundaries of these reserves was not fully implemented until 1926 when the Administration publically announced 24 reserves (Berman, 1990: 150).

“establish and enforce new forms of state-recognized authority over people” (Boone 2014).

Within the reserves, chiefs were empowered to allocate land as agents of the colonial state. In this sense, “rights in land were seen as flowing downward . . . [and as] derived from the political authority, rather than residing in the peasantry (Chanock 1991: 63 in Boone 2014).

Third, this legislation remained virtually unchanged in the post-colonial constitution. While the wording shifted from “Crown” to “President” and “Crown Land” to “Government Land,” the enduring effect was a property rights system that vested the President with full powers to lease and grant land (Ndungu 2004; Onoma 2000).⁵⁶

In sum, these laws fully established formal English Property Law in Kenya, but along racially exclusive and class-based lines. The British Crown denied the vast majority of African land claims—the exception being Arab, Indian, and Swahili land claims on the Coast. The result is that across the country, particularly in the Rift Valley, Central Province, and Coast region, the colonial regime broke down the social relations between landowners and producers that had served as an important social safety-net (Cooper 1980), but more importantly, undermined critical access to land that shaped and sustained livelihoods across Kenya (Klopp 1998). Equally, these land institutions produced what Mamdani has referred to as the bifurcated state—providing secure property rights for European settlers (“citizens”) and communal rights for Africans (“subjects”).⁵⁷ As I will demonstrate, land insecurity and landlessness in the Rift and Central regions would come to occupy the attention of the colonial and post-colonial state far more than land insecurity in the Coast region.

⁵⁶ In addition, the Government Act “retained the provision for the Commissioner of Lands”—an appointee of the President, to administer all public lands.

⁵⁷ See Mamdani (1996)

2. Land, Work, and War: The Escalation and Defeat of Mau Mau

In 1920 Kenya became an official colony of Britain.⁵⁸ Over the next several decades European settlement transformed people's access to land and the imperative of wage labor, migration between Central, Rift Valley, and Nairobi Provinces, the interaction between ethnic communities, as well as the interaction between "traditional authority" and state power.

While land access became an acute problem across colonial Kenya, land shortage was most profound in the densely populated Kikuyu reserves. Most of these reserves were located in close proximity to the settler plantations of the Eastern Highlands surrounding Kiambu, Nyeri, and Machakos. By 1950, studies estimate that about 25 percent of the Kikuyu population was squatters (about 250,000 people).⁵⁹ Land shortages affected migration dynamics as well. Kikuyu comprised the majority of migrant labor into the Rift Valley, where people sought wage labor and squatter arrangements on settler farms. They also migrated down to Nairobi, where many people joined or started businesses in the informal sector because they were excluded from joining the formal sector. Another key feature of the land-labor nexus was colonial administrators' attempt to control how and where people moved and how they accumulated wealth. Berman (1990) emphasizes how the colonial state developed an entire bureaucratic apparatus—the provincial administration—with the primary aim of coercing and monitoring relations of production between the reserves and European estate agriculture (1990: 145-157). State coercion was a response to several factors, including the need to ensure a steady supply of cheap labor.⁶⁰ It was also a way for the colonial state to limit the potential power of squatters. Squatting began as a somewhat mutually beneficial relationship. Africans were able to escape

⁵⁸ Kenya had been part of the East Africa protectorate since 1895.

⁵⁹ Berman (1990: 305) as all those living and working outside the reserves employed as squatters or contract wage labor. See also: Furedi 1989 in Klopp, 1998: 63; Schatzberg, 1987: 18.

⁶⁰ In 1927, agriculture accounted for 48% of all African wage labor, followed by domestic work (14%) and work in the townships (9%), In Berman (1990, 157).

the overcrowded reserves and repressive eye of the authorities, while gaining access to land. In exchange for this land access, they provided labor to settlers. Relying on squatters rather than hired wage laborers was attractive for many white settlers who had acquired too much land without sufficient capital to sustain it (Klopp 1998: 57). Yet there was a growing fear among settlers and the colonial administration that squatters would gain too much power—both in the marketplace and in their right to assert claims to the land.

The Kenyan state devised several measures to restrict and monitor the movement of peoples, and equally, to structure land tenure relations within the reserves. The most well-institutionalized and enduring strategy was the use of chiefs and village headmen who were at the bottom rung of the provincial administration's hierarchy. The state used chiefs to recruit and enforce labor and report violators. This strategy was hardly unique to Kenya. Colonial administrators across Africa used chiefs as their allies or agents in ruling rural territory and allocating customary land (Boone 2014).

Another mechanism that the state monitored and controlled movement outside the reserves was the much-detested *Kipande* system, a registration certificate or passbook that Africans wore around their necks. The goal, Berman writes, was to “bring the adult male African population under more direct administrative control, and to make it possible to trace back to the reserves and arrest ‘deserters’ and violators” (Berman 1990: 147).

Land “Reform” as a Strategy of War

Each of these transformations in land, labor, and the movement of people helps explain the escalation of the civil war between Mau Mau insurgents on one side and the Colonial State and Loyalists on the other. The official dates of the civil war are 1952-1956, when the colonial government declared a “State of Emergency.” During this time, approximately 25,000 Kenyan

Africans died as a result of the violence.⁶¹ Thirty-two Europeans were also killed (Branch 2009: 5). Drawing on the work of Daniel Branch (2009), I make two main claims: 1) one of the main *drivers* for the violence was the break-down of patronage relations within Kikuyu society and; 2) an important *outcome* of the war was a re-ordering of patron-client relations. These relations re-affirmed the legitimacy of the colonial state and their collaborators, comprised of the burgeoning Kenyan elite (primarily Kikuyu elders).

One of the main motives of the insurgency was a break-down in the patron-client relations that had previously provided a mechanism for land access and wealth accumulation for young Kikuyu men. The system of access also provided a basis of political legitimacy and authority within Kikuyu society. The ability to acquire wealth through working the land was central to Kikuyu political economy, and enabled young men to attain *Wiathi*—the household wealth required to start and sustain a family and establish a network of social relations (Branch 2009; Berman and Lonsdale 1998: 18). Yet by the 1940s, extreme land shortage in the Kikuyu reserves undermined the patronage capacity of Kikuyu elders who might otherwise have provided land to young men. These poorer Kikuyu “were thus forced off their holdings and cut adrift by Kikuyu elites (Branch, 2009: 6).” Branch writes:

...Those who became insurgents critiqued the action and words of their self-proclaimed leaders. Prior to the war, the Kikuyu elites abdicated their monopoly on leadership. They failed to protect the poor’s access to land and forced their clients off the land. The landless subsequently found allies among the urban radical and squatters evicted from the European farms, but of whom felt a much older sense of abandonment from those same rural patriarchs. Mau Mau thus represented...the ‘repudiation of clientage’ by a society that felt ‘betrayed by their patrons, white and black (Branch 2009: 131).⁶²

The formation of the Mau Mau movement was thus a rejection of two forms of authority that had “failed to provide:” the colonial state that had undermined rights to land and modes of

⁶¹ Approximately 1,800 of these 25,000 deaths were loyalists (i.e. home guards) who fought on behalf of the British.

⁶² Branch (2009) is here drawing on John Lonsdale (1992), ‘Wealth, Poverty, and Civic Virtue.’

“becoming a man.” Equally, it was a rejection of the Kikuyu leadership that many young people viewed as negligent.

The process and dynamics of the civil war also re-formed and legitimized the hierarchal and elite-based form of patronage politics that Mau Mau supporters had rebelled against. Ordinary Kenyans would find that even after Independence, access to land would require that they be loyal clients willing and able to “work hard” for their land.

This outcome was a result of the strategy and circumstances through which the Kenyan State defeated Mau Mau. Specifically, the distribution of land was a key counterinsurgency tool (Branch 2009). Mau Mau promised its supporters *ithaka na wiathi*—“land and freedom.” The colonial state and its collaborators, however, were able to co-opt this message by “outbidding” Mau Mau promises to redistribute lands that had been stolen by the British. The colonial state undermined Mau Mau promises of land re-distribution by rewarding loyalists with land, while using land seizures to punish Mau Mau supporters (Branch 2009; Njonjo 1977; Klopp 1998). A Kikuyu farmer living in Mau Narok explains how his family lost their land and property in the Central in Province because his father was a Mau Mau freedom fighter.

My parents moved from Central Province because my dad was a freedom fighter and the colonial chiefs always detained him. They also used to destroy his properties, so he sought refuge here in the rift valley.⁶³

The strategy of using land to reward supporters and punish dissenters would continue well into the post-independence period, particularly with the onset of multiparty elections (Boone 2011; Klopp 2001; Onoma 2009).

The colonial state used land to undermine the Mau Mau movement in three main ways. First, it exploited capitalist land reforms, implemented through the Provincial Administration, to

⁶³ Interview-Tipis-Mau Narok-Nakuru County-Oct-16-2012 (4). The respondent’s family still does not have a title to the land)

reward loyalists and punish Mau Mau. Branch suggests that because this process was implemented through the Provincial Administration, it provided the colonial regime a particularly effective counterinsurgency tool (Branch 2009: 174). The main impetus for these land reforms came through the 1954 Swynnerton Plan. J.M Swynnerton⁶⁴ advocated for a model of land reform that:

Focused on the African progressive farmer...who must be provided with such security of tenure through an independent title as will encourage him to invest his labor and profits into the development of his farm and as will enable him to order it as security against such financial credits...(Swynnerton 1954: 9).

The Swynnerton Plan, however, was hardly revolutionary. The plan promoted a form of agrarian development that would encourage acquisition of lands in the hand of a capable (or entitled) few, while maintaining a landless class.⁶⁵ Swynnerton writes: “In future, these able, energetic or rich Africans will be able to acquire more land and bad or poor farmers less, creating a landed and landless class. This is the normal step in the evolution of a country (Swynnerton 1954: 10). These statements signaled a set of land reforms that would perpetuate an elite landholding class. Yet more so, they provided a language for singling out the “good, hard working, farmer” from the “bad, lazy, poor” farmer. This language would be useful for discriminating between the hardworking loyalist that received land, and the “lazy” Mau Mau supporter who expected land for free.

Beyond any economic development and class objectives that Swynnerton envisioned, the plan was also an explicit tool to quell political or violent rebellion. As Swynnerton writes: “In the long run the greatest gain from participation of the African community in running its own agricultural industries will be a politically contented and stable community (Swynnerton 1955: 8

⁶⁴ Roger J.M Swynnerton was wrote his “Plan to Intensify the Development of African Agriculture in Kenya” in 1953 as Kenya’s assistant director of agriculture.

⁶⁵ See Klopp 2001; Haugeraud 1989; Okoth Ogenjo; Shipton 2009.

in Shipton 2009: 144). The Swynnerton Plan unfolded as a larger-scale land reform project that gave the Provincial Administration full powers over land titling and consolidation, re-allocation of plots, access to credit and land financing, farm planning, cash crops, and domination of cooperatives (Branch 2009: 121). Other laws were passed in the early 1950s that gave farming incentives to loyalists. Kanyinga (1994) notes for example, that loyalists in Kiambu were allowed to grow the highly profitable leaf crops—coffee and tea (1994: 74).

Officials including chiefs and their local collaborators (e.g. village headman and local elders) allocated these resources strategically to loyalists. Meanwhile, Mau Mau supporters—many of who were in detention camps—were excluded from the benefits of the land reform process. In an interview with an elderly Kikuyu farmer, he explains this process to me: “The way the official land administration used to divide land was not satisfying. The people who had important jobs or authority like the Chiefs, the Home Guards and Forest Guards were allocated chunks of land.”⁶⁶ The respondent’s views illustrate how the colonial administration provided loyalists (i.e. Home Guards, Forests Guards and Chiefs) the opportunity to accumulate wealth and power, but strategically excluded Mau Mau supporters from these opportunities. The Swynnerton Plan was the guiding economic proscription of the day and the Provincial Administration acted as the implanting organization.

A second way that the use of land undermined Mau Mau and bolstered the Colonial State relates to what Lonsdale (1992) describes as “Kikuyu Moral Economy.” As I have mentioned briefly, this moral economy is rooted in the belief in *ithaka na wiathi*—or self-mastery through land. It hinges on the idea that the basis for land ownership is through hard work, providing wealth and status.

⁶⁶ Interview-Likia-Njoro Constituency-Nakuru County- June 27 2012 (3)

At the outset of the movement, Mau Mau insurgents could credibly use this slogan. Many supporters believed that the “Land and Freedom Army” would liberate the poor and landless from the colonial and Kikuyu oppressors, thus enabling the poor to acquire and work toward *wiathi*. Yet the credibility of this slogan and confidence in the movement shifted as gains in land shifted towards the side of the loyalists. Rather than garner sympathy with each defeat, loyalists used Kikuyu narratives of hard work and self-mastery to portray Mau Mau in the opposite image: as lazy, defiant of authority, greedy, and reckless.⁶⁷ This was bound in notions of *wiathi*: in wealth as a sign of virtue and the right to lead, and in poverty (which characterized most Mau Mau fighters) as a sign of “feckless sloth” (Berman and Lonsdale 1998: 18). Branch explains (2009: 131):

Loyalists came to condemn the rebellion’s supporters for their apparent refusal to labor virtuously and their failure to achieve land, freedom or self-mastery...Agrarian and labor reform was effective because it allowed loyalism to become the means by which this self-mastery could be achieved.

As it became apparent that Mau Mau would not be able to deliver on its promises of land reform, the counterinsurgency movement created powerful material incentives for loyalists to shift the Kikuyu narratives against Mau Mau. Loyalists were able to gain control of the narrative, where land could only be achieved through “labor, wealth, and virtue” (Branch 2009: 146).

In is important to note however, that the colonial state used very violent and overt tactics of land seizures to defeat Mau Mau, ensuring that they lost their main method of mobilization around land. It did this in large part by selectively confiscating land from Mau Mau supporters. In many cases, these land confiscations were re-allocated to loyalists. The larger the total lands confiscated at the local level, the more land available for re-distribution. This not only provided

⁶⁷ Branch (2009, 23) and Lonsdale (1992) document terms such as “greedy eating” (i.e. of goat) that Loyalists use to describe what they saw as the gluttonous and hedonistic behavior of Mau Mau fighters.

a material incentive to identify as a loyalist. Equally, it created incentives for ordinary Kenyans to report on their own family members, friends, and neighbors.

Third, the colonial state used land to subvert Mau Mau claims by empowering local Kenyan leaders (mostly Kikuyu) to control local land allocation. In 1954, a colonial official wrote, “Elite loyalists...[were to] become the anchor of the tribe, the solid yeoman farmer, the land owner who know that he has too much to lose if he flirts, however lightly, with the passions of his nationalistic friends.”⁶⁸ The British Colonial state used the process of land reform (i.e. Swynnerton) to create elite clients among the Kenyan elite and local leaders. This relationship provided an effective counterinsurgency strategy on the ground, but it also created a set of allies with whom the Colonial state could rely on as Kenya’s independence loomed on the horizon. Equally, there were strong incentives for Kenyan leaders to ally with the colonial regime. In doing so, they could exploit the land allocation process to build or re-build networks of patronage (Branch 2009). This move was critical in undermining the influence of Mau Mau fighter who, “at first threatened to supplant incumbent elites patrons and create new networks of clients across Central Province” (Branch 2009: 146). Yet because loyalist elites were the ones empowered to both allocate and revoke land, ordinary people had powerful incentives to ally with these loyalist leaders, where they could ensure their landholding, rather than risk land seizure, imprisonment, or death by supporting Mau Mau. The colonial administration strategy of coopting leaders thus had the long-run effect of re-establishing the vertical patron-client relationships among Kikuyu society, and equally, between the State and its rural inhabitants. As Branch explains (2009: 146):

Non-military counterinsurgency sustained loyalism by providing the incentives for the Kikuyu peasantry to remain within or rejoin patronage networks [...] once the security forces

⁶⁸ In Branch, 2009, p. 120

began to reverse the insurgents influence, older patrons were able to regain their position as the head of new patronage networks.

In sum, analyzing how the colonial government used land to suppress the Mau Mau insurgency and to build a political coalition among the Kenyan elite helps identify the origins and circumstances under which land became a strategic tool for political patronage.

This same logic of patronage-based land distribution and land reform would continue into the post-colonial period. Many scholars have argued that states use land distribution to stifle or co-opt potential rebellion (Finkel et al. 2015; Dunning 2008; Albertus and Kaplan 2012). In the regions affected by the Mau Mau war—Central, Eastern and the Rift Valley—post-colonial land reform was driven in large part by the need to prevent or quell political dissent or potential violence.

Yet on the Coast, the colonial and post-colonial political elite did not fear mass rebellion.⁶⁹ Hence, there was not the same political imperative for any sort of large-scale land reform (i.e. for the re-distribution of land titles to the poor and landless). And because the masses did not come to present a credible political threat at independence, land distribution or reform was relegated to an issue of economic development. For Coast leaders, there was not the same political imperative to use land distribution to build local coalitions with the poor and landless. Equally, few higher-up elites would see the value in distributing state-land, both because the Mijikenda constituency was not highly valued and because there was no case for using land to prevent an uprising. Squatters on the Coast were not (until very recently) a political threat to stability.

⁶⁹ There were mass movements/ rebellions (*Mwambao* movement) and Giriama uprising for example, but nothing on the magnitude of the Mau Mau.

3. Land Politics at Independence

There is a tribe that got colonized (Kikuyu) while the other tribes did not get colonized. The Kikuyu know the importance of independence more than the other [tribes]. The others don't know the price of freedom.⁷⁰

The Mau Mau War ended officially in January 1960 when Britain declared the Emergency over. Yet the dynamics of the war would endure throughout the process of decolonization and the decades of Kenyan politics that followed. As I suggest above, the war created significant cleavages and alliances—both within the Kikuyu community, and perhaps more importantly, between the state and different sub-groups of Kenyan society. Equally, it created (or re-affirmed) a political logic of using land as tool for state building and patronage. Strong patron-client relationships would emerge in regions where elites could profit from the land, but equally, where elites needed to assert control over the population, either as a way to consolidate political support or to prevent political dissent or rebellion. Importantly, these political imperatives of building political support or quieting dissent were mostly absent from Coastal politics.

During these pre-independence years (1960-1964) leaders representing different ethnic communities were engaged in discussions about the terms of Independence (which would formally arrive in December 1963). These early debates and constitutional drafts hinged primarily on the question around land. Two specific debates framed these pre-independence years (1960-1964). The first was whether Kenya should adopt a unitary or federal (i.e. ethno-regional) form of government. The second was about how land and other resources should be distributed among the country's majority poor and landless.

⁷⁰ Interview-Likia-5-Njoro-(6/28/2012).

The first debate defined the newly formed national parties: between the Kenya African National Union (KANU), which argued for a unitary form of government and the Kenya African Democratic Union (KADU), which pressed for a federalist constitution (*Majimboism*). KANU represented the Kikuyu-Luo alliance under the leadership of Jomo Kenyatta, Tom Mboya, and Oginga Odinga. KADU meanwhile, represented the interests of Kenya's vocal ethnic minorities.

The national character of these parties at this time is also significant. African participation in political parties had been banned during the Mau Mau Emergency. In 1955, participation was opened, but limited to district-level parties with close oversight by colonial officers (Anderson 2005: 549). A primary aim of the Colonial Government at the time in managing party organization was to establish a set of leaders with whom the Government could collaborate while also undermining the support of the Mau Mau fighters (Ogot 1995: 48). An important outcome of colonial restrictions on political organization was that "ethnic social organization [became] the sole means for Africans to articulate grievances" (Prestholdt 2014: 258). KADU represented a continuation of this local politics, organized around narrow ethnic and racial interests and identities. KANU, in contrast to their image as an exclusively ex-Mau Mau and Kikuyu-led party, strongly rejected ethno-regionalist claims to land and political governance and promoted a party based on national unity and inclusivity. Anderson points to the ironies of KANU at the time, "stigmatized as the party of Mau Mau" but equally, "as the party who had vehemently opposed Mau Mau" (Anderson 549: 2005). These internal divisions help explain why KANU's resolute call for unity or "nation above tribe" and its rejection of majimboism was crucial to prevent its own cleavages within Kikuyu society from dividing the party. KANU leaders argued that a centralized government was necessary to ensure unity and avoid the ethnic polarization that had befallen other nations such as the Congo. Tom Mboya, a

Luo and prominent member of KANU emphasized that “people should be educated to think in terms of the nation rather than exclusively in terms of their ‘tribe’” (Harbeson 1973: 119).

The main leaders of KADU at the time were Daniel arap Moi, representing minority groups from the Rift Valley (under the banner of the KAMATUSA alliance), and Ronald Ngala, representing the Coast.⁷¹ KADU also gained critical support from White Settlers who saw a devolved political system as a better safeguard against the land interests of Kikuyus (Hornsby 2013; Kanyinga 1994: 68) and from the colonial administrators who view a heavily centralized government dominated by Kikuyus as a threat to peace and stability (Anderson 2005).

While KADU’s *majimbo* agenda represented multi-ethnic and political interest groups, *majimbo* was largely an effort by smaller ethnic communities to undermine the political and economic power of a Kikuyu-Luo alliance as a way to protect the varied local interests of each ethno-regional group. Both groups were wealthier and better educated than many smaller groups who had not played as central a role in colonial politics (Anderson 2005). The mobilizing power of *majimbo* however, came through rallying supporters around fears of Kikuyu “invasions” of so-called “ancestral lands”—both in the Rift Valley and the Coast regions. Kanyinga emphasizes that KADU leaders Ronald Ngala and Daniel arap Moi “made it clear that they wanted a constitutional provision that guaranteed their ethnic groups fair compensation for land that had already been effectively expropriated (Kanyinga 2000: 47). These nativist ideas resonated among leaders and followers alike and reflected or reinforced a growing autochthonous discourse. Kenyans were identifying themselves as members of “discrete territorial homes, even though such spaces were rarely homogenous... Many saw decolonization as a zero-sum game in

⁷¹ Many local parties merged to form KADU. These include Moi’s Kalenjin Political Association and the Maasai United Front (This alliance would come to be known as the KAMATUSA: Kalenjin, Maasai, Turkana and Samburu). KADU support also drew from the Coastal Africa People Union (headed by Ronald Ngala), the Somali National Union, and the white settlers party, the New Kenya Party.

which the more advantaged groups would reap the rewards of state power” (Prestholdt 2014: 255). Debates over *majimboism* provoked a politics of claim-making whereby communities made claims to land and territory based on historical precedent, indigeneity, and the political authority of borders. As a way of asserting these claims, communities relied on the colonial record. Colonial boundaries thus shaped the boundaries of ethno-territorial politics into the post-colonial period.⁷²

When KADU was able to secure a Majimbo constitution at the Second Lancaster House Conference, the *majimbo* agenda took on a more aggressive tone (Kanyinga 2000: 48). KADU politicians threatened that “Youth Wingers” would forcefully remove Kikuyu squatters if KADU could not do so through legislative means (Anderson 2005: 555; Kanyinga 2000: 48). Anderson describes a rally in Kilimani in 1961 where Daniel arap Moi taps into the fears of Kikuyus invasions to mobilize the Kalenjin crowd, telling supporters to stand firm on *majimboism*: “Her Majesty’s government must sanction regionalism before handing over power to the African is there is to be peace in Kenya” (Anderson 2005: 556).

Despite KADU’s assertive demands for ethno-regional government, KANU’s vision of unitary government prevailed. In the June 1963 elections, KANU gained a majority of votes in the House of Representatives and the Senate, and the Regional Assembly was split between the two parties. By the third Lancaster House Conference in September 1963, KANU had eroded many of the powers of KADU. Kenyatta called on opposition members to join KANU in a “government of national unity.” All but the most ardent KADU supporters crossed the aisle. Formal Independence was declared in December 1963. In the following year, KADU was absorbed into KANU. KADU’s formal demise came with the party’s last holdout, Ronald

⁷² This process is what Claire Medard has called this “politics of territoriality” (Medard 1996 in Anderson 2005: 558).

Ngala, who had been elected leader of the Coast Assembly, crossed the aisle in November 1964. The defeat of majimboism on the Coast was described as “a bitter moment.” Willis and Gona (2012) remark that majimboism had united Arabs and Mijikenda, but that “The demise of KADU left no space for a formal politics of coastal identity” (Willis and Gona 2012: 61).

With the dissolution of KADU and the defection of its members into KANU, Kenya became a *de facto* one-party state by the end of 1964. Yet the issues that KADU and its majimbo demands had represented—claims to land and resources based on identity, indigeneity, and territoriality—did not disappear. Instead, politicians in the “ethnic minority” would use claims based on autochthony and belonging as a way to counter the market-based claims to land based on “hard work” and the “title deed” that the KANU elite and Kikuyu landed class invoked.

Hakuna cha Bure—“Nothing is for Free:” Debates over land re-distribution

The second major debate that framed the early independence years revolved around the highly contentious land purchase program intended to foster agrarian development and re-resettle the country’s landless population. Two questions polarized KANU: 1) On what terms should the new government acquire the lands of former white settlers and; 2) How should the Kenyan government re-allocate land to the country’s majority landless?

KANU was divided bitterly between liberals who advocated for a free-market in land and radicals who argued for the re-distribution of “stolen lands.” Jomo Kenyatta and many of his elite inner-circle favored a plan that would enable the newly independent Kenyan government to “buy back” the White Highlands from the departing white settlers on a “willing seller-willing buyer terms.” This privileged land consolidation and the goals of land development and economic growth over the earlier nationalist objectives of land (re)-distribution. Specifically, as

Kenyan elites consolidated their properties, there were strong incentives to create a property rights environment that would facilitate land accumulation (Kanyinga 2000).

On the other side of this debate were the more “radical” KANU leaders, such as Bildad Kaggia and Oginga Odinga who argued that the Kenyan government should not “buy back” the White Highlands. Instead, they advocated for *nyakua*—the complete seizure of lands expropriated by the British Crown (Kanyinga 2000: 47). They claimed that these lands should be made available “for free” to settle the landless. Oginga Odinga and Joseph Mathenge, both founding members of KANU, mobilized a crowd of 20,000 in Nairobi in 1961 to protest the purchase of the White Highlands. Mathenge told the crowds: “We will not buy an inch of White Highlands soil...If there is going to be anyone settling the White Highlands he will live there free. It was our land and we want the landless to go there for free.”⁷³

These divisions within KANU paralleled many of the cleavage lines between KANU loyalists and Mau Mau supporters. KANU liberals invoked the language of the counterinsurgency by undermining the work ethos of the radical agenda. For example, when Kaggia argued that all Mau Mau veterans deserved land, Kenyatta characterized this claim as a “plea for by the lazy for ‘free things’” [as] land was to be earned by labor, not given by the government” (Gertzel, 86-87 in Branch 2009: 201). Kaggia, a former Mau Mau fighter, held his position firmly. In a 1966 public rally he gathered MPs from the Mount Kenya region and denounced loyalists who monopolized ‘big government posts’ and who “thereby [blocked] the way for ex-forest-fighters’ and youth-wingers” (Branch 2009: 199).

Kaggia and Odinga’s far more populist vision of nation-building and redistributive politics forced them out of KANU and led them to form the Kenya People’s Union (KPU).

⁷³ *East African Standard*, May 19, 1961 (Harbeson 1973, 122).

KANU responded by using the “state’s instruments of coercion to emasculate [the KPU].”⁷⁴ Sitting MPs who joined the KPU were forced to stand for separate re-elections known as the “Little General Election.” Attacks against these candidates were strongest outside Odinga’s Nyanza Province. In the end, KANU repressed KPU political organizing in all regions but the Luo-dominated areas of Nyanza (Mueller 1984: 424). Hence, Kenyatta was able to marginalize the reach of KPU by turning it into a regional and ethnic Luo party rather than a nationally representative party that could pose a viable threat.

4. Logics of Accumulation and Distribution under Kenyatta

This section examines the logics of elite land accumulation and land re-distribution under Jomo Kenyatta. Specifically, I demonstrate how land resettlement and land reform in the years following independence provided opportunities for large-scale land accumulation among a well-connected elite class. Equally, I argue that these land resettlement programs provided an important source of patronage for politicians seeking to build their clientele among land insecure citizens. However, the expansion of land re-settlement schemes varied significantly between the former White Highlands of Central and Rift Valley Provinces and the Coast Province. I return to the main question of this chapter to ask why land resettlement policies and practices varied so starkly between the two regions.

The Policy and Politics of Resettlement

The first major land resettlement program, known as the “Million-Acre-Scheme” rolled out in 1962 in the wake of Kenya’s independence. The aim of the program was to settle 25-30,000 African families on 1.7 million acres of land that the Kenyan government had purchased

⁷⁴ Bates (1983, 108). For more on the politics of the KPU see Mueller (1973).

from departing White Settlers (about 4 percent of the total area of the country). The Kenyan Government was able to purchase this land through international aid loans from the World Bank and the Colonial Development Corporation.⁷⁵ The post-colonial government assumed these loans, often at very highly inflated prices, but it was the smallholder farmer who was ultimately responsible for loan repayment and interest payments (Leys 1975 in Klopp 2001: 77). One of the main aims of the resettlement program was the creation of a “free-market” in land in which the state would act only as mediating institution to help place families on the land and provide loans to both smallholder and large-scale farmers (Leo 1983). Another feature of these schemes as originally envisioned was they would more or less map onto the original Native Reserves (African Land Units) as carved out under colonial rule (Belshaw 1964). Settlement schemes thus re-affirmed ethnic boundaries in areas that were previously diverse (Leo 1983: 111). From the perspective of Kenyan leaders, this process opened up ground for re-claiming land that communities had lost prior to colonization (Anderson and Lochery 2008). The process of creating the Million Acre Scheme approximately 123 settlement schemes in the 1960s and facilitated the settlement of about 500,000 people on government land by 1970 (Boone 2011: 14).⁷⁶ In sum, The Million-Acre Scheme would become the first and most ambitious land settlement program meant to transfer lands from European to African ownership on so-called “free-market” terms.

Colonial officers and Kenyan politicians designed the land resettlement programs to satisfy several economic and political objectives. Economically, the program had outlined a financing plan for the Kenyan state to “buy back” the White Highlands from outgoing European

⁷⁵ Development Finance Institution that was part of the British Government. The name changed to the Commonwealth Development Corporation in 1963. Hornsby (2013: 75) states that funders provided one-third of the land purchase as a grant, while two-thirds were given as a loan that had to be re-paid by Kenyan settlers.

⁷⁶ Anderson and Lochery (2008) cite that nearly 70,000 families (approx. 490,000 people) were settled across 250 government settlement schemes by 1975.

settlers.⁷⁷ The program thus appealed to White settlers who had worried about having their farms seized or nationalized upon independence. It also assured white settlers that a land market would remain intact and hence, that land investment would remain stable through the transition to independence (Leo 1981: 210). Equally, many members of the Kenyan elite—particularly within KANU—saw the settlement schemes as a way to meet both the demands of a landless population without jeopardizing the prospects for economic growth based on large-scale agriculture. The Million-Acre Scheme was designed to meet these twin demands through both high and low-density farms. Formerly landless farmers would find their way to the high density farming areas. The size of these high-density plots ranged from one to ten acres, though they were often less than five acreage of land.⁷⁸ These “landless” farmers however, were more often the ‘middle class’ as they had to convince the Land and Settlement Board that they had the sufficient skill and capital to meet the loan and interest payments on their plot of land as well as making the initial plot payment.⁷⁹

Low-density plots were created to maintain or encourage consolidated land holdings among a class of “progressive African farmers.” These plots ranged from 20 to 100 acres. In practice, the political class used these plots a source of elite accumulation and patronage. Specifically, these schemes provided a key source for elites in power to buy the political support of key members—by distributing plots within these schemes or supplying “credit and extension support” within these schemes (Leys 1975; Klopp 1998: 78).

⁷⁷ The loans and grants received for the purchase of the resettlement program were credited by Parliament and managed by the Settlement Fund Trustees (SFT). The SFT was established under the Agriculture Act (cap. 318, Laws of Kenya) mandated to manage to Fund and purchase any land for resale purposes (Ndungu Report, p. 123).

⁷⁸ Insufficient land acreage for smallholders was among the main factors restrain loan repayment and farm investment.

⁷⁹ Interest payments were set at 6.5 percent for the first 30 years. However, most farmer struggled to meet these interest payments and there was very weak enforcement. Payments for a settlement scheme plot were 1,000 Kenya Shilling.

The second, and perhaps primary motive of land resettlement was political. In the aftermath of the Mau Mau war, colonial and Kenyan elites were well aware of the need to settle portions of the population—particularly the Kikuyu—“to secure an orderly transition to independence without destroying the large farm sector and foreign aid opportunities, and to avoid a land grab or new emergency” (Hornsby 2013: 74). Distribution to the poor and landless could temper more radical demands and political action and provide poor farmers with the incentives to join the new Kenya and the modern agricultural economy (Harbeson 134: 1973). Hornsby (2013) notes that farms selected as resettlement schemes were chosen primarily because they were the areas where particular ethnic groups faced the most acute land hunger, and less because they were the first areas where White Settlers wished to sell. However, if the political demand for land—shaped by fear of a militant uprising—did indeed shape the patterns of land resettlement, then this provides important insights into why parts of Central Province and the Rift Valley received political priority while other areas were neglected. These observations overlook important variation in resettlement within ethnic groups, particularly within the Kikuyu community. Specifically, former Mau Mau supporters—those that in theory posed the greatest threat to the political order—received the lowest priority in resettlement. In many cases, Mau Mau supporters were strategically excluded from the resettlement process. That is, they were denied the opportunity to gain a plot of land on a settlement scheme. Hence, while fears of another political uprising among Kikuyu were a key factor motivating the land resettlement program, the allocation of plots was overtly political. Incorporation or exclusion into schemes fell not only along ethnic lines, as many scholars have observed, but also along enduring identities of “loyalist” and “Mau Mau insurgent.” The Kenyan State was thus able to keep

alleged Mau Mau supporters off settlement schemes and discourage future radical action, thereby signaling the power of the state to use land as both a patronage good and punitive tool.

While the settlement schemes of the 1960s helped to settle hundreds of thousands of Kenyans, particularly in the former White Highlands, two features of these policies continue to influence Kenya politics today. The first, as I have briefly mentioned, is the strategic allocation of plots to households who were from a particular ethnic group (notably the Kikuyu) or who could leverage the social or political connections to secure a plot. Overall, members from the Kikuyu community did receive a disproportionate share of settlement scheme plots during Jomo Kenyatta's Administration. Kanyinga notes for example, that due to the wealth and size of the Kikuyu population and the patronage they received from Kenyatta, "the Kikuyu found their way into schemes meant for other ethnic groups" in regions across Kenya (Kanyinga 2000: 50). The perception that Kikuyu benefited disproportionately endures among many non-Kikuyu groups today. In a focus group with members from Kalenjin, Maasai, and Turkana communities living in an ethnically mixed settlement scheme in Naivasha Constituency, participants comments on their view of the land allocation process at independence:

The [Kenyatta Government] favored the Kikuyu because [now] they occupy most of the fertile land in Eldoret, Nyahururu, Laikipia, and many other parts of the White Highlands [...] The [Moi Government] followed his predecessor's footsteps (*nyayo*). We even fear that the next president might behave in the same manner. This will continue to oppress the minority tribes who will never have an opportunity to have their own being a president.⁸⁰

The perception that the state favored Kikuyu in the process of land resettlement has shaped a national political narrative that having one's co-ethnic in power is requisite for accessing and securing land rights. Yet in many cases, class and local politics trumped ethnic

⁸⁰ Youth Focus Group-Oljorai Settlement Scheme (Naivasha Constituency) 9-11-2012.

identity alone. A Kikuyu interviewee in Likia Farm (Nakuru County) describes the difficulty that ordinary Kenyans encountered when trying to secure settlement scheme land:⁸¹

Q: If you didn't have money, would you have received land from the government [on a settlement scheme]?

A: It was a hectic process. You would have to have connections with people in power, or surveyors, or such people. The settlement schemes were never given to poor people, they were always given to the rich. For example, a police major would be given twenty hectares and he is not poor or in need of settlement, so this is a case of misallocation.

The respondent's comment hints at the complex set of relationships that individuals had to navigate in order to secure land. Ethnic identification was one among many barriers to entry that also included one's level of wealth, profession, family and social networks, and a person's loyalties in the Mau Mau civil war.

A second feature of the settlement scheme program was the ideology of land settlement that accompanied the process. President Kenyatta tapped into existing Kikuyu narratives about hard work, land ownership, and wealth accumulation as a way to legitimize his famous slogan, *hakuna cha bure*—"nothing is for free". The statement became central to political discourse of the regime: landless squatters should not expect to be given land for free. Instead, they must acquire land through their own toil and sweat. In other words, smallholders must have the sufficient means to access credit in order to finance a plot of land.

The statement was a response to political rivals and opposition groups who argued that land should be allocated for free to the landless. These groups included both former Mau Mau fighters and radical politicians such as Oginga Odinga and Bildad Kaggia.

Equally however, the narrative has served as a way for elites and ordinary Kenyans to delineate between those "who worked for their land" and "those who wanted land for free." In doing so, it has undermined the *political legitimacy* of grassroots mobilization for more equitable

⁸¹ Interview-Likia Cooperative Farm (Njoro Constituency) Stage 1(4)-7-28-2012.

access to land. This narrative has been so powerful because it frames any land claim that is not based in a market transaction as an immoral or illegal claim. In a similar way that the Colonial state was able to frame Mau Mau fighters as lazy or immoral, the post-Colonial state was able to use the narrative of '*hakuna cha bure*' and hard work to frame critics of land re-settlement as lazy, uneducated, or corrupt. This political discourse in turn shaped a particular land narrative whereby land acquired value through the process of a market transaction: The land purchase gives land its value. Ideally, the title deed follows the land purchase (though in reality, a title deed often never comes, or only many years after the initial transaction). The land purchase, and any documents that prove this purchase however, are valuable because they signify that an individual or a family has invested labor into the land (Lonsdale 2008). This claim to land through labor provides both a legal and moral basis for claim-makers to elevate their land claim above all others. An interviewee in the Land Buying Company of Likia (Njoro), emphasizes the enduring importance of purchased land:

After Independence, when I was a young woman I never heard of anything for free. You had to buy land. People had to form societies and bought the land...If my land was given to me for free then the government has a right to take it away. That's also the main reason why we always fight bitterly to defend our land in Likia: it's because of the value we have for it: we bought it with cash.⁸²

An elderly man in Likia provides similar remarks during an interview. His comments however, also hint at the ways in which the narrative of resettlement, framed by the slogan of '*hakuna cha bure*' has shaped the language of land politics in the region.

After Independence it was announced that the Whites were leaving the country and you could buy their property. But some other tribes didn't heed the call. These tribes thought that they would be given land for free. Those who were eager to buy got the land but those who wanted free things started complaining when the land was finished. And now they complain that the Rift Valley is their ancestral land. Complaining never helps. The president

⁸² Interview-Likia (12)-7/4/2012.

(Kenyatta) said for you to work hard and to get your own property and that nothing is for free.⁸³

Here we see that Kenyatta's call to purchase land was a way of validating particular claims to land in the Rift Valley while providing a discourse for his followers to undermine the claims of other poor and landless Kenyans. In doing so, Kenyatta undercut the possibilities for a class-based discourse that pitted landless peasants against a land-wealthy elite.

As the above comments suggest, Kenyatta altered the possibilities for a populist, class-based discourse. Because there was "no free land," those who were able to purchase their land were also those who deserved the land. This silenced dissent and demand for re-distribution. Equally, it enabled or legitimized elite accumulation of land in full view of the public. An interviewee from the Central Rift Valley emphasizes that under Kenyatta's land resettlement policy, people could only gain as much land as according to their capability. Hence, the wealthy amassed large swaths of land, while most Kenyans (Kikuyus included) were left without any.

After independence, the government was not able to allocate land equally to all Kenyans. For instance the first President Kenyatta said *hakuna cha bure*...thus everyone had to buy land and people bought according to their capability. Those who were not able to raise enough money did not get land [...] The rich benefited because they used their money to buy big pieces of land and the leaders because while allocating land, they allocated a lot of land to themselves. Even President Kenyatta allocated himself big pieces of land and when he saw that whatever he got wasn't enough, that's when he said 'nothing is for free.'⁸⁴

This capitalist or market-based narrative of land acquisition also exacerbated reactionary land narratives among ethnic and regional communities who saw themselves on the losing end of the land re-settlement process. As the state became more dogmatic about land registration and the sanctity of title deeds above all other claims, there was a hardening of anti-outsider identity-based claims, including family, ancestral and squatters' rights claims.

⁸³ Interview-Likia (5)-6/28/2012.

⁸⁴ Interview (family)-Likia (9)-7/3/2012.

Settlement Schemes, Accumulation, and the Making of Land Patrons

The Million-Acre Scheme was the most expansive settlement scheme program, but many other settlement schemes programs followed, each with varying objectives and success. The table below summarizes the main schemes that were implemented under Jomo Kenyatta's presidency.

Fig. 2.2 Methods of Land Resettlement and Acquisition

Scheme	Policy	Beneficiaries	Outcome
Million Acre Scheme <i>High Density</i>	1-10 acres; high potential areas	Landless/ squatters	Plot allocation a source of patronage
Million Acre Scheme <i>Low Density</i>	20-100 acres; medium potential areas	“Skilled” farmers	Source of elite enrichment
Haraka	Created from abandoned European farms	Mixed (only scheme existing on Coast)	Irregular allocation (Coast)
Harambee	Carefully selected farmers; medium size plots	Middle class and elite	Failed program
Shirikia Program	Cooperative Farming	Smallholder farmers	Failed program
Z-scheme	100 acres & Farmhouse (Former state land)	Political elites (Intended for “model farmers”)	Source of elite enrichment
State Land	Less arable state land turned into settlement land	Landless or speculators	Variable
Land Buying Companies	Small-holders pool resources and buy shares in a company; company buys and sub-divides farm	Smallholders with access to capital or ties to elite networks	Ethnically exclusive; basis for strong patron-client ties

I focus here on how the *type* of settlement scheme and the geographical *scope* of settlement schemes (not specified in table above) can help explain the development of elite accumulation and patron-client relations between elites and ordinary citizens. As stated above, the original intent of settlement schemes was to resettle Kenya's poor landless farmers. In addition,

settlement schemes provided an important way for political and business elites to acquire land for speculative, developmental, and political purposes. Yet each settlement schemes created different mechanisms for well-connected individuals to acquire land.

Land patronage operated along two lines. The first is what I will call *horizontal patronage*: this occurred when elites connected to the Office of the President allocated plots of land within settlement schemes as a way to build support among other political elites. According to the findings of the Ndungu Commission Report, the main mechanism that facilitated this process was the use of a “presidential directive to the provincial administration to settle specific groups of people in designated areas” (2002: 132).⁸⁵ Hence, what was being exchanged was not a mere five-acre plot. Rather, these plots were more often between 20-100 acres (or more). In such exchanges, land was not given explicitly as a gift (this would happen more so under President Moi). Instead, the government would extend generous loans to help finance these farms (Leys 1975).⁸⁶ In many cases however, these loans were never re-paid (Leo 1981). The table above indicates the types of schemes that were most conducive to these forms of horizontal patronage. These included schemes where plots of land were larger and where intended recipients were highly skilled farmers. As a result of the skill and credit requirements, it was often only handful of well-connected elites who could meet and negotiate these requirements.

The second form of patronage is what I term *vertical patronage*. This describes a politician using settlement scheme land to build support among non-elites (i.e. smallholder farmers or ordinary Kenyans). High-density plots on the Million-Acre Schemes and *Haraka*

⁸⁵ Republic of Kenya, Report of the Commission of Inquiry into the Illegal/ Irregular Allocation of Public land (aka “Ndungu Report”), Vol. 1.

⁸⁶ During the 1963-64 period, these loans came from the Land and Agricultural Bank of Kenya, which had been the primary lending institution under the colonial government. Loans were available to both Kenyans and Europeans (Leo 1983: 99).

Schemes were particularly useful for elites to offer plots of land on settlement schemes or access to credit and farm inputs a way of building a broad based mostly rural clientele.

Land Buying Companies (LBCs) by contrast, were among the most effective ways for aspiring political elites to develop an ethnically aligned clientele of smallholder farmers and became increasingly common in the 1970s. Unlike settlement schemes, LBCs allowed the political patron to have more direct control over the management and allocation of land to clients (i.e. shareholders) as the process bypassed the more bureaucratic institutions that governed rights to land within the settlement schemes.

Land Buying Companies formed when an individual or a cooperative purchased a large tract of land. In many cases, the Settlement Funds Trustees or the Agricultural Finance Corporation facilitated this purchase (Boone 2011). The company director then divided the land into individual plots that were made available for sale to shareholders. In well-managed LBCs, shareholders were able to acquire title deeds. In many cases however, companies were mismanaged or corrupt and farmers who purchased shares never gained title to their land. Hence, they remained as shareholders but never as complete owners of their land (Boone 2011: 16). By 1973, there were over 1,000 land-buying companies in Kenya, most of which were managed by “influential individuals from Central Province and a few from the Rift Valley” (TJRC 2013).⁸⁷

One of the starkest examples of the LBC as a vehicle of political patronage is Kihika Kimani’s rise to political fame through his founding and chairmanship of the 55,000-member Ngawataniro Land Buying Company. Using this position, he became the MP for Nakuru North, a seat that he held until 1979.⁸⁸ He was also the director of the extremely influential GEMA Holding Corporation, a powerful and ethnically exclusive political interest group and land

⁸⁷ Truth Justice and Reconciliation Commission Report (2013). Vol. II (B), p. 296.

⁸⁸ In 1979, Kimani was defeated by Koigi wa Wamere—in large part due to President Moi’s successful efforts to expose Kimani’s mismanagement of the LBC in Nakuru (Onoma 2010).

buying company that guarded the interests and assets of the Kikuyu, Embu, and Meru communities.⁸⁹

Kihika Kimani and many other elites who organized land-buying companies attained their political stature in large part by creating loyal followers who relied on the LBC for land access and security. This created the belief that elites (many of whom became parliamentarians) had both the capacity and political will to protect the land rights of their constituents. A respondent in the hinterlands of Naivasha Constituency illustrates the enduring narrative of the Parliamentarian as “Land Patron:”

Some MPs who were concerned about the welfare of their people helped them acquire land after the white settlers left. They included Kihika Kimani who assisted people in Nakuru region and G.G. Kariuki who established land in Laikipia. Offices were established so that those who were interested could register themselves with a small amount of money. This is how I got land.⁹⁰

Yet these land-buying companies also amassed tremendous wealth by collecting shares from smallholders without allocating titles in return. A resident of Likia Land Buying Company, also located in Nakuru explains that many settlement schemes and LBCs were not successful because “some people like me who were members of a land buying company led by Kihika [Kimani] contributed money for buying shares of land yet we did not get land.”

Further, the politics of land buying companies have produced significant land grievances in part because they operated as exclusive identity-based clubs. For those who could not gain entry into these club networks, many families and communities remained landless. Kalenjin

⁸⁹ GEMA started as a social welfare association in 1971 but quickly evolved into a political organization with an explicit agenda to keep Moi from becoming the Vice President. It also functioned as a club that enabled acquisition and speculative trading of land within and ethnically exclusive inner circle. By 1977 the membership of GEMA was 3 million and by 1979 its total assets were worth about 50 million (Onoma 2010).

⁹⁰ Interview-Oljorai-Kiptangwanyi LBC (3)-9/7/2012.

youth from Mauche Settlement Scheme discuss how these Companies favored land accumulation along class lines:⁹¹

Participant 6: Most of the owners of the LBCs had influence in the government and they are the ones who benefited. But the common *mwananchi* (citizen) did not. So LBCs did not succeed because they only benefited family members and people with connections, not the ordinary person.

Participant 1: Land buying companies only benefited a few enlightened ones. Even me, I don't know how I would have approached a land buying company.

These comments demonstrate the way that many ordinary Kenyans, particularly in the agricultural zones of the Rift Valley, relied on a political patron to help them secure land access. Leaders had so much power precisely because the process was so chaotic, arbitrary, and corrupt. Citizens relied on land patrons to link them to the land. In areas where these figures did not exist, citizens struggled to secure land.

The Geography of Land Settlement and Implication for Patronage Politics

So far I have argued that land resettlement policies under Kenyatta, including settlement schemes and land buying companies, provided a valuable patronage source for political elites. This patronage flowed horizontally between elites and vertically, from elites downward toward ordinary citizens. Yet as I argue throughout this chapter, the dynamics of land patronage varied significantly between the agricultural zones of the former White Highlands and the Coast Region.

Two important factors shaped land distribution on the Coast. The first was that despite attempts by Coastal political movements to re-claim land, politicians at the national level did not view Mijikenda landlessness as a significant threat to the political stability of Kenya. As I've argued, Kenyatta's regime had a clear incentive to prioritize landlessness in former Mau Mau

⁹¹ Focus Group (Youth)-Mauche-7/9/2012.

areas to ensure political order. Hence, the government used land re-distribution in the Highlands to build political support and temper political dissent. By contrast, in the first several decades following independence, Coastal land grievances were on the periphery of the nation-building agenda. Political elites did not see the need to use land as a tool to build grassroots political support or quiet dissent among local residents.

Second and relatedly, the Kenyan government did not have the same access to land that it could use for resettlement purposes that it did in the former White Highlands. The Government had purchased land from outgoing white settlers, but much of the land along the Coast remained in the hands of Arab families (e.g. the Mazrui Family). Many of these families only owned the land “on paper”—they did not occupy, invest in, or cultivate the land. These landowners were known as “absentee landlords.” The Kenyan government had neither the ability nor motive to “buy back” lands from these Arab families. In addition, while Arab lands were privately held, they also served as an informal pressure valve (for the short-term) as many estates continued to allow squatters to occupy or cultivate land into the post-colonial period (Kanyinga 2000: 66). The main implication was that because the majority of arable land was under freehold title under Arab families, the Government had far less land at its disposal to convert into settlement schemes. The belief that Arab landholdings were a barrier to resettlement was a topic of debate among Coastal administrators in the early 1960s. Many Coastal residents continue to talk about the purchase of Arab lands as a crucial missed opportunity. The Coast Provincial Commissioner wrote a letter regarding the “the problem of freehold farms” in 1965. He writes:

Most of the old 10 mile Coastal strip which is not Government Land is Arab owned freehold. Much of the land is underdeveloped and some completely undeveloped. There is a large African population on this land who demand that they should own the undeveloped portions [...] We require funds and staff to do this. This is a very large and very urgent problem—

covering a good proportion of the productive arable land of the district. The problem would probably be solved if Arabs were bought out, as was done with Europeans in the Highlands.⁹²

When I ask residents from Kilifi (Coast Province) about why they struggle to access land today, some respondents identify the failure of the government to purchase Arab lands as a pivotal moment. A father and son in Kijipwa Settlement Scheme explain to me:

Money was lent to the Kenyan government from the U.K. They were compensating those Europeans who had big farms. [British loans] were used to buy the white highlands but not the land on the Coast. So that was key. Had they used that money, they would have bought the land from the Arabs as well so that the land could be given back to the people. But they left the Arabs with the land, so the Arabs sold the same pieces of land to the big farms.⁹³

While we cannot know whether the government would have ever succeeded in buying out Arab families along the Coast, a key point is the Kenyatta regime's apparent ambivalence toward investment in Coastal lands compared to their interest in investing in settlement schemes and agriculture "upcountry." This attitude is evident in the remarks of the Isaiah Mathenge, who was at the time the Provincial Commissioner for Agriculture, and who would later become the Provincial Commissioner for the Rift Valley:

With regard to the mismanaged farms I suggest we leave them for the time being as I do not consider the Government has funds to buy out the owners of these farms [...] most of these so-called mismanaged farms...have never at any time been properly managed or developed and in my view these farms can hardly justify consideration similar to the ones given to the mismanaged farms in the former White Highlands.⁹⁴

Key here is the Commissioner's emphasis that lands along the Coast can "hardly justify consideration similar to...mismanaged farms in former White Highlands." This helps illustrate that high-ranking government officials had little interest in resettling indigenous people along the Coast and hence investment in land settlement schemes took low priority.

Coastal Settlement Schemes

⁹² SETT/3/ii/114 (12th April 1965)/ Coast Provincial Commissioner, Mombasa, "Potential Settlement Schemes: Coast Province."

⁹³ Interview, father and son-Kijipwa-Kilifi.

⁹⁴ SETT/3/ii/144 of 12.4.64 / Mombasa. (I. Mathenge, Provincial Commissioner of Agriculture).

KANU's lack of political interest in the Coast did not preclude the development of settlement schemes. Settlement scheme policy was distinct along the Coast in two ways. First, there were far fewer total settlement schemes than in the former white highlands. This had to do largely with both the undersupply of arable land and the high costs of creating habitable settlement in areas that lacked the infrastructure and favorable environment compared to inland Kenya. The low number of settlement schemes was also related to the lack of political pressure that national elites faced to re-distribute land to Coastal squatters. By 1990 there were only about 20 settlement schemes, whereas there were about 190 spread across the Rift Valley and Central Provinces.⁹⁵ The main source of grievance among many Mijikenda people however, is the belief that settlement schemes along the Coast were created to re-settle landless Kenyans from upcountry (i.e. Kikuyu, Kamba, and Meru) rather than indigenous squatters. Indeed, two specific settlements were designed with this intent (Hoorweg 1991). In Lamu District, the Government created the Lake Kenyatta Settlement around Mpeketoni. The scheme started in 1976 (Lake Kenyatta I) and has developed in phases over subsequent decades. The other contentious scheme aimed at settling upcountry residents was Shimba Hills, located in the interior of Kwale District. Settlers here were at one point about 60 percent Kamba (originally from Machakos and Kitui Districts).⁹⁶

The table below lists each of official government settlement schemes implemented as of 1992. Other than the Lake Kenyatta and Shimba Hills schemes, Kenyatta's government initiated several Haraka schemes in Kwale and Kilifi. In theory, these schemes were designed to ease the squatter problem along Coastal areas. Yet because "outsiders" could also apply for plots within

⁹⁵ In 1976 Coastal politicians called a Parliamentary Select Committee to look into the shortage of Settlement Schemes compared to upcountry. An Office of the Commission of Squatters was established, but no meaningful action was taken (Kanyinga 2000: 70).

⁹⁶ The demographics in Shimba Hills has changed considerably over the years as many original settlers abandoned their plots due to hardship, intermarried with local communities, and moved to nearby towns.

these schemes, upcountry people who worked as laborers or in administrative offices were often able to obtain plots over local residents (i.e. Mijikenda). Kanyinga writes:

The resettlement schemes were not specifically and exclusively established for the landless in Kilifi district. This was particularly true of those established in the 1960s, for they were open even to upcountry groups in spite of the prevailing landlessness among the Mijikenda.... Increasing numbers of “outsiders” and malpractices in the allocation of plots gradually engendered hostilities between the Mijikenda (2000: 69).

Settlement Schemes: Coast Province

	<i>Start date</i>	<i>Primary Recipients</i>
<i>Kilifi & Malindi Districts</i>		
Gede	1937	Mijikenda
Tezo/Roka	1962	Multi-ethnic
Mtondia	1962	Multi-ethnic
Ngerenya	1968	Multi-ethnic
Mtwapa	1969	Multi-ethnic
Vipingo	1974	Mijikenda
Magarini	1978	Multi-ethnic
Kijipwa*	1982	Mijikenda
Kibarini	1992	Multi-ethnic
<i>Kwale District</i>		
Shimba Hills	1952	Kamba/Mijikenda
Sabharwal (Haraka)	1968	Multi-ethnic
Tembo Springs (Haraka)	1968	Multi-ethnic
Ukunda (Haraka)*	1968	Multi-ethnic
Diani (Haraka) *	1978	Multi-ethnic
Mbuguni (Haraka)*	1978	Multi-ethnic
Golini	1985	Multi-ethnic
<i>Lamu District</i>		
Lake Kenyatta I	1976	Kikuyu
-Hindi-Mahogoni	1980	Kikuyu
-Lake Kenyatta II	1986	Kikuyu
-Witu I	1989	Kikuyu
-Witu II	1993	Kikuyu
* Plots grabbed by elites for speculative purposes (i.e. beach hotels)		
“Multi-ethnic” refers to Mijikenda and other Kenyans from “upcountry”		

Fig 2.3

In some cases, settlement schemes were created to meet the particular needs of the government of a private company. For example, Vipingo Settlement Scheme was created to accommodate the expansion of the Vipingo Sisal Planation. Squatters who were living and farming on the land

impeded expansion of the plantation. The government thus carved out a scheme to re-locate farmers and facilitate the Sisal plantation (Kanyinga 2000).

As I have argued, settlement schemes facilitated patronage along two dimensions. Executive-level elites could allocate land within schemes to other political elites to build support at the leadership level (*horizontal patronage*). But elites could also use land to build large networks of rural or grassroots followers (*vertical patronage*). These followers (clients) would extend their political loyalty or votes in exchange for a plot of land on a settlement scheme or LBC, assistance in land financing, or the promise of a title deed. Yet in order for the “trickle down” effect of vertical patronage to take place, regional elites had to be well placed within horizontal patronage networks. In other words—they needed to have access to land, political power, and financial institutions in order to act as capable “land patrons” to their constituencies.

This is a crucial point where the land politics of the Coast and the Rift Valley diverge. National level elites did indeed use Coastal land as a source of horizontal patronage. But the recipients of these lands were in many cases from upcountry (part of the ethnically exclusive GEMA network). Specifically, they tended to be either high-ranking national-level elites or officers within the Provincial Administration, many whom were from upcountry.⁹⁷ In most cases however, recipients of land or land financing were not political leaders who were indigenous to Coast—Mijikenda or Swahili. Yet by allocating land both horizontally and vertically along lines that excluded the majority of the Coast population (including its local leaders), the Kenyatta regime undercut potential patronage links between local leaders and their Coastal supporters. Hence, because local politicians were not first in line to get help in purchasing land along the Coast, they were equally restricted in allocating land downward toward their own landless

⁹⁷ Recipients would often use these lands for speculative rather than developmental purposes.

constituents. This has shaped a very different relationship between leaders and ordinary residents on the Coast compared to upcountry.

One important implication is that in order for local politicians to be able to participate actively in the local land market, they have had to act as brokers to politicians both from upcountry and business elite from Mombasa looking to purchase Coastal land. Many local elites have been able to launch their own political careers by selling out the land of the communities that they claim to represent.⁹⁸ As a result, very different relationships of reciprocity have developed between local political leaders and residents on the Coast compared to upcountry.

In the former White Highlands, politicians have the ability and political incentive to become “land patrons” by using state and privately held land to build patronage networks among a largely rural and co-ethnic base. Yet along the Coast, many elected leaders lacked either the political capacity to redistribute land or the political incentive. Instead of looking to political leaders to provide land, Coastal residents have continued to secure land informally through old and new forms of landlord-tenant relationships. They squat as “tenants” on the land of absentee (or mostly absent) landlords or on the land of private companies. Here, they gain informal access to land in exchange for their daily labor—on sisal, sugar, or cashew plantations or titanium or salt mines.

5. Logics of Accumulation and Distribution under Moi (1978-1991)

When Daniel arap Moi, a Kalenjin, assumed office following the death of Jomo Kenyatta, he declared that he would follow in the footsteps (*nyayo*) of Kenyatta. The declaration was partly a strategy of assuring Kenyatta supporters that he would not depart from the status quo,

⁹⁸ This assertion is based partly on my interviews with residents in Kwale and Kilifi who talk about leaders (district officials and elected officials) using positions of power to sell land to “outsiders”—upcountry politicians, Arabs, or foreigners. See Chap 8 for further details.

easing Moi's transition and enhancing his political legitimacy (Hauergaud 1995: 82). The slogan would soon take on a life of its own: *nyayo* would be a command for the citizenry of Kenya to follow in the footsteps of Moi.

Yet whether it was his intention or not, many ethnic communities across Kenya have come to understand the idea of '*fuata nyayo*' in terms of land. It has come to encompass the idea that one leader takes land and distributes for his community. When a new leader takes power Kenyans expect him to follow the same practice of land grabbing and distribution, distributing only to his co-ethnics. So while many Kalenjins interpreted "footsteps" as a promise of land distribution, many others heard it as a threat that the game was changing. These interpretations are evident across the many communities where I conducted interviews. In Likoni (Mombasa County), a participant in a focus group exclaimed, "Moi's slogan was 'fuata nyao!' [Kenyatta] was a land grabber, so Moi just continued grabbing [land]."⁹⁹ A Kalenjin in Rongai (Nakuru County) provides a similar view: "The Kikuyu feel that they are the ones who fought for the country's independence. So they had to reward themselves by acquiring land. So when Moi came to power he followed [Kenyatta's] footsteps."¹⁰⁰ An important point here is the belief that Kenyatta had rewarded his followers with land (because they fought for independence) and hence Moi would follow in the same tradition: awarding only his loyal followers with land.

While there were certain continuities between the practices and logics of land distribution between Kenyatta and Moi, there were two key distinctions. The first is the shift from the use of highly centralized but formal means to distribute land under Kenyatta to much more overt forms of "illegal or irregular" forms of land allocation under Moi. The second distinction was a shift toward a much more coercive use of land as a political tool. Whereas

⁹⁹ Focus Group-Likoni-12/3/2012.

¹⁰⁰ Participant, Ogilgei Focus Group- 08-15-2012.

Kenyatta's regime had relied on the distribution of land to build both elite and grassroots supporters, Moi also used the abrogation of land rights as a punitive and electoral tool to punish or displace.

From Land Patronage to Land Grabbing

Moi continued Kenyatta's practice of using state-owned land as a source of patronage for building supporting among individual elites and broad-based coalitions. The key difference however, was that Moi strategically subverted the property rights institutions that had previously protected and enabled the accumulation of land wealth under the Kenyatta regime. As Onoma (2010) argues, the Kenyatta regime had much stronger preferences to strengthen formal property rights institutions to protect elite investments in the productive use of land. Most of the land-based assets had been inherited from the colonial state at independence. Moi and his Kalenjin network, however, had been largely excluded from the gains that Kenyatta and the GEMA elite were able to reap through transfer of lands at Independence. Rather than strengthen institutions that guarded property rights in land, Moi subverted property rights institutions as a way seek gains from land "unmediated by its productive use" (Onoma 2009). The allocation of land in other words, became a purely political strategy absent any concern for economic, social welfare, or development objectives. Strong or functional land institutions, such as registries or other mechanisms of enforcement or adjudication, would have hindered Moi's ability to produce fake title deeds as well as to carry out fraudulent land "grabs" that transferred public land like state parks into private hands (Onoma 2010, Ndungu 2003). Specifically, by undermining property rights institutions, Moi was able to target the institutions that had facilitated Kikuyu wealth accumulation. The title deed had come to symbolize the power of Kikuyu land claims across Kenya, and in the Rift Valley in particular. By subverting these institutions, Moi was able to

undermine Kikuyu economic and political power and create new rules and new sources for generating both land wealth and political power.

Several scholars have argued that Moi's illegal allocation of state land was a response to declining state revenues in the mid 1980s, including declining aid for land reform, plummeting coffee prices and rising oil prices.¹⁰¹ Kanyinga (2000) for example writes that with the economic downturn "Moi turned to resource rich resource-rich parastatals, especially those in the agricultural sector, where he placed his own people in managerial positions to act as political gatekeepers, to tap resources for patronage purposes" (2000: 52). In line with Onoma's analysis however, I suggest that the turn to this more explicit form of "land-grabbing" is not a symptom of state weakness. While Kenya's economy certainly suffered a downturn in the 1980s, I argue instead that the logic of land politics and coercion was a way for Moi to eliminate the channels that had enabled his adversaries to gain economic and political power, while also enabling Moi to benefit from the unique political gains of land patronage.

During the 1980s, Moi used several strategies to dismantle the land rights of his opposition who were primarily Kikuyu in the Rift Valley, while seeking out new sources of land wealth to enrich or resettle a Kalenjin clientele (or KAMATUSA members). He began by cutting back on the capacity and reach of the main institutions that had facilitated the development and management of settlement schemes: the Department of Land Adjudication and Settlement (under the Ministry of Land). By weakening the DLAS, accurate record keeping fell by the wayside (Onoma 2010: 149). It was much more difficult to keep track of accurate title deeds and hence it

¹⁰¹ Scholars that have made this argument include Klopp (1998); Mueller (2008); Throup and Horsby (1998); Boone (2011); Kanyinga (2000).

was also easier to produce fake titles or issue multiple title deeds to the same plot of land.¹⁰² “Flawed registers also increased the flexibility that politicians had in deciding which rights to enforce” (Onoma 2010: 165). Similarly, Moi starved the DLAS of the capacity to create reliable settlement scheme maps. This meant that many land transfers within schemes were never officially recorded (i.e. mapped onto the settlement scheme). This further fueled the double allocation of lands and subsequent conflicts on disputed property.¹⁰³

Moi strategically eroded previously existing property rights institutions to facilitate the ease with which a title deed could be procured and allocated, regardless of whether it was genuine (Onoma 2010; 2005). He did this by weakening the institutions created at independence (DLAS and the Settlement Fund Trustees) and by transferring authority to the local arms of the Provincial Administration where there was little possibility for oversight or accountability (Ndung’u Report 2004:126).

Moi also deployed a number of strategies to allocate public land to individuals and communities within his patronage networks. Because the former white highlands were already adjudicated and settled by Kikuyu, Moi cut into other sources of public lands to create his own patronage banks. Moi carved settlement schemes from Forestlands and National Parks and public lands set aside for urban development, schools, hospitals, and cemeteries. While Moi did settle some poorer Kalenjin communities on these newly created settlement schemes, many of the allottees were political elites with connections to Moi’s inner circle.¹⁰⁴ These individuals included “district officials, their relatives, members of parliament, councilors and prominent

¹⁰² The problem of multiple titles having been issued for the sample plot of land/ property is ubiquitous across Kenya. While the problem likely started in the Kenyatta era, the problem of “double” or “multiple allocations” proliferated in the Moi era.

¹⁰³ I discuss this issue in greater detail in Chapter three.

¹⁰⁴ Most of the smallholder recipients of plots within settlement schemes never received a genuine title deed to their allotted plot (Ndungu Report 2004; Author Interviews).

politicians from the area, Ministry of Lands and Settlement officials, and other civil servants and the so called ‘politically correct’...at the expense of the deserving poor.”¹⁰⁵

Another strategy that the Moi regime relied on was the illegal allocation of land belonging to state corporations, called parastatals.¹⁰⁶ In some cases, the sales of these lands would be used to settle smallholder and wealthy individuals. One such parastatal that was splintered under Moi was the Agricultural Development Corporation Farms. ADC farms were designed to provide the country with crucial agricultural inputs to sustain food security and were located across the country. For that same reason, they were easy targets for land grabbing. Moi allocated many of these farms directly to close allies. He also used many ADC farms as *de facto* settlement schemes to settle co-ethnic smallholder farmers and in some cases, non co-ethnics (i.e. Kikuyu, Kisii) who had been displaced in other parts of the Rift Valley.¹⁰⁷ In nearly all cases where smallholders managed to obtain plots through former ADC land, they have yet to obtain legitimate title deeds. To this day, their land claims are called into question by the state and neighboring communities. This form of land access is one the main sources of contentious claim-making in the Rift Valley.¹⁰⁸

In many cases, particularly along the valuable coastline and high-producing areas of the Rift Valley, parastatal land was sold for speculative purposes. According to the Ndungu report, “the manner and speed with which the transactions were effected leave no doubt that the allocation of land was aimed at enabling the allottees to speculate with corporation land” (Ndungu 2004: 86). Moving into the multiparty period of the 1990s, these parastatals, many of

¹⁰⁵ Ndung’u Report 2004, VI: 126-127.

¹⁰⁶ State Corporations that lost land illegals transactions include: Agricultural Development Corporation (ADC), Kenya Railways Corporation, Kenya Agricultural Research Institution (KARI), Kenya Power and Lighting Company Ltd, various Development Authorities, Kenya Airports Authority, and others (Ndungu Report 2004)

¹⁰⁷ Author Interviews, Oljorai Settlement Scheme Case Study (Gilgil/Naivasha).

¹⁰⁸ Author Interviews; TJRC Report (Vol. IIB).

which were headed by Kalenjin, served as valuable “cash cows” for funding political campaigns (TI-Kenya 2002 in Lynch 2010: 134).¹⁰⁹

Coast Province under Moi:

For many residents of the Coast, the change in power from Kenyatta to Moi only exacerbated a system of exclusion that Kenyatta’s regime had already institutionalized. In both regimes land was distributed through the Office of the President. This enabled a process whereby the Office of the President (OP) would grant Coastal land (often reserved for squatters) to senior civil servants, politicians from upcountry, or elites. Kanyinga terms these land transfers “grants from above” (2000: 70). These “grants from above” began during the Kenyatta regime but proliferated under Moi. In the 1980s, the Moi government created many settlement schemes with the stated intention of settling squatters who were indigenous to the Coast (see fig on p. 89 for settlement schemes created under Moi). While some locals were able to secure a plot of land, most did not obtain a genuine title deed. More so, many plots were illegally allocated as “grants from above.” The areas most vulnerable to illegal allocation were the first and second row beach plots, as these were reserved for hotel development. A respondent in Kijipwa Settlement Scheme (established in 1983) in Kilifi talks about the multiple titles issued in the scheme:

There is a [double allocation] next to the Paradise Hotel. During Moi’s government everyone in government would allocate their cronies land. Imagine somebody coming in all the way from Narok with a title deed while the locals don’t have one [...] The rich people own more land in the coastal areas than anybody else. We have Arabs, Europeans, Indians and fellow Africans. When they buy the land they use company names, so when you go to court you don’t know whom you are fighting.¹¹⁰

How did patron-client relationship change from Kenyatta to Moi? One of the main effects of Moi’s subversion of property rights and the proliferation of “grants from above” was a new set of

¹⁰⁹ By Sept 1991, Kalenjin headed 40 out of 85 parastatals (Ngunyi and Gathiaka 1993: 34 in Lynch 2011: 134). Kalenjin accounted for about 12 percent of the population.

¹¹⁰ Interview-Kijipwa (7) Kilifi (Coast)- 11/20/2012.

informal rules where individuals or companies could leverage their political ties to make claims to prime Coastland. In many ways, there is nothing unique about “big money” and well-connected individuals influencing the land acquisition process. What is key here however, is how the dynamics played out along Kenya’s Swahili Coast.

Another factor shaping these dynamics along the Coast was the small size of the Mijikenda at the national level (only about 5 percent of the national population). Thus, because land allocation flowed from the Office of the President downward, Coastal residents and their representatives have had very little power to bargain for land re-distribution.

While the politics of land excluded many ordinary citizens, it did create opportunities for “entrepreneurial” middlemen or brokers that did not exist under the more formal process of land allocation under Kenyatta. Specifically, this new environment created an incentive system that rewarded local leaders who could facilitate the illegal transfer of land from their own communities into the hands of private individuals or companies. In other words, leaders such as chiefs, local councilors, or MPs were rewarded with plots of land, cash, or political positions by “selling out” their own communities. This further delegitimized the status of local political leaders to act as “land patrons” who had the capacity or will to distribute to the community.

Meanwhile, there were very few incentives for either political or administrative officials to allocate land downward to the landless majority. This was partly because the State could easily quell citizen demands for land using state or private security forces. Further, KANU did not need to balance the property interests of elites with the demands of the majority because it functioned as an authoritarian state. And along the Coast, the value of supporting a cosmopolitan political and business elite outweighed the support that Moi might have received by providing stronger land rights for ordinary residents of the Coast.

Raising the Stakes: Patronage, Coercion, and Violence

The second key change in land politics from Kenyatta to Moi was the added element of coercion. This is not to say that ruthless acts of violence did not occur under Kenyatta's regime. Indeed, Kenyatta used selective violence to silence individuals who he viewed as threats to political or economic power.¹¹¹ There are also many accounts of the regime using the state's security apparatus to violently expel communities to make way for new settlers throughout the Rift Valley and Nyanza Province.¹¹² Moi's government was different however, in that it strategically incorporated targeted coercion and violence into its politics of land. In the 1980s, Moi used coercion and the state security to seize the lands belonging to both land buying company managers and smallholders farmers.¹¹³ In the multiparty context of the 1990s, KANU used land evictions as a way to alter the political landscape. Moi deployed his security forces and paramilitary groups (i.e. KANU 'youth-wingers') to violently evict and seize the properties of presumed opposition members living in politically contested zones of the Rift Valley, Nyanza, Western, and Coast Province. As Kenya was set to hold its first election in 1991, one of KANU's most powerful and notorious politicians famously warned: "the title deed is nothing but a piece of paper." This statement would take on particular meaning throughout the first decade of multiparty elections in the 1990s, which was marked by significant violence. With the subversion of formal property rights, the title deed had indeed become little more than a piece of paper. Enforcement of land rights hinged on being loyal to the KANU security forces. Without

¹¹¹ Kenyatta and his inner circle organized targeted assassinations against a number of political figures, including former allies. These include Tom Mboya, J.M Kariuki, and Ronald Ngala.

¹¹² Authors Interviews (Mauche Settlement Scheme and Oljorai Settlement Scheme).

¹¹³ In 1981 Moi issued an edict to break apart the LBCs in the Rift Valley and Central Province, thus undermining one of the main economic and political sources of Kikuyu power (Boone 2014).

this selective enforcement of rights, many Kenyans found their rights selectively withheld or seized by the state or individuals.

6. Conclusion

This chapter begins with the observation that land ownership structures party politics in a very different way in inland Kenya than it does along the Coast. Leaders in inland Kenya use their land wealth to signal their strength or willingness to distribute land to followers—to act as *land patrons*. Yet along the Coast, very few political leaders have the level of land wealth or access needed to signal their re-distributive objectives or capabilities. And for those leaders who do have access to land, there is no precedent for politicians distributing land down to ordinary citizens. Instead, coast leaders fall into the role of the *landlord*: a figure who extracts rents in exchange for land access, but who cannot be expected to protect or provide rights.

This chapter explains the historical origins of this variation in land access and distribution. I present a theory about why elites have had incentives to distribute land to ordinary citizens in inland Kenya but not the Coast region. Drawing on the work in political science that looks at how threats of grassroots rebellion or insurgency shape state-led land reforms (e.g. Skocpol 1979; Albertus and Kaplan 2012), I argue that colonial and post-colonial elites had strong incentives to distribute land in regions that posed a risk of violent rebellion around land. The logic here was that land distribution would quell grievances that might lead to an uprising. Equally, the state could reward land rights to individuals who defected from the side of insurgents or the opposition. They could also abrogate rights from individuals or groups who threatened the regime. The implication was that the highlands of Kenya—the main zone of the Mau Mau war—became one of the primary areas targeted for land reform after independence. Yet along the Coast, political elites did not view the land grievances of the squatter population as

a credible threat to the political stability of Kenya. While there were occasional uprisings at the local level, the Mijikenda had never organized a violent insurgency to challenge the state or assert land claims on the scale that Kikuyus groups had during Mau Mau. In sum, landless Kenyans on the Coast did not pose a political threat to the State. Equally, the small size of the population and peripheral geographic position provided few opportunities for building a clientele base. As a result, high-level elites had few incentives to distribute land to ordinary citizens on the Coast. During the single-party era of President Moi, the particular motives for land distribution shifted, but the “rules of the game” remained the same. Moi used land as a lootable resource that he could seize from opponents and re-distribute to loyal followers. Like political elites from the previous regimes, the threat of losing land to the state provided a powerful tool of enforcing compliance with the State.

In sum, the two forms of land politics that I outline in the chapter are important because they shape the distinct ways that citizens access and make claims to land in each region. As I detail in the next chapters, in regions characterized by strong land patrons, competitive claim-making between different groups takes shape. Land access is linked to having a co-ethnic patron in power. As a result, changes in political power can signal threats to land rights or opportunities to challenge the status quo distribution of rights. Hence, while individuals and groups in these environments have more opportunities to access rights through patronage relationships, these environments are also more politically unstable and vulnerable to election-related violence. By contrast, in regions characterized by landlord-tenant relationships, claim-making around land is not competitive. Access to land does not hinge on having a powerful co-ethnic elected to office. An important implication is that citizens in these environments have few mechanisms of

assessing land rights. Yet because access to land is not competitive along political or ethnic lines, electoral violence is far less likely.

3

Land Distribution and Access in the Multiparty Era

I would like to say that we have never had peace on this land. The land was divided in two [...]. All along we have been sure that we would get title deeds. But we were told that the land belongs to someone else. So we asked ourselves, we have been here all alone. Where then, are the real owners?¹¹⁴

This chapter examines the politics of land distribution and access in the era of multiparty politics. I explain my theory of group land inequality (stage 1), and how this relative land inequality affects the formation of land narratives (stage 2). Specifically, I ask why some groups are able to access strong property rights in land, such as a title deed and the means of enforcing this deed, while other groups cannot. I challenge existing explanations that suggest weak land rights are a symptom of solely weak state capacity or political patronage. Building on the argument made in the previous chapter, I demonstrate how citizens in the Rift Valley have come to access land through relatively strong patron-client relationships, while Kenyans living in the Coast region continue to access and secure land through *de facto* landlord-tenant relationships.

As I argue in the preceding chapter, politicians in Kenya use land as a political tool: they allocate land to build support and revoke or withhold land rights to punish opposition supporters. Several scholars have made this argument, particularly with respect to land politics and violence in Kenya.¹¹⁵ My aim however, is to go one step further and demonstrate the regional variation in both the form and logic of land patronage. Further, this regional variation has important

¹¹⁴ Oljorai Settlement Scheme, Kongasis, Turkana Focus Group.

¹¹⁵ See for example: Boone (2011; 2014), Klopp (2001), Kanyinga (2009), Onoma (2009).

implications for the development of contentious land narratives between competing groups as well as the ability of political elites to use these land narratives to organize violence.

In the Rift Valley region there is a well-established tradition of political figures acting as land patrons. Here, land access is linked closely to party politics. Because political patrons have a tradition of distributing land to their co-ethnics when in power, elections have become a competitive and high-stakes game. Along the Coast by contrast, residents access and secure land through *de facto* landlord-tenant relationships. These “landlords” are sometimes political figures, but are very often Arab, Swahili, or upcountry landowners with ambiguous ties to regional or national political power. Because elections have little effect on the distribution of land rights between groups, many Coastal residents do not view elections in such high-stakes terms. One important implication, which I explain in later chapters, is that politicians in the Rift Valley have far more leverage to mobilize violent political action along both ethnic and political lines in parts of the Rift Valley compared to the Coast.

The chapter is organized as follows. I begin by providing a review of recent theories of land and property rights, particularly in Africa. I advance scholarship that suggests that insecure property rights are not a symptom of weak state capacity, but instead the strategic choice of political elites who use property rights institutions for political rather than purely economic gains. I then present a theory of land distribution and access, which specifies two models of the land patron and the landlord. To substantiate the argument, I provide a paired case study analysis of eight settlement schemes and land buying companies in the Rift Valley and the Coast to show how land patronage and landlordism are correlated with other variables of interest. Finally, I draw on two in-depth case studies from the Coast region and Rift Valley to examine variation in the politics of land distribution and its effects on claim-making.

1. Theories of Land Institutions

Property rights institutions throughout most of Africa are arbitrary and exclusive. The mechanisms and rules mediating transactions, enforcement, information systems, and adjudication are not accessible for a majority of the population. Many scholars attribute weak institutions to weak state capacity (Toulmin 2008; Herbst 2000) or a long history of war or social unrest (Blattman et al. 2014). The shortcoming of these studies is that they tend to treat the state as a neutral or benign institution. While some economists have examined how land insecurity affects the potential for economic growth (De Soto 2003), many political scientists either assume that property rights exist (North 1991) or that struggles over land occur in a realm separate from the state and hence require little theoretical explanation. Much of the literature on land rights in democratizing countries focuses instead on “empowering” government and non-governmental bodies to implement land policies rather than understanding why political actors have a particular set of preferences to enforce rights in some cases but not others (Blattman et al. 2014). Another set of studies takes a strategic view of land institutions. These scholars suggest that state actors have varying incentives to strengthen or distribute land rights based on the rents or political rewards that they hope to extract (Boone 2014; Onoma 2009, Kanyinga 2000; Firmin-Sellers 1996). I review these two debates briefly.

Weak State Capacity

In her study of local level land security, Toulmin (2008) starts with the premise that central governments in sub-Saharan Africa “have neither the capacity nor the local knowledge to implement a just, large-scale national land registration system.” She argues that local level land rights are secure when both neighbors recognize a claim as legitimate and when the state recognizes and validates a claim (2008:13). But where land values are rising and there are

significant outside interests, then clarity is needed on the status of local land rights, and their respect by government” (Toulmin 2008:13). Yet Toulmin does not specify why or when the state would choose to strengthen the rights of citizens at the expense of rights accorded to more powerful interests. In other words, because Toulmin assumes weak state capacity, but does not specify strategic interests, we gain little insight into why and for which groups the state strengthens property rights.

Blattman et al. (2014) assume a similar relationship between the dynamics of local level land rights and weak states. The main assumption is that the state is weak due to years of civil conflict and war and hence is unable to design and implement effective land rights institutions. For Blattman and co-authors, state or political party interests do not figure into an analysis of community-level land insecurity. What matters are mechanisms of “empowering ordinary citizens” through institutions such as the Alternative Dispute Resolution (ADR), which does not engage the state but rather, helps citizens “tackle their own disputes directly, or act as informal mediators in friendly or family disputes, rather than go to customary authorities for adjudication” (Blattman et al. 2014: 5).

The main problem with this analysis is that it assumes that if war-torn institutions did constrain state actors, they would distribute secure land rights to citizens. In the case of Liberia for example, Unruh (2009) notes how an “archaic, neglected, and discriminatory customary system” enabled decades of land grabbing by powerful urban and rural elites. Unruh’s observations point to the limitations of state capacity arguments. Namely, it assumes that the state is a neutral and constrained actor rather than examining why elites might have incentives to maintain a weak, ambiguous, or hybridized system of land tenure rights.

According to Herbst, land reform emerges where the State is able to “disrupt” the strength of the Chiefs. He claims that states fail to disrupt traditional or customary practices because they lack the capacity and resources to govern over their primarily large and rural territories (Herbst 2000). Like many other scholars and policymakers, variations in land tenure security are not about outcomes of strategic preferences of state actors. Rather, “states are not capable of doing anything more” (2000: 197).

The Strategic Logic of Property Rights

There is a tendency among economists and rational-choice scholars to assume that state actors will aim to strengthen the institutions that govern property rights (North 1991; North and Weingast 1989; Weimer 1997). Herbst (2000) writes, “Irrespective of the absolute or net effect, it seems certain that all African states will continue to pursue tenure reform into the future. The political incentives and the fiscal imperatives are too powerful to ignore (2000:182).” Many political economists highlight the economic incentives that will accrue to both citizens and elites. De Soto (2003) for example, argues that the official registration and allocation of formal titles to individuals with informal title (e.g. customary tenure) will enhance their productive capacity while governments could more easily attract FDI where property rights are stable and secure.

Firmin-Sellers (1996) interrogates this set of assumptions. She writes that rather than assuming “that state rulers have the incentive and capacity to enforce property rights, we must specify the conditions under which rulers are motivated to act, and we must assess the diverse political institutions through which they pursue their goals” (1996:3). Scholars studying land in the African context have observed an important puzzle: despite apparent incentives to reform, the era of “good governance” in the 1990s has been matched by the “subversion” of property rights institutions (Onoma 2009; Boone 2009; Reno 1998; Klopp 2002). According to these scholars,

the temporal or spatial variation in land rights is an outcome of elite incentives and strategic choice rather than the limited capacity of states. Firmin-Sellers for example, argues that because the enforcement of property rights is costly for any leader, they will selectively enforce rights when the cost of enforcement exceeds potential gains (1996:3). Boone and Onoma make similar arguments about how the political incentives to use land as a patronage tool affects the relative strength of property rights across sub-national space (Boone 2011; 2013) or across different regimes (Onoma 2009). For Boone, land tenure regimes are outcomes of the state-building process, where the allocation of land rights has provided “an implicit social contract between rulers much of the rural poor” (Boone 2014: 49). Boone (2007; 2013) and Klopp (2000) emphasize that as other patronage resources decline, the power to distribute and alienate land rights has been a critical resource for state authorities. In the years after independence, rulers used authority over property rights “to consolidate the power...promote national integration, accelerate the expansion of commercial agriculture, and demobilize rural populations who entered the political arena at the time of the nationalist struggle (Boone 2007: 561). Klopp (2000) makes a similar argument in her examination of public land grabs in Kenya during the 1990s under President Moi. She argues that in the face of declining state reserves, political elites find alternative sources of patronage. The reallocation of land to political clients provided this critical patronage source in the absence of alternatives. Weak land rules become a prerequisite for enabling state officials to use land as a patronage source. The political affiliation of a group is the main determinant in whether group members receive land tenure rights.

Comparing Kenya with Ghana and Botswana, Onoma examines why leaders such as President Moi chose to subvert or demolish land institutions, while other state leaders had incentives to strengthen land rights. Onoma departs from the set of scholars who suggest that

deteriorating land rights into the 1990s was a response to weakening state capacity. In the case of Kenya, he argues that the regime of Daniel Arap Moi had the capacity to dismantle property rights institutions because it was a relatively strong state.

I build on the insights of scholars who view the distribution of land rights as a strategic choice rather than primarily a function of weak state capacity. I assume that leaders will use land as a patronage tool where it is in their interest and capacity to do so. Yet in contrast to scholars such as Onoma (2010) and Boone (2014), I focus on explaining why elite incentives to distribute land vary across sub-regions and how these varying incentives shape land tenure inequality between different groups.

2. A Theory of Land Patronage and Landlordism

Ordinary Kenyans acquire land access and security through different channels: by organizing themselves into land buying cooperatives, acquiring land on government settlement schemes, providing labor in exchange for land access, or occupying the land of wealthy landowners. These varied modes of access also reflect the politics of land distribution: how land patrons or landlords allocate and withhold land rights to certain groups. In this section I theorize the politics of land rights as a joint process of land distribution “from above” and claim-making “from below.” I draw on the typology of land patronage and landlordism that I developed in the previous chapter to explain how these two forms of land politics shape very different political environments for accessing and claiming land rights, as well as shaping different possibilities for election-related violence.

Fig. 3.1 Variation in Land Distribution Practices

	<i>Coordinating Mechanism</i>	<i>Logic of Distribution</i>	<i>Inequality between groups</i>	<i>Elections alter land distribution between groups?</i>
Patron-Client (Rift Valley)	Party / Ethnic Identification	Party support	Relatively Equal	Yes: Competitive
Landlord-Tenant (Coast)	Corporate	Labor supply	Highly unequal	No: “Exclusive”

I identify two main practices of land distribution: land patronage, which I observe in the Rift Valley, and “landlordism,” which I observe in much of the Coast region. As the table above summarizes, these political environments are distinct along three key dimensions. The first difference is the mechanism that leaders use to organize followers or participants. In patron-client relationships in the Rift Valley, ethnic or political identification is one of the most effective organizing mechanisms. In the Coast region however, the main interest of elites is not to build an ethnically based political support group.¹¹⁶ Instead, political elites use land to extract personal gain. “Landlords” thus coordinate with other elites along lines that will benefit land or wealth accumulation. They coordinate with ordinary citizens only when this coordination benefits the wealth accumulation of landlords (i.e. by providing cheap labor).

Second, each practice creates different forms of group land inequality. The level of land rights between each group can take three main forms:

- (1) Relative land rights *inequality* between groups of smallholders
- (2) Relative land rights *equality* between groups of smallholders
- (3) Relative *inequality* between smallholders and large landowners

¹¹⁶ There are several important reasons why ethnicity has not become an effective and salient mechanism for organization along the Coast. One reason is because Mijikenda are the large majority in both Kwale and Kilifi (i.e. over 70 percent) and hence, there is not significant competition from other ethnic groups (Mombasa is the very opposite). Another reason is because Mijikenda have not figured prominently into the national “ethnic calculus” of national elections. They are a small minority nationally (5 percent) and do not vote as a cohesive block (though they have voted quite consistently for ODM in recent elections—2007 and 2013).

Where landpatron-client relationships shape land access, there is more likely to be “relative land rights inequality” between groups who occupy a similar social class. In much of rural Africa, these groups are often smallholder farmers. In this scenario, members of both groups reside as smallholder farmers, yet one group has managed to obtain stronger land tenure rights (e.g. formal title deeds, larger plots of lands). Yet because both groups occupy a similar social class, a change in political power can shift the land rights advantage in favor of the other group. Within this same setting it is also possible for two groups to both obtain relatively equal level of land rights. That is, two groups who identify along different lines have the same level or form of land security.

Where landlord-tenant relationships shape land access, there is more likely to be significant land inequality between a group of landless (or land insecure) and a group of large-scale landowners. In contrast to the scenario above, these two groups do not occupy the same social class, nor do they compete over the same land. Rather, large-scale landowners have the power to shape the tenure rights of the landless.

Another distinction is whether citizens view elections as opportunities to alter the distribution of land rights between groups. This hinges on two factors. First, it implies that there are two political groups who each have a candidate with the potential to win. Second, it means that each candidate—if elected—has the capacity and political will to re-distribute land rights in favor of his or her followers. In the recent past, these factors have existed in the Rift Valley. In 2007-08 for example, party competition was extremely competitive between Kikuyus and Kisii on one side and Kalenjin and Luos on the other. In these cases, winning political office is a way of winning control of the land institutions and access to land is seen in zero-sum terms. Yet competitive elections present the possibility that each group could gain control over the process

of land distribution and patronage. It is in these competitive and patronage-based contexts that election violence becomes possible, where the stakes of each election have important distributional consequences. Group members have more reason to believe that a particular election outcome can shape the rights of his/her group or personal land security.

In Kwale and Kilifi however, most citizens do not see elections as moments that could alter their land security. Elections in this case do not provide a means for citizens to change or challenge status quo land arrangements. Instead, landlord-tenant dynamics shape distributional politics along the Coast. Here, landlords comprise the minority of the population within the political arena while the landless comprise the majority. Each group pursues a different strategy of claiming land. The landless majority asserts their land claims by illegally squatting on the land of “absentee” landlords or by serving as “tenants” for landlords. They may also justify their right to occupy land by drawing on rights of ancestral or family land, for example drawing on the narrative “we were here first”. The landowners use their monopoly control over the land institutions to maintain their formal land rights, ensuring that the majority group (i.e. the Mijikenda) does not gain access.

In this context of minority dominated land institutions, contentious forms of claim-making between elites and squatters may be a salient feature of political life, but the escalation of violence is not likely. This institutional arrangement constrains the likelihood for violence. The landless group does not need to resort to violence to obtain access to land because they can informally access land by squatting on the land of absentee landowners. Further, landowners can draw on certain enforcement mechanisms to remove squatters, such as using private security or state police. And because these landowners do not typically seek the political support of landless citizens, they have few incentives to refrain from coercive forms of property rights enforcement.

3. Micro-Comparative Case Study of Land Rights

In this section I draw on data from my comparative case study research to show how different land distribution practices—defined by the land patronage or the *de facto* landlord—have created different patterns of land security and contentious land politics.¹¹⁷ I present a summary of these cases with two objectives. First, I show how land distribution practices have shaped the distribution of rights between competing groups across eight local contexts. Second, I highlight how the relative inequality (or equality) in land rights between these groups correlates with contentious claim-making and electoral violence.

¹¹⁷ I conducted research in three stages, where each stage examined the effects of a different variable (see Figure 1). Most cases consist of a pair of two farms—either settlement schemes or land buying companies. The eight listed in the table exclude 2 other case studies in Rongai (Giwa re-settlement farm) and Naivasha.

Case	Allocator	Group 1	Group 2	Document Type	Plot Size (Acres)	Contentious land claims?	Election Violence 07-08
Njoro: <i>Mauche/Likia</i>	Land Patron	Kikuyu	Kalenjin	1. Titles 2. Cancelled Titles	1. (1 ¼) 2. (5)	Yes	Yes
Rongai: <i>Ogilgei</i>	Land Patron	Kikuyu	Kalenjin	1. Titles 2. Titles	1. (10) 2. (2.5)	No	No
Rongai: <i>Umoja/Belbar</i>	Land Patron	Mixed (Umoja)	Kalenjin (Belbar)	1. Titles 2. Titles	1. (50) 2. (2.5-10)	No	No
Mau Narok: <i>Mwisho wa Lami/Tipis</i>	Land Patron	Kikuyu	Maasai	1. Titles, allotment letters 2. Informal Letters	1. (2) 2. (¼-20)	Yes	No
Gilgil: <i>Oljorai</i>	Land Patron	Kalenjin Maasai Turkana Kikuyu	Kikuyu	1. Allotment letters 2. Titles	1. (0-5) 2. (Varied)	Yes	Yes
Kilifi South: <i>Kijipwa</i>	Landlord	Mijikenda	Regional elite	1. No Documents 2. Titles	1. (2.5) 2. (Varied)	Yes	No
Kwale: <i>Ramisi/Msambweni</i>	Landlord	Mijikenda	Regional elite	1. No Documents 2. Titles	1. (1.5-3) 2. (Varied)	Yes	No
Mombasa <i>Likoni</i>	Landlord	Mijikenda	Regional elite	1. No Documents 2. Titles	1. (<¼) 2. Entire settlement	Yes	No

Fig. 3.2-Effects and Implications of Land Distribution Practices across the Rift Valley and Coast Region

(1) Paired Case Studies: Competing Groups

In the table above each case study represents two groups at the local level who are often, though not always, competing over land. In some cases these are two separate ethnic communities who have settled on farms adjacent to one another (e.g. Njoro or Ogilgei). In other cases, a group comprises several ethnic communities who have unified around a common land claim. This is the case of Ogilgei, where claimants of different ethnic identities have unified against a Kikuyu Land Buying Company that threatens to evict them. I detail this story later in this chapter. In other cases from the Coast region, one group comprises people from the majority Mijikenda community, most who are “landless squatters.” The second group comprises the largely invisible class of elite who own and control the land but who themselves do not reside on or farm the land.

(2) Land Patron or Land Lord

In the second column, I specify the type of relationship between land allocators and claimants. Patron-client relationships define land distribution and access within the cases located in Nakuru County (Rift Valley region). By contrast, landlord-tenant relationships define the cases located in Kilifi or Kwale (Coast region). I use these typologies to draw regional distinctions in how elites view the logic of distribution and equally, how citizens interpret the rules of land access. Hence, land-patronage dynamics explain cases where land patrons allocate land according to a political logic that solidifies or protects the regime or political party. Landlord-tenant dynamics explain cases where elites distribute land to tenants in exchange for rent or labor.

(3) Assessing Distribution of Land Rights

In columns four and five of the table, I specify the type of land documentation that members of each group hold as well as the average plot size of each group member. This provides a way of assessing the relative inequality in land rights between neighboring or competing groups. The type of land documentation provides a way of measuring the land security of group members. Does one group have a title deed while the other does not? The difference in plot size between members of each group provides an alternative way of measuring land access land security.¹¹⁸ The size of land plots does shape contentious claim-making, but it is almost always secondary to land security (documentation).

The table shows the three types of inter-group land distribution that I specified in the previous section. In Njoro, Mau Narok, and Gilgil cases, group members reside as farmers or pastoralists in neighboring communities or intermixed within one another. Yet in each case, one side has obtained stronger tenure security to their land. In Njoro, Kikuyu have genuine title deeds while their Kalenjin neighbors in Mauche hold “cancelled titles.” In Mau Narok, tension exists between Kikuyu group members who hold title deeds and allotment letters and members of the Maasai community who do not have secure title their community lands.¹¹⁹ While some individual Maasai have managed to secure titles to sub-divided ranch lands, the larger fear is that Kikuyu landowners or the state will grab Maasai lands to settle Kikuyu migrants. In Gilgil, land tenure inequality exists between ethnically diverse claimants who the Moi regime settled on former ADC land in the early 1990s. Despite being re-settled by the government, no one from

¹¹⁸ I specify the measurement of each of these concepts in Chapter four. I also determine the relationship between type of document and plot size (independent variables) and individual land security (dependent variable).

¹¹⁹ Unlike other cases that I document, land security across Kikuyus living in Mwisho wa Lami and Tipis varied significantly. Kikuyus came at different times to the area, joining Land Buying Companies and Settlement Schemes at different moments and through different brokers. For this reason, some managed to acquire genuine title deeds, while many others only have plot allotment letters or share certificates.

group has a genuine title deed. The other group is a Kikuyu Land Buying Company who claims to have title deeds to the same land.

Relative land *equality* exists in the two Ronagi cases: between Kikuyu and Kalenjin living in Kerma and Ogilgei and the ethnically diverse communities of Umoja and Belbar.¹²⁰ While there are differences in the size of land ownership between groups, the key factor here is that both sides have obtained title deed to their land and hence, both sides are relatively land secure.

Significant land inequality between smallholders and large landowners is evident in cases from the Coast region. This form of tenure inequality typifies the landlord-tenant dynamics that I observe across much of the Coast region. In both Kilifi and Kwale, the first group comprises the local Mijikenda (the majority group in the Coast) who have no formal rights to land. They are also the main group making claims to the land for subsistence purposes. The competing claimants are business and political elites who own and control the land, but very rarely cultivate or reside on the land themselves (cultivation takes place in large-scale plantations).

(4) Relative Land Inequality and Contentious Land Narratives

The next set of columns show how the levels of inequality in land security and access correlate with the presence or absence of contentious claim-making between the two groups. Contentious claim making can occur when both sides believe that the other has obtained land through illegitimate or unjust means and has in the process undermined the rights of the other group.

¹²⁰ Kerma is a Kikuyu dominated Settlement Scheme next to Ogilgei, a Kalenjin dominated Land Buying Company (see Chapter 5 for details of this case study). Umoja is an ethnically mixed Land Buying Company. The Swahili word *umoja*—“togetherness” denotes the founding mission of the farm, which was to bring different ethnic communities together. Belbar is primarily, though not exclusively Kalenjin.

Broadly, I argue that the relative inequality in land rights between groups is key in shaping contentious land narratives between groups at the local level. I find however, that contentious land narratives and electoral violence are far more common in cases where there is inequality between two groups of smallholder farmers or two groups who occupy a similar economic or profession class such as farmers, pastoralists, or shopkeepers. This means that both groups are competing over the same land, property, natural resources, and political power. Yet one side has managed to secure stronger rights over these land and property resources than the other side. The cases of Njoro, Mau Narok, and Gilgil provide evidence for these dynamics. In all three cases, members from both groups occupy a similar social class. Yet in one group has secured stronger tenure rights over the other. This leads to the formation of contentious land narratives that in some certain cases, provides a tool for elites to mobilize violence.

However, where there is extreme land inequality between two groups—between the smallholders (the tenants) and land allocators (the landlords or land patrons)—the group members who are land insecure are less likely to view allocators as direct competitors, but instead, as “providers.” Hence, these contexts often generate contentious land narratives, but these land narratives do not have the same capacity to intergroup political violence. We see evidence for these dynamics in Kilifi (Kijipwa) and Kwale (Ramisi and Msambweni) where there is significant land inequality between groups as well as contentious land narratives against elites or “outsiders,” but very few instances of electoral violence.

4. Where the State is the Landlord: A Case Study of Kijipwa “Squatters”

Kijipwa is a government sponsored settlement scheme located thirty kilometers north of Mombasa along the Indian Ocean. The Kenyan Government allocated the land in 1978 and it became an official settlement scheme five years later in 1983. The scheme sits on approximately

1600 acres, encompassing highly coveted beachfront. In 1974, the Provincial Commissioner of the Coast Province wrote a letter to a group of local residents promising that he would adjudicate and subdivide the area to local occupants. Yet almost fifty years later the residents of Kijipwa settlement scheme reside as squatters on their own land. Most residents do not have title deeds or plot allotment letters. Many families have been forcibly evicted, often without any compensation. Residents tell me stories and show documents of thirty-year court battles with no resolution, and the letters they have filed to nearly every level of the Ministry of Lands: most with no reply. They talk about their houses that have burned under the watchful eye of the police, and of the many arrests and detentions they have endured as “squatters.”

Why are so many residents of Kijipwa Settlement Scheme unable to access and secure land rights, despite living on government-allocated land? How have practices of land allocation shaped two distinct “groups” of winners and losers? What are the political incentives shaping the distribution of rights? Finally, in a context where most citizens cannot access the formal mechanisms of land access and security, how do landless residents make claims to land?

I use the case of Kijipwa to illustrate the dynamics of landlord-tenant relationship between the state and citizens. In contrast to the land patron-client relationship that I describe in the next case study, there are not political obligations or norms of reciprocity that bind political elites or state officials with residents. Without titles to their land, residents are rendered squatters or “tenants” on state-owned land. In this way, residents have come to view state actors and political leaders as “landlords” who can evict them any time rather than patrons who protect and promote their rights in exchange for political support. The case study also reveals how private and political elites exploit local land institutions to enrich themselves while undermining the

rights of the local population. I explain the strategies that the local government officials use to turn ordinary citizens into squatters or tenants.

Three Mechanisms of Land Exclusion: List-making, Map-making, and Title Deeds

Rather than expand land ownership among Coastal squatters, the rules governing land transactions have institutionalized landlessness among the Mijikenda community. When land officials were adjudicating Kijipwa Settlement Scheme, access to land revolved around three contentious issues: 1) the politics of “list-making”—the process through which residents and non-residents would receive plots of land within the settlement scheme; 2) the politics of map-making and; 3) the politics of land title financing.

Exclusion from the “government list” was one way that many people along the Coast were prevented from owning land. Government officials contract out this process of list-making for resettlement. These contracts go to low-ranking officials or community leaders such as chiefs, village elders, or District Officers. In most cases, these local leaders have their own set of allegiances and interests. The intent of such lists is to match residents with plots of land. Personal politics, patronage, and corruption however, often distort the process of distributing public land to those seen as the proper beneficiaries. In the case of Kijipwa, the Provincial Commission ordered multiple lists. Educated community leaders were in charge of the first list.¹²¹ Mbaga, who headed the community version of list in 1978, wrote an official complaint about the discrepancy in a 2003 memorandum to the Land Commission:

The list had genuine squatters of 345 in number, those who had properties, houses and trees and who had married. But those who were eligible for making homes were [also] included.

¹²¹ According to interviews with community organizers, and based on the memorandum that these organizers submitted to the Kenya Land Commission Board of Inquiry, the then Provincial Commissioner told a committee to “take the names and villages of those having houses and shambas.” This committee included educated community members who had built the area secondary school.

We presented this list to the D.C of Kilifi, but to our surprise, two other lists were made. We don't know why they were made.¹²²

Mbaga explains that he and other community leaders had created a list that “concentrated on the people already living here.”¹²³ The District Commissioner however, selected a version of the list compiled by the chiefs that included “many people from the outside.” Notably, the lists included friends and patrons of the district and provincial offices.¹²⁴ The belief that the government allocated an unfair percentage of plots to outsiders—including government appointees and the well-connected has fueled a narrative that the government has actively undermined the land rights of Coastal people.

Similar politics surround allotment lists in the Rift Valley and Central Province. Yet larger ethno-political groups in the Rift Valley have political patrons whom they believe will advocate for their rights. Regardless of the actual land security that poor communities receive, citizens are far less critical of government programs when their co-ethnic is in power. For example, a woman whose entire family lives in a squatter camp at the base of the Mau Forest because her name did not make the list for land re-settlement provides a remarkably neutral account of the settlement process:

The reason I don't have any land like other people is because as the government was distributing land it reached a point where the designated land was not enough for all of us. So they requested us to be patient.¹²⁵

When we ask her whether she thinks the settlement scheme has been a success, despite leaving some people off settlement lists, she replies:

I think Mauche settlement scheme is a success because there were no cases of corruption during the land issuing process. People's names were written on some lists. Once your name was called you got your share. But we were unfortunate.

¹²² Memorandum to the Ministry of Lands (2003).

¹²³ Interview, Mbaga Family, Kijipwa Settlement Scheme, December 2012.

¹²⁴ Interviews-Kijipwa Settlement Scheme-various (November-December 2012) and Kanyinga (2000).

¹²⁵ Interview, Mauche-Stage 1-07-20-12.

The Mauche resident's comments suggest that she views her lack of land access and security as bad luck, not bad politics. In Kijipwa, residents have never had a national-level political figure to serve as the "land-patron." As Chapter Two details, Coastal Politicians have instead garnered the image of landlords, treating their constituents as sources of rent rather than political support.

The Politics of Map-Making

A second mechanism of excluding intended beneficiaries of public land is through the process of community map-making. A settlement scheme map has the potential to shape the boundaries of individual plots, assign plot numbers, determine the size of the scheme and regulate the size of each plot of land. The possibilities for politicized distribution or selective allocation arise when government officials manipulate the size of the plots or the boundaries of plots beyond the original intent.

In the case of Kijipwa, The Director of Surveyors discussed the size of the plot with community leaders. The intent was to create twelve-acre plots. They revised the plan to ten acres, and finally to 2.5 acres. Mbaga describes these conversations back in the mid 1970s.

They told us that "the people are many but the land is very small." But it is possible that the land can be divided into 2.5 acres each. So it would not be a settlement as such, but a residential area. "If you want bigger land you can go somewhere else. Here you can build your house and plant some vegetables for marketing." So we discussed it with the surveyor and we came to that agreement.¹²⁶

Soon after the surveyors presented their maps, it became clear that the reduced plot size was an intentional maneuver to enable political and administrative officials to apportion themselves much larger plots within the scheme, ranging from 5 to 120 acres. Kanyinga (2000) writes that large portions were given as grants "to individuals who included cabinet ministers, permanent

¹²⁶ Interview, WM community activist and teacher (December 2012).

secretaries, senior officers in the Ministry of Lands and Settlement, a judge, a prominent member of the national choir group and a District Officer, among others” (Kanyinga 2000:76).

In addition to changing the plot sizes, the provincial lands offices had surveyors make significant alterations to the maps. These maps bore little resemblance to the maps that made sense to people on the ground. “We used to plant trees to mark which land belongs to us,” explains an elderly resident. The process of map making—bound up with the distribution of title deed eligibility—was a process created “to take away land from the local people.”¹²⁷ The first surveyor that arrived came from the Survey Office of Kilifi and was also was a trusted member of the community. Mbagi explains:

He came with a diagram that showed that the plots had been drawn to 2.5 acres as approved [...]. The Provincial Commissioner brought him a new plan and told him to abandon the previous one. The new plan, drawn by the Provincial Surveyor...had apportioned big areas for prominent people in the Government, including himself. Those portions ranged from 5 acres to 120 acres. Mr. Munga, on seeing this, because he came from this same area [as the people] resigned from the government...because he didn't like to betray his own people.

The multiple productions of maps also created significant discord within the community. It shifted local power and knowledge over territory and boundaries to the state. In doing so, the Lands Administration was able to re-map space as a way to displace and uproot households. The first surveyor quit the Lands Office because standing by the final map felt like a “betrayal” of his own community. Younger member of the community who were not born during the map-making process understand the effects. During a focus group they explain:

The surveyor made a mistake. They did not allocate [plots] as per what was physically on the ground. Now after planting your coconut trees you are told to move to the next plot, which is empty. Who will compensate for all that? I think these surveyors had their own intentions in making the numbers skip. They just wanted to create space in between to allocate to themselves. This has been a source of conflict in Kijipwa settlement scheme. These government officials are just playing around with our minds. It creates a lot of hatred among these people.¹²⁸

¹²⁷ Interview, Kijipwa-9-November 2012.

¹²⁸ Youth Focus Group, Kijipwa Settlement Scheme (December 2012).

Title Deed Access

The third and most enduring way that the government has neglected the land rights of ordinary citizens is by placing barriers to title deed access. An interviewee explains the daily insecurity he feels living with a title to his land: “It’s like working as a casual laborer, you can be sacked at any time.”¹²⁹ In a focus group with community elders they explain:

A title deed is very important. It proves ownership. A long time ago coconut trees and graves were used as proof of ownership, but not today. The government only recognizes title deeds. So it is according to the law that we are called squatters.¹³⁰

Citizens face three main barriers: access to finance, discriminatory norms, and logistical barriers. First, citizens cannot purchase titles when they cannot afford the land. As I explain in Chapter two however, a lack of land financing is also product of post-independence politics. Notably, the Settlement Fund Trustees (SFT) provided far less financing to Coastal settlers than to settlers upcountry (Kanyinga 2000: 68).¹³¹ Kanyinga (2000) explains that full repayment of loans was very low among the scheme allottees from the Coast who did receive loans. He suggests that this was likely an outcome of the lower levels of infrastructure along the Coast. While Coastal farmers required high levels of agricultural support, they were often the last region to receive it. Loan repayments were thus difficult and without full repayments, residents could not receive title deeds.

The second barrier to access operates through social networks of title access that have worked to exclude many Mijikenda. These social networks operate along ethnic, political, class and professional lines. Overtime, they have enabled outside elite to access title deeds over locals. As members of these networks or clubs, elites or the well-connected are able to access

¹²⁹ Interview-Kijipwa-16-December 16.

¹³⁰ Focus Group, Elders- Kijipwa Settlement Scheme, December 2012.

¹³¹ State body designed to help the landless purchase land from European settlers on “easy” and “cheap” terms.

title deeds at “discount prices.” Titles are often exchanged at extremely cheap prices or are given as gifts in exchange for political or business favors.

Discriminatory norms also operate through unequal service at the lands offices. Most Mijikenda believe that Kikuyus dominate the lands offices and hence provide preferential treatment to their own group. A respondent describes the difficulty in trying to receive service:

Let me put it this way. When you go to these land offices you find that most of these people are from upcountry. And when you go with the name Karanja¹³² you know that this name will help you and the process will be very fast. But if I go there, they know that I am Mbaga. Mbaga is the name of the Coastal people. This person will just keep it there [behind the desk]. I will have to go there several times.¹³³

Losing Land: Ali's Story

Ali was born in 1958 in Msumarini area, in what is now Kijipwa settlement scheme. In 1979, Ali noticed that the government had begun sub-dividing plots of land. He worried about the security of his own plot, and so he notified the area chief. The chief cautioned Ali to wait until the government had finished the sub-divisions before taking any action, signaling that he should keep quiet. Nearly a decade later in 1988, the government had not done anything to provide Ali a plot allotment letter. Ali recounts how he “saw that it was important for me to ask for this land through the Ministry of Lands.” He wrote the letter, but “our letter was not answered. We applied again, through the Ministry for Land and Settlement. It’s like we notified him of vacant land.” Rather than investigate the dispute, The Commissioner of Lands, Jackson Angaine, saw the complaint as a signal of open land. He allocated the plot to himself. The Minister came to Ali’s plot of land and explained that the government had allocated him [Angaine] the land as a government employee. Ali says that “[the Minister] was so apologetic

¹³² Karanja is a typical Kikuyu surname and Mbaga is a common Mijikenda surname.

¹³³ Interview-Kijipwa-Mbaga Family-December 2012.

and told me that he was going to talk to the planning officer in Kilifi to review the allocation of this area.”

Despite allocating Ali’s family land to himself, the Minister expressed a wish for Ali to keep his family land. He said that he would be content with taking an adjacent piece of land to allow Ali to stay on his own. But when Ali followed up on the conversation with the Lands Officer in Kilifi, the Officer said that any change of allocation would require the authorization of the Surveys Director in Nairobi. And before the process went any further, Hon. Angaine, the Minister of Lands passed away. “And after that, Ali explains, the son [of Hon. Angaine] did not want any conversation with us.”

In 1992, Angaine’s son sold the land to an Indian businessman.¹³⁴ Ali took the case to the Mombasa High Court. He explains in a letter to the Commission of Inquiry that “the case was filed and other documents were hidden forever.” Ali continued to face eviction threats from the Indian company, and after failing in the Court, he sought the help of the District Commissioner (DC), the District Officer (DO) in Kilifi, and the Chief. The DC provided Ali with a letter to present to the Ministry of Lands which requested “the Indian” to surrender the title deed back to the government.

In 1994 The Indian businessman ignored the directive and sold the land to the National Social Security Fund (NSSF), one of Kenya’s largest state corporations. The Ndungu Report (2004) cites the NSSF as “The most abused State Corporation by way of buying either illegally allocated public land or purchasing land from individuals at exorbitant prices far beyond the market value.”¹³⁵ NSSF officials arrived to the plot to find Ali and his family squatting on the

¹³⁴ “Ali” is referring to the owner/investor, Jimbim Investment LTD who sold 8.758 acres to NSSF on 05/16/1994 for 229, 248,176 KES.

¹³⁵ Kenya, *Report of the Commission of Inquiry into the Report of Illegally/Irregularly Acquired Land*

plot. “I explained to them the whole story about the letter from the Minister [Angaine]. The NSSF representative said she would go back to Nairobi and discuss the issues with her bosses.”

From 1979 to 1993, Ali’s family plot transferred five times: out of the hands of Ali’s family, to the Commissioner of Lands, on to the son of the Commission, then to Jimbim Investment Limited, and finally to a State Corporation (the NSSF) that was used notoriously as a “cash cow” for political campaigns (Kanyinga 2000, Onoma 2009).¹³⁶ Yet by 2010, despite the many hands the plot had passed through, Ali and his family still occupied the land. But on the afternoon of 2010, a bus filled with “hired goons” arrived to tear down Ali’s house.¹³⁷ Ali returned to his home to plea with the administration officials that stood by at the scene but they informed him that it was too late. He recounts how he begged them to postpone the demolition for two days so he could relocate his wife and children, “but no one would listen.”

Ali describes the eviction as a particularly violent episode: “We had to protect ourselves, it was total war. They burnt my house with all the food inside. At 2:00am they came again and burnt my neighbor’s house.” After the destruction, representatives arrived to discuss compensation, but Ali refused. “I asked them which law gave them the right to burn my house without notice. I told them I wasn’t interested in their compensation.”

The story illustrates the extraordinary barriers to land access and security that many ordinary citizens along the Coast encounter. Each mechanism designed to protect and promote property rights in land has worked to exclude Ali—from access, registration, adjudication, and enforcement. Ali has been aggressive in seeking assistance from all levels of government—he

¹³⁶ The NSSF is categorized as a State Corporation and hence, all land owned by the NSSF is technically “public land” according to the Ndungu Report, “in the sense that it was either excised off Government or Trust land, or the funds used to purchase such land were tax payers’ money (*Kenya, Report of the Commission of Inquiry into the Report of Illegally/Irregularly Acquired Land*).

¹³⁷ An interview with a neighbor in Kijipwa Settlement Scheme (INT 17-December 2012) describes these “hired goons” as *Mungiki* members who had been contracted out by the NSSF. This is likely a rumor but feeds into the fear and suspicion of the State-apparatus as a Kikuyu-led institution willing and able to use informal violence against its own citizens.

has written letters to the various officers at the District and Provincial levels, has pursued his case in the Mombasa High Court, and he has written to the Commission of Inquiry. After his house was burned, he sought assistance from his Member of Parliament. Each of these efforts has failed.

Importantly, the narrative reveals the disconnection between Coastal citizens (Mijikenda) and national leaders (the state). Residents of Kijipwa and many other Mijikenda citizens along the Coast do not view political leaders as land patrons. Unlike communities from ‘upcountry’ who expect local and national elites to provision security in exchange for support, ordinary citizens in Kilifi have few expectations of the State or national political parties. Ali draws a clear line between the Government of Kenya and the local officials and MPs that mediate his access to land. He explains, “The government did not deny us land. It’s the officials in government offices who complicated this issue. I do not trust any government employee to help me out with land issues. I have seen John Mumba,¹³⁸ Katana Ngala, Jembe Mwakalu—all MPs—and they did not do anything.” Ali’s inability to access land is linked to the exclusive character of Coastal land institutions, which are separate from the larger national dynamics. And efforts to keep the minority in power require extreme measures of enforcement. Ali explains, “These people can even kill you because of land. There is nobody who is safe here regarding the land. I live by the grace of God.”

In sum, this case study illustrates the extreme inequality in land rights between ordinary citizens and a class of political officials and private elites. Unlike much of inland Kenya, very few politicians from among this political and elite class have political incentives to protect or promote the land rights of the poor. As a result, the majority of the region’s population has been formally or informally excluded from the land distribution process. They remain as *de facto*

¹³⁸ John Safari Mumba, Member of Parliament for Bahari Constituency from 1992-1997.

tenants on the lands of wealthy elites and political officials who have full power to evict them at any time.

5. Land Patronage and Competitive Claim-making: Oljorai Settlement Scheme

I am just on this land doing my farming. But I am worried of being evicted because there are claims that this land belongs to some people who we do not know. They even claim it belongs to some foreigners who I believe do not have titles but have used the powers of the government to claim the land. Recently the head of the Luos [Raila Odinga, former PM] came here and told us we will not be evicted and we have the rights to be here, though we have nothing to show for it. He said we are protected by the constitution and that is why we are still here.¹³⁹

At first glance, the issues of land in Oljorai sound remarkably similar to the land politics of Kijipwa Settlement Scheme along the Coast. The current residents, many of whom are deemed squatters in the eyes of the Kenyan government, have faced eviction notices since the early 1990s. Yet there are important distinctions. Most squatters here do not make ancestral claims to Oljorai.¹⁴⁰ Everyone has arrived from some other region of the Rift Valley or Central Province, displaced by forest evictions, political violence, or struggles to find land. While their displacement from farms in the Rift Valley were the product of Moi-era politics, so too are their current farms in Oljorai. President Moi used the contested land in Oljorai as a space to resettle thousands of people within his political network, both landless and powerful individuals. One settler notes, “The people who were given this land are those who used to work for Mzee Moi in Bahati. He took them out of their village and gave them this land as a reward.”¹⁴¹ President Moi did this by allocating plots on the land belonging to the Agricultural Development Corporation—the parastatal designed to promote agricultural development. Yet in the same years that Moi started allocating land to his landless supporters, a powerful Kikuyu-based land buying

¹³⁹ Interview (2 voices) Oljarai (1) 09/12/2012.

¹⁴⁰ The exception in this area is the Maasai, who are seen by most groups as having legitimate ancestral claims to the land.

¹⁴¹ Interview, Elementaita-09-08_Oljarai-3.

company—the Nyakinyua—purchased 8,000 acres of land in Oljorai. Despite the Nyakinyua Group’s acquisition of 8,000 acres of the farm, Moi continued to settle people on the land for more than another decade.

I explore two main issues in this case study. First, I demonstrate how the political party in power shapes the rules and norms governing land access. When President Moi is in power, members of his network use informal and illegal norms of land acquisition and access as a patronage tool: larger ethnic groups receive land with some security, smaller groups receive land with very little security, and opposition groups—many of whom hold formal title to the land, are denied their user rights. When Mwai Kibaki defeated President Moi’s KANU party in 2002, excluded opposition groups were able to reassert their ownership claims using formal means: exploiting their renewed power over the courts, the police, and the land administration apparatus.

Second, I examine how patron-client politics has sharpened the relative land rights inequality between groups. The politics of land patronage has created a hierarchy of land tenure rights within Oljorai, measured by the number of eviction notices residents have received, the allotment letters they’ve received, the title deeds received, and whether their names have been erased from the district lists of land allottees. The “selective distribution” of land rights to group members has powerful implications for the ways in which each group makes claims to land. The case of Oljorai Settlement Scheme also provides a way of understanding how uneven access and distribution of land rights shape contentious land narratives between groups.

I identify three general groups or land claimants. The first group is the Nyakinyua (Lari-Solai) Land Buying Company. The Nyakinyua Group claims that they purchased the land in 1983 and hence the company is the only party with a legitimate title deed. The second group consists primarily of “Moi’s internally displaced.” They are mostly Kalenjins and a few Kikuyu

whom the Government resettled in the early 1990s due to evictions or election-related violence. The ADC issued this group allotment letters upon arrival, but residents have never been able leverage these letters into title deeds. In 2005-2006, the High Court cancelled the letters of allotment on the grounds that the ADC had no authority to issue letters of allotment. The third group consists of the smaller ethnic groups—the Turkana, Borana, and the Maasai. The figure below summarizes the forms of land access and level of tenure security across each of these three main groups. It reveals the variation in how Nyakinyua members access land (strong access) versus squatters in Phase One (Weak) and Phase Two (No rights).

Fig 3.3: Variation in Land Tenure Security: Oljorai Settlement Scheme

Measure	Phase 1 Settlers	Phase 2 Squatters	Nyakinyua-Phase 2 “Newcomers”
<i>Category of land tenure</i>	Settlement Scheme	Settlement Scheme	Land Buying Company
<i>Mechanism of land access</i>	Grant	Grant	Purchase
<i>Type of document</i>	Allotment Letters	No letters	Title Deeds
<i>Confidence in land document</i>	Low	Very low	High
<i>Size of land plot</i>	2.5-5	0-2.5	Undetermined
<i>Frequency of inter-group clashes</i>	High (2007-08 PEV)	Low	None
<i>Incidence of land grabbing</i>	High	High	Low
<i>Eviction threat</i>	High	High	None
<i>History of evictions</i>	Yes	Yes	No
Overall level of land security	Weak	None	Strong

The Turkana (Phase II) arrived in Oljorai in the early 1970s when their families were fleeing clashes with the Pokot in Northern Kenya.¹⁴² The rights of these minority communities are even more tenuous and poorly defined than the Kalenjin majority. Many do not have the most basic

¹⁴² At the time of the interviews there were about 375 Turkana families (approximately 1500 people) living in Phase 2. They were living in conditions that were similar to many refugee camps.

plot allotment letter and many families have been forcibly evicted.¹⁴³ The reason that their land security is so tenuous relative to the Kalenjin group is because the government (via the ADC) settled them on the same 8,000-acre stretch of land that the Nyakinyua LBC also claims. The government therefore has an incentive to keep land rights ambiguous. They cannot settle their politically important “vote rich” groups in the event that mass evictions do occur. Yet local level politicians on both sides have incentives to use the ambiguity of the land record to their advantage. Depending on the political moment and the audience, protecting the land rights of the poor and landless can be an effective campaign strategy. In a focus group with Turkana squatters they explain, “When we go to the District Commissioner (D.C) they tell us that the land is ours. And then if the DC is transferred the notice [of eviction] comes up again. With every politician who comes here they say that ‘if you vote for me I will ensure that you will get land tenure’ but in real sense those are empty promises.”¹⁴⁴

Equally, Kikuyu politicians have both economic and political incentives to advocate for the Nyakinyua Group. If squatters were pushed out and Nyakinyua were to move into the farm, the demand for land would increase, creating a much more active land market, with opportunities for land speculation and investment. More so, as more urban Kikuyus invested in Oljorai, it would solidify the Kikuyu voting advantage in Gilgil Constituency, as members of the traditional KAMTUSA bloc were pushed out and GEMA member moved in.¹⁴⁵ The figure below simplifies a complex case in the former KANU administration allocated land to more than one party—a process known as double allocation. Double allocation on a plot-by-plot basis exists throughout

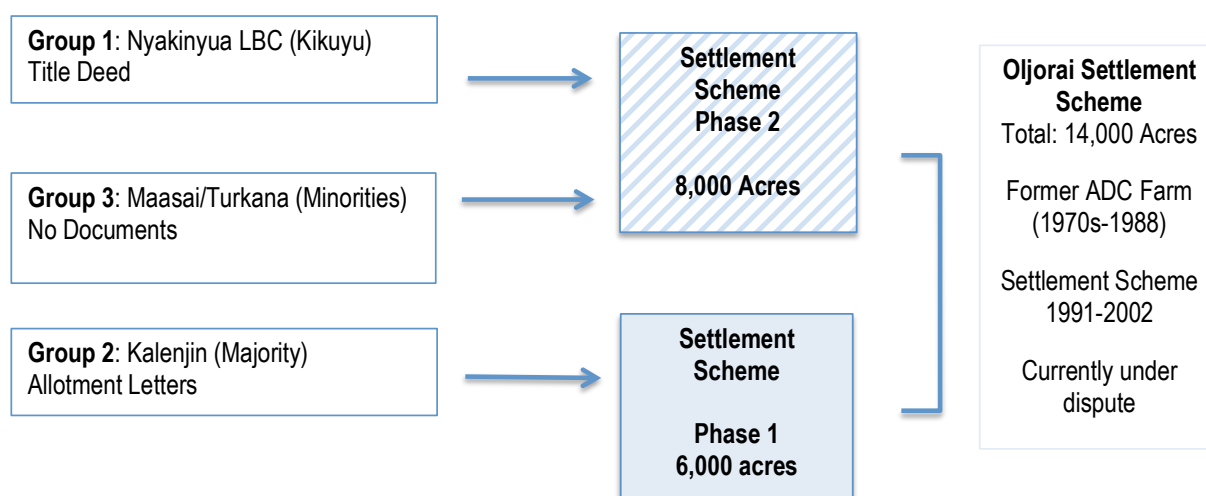
¹⁴³ Interviews with respondents and newspaper accounts: *Standard*, May 21 2013 “[Squatters Evicted from Contested Gilgil Farm.](#)” *Star* April 27, 2012, [A Nyakinyua Farm Squatters Ordered Out.](#)

¹⁴⁴ Focus Group, Turkana Community, Oljorai Settlement Scheme (Phase 2), September 2012

¹⁴⁵ Kikuyu politicians already have an advantage in Gilgil Constituency. Samuel Ndiritu (TNA) won with 70 percent of the votes case (14,779), followed by Gabriel Wanderi (DP) with 16 percent (3,495), and Mark Mwangi (ODM), with 1,150. This is a change from 2007, when Gilgil was part of Naivasha Constituency. John Njenga Mututho (KANU) won the election with just 47.8 percent of the votes ahead of the PNU aspirant, Jayne Njeri Wanjiru Kihara.

Oljorai. Yet it is only in the larger half on the settlement scheme—Phase 2—where the previous administration gave Maasai and Turkana communities’ land that already belonged to the Nyakinyua LBC.

Fig 3.4- Group Land Claims in Oljorai



Early History of Oljorai: First Squatters on Contested Lands

In the early 1970s, the Agricultural Development Corporation (ADC) established a farm in Oljorai by purchasing land from departing white settlers. The Kenyan Parliament designated the ADC in 1965 as a parastatal to support and develop Kenya’s agricultural production and enterprise, including the development and management of seed production and livestock genetics and technology transfer.¹⁴⁶ As a parastatal, the ADC had the power to acquire land and dispose of land as it needed, “and to perform their functions on behalf of the State.” From its inception, ADC land, and the labor and housing it offered, became a patronage tool for both local and high level politicians.

¹⁴⁶ [Agricultural Development Corporation, Service Charter](#), Nairobi (2007). ADC was known for its hybrid maize seed and high quality and pedigree livestock (KNCHR, “Unjust Enrichment”).

The first wave of internally displaced people arrived in 1973. Several hundred Turkana families were fleeing Northern clashes and had taken temporary refuge in the nearby Hutut Forests. Conditions were difficult in the forests and the community struggled to survive. Respondents tell the story of a Maasai Councilor who pitied their plight in the forest and took their story to President Moi who then allocated them the lands on the Oljorai ADC farm.¹⁴⁷

In the same few years, Moi started allocating land to Kalenjin refugees from Njoro who were fleeing the repressive and violent policies of the notorious Rift Valley Provincial Commission, Isaiah Mathenge.¹⁴⁸ Mathenge conducted ruthless eviction policies that targeted Kalenjin (especially the Ndorobo) communities. His policies included torching villages, imprisonment, and public assassinations. A respondent describes the series of events:

Since the Kalenjins and the Ndorobos didn't have powerful people in the Kenyatta government to champion for their rights we were pushed further, through the burning of our houses and killing [of our people]... After the incidents, we shifted to this place because the then government (Moi's) had started issuing land to people from his community who were landless. Due to this we were able to get a chance that enabled us to get this land. We were a group of about 300.¹⁴⁹

Under the auspices of the ADC, The Moi Government settled most of these families in Phase I of what would become the Oljorai Settlement Scheme. Settlers were all issued with multiple allotment letters, yet to this day, cannot access title deeds. Their land security however, is not as precarious as the first group of Turkana settlers/squatters who reside in Phase II.

The 1980s ushered in a large in-migration of families from across the Rift Valley, Central and Nyanza Province. Most families were Kalenjin, but many were Kikuyu or Kisii who had

¹⁴⁷ Turkana Focus Group (Elementaita-09-06_Turkana (Focus Group), Kongagsis Focus Group (Elementaita-09-06-Oljorai-Intro). While the Turkana respondents do not provide the precise date that they move from the forest and onto the ADC farm, I am assuming that the Turkana were living in the Hutut forest from 1973-1978/79. They give 1973 as they date that they move into the region of Oljorai (the forest) but specify that Moi was president when he allocated them the land.

¹⁴⁸ Isaiah Mathenge, Provincial Commissioner of the Rift Valley (1971 – 1980), was one of the first 8 PCs appointed by President Kenyatta after independence and is considered among the core of the “Rift Valley Mafia.”

¹⁴⁹ Interview, Elementaita -09-08-oljorai-2.

purchased their land through a Kalenjin or local Kikuyu politician. Many poor Kikuyu faced displacement from their farms throughout the 1980s and into the 1990s. Moi used the vast space of Oljorai to settle many of these displaced Kikuyu families. A respondent who still lives as a squatter in Phase 2, explains that her home village was demolished in 1984 under Moi's order, "he had directed that the village where we lived, Gichaki, be demolished... The house where we lived was shattered while we were in there with our children. President Moi "ordered that people be given pieces of land in Ngata, and those who did not were told to come here, to Oljorai... Therefore since 1984 I have never had a land of my own."¹⁵⁰

The Nyakinyua Land Purchase

It was also during the 1980s when two regional groups of the Nyakinyua Co-operative Society (Ltd) made a claim to 8,000 acres in Oljorai. Nyakinyua Investments Company Limited is now one of the largest and well-organized land-buying companies in Kenya with thousands of shareholders.¹⁵¹ It began when Jomo Kenyatta rewarded his groups of Kikuyu female singers with small parcels of land.¹⁵² Women combined their land and investments to form the cooperative. Like many land buying companies, Nyakinyua branches formed through the Rift Valley and Central Province. In 1982, a Nyakinyua branch from Solai, a location in Rongai District, purchased the 8,000-acre plot that overlaps with what is now Phase II of the Oljorai Settlement Scheme.¹⁵³ Rather than set aside the 8,000 acres that the Solai-Nyakinyua had purchased, President Moi allocated the land to the Maasai. Meanwhile, the Solai group had decided to "swap" their land holding with another Nyakinyua group from Lari (Kiambu District,

¹⁵⁰ Interview, Elementaita-09-12_Oljorai-2.

¹⁵¹ Nyakinyua Chairman, Issak Nderitu said in 2013 that 5,470 company members are women (Star, June 17, 2013, "Nyakinyua Warned against Fraud.")

¹⁵² Nyakinyua were originally old women traditional dancers who sang praise to Kenyatta, and Mau Mau and would sing for Uhuru now (see Koigi wa Wamere).

¹⁵³ The full name of this group is the Nyakinyua Solai-Ruiyobei Company, denoting the village (Ruiyobei) within Solai Ward, where most of the members originate.

Central Province).¹⁵⁴ Members of the Lari-Nyakinyua group arrived in the mid 1980s to find that Maasai, Turkana, and other groups occupied the land that they had purchased. The Lari-Nyakinyua (Solai Farm) pushed back against the expansion of the settlement scheme in 1992. Yet with KANU's victory in the 1992 elections, and the regime's power over institutions of land rights enforcement (security forces) and adjudication (the courts), the Lari Nyakinyua group faced a significant disadvantage.

From ADC Farm to Settlement Scheme

By 1988, the Government of Kenya had dissolved the ADC. The dissolution coincided with a move that shifted supervisory authority over the ADC from the Ministry of Agriculture to the Office of the President.¹⁵⁵ In 1991, Parliament passed the ADC Amendment Act that gave the ADC a much broader and less well defined mandate. These policy changes gave Moi virtual free-range over how—and to whom—he could allocate former ADC lands.¹⁵⁶ Unlike many other ADC farms that were disbanded and sold for parts to private companies, organizations, and politically connected individuals, the Government preserved most of the Oljorai ADC farm to serve as a settlement scheme.

Despite the potential gains that could be made through the outright sale of Oljorai, Moi had compelling reasons to use it as settlement land. First, the administration could fill Oljorai with KANU supporters, helping to shift the ethnic demographic in his favor. Second, the scheme provided a source of patronage for the landless, low-level and aspiring politicians. Many of the settlers that received plots in the early 1990s were Kalenjins who had been displaced from their

¹⁵⁴ Interview, local leader (county councilor-aspirant), Elementaita oljorai-11-01-1.

¹⁵⁵ See Report, "Unjust Enrichment" (KNCHR) and *Ndung'u Commission Report* (2004).

¹⁵⁶ The Kenya National Human rights Commission has created a list of ADC farm beneficiaries—all of whom were companies and elites rather than landless groups.

land during the violence that surrounded the first multi-party elections. One respondent explains how President Moi re-located him to this land after electoral violence.

The Kikuyu bought so much land [in Kenya generally] and because we are a minority tribe we were troubled by them. We lived together on the Rare/Nyakinyua land in Njoro but after the violence [1991-1992] we were relocated to Oljorai and Keringet and Baraget. And the President gave out the lands. So they decided to give us the land here but they only gave us allotment letters.¹⁵⁷

The respondent's final comment points to the third logic of Oljorai—intentionally weak land tenure rights. Unlike the earlier settlement scheme programs of the 1960s and 1970s, the Oljorai Settlement Scheme did not provide its settlers any mechanisms of accessing land tenure security. The institutional design provided no opportunity for citizens to become owners of the land. Instead, by keeping the land institutions weak, the settlement scheme provided ample opportunity for officials within the Provincial Administration to profit off informality; through land speculation deals, or by demanding land rates in exchange for promises of security—by keeping eviction notices at bay or by dangling the ever-elusive title deed. In addition, maintaining weak land rights ensured that the promise of land rights—such as the promise of a title deed or the provide to end an eviction order—could be a political mobilization tool in the future, for example, by promising to offer titles or to “kick out” the Nyakinyua threat.

The management of Oljorai settlement scheme undermined the pathways to land security through several means. The first was the way that the scheme distributed allotment letters. The KANU government empowered the ADC to become the ‘*de facto*’ landlord of the Oljorai Settlement Scheme. The ADC however, never had the legal authority to issue plot allotment letters. As squatters are discovering two decades later, the letters that they received two decades ago lack any credibility. They are in a real sense, “just like pieces of paper.” Most residents view the ADC allotment as fake because the entire scheme suffers from a ubiquity of multiple

¹⁵⁷ Interview (5 respondents) Oljorai-Introduction-09/06/2012.

allocations. Nearly every plot has been allocated to more than one person, and each person has received multiple letters from the ADC.

While the ADC distributed fraudulent allotment letters across Phase One and Phase Two, Phase One settlers were still able to leverage these letters to receive plots of land. Settlers are less likely to see themselves as “squatters” but rather as settlers with insecure rights. In Phase II however, settlers were issued with allotment letters that did not even signify plots of land.

Women living in Phase II explain how the ADC distributed plot allotment letters without ever actually allotting them a plot of land.

I came to this place in the year 1991 to work as house help in ADC [...] The ADC gave me a total of three fake allotment letters. The first was for a 5-acres plot of land, the second was for a 2.5-acre plot, and the third for a 0.135 acre piece of land but I have never lived on any of these.¹⁵⁸

We were later given allotment letters of ADC when phase two was being shared out [...]. Everyone in this village was given these letters but we were not shown any land. We stayed with those letters only to be told later that those letters were vague [...]. Up to now we hear some letters are in the [Land’s Office] office but there is no land. That is why now we are still living in such tattered ADCs houses because this is all we were given from ADC.

A key point is that local land institutions in Oljorai are arbitrary, selective, and corrupt. In addition, enabling an environment for land fraud served a useful political function for the KANU regime. Rather than paying public officials reasonable wages or distributing patronage goods, the weak institutional basis of Oljorai provided the perfect environment for local officials and entrepreneurs to extract rents from squatters. This easily loot-able environment provided an alternative form of patronage. Moi could solidify a base of loyal administrators and local leaders by providing an environment in which the resources of the poor could flow easily through the hands of the local officials. A resident describes this phenomenon of corrupt local government officials:

¹⁵⁸ Interview, Elementaita-09-12_Oljorai-3.

The main land conflict here is that there are so many squatters and leaders like chiefs and DOs who depend on this land to get some money. And therefore for someone to get a piece of land you must have enough money to bribe these officers. This is the greatest challenge here [...] because any land that is seen under-utilized is sold without concern that it belongs to someone, hence causing conflicts. That in essence, is the double allocation of land. This is what happens more often in Phase One where DOs and DCs sell the land secretly.¹⁵⁹

In a focus group with youth from Phase One and Phase Two (Maasai and Kalenjin communities), they express a similar frustration with the process of obtaining legitimate allotment letters or title deeds. Participants describe the cooperation among district officials and local opportunists as “cartels” that form along ethnic lines:

The allotment letters are just like a cartel where each officer who gets office allocates to his [ethnic] type and even reshuffles to the people around just to make money, which renders the letters futile.¹⁶⁰

Several respondents explain their many attempts at trying to form committees as a way of gaining both legal advice and representation to advocate for title deeds. Each time they would pool their resources and each time, their money would disappear through the hands of village leaders and county council members. One respondent, living in Phase One explains:

We as the community decided to seek legal advice from the chiefs and the administration at large because we needed to have the legal documents as proof of ownership of land. So we choose a few individuals from our community to go and present our plea to the county council. Once they got there they formed a ‘cartel’ with the members of the council to siphon money from us.¹⁶¹

The respondent stresses that the men he entrusted to process the title deeds succeeded because they had the protection and support of the chiefs and the District Officers—who all shared in the spoils. When the authorities are also “eating” from such weak enforcement, “nothing much could be done anytime we present our grievances.”¹⁶²

¹⁵⁹ Interview (2 voices), Elementaita-09-11_Oljarai-2&3.

¹⁶⁰ Youth Focus Group, Oljorai -09-11- Oljorai- vijana –FG.

¹⁶¹ Elementaita-09-07- kiptangwany-i-1.

¹⁶² Elementaita-09-07- kiptangwany-i-1.

A second strategy that officials and leaders use involves making lists of legitimate allottees. This practice is similar to the “politics of list-making” that I describe in Kijipwa Settlement Scheme. Officials create lists of allottees while leaving certain recipients off the list. In the blank spaces where they have deleted names, the plot is flagged as available land for sale. They proceed to sell the plot to “outsiders” for a decent profit. A local political aspirant describes this strategy, but places emphasis on how outsiders have been able to gain access to land while displacing “natives”—referring to the Maasai and original waves of settlers (Kalenjin).

Conflict involving land in Oljorai traces its roots to the time ADC issued out [allotment letters] and became a settlement. The Settlement scheme...began vetting people and in the process, removed from the list some names of the natives and replaced by outsiders who later received the allotment letters. This raised a lot of concern from the locals hence the conflicts as the locals could not allow immigrants to settle in their midst.¹⁶³

Alternation of Power: Implications for Tenure Rights

When Moi’s KANU party lost power in 2002, ending twenty-four years in power, the rules and norms shaping land institutions changed significantly. As I have argued, in contexts of competitive land institutions, alternations in political party often change the group or set of groups that governs land institutions. Moi had acted as a land patron for the ethnic groups within his political alliance (the Kalenjin, Maasai, Turkana, and Samburu). As Mwai Kibaki’s National Rainbow Coalition (NARC) stepped in, the set of incentives regarding the use and management of land changed.

The political patronage base shifted toward the ethnic groups of Central and Eastern Province—notably the Kikuyu.¹⁶⁴ Powerful ethnically-based interest groups regained political

¹⁶³ Interview, local leader (county councilor-aspirant), Interview- Elementaita oljorai-11-01-1.

¹⁶⁴ Kenyans rallied around Mwai Kibaki in part because he promised to bring in a new era of multi-ethnic politics. It was soon clear that he was following the same path of his predecessors—where one set of ethnic groups dominated the Office of the President. The “GEMA” group or the “Mount Kenya mafia” refers to the close circle of Kikuyu, Embu, Meru and Kamba politicians who dominated the set of political institutions under Kibaki.

voice. In the case of Oljorai, the Lari-Solai-Nyakinyua Group, which had been side-lined during Moi, could begin the process to re-claim their 8,000 acres in Phase Two.

Many settlers across Phase 1 and 2 talk about the increasing threats to their land security over the last ten years. While they never had land rights in the legal sense, Moi's government never threatened to evict them. Turkana settlers claim that the moment Moi lost power is "when we started hearing claims that the land has been bought by the Nyakinyua."¹⁶⁵ Another respondent from phase one hints at the growing tensions between squatters settled by Moi and the Nyakinyua:

We are told [Nyakinyua] had a piece of land in Solai but when President Moi was in power, he took that land from them and gave it to the Kalenjins [...] Definitely it can result to conflicts and violence because if you look at the piece of land they claim to be theirs, it holds many more people than even the settlement scheme, so where would all these people go? So if the government brings those people here then that is the war they would be looking for.

In the last few years, the District Office in Gilgil has launched even more aggressive efforts to evict Moi-era (ADC-era) squatters. Residents accused the local district officer of allocating land to outsider (i.e. Nyakinyua) even though land was not available.¹⁶⁶

These efforts have been tempered during the 2010 and 2013 elections, when politicians used the protections of squatters to gain support. Respondents describe DCs revising the lists of allottees with "different people from wealthy areas." They see the lands administration under Kibaki as biased toward outsiders, a sentiment that played into the 2007-08 post-election violence in Oljorai. With Moi no longer in power, squatters have no representative in national office who will protect them—they have lost their "land patron." Equally, while many did not have access to land institutions, they had relatively greater leverage of the norms and rules of access during the Moi era than they do under the Kibaki Government (2002-2013).

¹⁶⁵ Elementaita-09-06_Turkana (Focus Group).

¹⁶⁶ Daily Nation, January 8, 2010 "[Sub-division of Land Sparks Protest.](#)"

Patterns of Uneven Access

The story of political patronage is well known by Kenyans and scholars of Kenyan politics alike. The story I present in Oljorai however, attempts to go one step further and show how the political use of land has shaped very uneven pathways through which groups of citizens have accessed land.

In sum, in regions where strong land patron-client relations influence land distribution, the politician makes strategic decisions about how to allocate rights and access based on the political loyalties of the group. In the case of Oljorai, Moi was able to distribute land to his displaced co-ethnics and minority groups, exclude a wealthy Kikuyu land-buying company (Nyakinyua), while keeping the rules weak enough to enable higher-ups to “feed off” the settlement scheme itself. Beyond this, I show how the selective allocation of rights to *political clients* leads to the uneven distribution of land access and security across groups at the local level.

6. Conclusion

This chapter presents two models for thinking about the politics of land distribution and access: between the “landlord and client” (Rift Valley) and between the “landlord and tenant” (Coast). While these terms are broad and many exceptions can be found, they are useful in explaining how citizens access and make claims to land, the political effects of this claim-making process, and why there is observable variation in these two processes.

This model is useful because it helps explain the level of inequality in land rights between groups, and whether elections create openings for each group to alter the status quo distribution of rights.

I apply this theory to the evidence I gathered from eight paired case studies that I conducted in the Rift Valley (Nakuru County) and the Coast Region (Kwale and Kilifi). I show that in environments structured by landpatron-client relationships, groups are relatively equal in terms of their socio-economic status, but where there is some degree of land rights inequality, this inequality has the potential to provoke contentious land narratives and in turn, electoral violence. Yet when two groups both have secured the same level of land rights (e.g. they both have a title deed), contentious land narratives are not likely to form, and hence there are far fewer possibilities for electoral violence. The two case studies in Rongai provide evidence for this theory.

Along the Coast however, landlord-tenant relationships structure land distribution and access. In contrast to group dynamics in the Rift Valley, I characterize the levels of inequality between the two main groups as highly unequal (i.e. between landless and landowners). And while there are salient contentious land narratives, I find that these land narratives are far less likely to shape electoral violence (I explain why this is in greater depth in Chapter 8).

I argue that this is because politicians along the Coast do not have the incentive or capacity to distribute land to ordinary citizens. The implication is that citizens do not expect that elections can alter distribution of land rights. Hence, elections are not viewed in the zero-sum terms that many Kenyans view elections. Instead, many residents of the coast view themselves as victims of the state and “outside” elites rather than being in opposition to a particular political party or ethnic group.

I present two in-depth case studies to illustrate these different modes of land distribution and access. In the case of Kijipwa Settlement scheme (Coast region), political and private elites act in the capacity of landlords rather than representatives or political patrons to the landless

majority. A key point here is that electoral outcomes at the regional (i.e. constituency-level) and national-level have little bearing on whether and how residents make claims to land—the possibility of their eviction and their tenure security feel equally arbitrary and out of their control.

The case of Oljorari Settlement Scheme provides an important contrast. While the majority of residents that I interview are also “squatters,” residents obtained their land from political patronage or ethnically-based social networks. This method of access in turn shapes how residents link the security of their land tenure with the electoral process. Many residents draw a close line between their land rights and electoral outcomes. The common view can be summed as: “If our candidate wins, we can remain on our land; if he or she loses, we might get evicted.”

This tenure insecurity is heightened by the multiplicity of land claims along different lines. Kalenjin argue that they deserve the land because the former President settled them on the land, (patronage-based rights), Maasai residents make ancestral claims, and Kikuyu shareholders of the Nyakinyua LBC assert their formal title deed rights. This high level of land insecurity coupled with salient contentious land narratives between groups make this region vulnerable to violence—as escalation of violence in 2007-08 powerfully demonstrated.

Broadly, this chapter shows how varying elite incentives to distribute land create different forms of land rights inequality between groups. Relative land inequality between groups has important implications for the formation of contentious land narratives, and the potential for the mobilization of these narratives by political elites. I examine each of these next stages in the process of electoral violence in the following chapters.

4

Linking Land Security and Land Narratives: Evidence from a Household Survey

My title deed makes me feel good. But there are times where the title deed becomes useless because someone can come and take my farm and livestock and I will only have my title deed in hand.¹⁶⁷

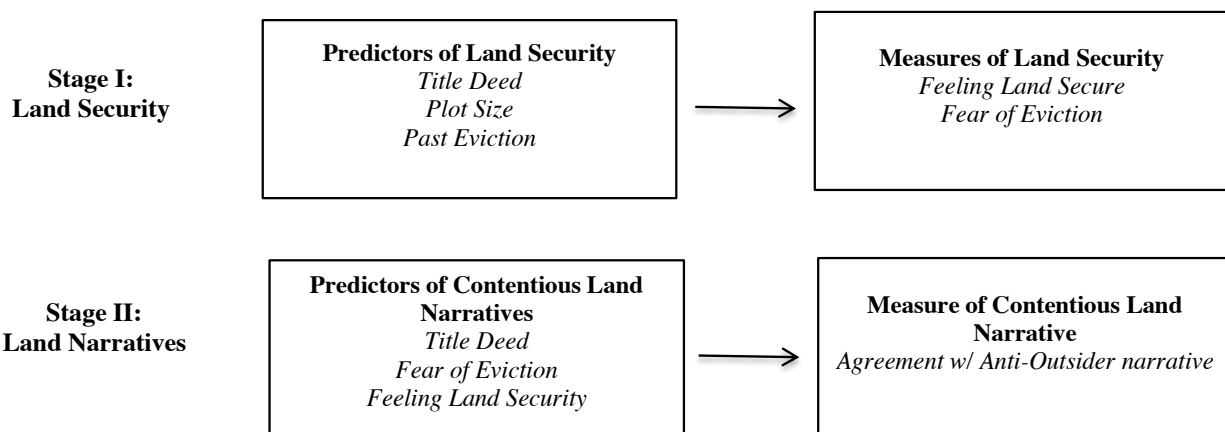
This chapter examines the linkages between individual land security and the salience of contentious land narratives. I ask two main questions: Why are some citizens able to acquire a sense of land security while many others are not? Why is it that some Kenyans are more likely to see outsiders as a threat to their own land than others?

In the previous chapter I drew on case study evidence collected across communities in the Rift Valley and the Coast to show variation in the politics of land distribution and access across regions. I argued that strong patronage politics in the Rift Valley compared to the weaker patron-client relationships in Coast region explains why Coastal residents have had fewer opportunities to gain formal land tenure. In this chapter I turn to data based on the household-level survey that I administered in Rift Valley and Coast regions to examine these concepts at the individual level. I do so in two stages. In the first part of this chapter, I draw on my survey data to examine patterns in how individuals access and secure land. I begin by describing different ways of measuring individual land security. I present measures for the determinants and observable implications of individual land security. Based on these measures, I then derive a set of testable hypotheses about why some individuals are more likely to acquire land security compared to others.

¹⁶⁷ Interview-Likia (12)-Nakuru-Rift Valley-7/4/2012.

In the second part of the chapter I ask why some individuals are more likely to believe in “contentious land narratives” than others. Specifically, I examine a set of predictors that increase the likelihood that an individual views an ethnic outsider as a threat to her land security. My main argument is that individual-level land security is one of the strongest predictors in determining whether an individual agrees with an “anti-outsider” land narrative.

Figure 4.1-Measuring Individual Land Security and Contentious Land Narratives



I begin by explaining the sampling design and strategy that I used to administer the survey (section 2). I then present a set of hypotheses about the predictors of individual land security (section 3). Section four presents my measurement of individual land security. Section five presents a set of testable hypotheses about the determinants of “anti-outsider” land narratives (i.e. individual belief in the narrative). Section six presents a set of measures of these contentious land narratives. Section seven presents the results and section eight offers a discussion and conclusions.

1. Sampling Design

This chapter draws on the household-level survey that I administered to 750 households across four counties of Kenya (Nakuru, Uasin Gishu, Kwale and Kilifi) between January and February of 2013.¹⁶⁸ I designed the survey questionnaire to test the theories I developed based on my micro-comparative study, enabling me to design context-relevant questions to test my concept of land narratives.¹⁶⁹ Specifically, I used the survey to measure the relationship between weak land security, the salience of divisive land narratives and their use by politicians, and patterns of election-time violence. The survey is also innovative because I include a mix of observational and experimental questions to test the strength of different types of narratives and how parties mobilize these narratives.

I use a multi-stage sampling method to select respondents. I began by purposively selecting two counties in the Rift Valley and Coast regions (Nakuru and Uasin Gishu in the Rift Valley and Kwale and Kilifi in the Coast region). I selected the Rift Valley and Coast regions because of two key parallels: there is significant land inequality and a long history of contentious claim-making between “natives” and “newcomers.” What varies is the main dependent variable of this project—the escalation of electoral violence since multiparty elections in 1991-92. In Nakuru and Uasin Gishu (Rift Valley), large-scale electoral violence has escalated around the 1992, 1997 and 2007 elections, with multiple and shifting sites of violence. By contrast, Kwale and Kilifi (in the Coast) counties have witnessed only minimal levels of election-related violence.¹⁷⁰

Within Kilifi and Nakuru Counties, I randomly selected four constituencies. Within

¹⁶⁸ The survey took place two to four weeks before Kenya’s General Elections on March 4 2013. I explain the significance of this proximity to voting day in Chapter 6, which draws on survey data to examine the relationship between political mobilization, land narratives, and patterns of violence.

¹⁶⁹ I explain this stage of the research in Chapter One and the appendix, which provides further detail on the design and sampling of both my qualitative interviews and survey.

¹⁷⁰ The most serious election violence on the Coast occurred in 1997. Most of the deaths and destruction however were confined to Likoni, located in Mombasa County (formerly Mombasa District).

Uasin Gishu and Kwale, I randomly selected three constituencies. Within each constituency I then randomly selected three electoral wards. At each electoral ward, I randomly selected six polling stations to randomize the selection of respondents. The sampling strategy therefore is not based on populations within units, but uses the polling station as a rough approximation of population density and distribution.¹⁷¹ Enumerators were assigned two polling stations each workday. At each polling station, they followed a “random walk” method to select three households (one respondent within each household).¹⁷² In total, the survey sampled 210 respondents in Nakuru, 216 respondents in Kilifi, and 162 respondents in both Uasin Gishu and Kwale.¹⁷³ Each constituency consists of 54 respondents, while each electoral ward contains 18 respondents.

2. Individual Land Rights and Security

I begin by examining different factors that can affect a citizen’s ability to access and secure land. As I explain in Chapter three, measuring an individual’s degree of land security presents several challenges. Most African countries, Kenya included, lack reliable baseline data on the state of tenure security for most of its citizens. One challenge is that there is very little consensus among practitioners and scholars about what constitutes land tenure security (or how tenure security should be measured). Many standard measures of tenure security focus on whether an individual or household is able to obtain legal documentation (i.e. legal title) to prove ownership rights (De Soto 2000; Feder 1987; Besley 1995). The belief among many land

¹⁷¹ In most cases, polling stations are prominent and easily identifiable community centers such as schools or churches. Using the polling station therefore provided a feasible way to create enumeration areas. In addition, Kenya’s Independent Electoral and Boundaries Commission (IEBC) maps most polling stations and thus it easy to find the GPS coordinates of each site.

¹⁷² Enumerators received instructions on how to randomize the selection of household members to avoid selection bias. Enumerators indicated and described all non-responses.

¹⁷³ The sample total in Nakuru was supposed to be 216 but enumerators were not able to access one of the polling stations due to impassable roads.

economists for example, is that full land security can only be realized when land is registered and protected by a legal title (Brasselle et al. 1999).

I argue, however, that the presence or absence of legal titles is not a direct measure of individual land security. Instead, I suggest that the form of land documentation is one among several predictors that can help explain why certain individuals (or group members) feel more land secure than other citizens or group members. Security of tenure is the certainty that a person's right to land will be recognized and protected from specific challenges such as competing land claims or eviction threats (FAO 2002). The challenge is finding a method that measures this certainty. Some scholars have argued that "land security is obviously not a variable that can be continuously observed and measured" and instead measure the bundle of rights that constitute secure tenure.¹⁷⁴ One limitation with this approach is that it equates tenure security with a person's right to use and transfer land (i.e. the right "to do something"). Yet even when individuals have a full range of land ownership rights, they may still feel land insecure. In environments where the enforcement and adjudication of property rights are weak or highly politicized, and where citizens do not trust the state or the public security apparatus to protect them and their property, the strongest measure of tenure security is an individual's own assessment.¹⁷⁵ In effect, if an individual is uncertain about her right/ability to use and control her land or property into the future, she does not have land security. The factors that may influence land security may be exogenous to the land tenure regime itself such as an ongoing violence and instability, inter-group rivalry, or upcoming elections. As a way of testing how land-related factors shape subjective assessments of land security, I propose the following hypotheses:

¹⁷⁴ Brasselle et al. (1999) specify nine rights that constitute the "bundle of land rights." The main focus of this and other similar studies is on the relationship between land tenure security and investment.

¹⁷⁵ [Landesa Rural Development Institute](#) is trying to harmonize efforts around a similar measure for land rights based on whether a person has a legal land document and whether a person perceived that their rights are recognized and protected.

H₁: An individual who holds a genuine title deed is more likely to feel land secure than an individual who does not have a title deed.

H₂: An individual who has never experienced eviction from her land by a rival group or the state is more likely to feel land secure than someone who has experienced eviction.

H₃: An individual who has a plot of land with a sizeable land holding (over 2.5 acres) is more likely to feel land secure than an individual with less cultivatable land (less than 2.5 acres).

In addition, the geopolitical boundaries where an individual resides, as well as his or her ethnic identification may also influence subjective measures of land security. The argument here is that the use of land as a source of patronage by political leaders is most pervasive in regions that are politically or electorally significant (i.e., electorally strategic for winning presidential races). Residents living in these zones, like much of the Rift Valley, will benefit from land titling or resettlement schemes that their political leaders use to expand or solidify political networks. By contrast, in more politically marginal areas such as the Coast region, politicians will be less likely to use land as a way of building political support. Residents in these zones will have fewer modes of accessing or securing land, as I detailed in the previous chapters. I thus deduce the following hypothesis:

H₄: If an individual is a member of one of Kenya's larger ethnic communities (i.e. Kikuyu), s/he is more likely to feel land secure than is she is from one of Kenya's smaller ethnic groups (i.e. Mijikenda).

3. Measuring Individual Land Security

In this first section, the dependent variable of interest is land security, which I measure through two variables: The respondent's assessment of their own land security (*Land Security*) and the respondent's fear of eviction (*Fear of Eviction*). I focus on three main explanatory variables that include: the type of land documentation that an individual possesses (*Title*); The

size of the respondent's plot of land under cultivation (*Land Size*); and whether the respondent has been evicted at any time in the past (*Past Eviction*).

Land Security

I begin by measuring subjective land security. The original survey question provides the respondent with a set of statements that describe different levels of land security or insecurity. The respondent then selects the statement that best matches his or her own view. I recoded these responses into a binary variable where responses indicating that a respondent feels land security are equal to one, and responses indicating that a respondent feels land insecure are equal to zero.¹⁷⁶ Out of 728 valid responses, 36 percent indicated that they felt land insecure, while 64 percent said they felt land secure. However, there is important variation in land security across both region and ethnic group. The figure below shows this variation in land security across the four sampled counties.

Fig. 4.2. Percent who feel “Land Secure” and who “Fear Eviction” by County:

	<i>Nakuru</i>	<i>Uasin Gishu</i>	<i>Kilifi</i>	<i>Kwale</i>	<i>Total</i>
Land Secure	72% (145)	72% (117)	48% (103)	67% (101)	100% (728)
Fear Eviction	39% (80)	36% (59)	50% (107)	41% (66)	100% (742)

Land Secure (Pearson Chi2, p<0.001), Fear Eviction (Pearson Chi2, p<0.05)

In addition to regional variation, levels of perceived land security also vary by ethnic identification. Across the three largest ethnic groupings in the sample (Kikuyu, Kalenjin, and Mijikenda), I find that more Kalenjin respondents feel land secure (77 percent) compared to Kikuyu and Mijikenda (65 and 62 percent, respectively).¹⁷⁸ These results are surprising in part because many scholars have argued that because Kikuyus benefited from political patronage

¹⁷⁶ See Appendix for full description of question (from Q39)

¹⁷⁸ These three ethnic identities (Kikuyu, Kalenjin, and Mijikenda) account for 82 percent of the total sample (617 out of 750 respondents).

under Jomo Kenyatta (1963-1978), they have been able to attain stronger formal land security across the country relative to other ethnic groups (Leo 1984; Harbeson 1973).

Yet after almost 25 years of election-related violence, particularly in the Rift Valley, Kikuyus might feel less land secure compared to Kalenjin citizens because they have endured more violent evictions. Among some Kikuyu, land insecurity or fear of eviction may have less to do with a lack of proper land documentation and instead, with the fear or expectation that a rival political party will seek to displace them. By contrast, for many Mijikenda and even Kalenjin, feelings of land insecurity are more often linked to a lack of proper documentation, which leaves them vulnerable to eviction by title-holders or state officials. As the survey data suggests, Mijikenda living in the Coast region are significantly less land secure than citizens in the Rift Valley.¹⁷⁹

Fear of Eviction

The second measure of land security asks whether a respondent fears future eviction. The survey question asks: “*Right now, how much do you fear being evicted by the government or another group?*” This question is also subjective. It asks the respondent to assess his or her level of fear rights to land (i.e. perceived threat of eviction, destruction of property, or abrogation of rights). A person’s fear of losing land through eviction by the state or non-state claimants provides one way of assessing a person’s certainty that his or her tenure rights will be protected. Figure 4.2 above shows how the proportion of individuals who fear eviction varies across counties. As the results demonstrate, respondents in Kilifi are consistently less land secure than respondents from Kwale County, but even more so, by respondents from counties in the Rift

¹⁷⁹ A two-sample t test between the Rift Valley and the Coast regions indicates that respondents in the Rift Valley have a land security “score” of 0.72 while respondents on the Coast have an a lower average land security “score” or 0.56, a difference of 0.16, where $p < 0.001$.

Valley.¹⁸⁰ Overall, more than forty percent of respondents fear eviction. These figures may not be surprising given the use of eviction as a political tool alongside the state's weak and arbitrary enforcement of land rights.

Independent Variables: Land Documentation (Title Deed)

I turn now to describing factors that can explain why some citizens feel land secure while others do not. The first factor is the type of land documentation that an individual holds. The survey asked respondents, "What type of documents do you have, if any, that show that you own this land?" The figure below shows the distribution of responses. A little more than a third of respondents (33 percent) indicated that they had a genuine title. There are, however, some limitations in inquiring about a person's formal tenure status, particularly through a survey. The first problem concerns potential measurement error. Many respondents lack genuine title deeds but have incentives to lie to survey enumerators. In contexts where evictions are common, some respondents may fear that by admitting that they lack a title deed, they will make themselves more vulnerable to evictions in the future. As a result, researchers may struggle to elicit truthful and reliable responses from respondents. Second, measuring the presence or absence of title deeds may not actually measure an individual's sense of land tenure security. As I argue, this sense of land security—the belief that the state or a rival group cannot evict one's family or revoke one's land tenure rights—may not be function of whether an individual (or group of individuals) holds a title deed. Residents for example, may have titles but feel land insecure due to threats from a neighboring group. Alternatively, residents may not have genuine title deed but may feel relatively land secure for other reasons. For example, there may be an absence of competitive claims on the land, they may benefit from the protection of a strong leader, or they

¹⁸⁰ This scale was originally a four-point scale that I have recoded into a binary variable.

may believe that alternative forms of land documentation provide adequate security (e.g. ancestral or family-based claims).

In contrast to the rates of land documentation that the survey data show, my qualitative data produced quite different responses to a similarly worded question. In the setting of an in-depth interview, however, the researcher is better able to mitigate fears and anxieties about revealing land documentation, and hence the respondent is more likely to understand the question fully or tell the truth. The table below highlights the variation in the responses between qualitative interviews and survey responses gathered from the counties in the Coast region.

Fig 4.3 Discrepancies in Survey Responses

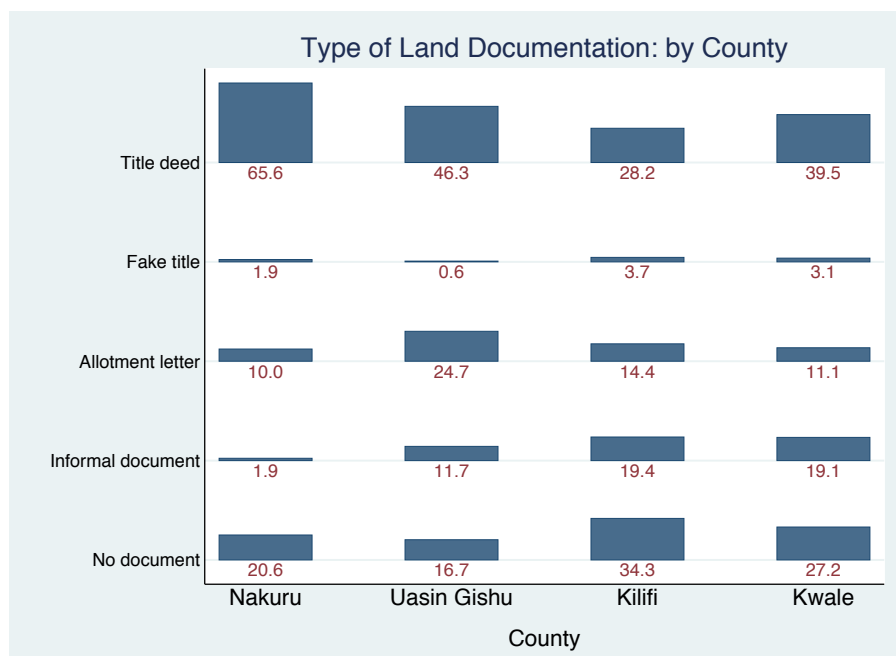
Type of Land Documentation: Coast Only				
Differences in responses between Qualitative Interviews and Survey				
	Qualitative Interviews		Survey Responses	
	No.	%	No.	%
Allotment Letters	17	21	49	13
No Document	57	70	118	31.2
Title Deed	8	10	125	33
Other	NA	NA	86	22.75
Total	82	100%	378	100%

Here we see that only 10 percent of interviewees indicated that they had a title deed, while 70 percent said they did not have any documents, and 21 percent had plot allotment letters. This contrasts results from the survey, where 33 percent indicated that they held a title deed while only 31 percent said that they had no documents.

The figure below shows variation in the types of land documentation across the four counties included in the survey.¹⁸¹ The results show that significantly more respondents hold a “genuine” title deed in Nakuru and Uasin Gishu (Rift Valley counties) compared to respondents from the Coastal counties (Kwale and Kilifi).

¹⁸¹ N= 749, Pearson Chi-2 (12)=99.74, P<0.001. Frequency totals for each document type are as follows: Title deed (337), Fake title (18), Allotment letter (110), Informal document/ letter (96), and “No document” (118).

Fig. 4.4

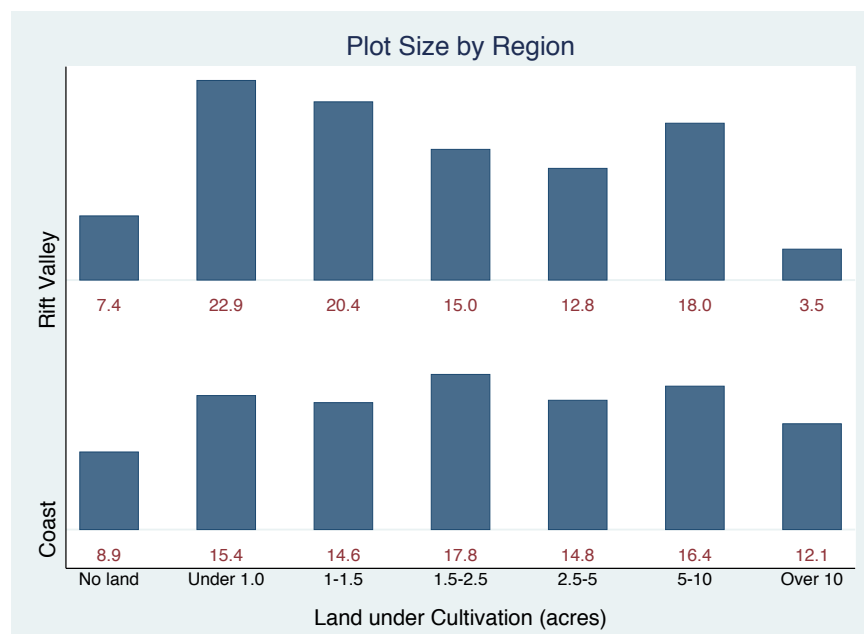


Measure 2: Plot Size

A second predictor of land security is the size of land that an individual cultivates. The variable *Land Size* comes from the following question: “*What is the size of the plot of land you currently cultivate (in acres)?*” The figure below shows the distribution of responses by the size of land and by across the two regions (Rift Valley and Coast).¹⁸²

¹⁸² N=738, Person Chi-2 (6)=28.6, P<0.001. Frequency totals for each category of plot size are as follows: No land (60), Under 1 (141), 1-1.5 (129), 1.5-2.5 (121), 2.5-5 (102), 5-10 (127), Over 10 (58).

Fig. 4.5



Measuring the size of individual land plots can provide insight into the level of individual land security. The correlation between plot size and land security suggests that as the size of an individual's land plot increases, the probability of being land security also increases.¹⁸³

While this relationship seems intuitive, we might also predict a reverse U-shape curve, where people feel most secure when the size of their land falls between a “middle range” (i.e. 2.5-10 acres). Yet when their acreage exceeds a certain point, perceptions of land security could decline, as individuals feel increasingly vulnerable to attacks or expropriation from land hungry neighbors or even the state. The survey could not observe this relationship, however, because the number of Kenyans who own large tracts of land are such a small percentage of the overall population and hence did not enter into the survey sample. In addition, I'd argue that in the Kenya context, the size of land holding and land security is a positive and linear relationship. Large landholders are not the targets of land appropriation, regardless of their ethnic or political

¹⁸³ Pairwise correlation between land security and plot size is 0.31, ($p < 0.001$).

identification. It is also notable that while Coastal residents are on average less land secure than Rift Valley residents, a greater number of Coastal residents cultivate larger plots of land.¹⁸⁴

Measure 3: Past Eviction

A third measure of land security asks respondents: “*Have you or any members of your family ever been evicted by the government?*” The theory here is that a citizen’s sense of land security is an outcome of their experience with state authority and state institutions. Individuals who have received both plots of land and property rights protection from through a political authority figure should also have a stronger sense of land security in the present. Yet if a citizen has experienced eviction from their land, then they are less likely to trust the formal and informal rules that protect rights to land. Overall, 77 percent of respondents indicate that they have never been evicted while 23 percent say that they have been evicted. Across all four counties the proportion of respondents who have been evicted are as follows: Nakuru (25 percent), Uasin Gishu (18 percent), Kilifi (30 percent) and Kwale (14 percent). While most residents from across the four counties have never experienced an eviction, there is some variation by ethnic group. A greater proportion of respondents who identify as Kikuyu or Mijikenda have experienced an eviction compared to respondents who identify as Kalenjin.¹⁸⁵ The higher rates of eviction endured by Kikuyu residents is in large part the result of the violent and coercive policies employed by former President Moi’s KANU regime in the 1990s. Election-related violence that accompanied the first decade of multiparty elections (1991-1997), led to over 2,000 deaths and 400,000 internally displaced people throughout the country (Human Rights Watch

¹⁸⁴ In the Rift Valley, 21.5% cultivate at least 5 acres versus 28.5% in the Coast region. The higher proportion of government settlement schemes and land buying companies in the Rift Valley, which usually range from 1.5-5 acres, may account for differences in plot sizes. Along the Coast, residents have been able to claim the land of other legal owners (i.e. by “squatting”) and hence the boundaries established by the government may have less importance.

¹⁸⁵ Among Kikuyu and Mijikenda, 26 and 27 percent of respondents have been evicted respectively, while 18 percent of Kalenjin have experienced eviction.

2002). Much of this violence took the form of forced evictions and destruction of homes. Moi assumed that Kikuyus living in the Rift Valley were members of the political opposition and hence posed a threat to his party's political power. KANU elites thus used the forceful eviction of Kikuyus, such as the burning of homes, as a way to reduce opposition votes in potentially competitive districts (Throup and Hornsby 1998; Klopp 2002).

In Kwale and Kilifi Counties of the Coast region, where all Mijikenda respondents reside, very few residents have legal title to the land. Evictions are not a way to alter the vote margins. Instead, they occur when wealthy and powerful individuals or corporations obtain title to a piece of disputed land and are able to use private and public security to "evict squatters."¹⁸⁶

4. Explaining Belief in "Anti-Outsider" Land Narratives

What factors influence the likelihood that a respondent subscribes to anti-outsider land narratives? One possibility is that individuals are less likely to feel threatened by the in-migration of another group if they are certain that their land tenure rights are secure. Confidence in one's land tenure rights should diminish an individual's perceived vulnerability to any political or economic gains made a competing group and hence, should diminish a sense of competition, fear, or hostility toward members from another group. Alternatively, feeling land secure may be a function of benefiting from an institutional or political environment whereby residents believe that their membership within a particular ethnic or political group has enabled them to secure land rights and accumulate wealth. Despite feeling land secure in the present, these citizens will also be more defensive of the particular ethno-political arrangement that has facilitated their right to own and accumulate land and property. One implication of this defensive stance is the belief that migrant groups will disrupt or undermine the balance of political power that has facilitated

¹⁸⁶ See chapter 3 for details on the current land politics on the Coast and Chapter 2 for the political history.

land security or the accumulation of land. In sum, individuals who have a stake in the political game—such as those who own land—will see the in-migration of a rival group as a threat to key networks of land access and distribution. Yet the type of land security may affect narrative formation in different ways. One possibility is that holding a formal document to the one's land (i.e. a genuine title deed) helps determine whether an individual believes in anti-outsider land narratives. Alternatively, the formal land document may matter less than the fear of being evicted from one's land. It may also be that an individual's perception of their land security is the strongest predictor of whether a person believes in anti-outsider land narratives.

In line with this argument, I suggest that both the sub-national political boundaries where an individual resides (i.e. the county or constituency) and his or her ethnic identification also affect anti-outsider land narratives. As I have argued elsewhere, the politics of land access varies across region and county. People will have more aversion to migrant groups in parts of the country where there is a belief that land access and security are linked to whichever group has greater political power. As I argue in chapters two and three, this dynamic is more pervasive in part of the Rift Valley than the Coast region. People may also promote nativist land narratives if they believe that members from another ethnic community threaten their safety and well-being. I thus deduce the following hypotheses:

H₅: Individuals who hold a genuine title deed for their plot of land are less likely to believe in anti-outsider land narratives compared to individuals who do not have a title deed to their land (*TitleDeed*).

H₆: Individuals who fear eviction from their land are more likely to believe in anti-outsider land narratives compared to individuals who do not fear eviction from their land (*Fear Eviction*).

H₇: Individuals who feel land secure are less likely to believe in anti-outsider land narratives compared to individuals who do not feel land secure (*Land Secure*).

H₈: Individuals who feel land secure are more likely to believe in anti-outsider land narratives than individuals do not feel land secure (*Land Secure*).

H₉: Individuals who are residents of the a county in the Rift Valley (Uasin Gishu or Nakuru) are more likely to believe in anti-outsider land narratives than individuals who reside in Coast counties (Kwale and Kilifi).

H₁₀: Individuals who have heard politicians promise title deeds during elections are more likely to agree with the anti-outsider land narrative than individuals who have never heard such promises.

5. Measuring Contentious Land Narratives

The main dependent variable of interest at this stage is what I term *contentious land narratives*. Broadly, I define these narratives along two dimensions: (1) conflicting views between individuals/groups about how property rights to land are constituted or legitimized and; and (2) the degree to which people view members from outside groups as a threat to their own land security and overall well-being. In sum, land narratives reflect fear of an outside group who threatens to appropriate land as well as conflicting beliefs between groups about how the state or informal institutions should grant and enforce land rights. In this chapter, I use the term contentious land narratives to evaluate the second dimension of this concept: the belief that outsider or rivals groups will threaten or have eroded land rights.

Throughout this study, I've used the term *narrative* to describe the beliefs that are publicly expressed by members of a group. Individual group members narrate these stories or opinions, but individual views only take the form of a collective narrative when they resonate with a significant number of people who commonly identify with one another.¹⁸⁷

The survey takes the individual-level attitude as the primary unit of analysis. By design, it is limited in its ability to measure different group-level land narratives because it cannot

¹⁸⁷ Individuals may identify along ethnic, religious, residential, occupational or class lines. Yet in most cases, people commonly identify along ethnic lines and the corresponding political identities.

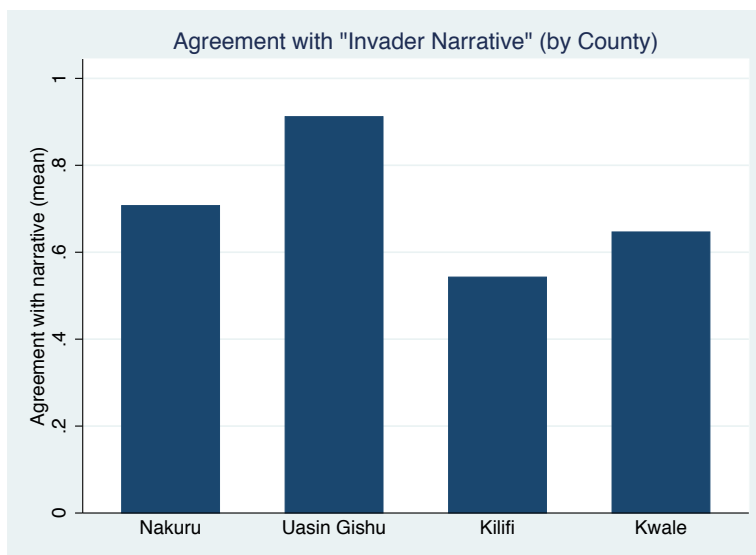
capture the degree to which a narrative resonates across the group. The survey asks respondents a series of questions that measure the degree to which an individual interprets a hypothetical outsider or rival group as a threat to the land security or political power of one's group. The design of these survey questions allows me to determine whether certain types of individuals are more likely to agree with a certain set of beliefs about their rights to land based on their membership to a particular ethnic or regional group.¹⁸⁸ By "type of individual" I refer to the range of explanatory factors that can shape attitudes such as strength of land tenure security, ethno-lingual identification, level of wealth and education, age, and gender. The three survey questions aim to determine the degree to which the respondent views another group as a threat to their personal or group-level land security. While the responses reflect individual attitudes or beliefs rather than collective land narratives, I can make certain predictions about how views form by aggregating individual responses across group or regional categories. Each question evaluates a slightly different land narrative that is pervasive in parts of Kenya, or one that becomes more salient as elections approach.

First, I ask respondents how much they agree or disagree with following statement: "*Our community is landless today because other tribes have invaded and taken land that belongs to us.*" I call this the "invader narrative." The question captures the belief that migrants from other regions of the country have unjustly "invaded" the land or territorial space of another group and as a result, have undermined the land rights or access of the so-called native group. The figure below shows the variation in responses between respondents from Rift Valley counties (Nakuru

¹⁸⁸ In other chapters I expand on the idea that where narratives are more contentious, groups members believe that that land rights are allocated and secured through membership in sub-national groups (i.e. the ethnic group or ethnically aligned political party). Yet where individuals have less "contentious" views of rights to land, they are also more likely to conceptualize land rights as a private good obtained as national citizens—as Kenyans citizens rather than Ethnic Group "A" or "B."

and Uasin Gishu) and the counties in the Coast region (Kilifi and Kwale).¹⁸⁹ Particularly striking is the difference in views between people from Uasin Gishu and Kilifi.

Fig. 4.6: Mean Agreement with “Invader Land Narrative” by County



What we see is that over 90 percent of respondents in Uasin Gishu—73 percent whom identify as Kalenjin—believe that “invaders” from other ethnic groups have taken over land that rightfully belongs to their ethnic community.¹⁹⁰ Yet in Kilifi, where formal land rights are much weaker than in Uasin Gishu, only 54 percent of respondents agree with the statement. Thus, while many Kilifi residents subscribe to an “invader narrative,” it does not resonate as widely as it does in parts of the Rift Valley.

Second, I measure the strength of what I call the “liberal narrative.” The survey asks respondents to indicate how much they agree or disagree with the following: *“I am comfortable with any Kenyan coming to live in this community, even if he has a title deed and I do not have my own.”* The statement combines two connected and widely held beliefs. The first is an idea

¹⁸⁹ N=724, Pearson Chi2 (3)=56.7, P<0.001. Number of people who agreed with invader narrative = 501, total number who disagreed (223).

¹⁹⁰ The original question creates an ordered factor variable with 5 responses (strongly agree, agree, strongly disagree, disagree, don’t know). I collapse these into a binary variable (0= disagree, 1= agree). “Don’t knows” are excluded. I do the same for the “Anti-Outsider Narrative” and the “Liberal Narrative.”

about “the right to live anywhere”—a central tenet of national or liberal forms of citizenship (Ndegwa 1997). There is a long history of Kenyans contesting national versus sub-national forms of citizenship as it plays out in formal and informal institutions. At the formal level, Kenyans have disagreed about the type of constitution that would most effectively govern the country dating back independence in 1963. The constitutional model that prevailed was based on the idea of national citizenship. The second model, referred to *majimboism* (i.e. federalism) promoted a devolution of power to ethnically defined regions. Smaller tribes believed that this model would better protect their land and economic interests from the “tyranny of the majority.” These constitutional debates continue to affect views about the right to reside anywhere but more so, the right to own land and accumulate wealth beyond one’s imagined ethnic homeland.¹⁹¹

The second feature of this narrative measures the types of citizens who are more likely to view land secure migrants as a threat to their own land security. I make observations about which respondents interpret land tenure inequality between themselves and an hypothetical outsider. The true “liberal” is thus a respondent who, despite his or her own land insecurity, does not perceive a migrant or ethnic stranger with a title deed as a threat.¹⁹² Respondents in Uasin Gishu overwhelmingly disagree with the statement: 83 percent of respondents indicate that they are not comfortable with an ethnic stranger coming to live within their community. Yet in Kilifi, only 30 percent of people said that they would be uncomfortable with this scenario. These differences point to counter-intuitive variation in the strength of contentious land narratives (measured here by “anti-liberal” narratives).

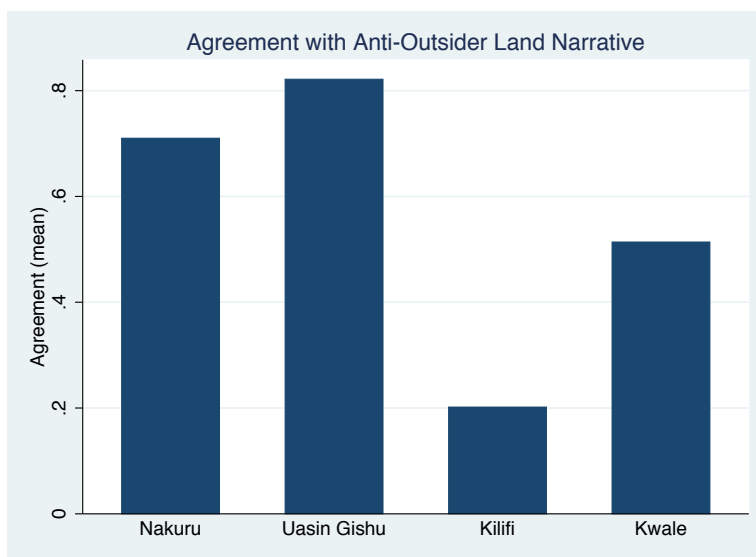
¹⁹¹ See chapter 2 for historical background on this debate.

¹⁹² See the figure in Chapter 8 that details the distribution of responses by county.

Third, I ask respondents how much respondents agree with the following question: “*Outsiders do not deserve to own land in this area. The problem is that they use corrupt means to buy land from indigenous people.*” I call this the “anti-outsider narrative.” The wording of the question reflects a narrative that circulates in many parts of the country. The narrative has two elements. The first is based on the idea that each ethnic group can only make legitimate claims to land within the boundaries of its ancestral homeland. Hence, those living outside their ancestral home cannot make the same land claims as an individual who identifies as a native or son-of-the-soil (Weiner 1978; Geschiere 1998). The second part of this narrative suggests that because non-natives have settled outside the boundaries of their ancestral communities, they have used illegitimate means to acquire land from natives and in the process, have eroded the land rights of the native community. Typically, these sentiments are strongest in areas where outsiders have been able to use their connections with the state to access land, jobs, and financing. Some scholars suggest that these sons-of-the-soil narratives are strongest where the native group is the minority (Fearon and Laitin 2011). Yet as the Uasin Gishu case demonstrates (see fig below), strong anti-outsider narratives (akin to sons-of-the-soil narratives) emerge even where so called “natives” comprise upward of 70 percent of regional population.¹⁹³ The table below shows a similar distribution of responses as the “invader narrative,” yet we see even more dramatic differences between the views of respondents from Rift Valley and Coastal counties.¹⁹⁴ The main outlier here is Kilifi County (Coast), where only twenty percent of respondents (n=43) agreed with the anti-outsider narrative. This contrasts Uasin Gishu County, where 82 percent (n=129) of all respondents agreed with the narrative.

¹⁹³ Here I am referring to the 73 percent of Kalenjin in my sample who are considered natives to both Uasin Gishu and the Rift Valley more broadly. By contrast, Kikuyus living in Uasin Gishu/ the Rift Valley are seen as migrants or outsiders.

¹⁹⁴ N=721, Pearson Chi2 (3)= 172.9, P<0.001. Total number of respondents who disagree with the narrative =328 (45.5%), total who agree = 393 (54.5%).

Fig. 4.7: Mean Agreement with “Anti-Outsider Narrative”

Controls

In each model I include a set of variables that control for alternative explanations. These controls include the ethnic identification of the respondent (based on the language group with which the respondent most closely identifies), population of the respondent’s constituency and the population density of the constituency (both based on 2009 figures, logged), highest level of education achieved, age, gender, and relative urbanness (respondent indicates whether they live near a town/ trading center, rural area by a main road, rural area within 2km of a paved road, or more than 2km from a paved road), and the respondent’s level of wealth (not included in all models).¹⁹⁵

6. Results

In this section I present results from a set of estimations that test my hypotheses about: a) the determinants of individual land security and, b) the determinants of contentious land narratives (i.e. agreement with anti-outsider land narrative). I estimate a series of multi-level models using random fixed effects logistic regression, where I cluster individuals within

¹⁹⁵ See appendix for the survey codebook, which specifies each of these controls.

constituencies (the parameters of random effects). Table 4.1 below provides the summary statistics. The remaining tables are located in the appendix of this chapter.

Table 4.1
Summary Statistics for Determinants of Land Security and Contentious Land Narratives

Variable	Obs.	Mean	SD	Min.	Max
Anti-Outsider Narrative	721	.545	.498	0	1
Land Security	728	.640	.480	0	1
Fear of Eviction	742	.420	.493	0	1
Past Eviction	744	.774	.418	0	1
Title Dummy	750	.449	.497	0	1
Title (type of document)	749	2.71	1.69	1	5
Plot Size	738	3.92	1.78	1	7
Title Promise	748	.624	.484	0	1
County	750	2.44	1.11	1	4
Region	750	1.50	.500	1	2
Ethnicity	741	2.49	.936	1	4
Male	747	.513	.500	0	1
edu	750	3.92	1.45	1	6
Age	748	2.88	1.02	1	5
Urban	750	3.50	1.39	1	5
Wealth	733	1.84	.720	1	4
Population 2009 (ln)	750	11.9	.228	11.4	12.2
Population Density 2009 (ln)	750	5.4	.812	3.22	6.35

Table 4.2 estimates the predictors of land security, where the dependent variable is the likelihood that an individual feels land secure. Models 1-5 estimate predictors using the full sample (Rift Valley and Coast), while Models 6-9 show results based on regional sub-samples (Rift Valley or Coast). Table 4.3 shows the predictors of land security where the measure of land security is a person's fear of eviction (*FearEvict*). Model 1 uses the full sample, Model 2 is based on the Rift Valley, while Model 3 uses respondents from the Coast region.

Table 4.4 and 4.5 show the predictors of anti-outsider land narratives. The main explanatory variables are different measures of land security while the dependent variable is the likelihood that an individual agrees with the "anti-outsider land narrative." Table 4.4 estimates

predictors of this anti-outsider narrative using the full sample. Table 4.5 estimates models based on regional sub-samples.

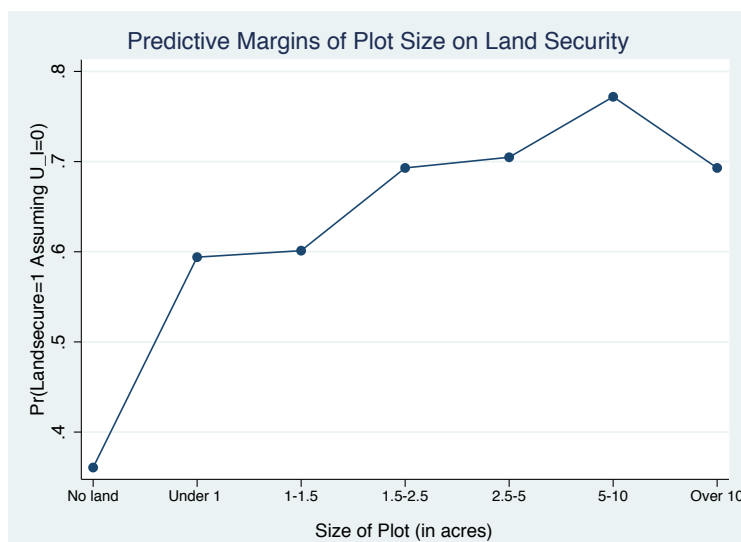
Part 1: Determinants of Individual Land Security

Table 4.2 presents nine models in which the outcome of interest is a respondent's assessment of his or her own land security. Model One estimates the effects of my four main explanatory variables that include: the type of land documentation (*Title*), plot size, and whether a respondent has been evicted from his or her land in the past (*PastEvict*). It also includes a respondent's county of residence and his or her ethnic identification in addition to all other controls. The results show that all three land-related variables are statistically significant. These results confirm hypotheses 1-3. First, we see that an individual who has a genuine title deed has a much higher probability of feeling land secure than individuals who have some other form of documentation. Importantly, the results indicate that having a "fake title deed" is more likely to make an individual feel land insecure than other sub-standard forms of documents (i.e. allotment letter, informal document, or no document).¹⁹⁶ Second, the results from Model One show that the size of land that someone cultivates significantly affects the probability that s/he will feel land secure. The figure below illustrates the change in the predicted probability that an individual will feel land secure as she moves from having no land (36 percent) to having between 5-10 acres of land (77 percent).¹⁹⁷

¹⁹⁶ The predicted probabilities of feeling land secure are as following: genuine title deed (83%), "fake title deed" (43 percent), Plot allotment letter (58 percent), informal letter (48 percent), no form of documentation (46 percent). All predicted probabilities (based on Marginal Effects at the Means) are statistically significant, where $p < 0.001$.

¹⁹⁷ Predicted probabilities of feeling land secure are as follows: no land (36 percent), under 1 acre (59 percent), 1-1.5 acres (60 percent), 1.5-2.5 acres (69 percent), 2.5-5 acres (70 percent), 5-10 acres (77 percent), over 10 acres (69 percent). Only 7.9 percent of respondents fall within this last category (over 10 acres).

Fig. 4.8



Third, results from the model show that people who have experienced an eviction have a lower likelihood of feeling land secure (*Hypothesis 2*). Someone who has been evicted has 49 percent probability of feeling land secure while a person who has never been evicted has a 69 percent probability of feeling land secure. Fourth, we can see differences between the four counties included in the survey sample. If an individual is from Uasin Gishu (Rift Valley), s/he has the highest probability of feeling land secure (83 percent). People from Nakuru (Rift Valley) have a 65 percent probability of feeling land secure. Along the Coast, the probability that a resident from Kwale County feels land secure is 60 percent, while that probability that a Kilifi resident feels land secure is 51 percent. In sum, we can see that respondents who are from Kilifi and who either lack a title deed or have experienced eviction are the most likely to be land insecure among the survey respondents. By contrast, individuals who have the highest likelihood of feeling land secure are people from Uasin Gishu who have never been evicted or who have a genuine title.

Model 2 estimates the same set of predictors as Model 1, but here I replace the variable *County* with *Region* (Rift Valley or Coast). All explanatory variables remain statistically

significant. The results also indicate that an individual from the Rift Valley region has a 73 percent probability of being land secure while someone from the Coast has only a 55 percent likelihood of feeling land secure.

In Model 3 I only include the type of land documentation (Title) as the main explanatory variable (excluding plot size and past eviction). We see similar effects on land security. In particular, the results show striking differences in the likelihood that an individual from the Rift Valley and Coast Region will feel land secure, depending on the type of land document that hold. The figure below indicates how the predicted probabilities change between both region and between the categories of land documentation. It is important to note here that among individuals in both regions, having a fake title deed is more likely to reduce feelings of land security than other forms on sub-standard land. Yet taking the fake title as an example, we see that Rift Valley individuals are still much more likely to feel land secure (57 percent) versus this same person from the Coast (32 percent).

Fig. 4.9

Model 3: Predictive Margins of Land Documentation		
Documentation (<i>Title</i>)	Rift Valley	Coast
1. Title deed	0.92*** (0.23)	0.78*** (0.06)
2. Fake title	0.57*** (0.12)	0.32** (0.10)
3. Allotment letter	0.73*** (0.05)	0.49*** (0.07)
4. Informal document	0.54*** (0.08)	0.30*** (0.06)
5. No document	0.50*** (0.07)	0.27*** (0.05)
Observations: 718		
Standard errors in parentheses		
Note: All predictors at mean value		

In model 4 I repeat the same estimation as above but I use a binary variable for the land documentation (Title Dummy).¹⁹⁸ By re-coding land documentation, results from the model indicate the effects of having a genuine title deed on land security. People who report to have a “genuine” title deed have an 86 percent probability of also feeling land secure. Yet without such a document, the probability of feeling land secure drops by 39 percent (to 47 percent). Again, there are striking differences between regions. While the likelihood of feeling land secure drops by about thirty percent for individuals living in both the Coast and the Rift Valley, individuals in the Coast region have a much lower likelihood overall of feeling land secure. Hence, without a title deed, they have only a 33 percent predicted probability of feeling land secure. By contrast, the same individual living in the Rift Valley without a title deed has a 60 percent likelihood of feeling land secure.¹⁹⁹

In Model 5 I replace the binary variable for land documentation with the variable that estimates the effects of whether a person has been evicted from their land in the past (*PastEvict*). Otherwise, all other variables and controls are identical to Model 4. As Model 1 indicates, past eviction is statistically significant ($p < 0.001$) and has a positive effect. That is, if a person has never been evicted (1) they have a much higher probability of feeling land secure. There are also important regional differences. Specifically, a person who has experienced eviction from the Rift Valley has a 58 percent probability of feeling land secure, while this same person from the Coast has only 29 percent probability of feeling land secure. Meanwhile, Rift Valley residents who have never experienced eviction have an 81 percent probability of feeling land

¹⁹⁸ Title Dummy: Respondent’s who indicated that they have a genuine title deed = 1. All other respondents who indicated that they either lacked documentation or has something less than a “genuine” title deed = 0 (no title deed),

¹⁹⁹ Predicative margins for region and land security are as follows: Rift Valley resident without a title (60 percent), Rift Valley resident with a title (91 percent), Coast resident without a title (33 percent), Coast resident with a title (76 percent).

secure while Coast residents who have not been evicted still have only a 57 percent probability of feeling land secure.²⁰⁰

In the following models (6-9), I estimate the same set of predictors as the preceding models (1-5), but only across a regional subset of all survey respondents. Models six and seven estimate the predictors of land security among respondents from the Rift Valley, while Models eight and nine estimate predictors among respondents from the Coast Region. Dividing the sample by each region helps identify possible effects of each predictor without the influence of a “Coast” or “Rift Valley” effect. Model 6 (Rift Valley) shows that the form of land documentation is again statistically significant. When people hold a genuine title deed, it has a positive effect on the likelihood that feels land secure. But for all other forms of land title documentation, there is a significant but negative effect: it decreases the likelihood that someone will feel land secure. Notably, when estimating predictors among Rift Valley respondents only, plot size is no longer statistically significant. Past eviction however, remains a significant predictor of whether someone from the Rift Valley feels land secure. Specifically, if someone has been evicted s/he has a 58 percent probability of saying she feels land secure, while if she has never been evicted, the probability increases to 76 percent. Model 7 replicates the Model 6 but replaces variable *Title* (type of land documentation) with the binary form of the variable (*Title Dummy*). As we might expect, having a title deed is both positive and statistically significant. The figure below shows how the probabilities of someone feeling land secure change depending on whether s/he has a title deed and on whether s/he has been evicted from her land in the past.

²⁰⁰ Predictive probabilities of past eviction across both regions: never evicted (71%), evicted (43%). Predictive probabilities of region: Coast (50.2%), Rift Valley (76%).

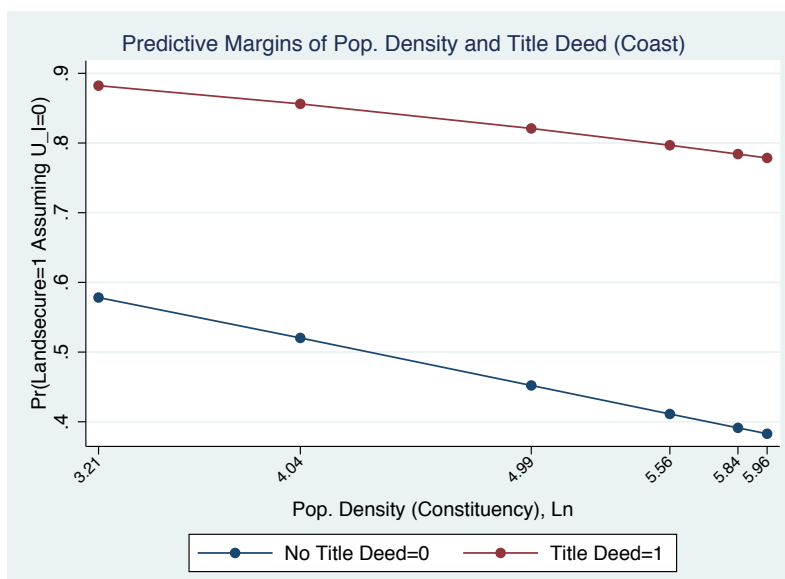
Fig 4.10 Predictive Margins of Title Deed and Past Eviction: Rift Valley (Model 7)

<i>TitleDummy</i>	Evicted	Not Evicted
1. Title Deed	.61*** (.04)	.88*** (.03)
2. No Title Deed	.36*** (.07)	.73*** (.06)
Observations: 356		
Standard errors in parentheses		
Note: All predictors at mean value		

Model 8 estimates predictors of land security based on respondents from the Coast. I use the same set of predictors as I do in Model 6 (Table 4.2). In contrast to the previous models of the Rift Valley region, the results show that a person's plot size is a statistically significant and positive predictor of land security. The trend mirrors the same one we see in Model One, Table 4.2. The probability that an individual feels land secure increases significantly as s/he moves from each category of land size. Not surprising, the biggest change is from individuals who say they have no land (11 percent probability of feeling land secure) to individuals who have the bare minimum for survival—less than one acre (44 percent probability of feeling land secure). Model 9 estimates the same set of predictors but replaces the title documentation (Title) with the binary form of the variable (*TitleDummy*). Having a genuine title deed and never having been evicted significantly increase the likelihood that a resident from the Coast will feel land secure. In addition, as both models of the Coast indicate, population density has a statistically significant and negative effect of individual land security. As the population density of an individual's constituency increases, they are less likely to feel land secure. The figure below illustrates how population density and possession of a title deed affect the probability that an individual feels land secure. At the extreme ends, a person who has a title deed and resides in the least population dense constituency in the Coast has an 88 predicted probability of feeling land secure. Yet this same individual who lives in the most population dense constituency who does not have

a title deed has only a 38 percent probability of feeling land secure. In sum, the predicted probabilities show that the absence of a title deed and population density can significantly undermine individual level land security.

Fig. 4.11



What happens if we change the measure of land security? Table 4.3 presents three sets of models where the outcome (dependent variable) is fear of eviction. As I explain in the previous section, I suggest that a respondent's fear of eviction (or lack thereof) provides an alternative way of measuring individual land security. Model one estimates predictors using the entire sample (Rift Valley and Coast). Model 2 estimates predictors using the respondents from the Rift Valley region only, and model three estimates predictors using respondents from the Coast region. Overall, the results from models 1-3 reveal the same relationship between predictors of land security as the above models. That is, an individual who has a title deed, has never experienced an eviction, and lives on larger plot of land is more likely to feel land secure. Or in the case of this set of models, the individual is less likely to fear their eviction.

The results also indicate some important exceptions. First, we see that in Models 1 and 2, ethnicity identity plays an important role in an individual's fear of eviction. Model 2 indicates

that an individual who is Kalenjin is significantly less likely to fear eviction than an individual who identifies as Kikuyu ($P < 0.007$). Specifically, someone who identifies as Kikuyu has a 47 percent probability of fearing eviction from his or her land, while someone who identifies as Kalenjin has only a 28 percent probability of fearing eviction.²⁰¹ This finding is important. It indicates that there may be differences among Kikuyu respondents in how they rate their land security versus whether they fear eviction. That is, while someone who identifies as Kikuyu has a higher likelihood of being more land secure than someone who is Kalenjin (Tables 2 and 3), they are also more likely to fear their eviction than a Kalenjin respondent. I suggest that respondents in the Rift Valley are interpreting “fear of eviction” to be a process of losing land through political violence or election violence in which Kikuyu have been the disproportionate target group. Hence, Kalenjin are more likely to feel land insecure because they lack the proper legal documentation to their land, but Kikuyu respondents are more likely to fear eviction because they fear their eviction during moments of politically instigated violence.

Second, results from Model 2 (Rift Valley) also indicate that having a title deed (*TitleDummy*) is not statistically significant. In other words, having a title does not affect whether someone fears eviction from his or her land. Taking into account the above observation that a Kikuyu respondent has a higher likelihood of fearing eviction, this result makes sense. In the context of the history of the Rift Valley, where there has been significant violence that has accompanied the 1992, 1997, and 2007-8 elections, the fear of eviction may be a closer measure than the fear of eviction associated with political violence, rather than eviction through political and legal methods by the state. In cases of political violence, having a title deed provides little protection against forcible eviction, which often occurs through arson, machete, or at gunpoint.

²⁰¹ In addition, respondents who identify as some “other” group (i.e. Kisii, Kamba, Luo) have a 65 percent probability of fearing eviction.

Model 3 from the Coast reveals a somewhat different story. Ethnicity is not included in the model because nearly all respondents are from the same ethnic group (Mijikenda). Results indicate that having a title deed is a statistically significant predictor of fearing eviction. That is, respondents who hold a title deed are significantly less likely to fear eviction than individuals who do not have a title.²⁰² The predictive power of the title deed on the Coast makes sense. Political violence has not been a dominant part of the region's history in Kwale or Kilifi. The main mode of eviction is through quasi-legal displacement by elites who obtain title deeds. Hence, having a title deed is a very powerful form of guarding one's land rights.

Part 2: Contentious Land Narratives

Table 4.4 presents four models that estimate the effects of land security on the likelihood that an individual agrees with the anti-outsider land narrative. In Model One, I estimate the combined effects of each of my main explanatory variables relating to land security: fear of eviction (*FearEviction*), possession of a title deed (*TitleDeed*), and perception of land security (*Land Secure*). The results show that of these three predictors, only an individual's perception of land security is statistically significant. However, the effect of land security contradicts the expected effect as specified in Hypothesis 7. Rather than individual land security (*LandSecure*) diminishing the likelihood that a respondent agrees with the narrative, land security has a positive effect: it increases the likelihood that an individual will agree with the anti-outsider land narrative ($p < 0.008$). In other words, people who are land secure are also more likely to believe in anti-outsider land narratives than people who are not land secure. This provides evidence for Hypothesis Seven. Looking at the marginal effects we see that an individual who feels land

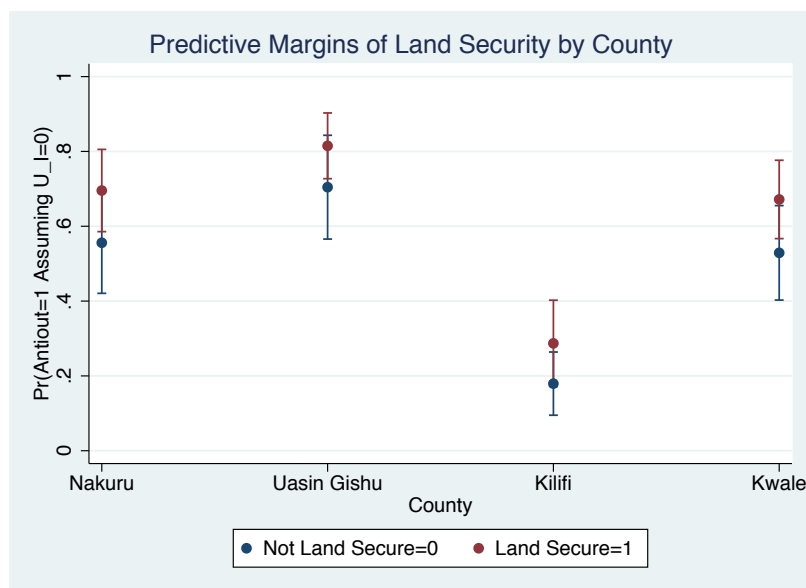
²⁰² Predictive margins: respondent has a title deed: 31 percent probability of fearing eviction; Does not have title deed: 53 percent probability of fearing eviction.

secure has a 60 percent likelihood of agreeing with the anti-outsider narrative.²⁰³ Yet if the individual does not feel land secure, s/he has a 48 percent predicted probability of agreeing with the narrative. As the results from the model indicate, the ethnic identification and region in which an individual reside also have a statistically significant and negative effect. Specifically, an individual from the Coast region has a 33 percent probability of agreeing with the narrative if s/he is land insecure yet a 47 percent probability of agreeing when s/he is land secure. A respondent from the Rift Valley meanwhile, has a 62 percent probability of agreeing if she is land insecure, but a 75 percent probability of agreeing with the anti-outsider narrative if s/he is land secure.

Model two is similar to the model above, but includes only one of my explanatory variables: Land Security (*LandSecure*). Results show that land security is a positive and statistically significant and has very similar effects as the previous models. Model three estimates the effects of the variables in Model Two but replaces the effects of Region (i.e. Rift Valley or Coast) with County (Nakuru, Uasin Gishu, Kilifi, and Kwale). The results show that land security has the same positive effect on the likelihood that an individual agrees with the anti-outsider narratives. However, the predicted probability that a person agrees with the anti-outsider land narrative based on their land security status does not vary as much. A land secure individual has a 59 percent probability of agreeing with the narrative while a person who is land insecure has a 48 percent probability of agreeing with the narrative. We can also see variation across the counties in which an individual resides. The figure below shows the differences in predicted probabilities (average marginal effects) based on whether an individual feels land secure and the country in which they live.

²⁰³ All reported marginal effects are statistically significant ($p < 0.001$) unless otherwise noted.

Fig. 4.12



The results show that individuals living in Uasin Gishu have the highest likelihood of agreeing with the narrative, regardless of whether they feel land secure (70 percent probability of agreeing if land insecure, 81 percent if land secure). Kilifi County provides a stark contrast. An individual from Kilifi who is land secure has only a 29 percent probability of agreeing with the anti-outsider narrative and if s/he is land insecure, this probability decreases to 18 percent.

In model 4, the main variables of interest are land security, the respondent's region, and whether they have heard politicians making promises to distribute title deeds (*Title Promise*). The main explanatory variables all have very similar effects on the likelihood that a respondent agrees with the anti-outsider land narrative. Specifically, feeling land secure and being from the Rift Valley both increase the likelihood that a person subscribes to the given contentious land narrative. Yet we also see that if a person has heard politicians make promises of land during campaigns, they are also less likely to agree with the anti-outsider narrative.²⁰⁴ This disconfirms Hypothesis 10: that individuals who hear politicians promise title deeds in exchange for political

²⁰⁴ Individuals who have never heard promises of a title deed have a 63 percent predicted probability of agreeing with the anti-outsider narrative, while individuals who have such promises have a 51 percent predicted probability ($P < 0.001$).

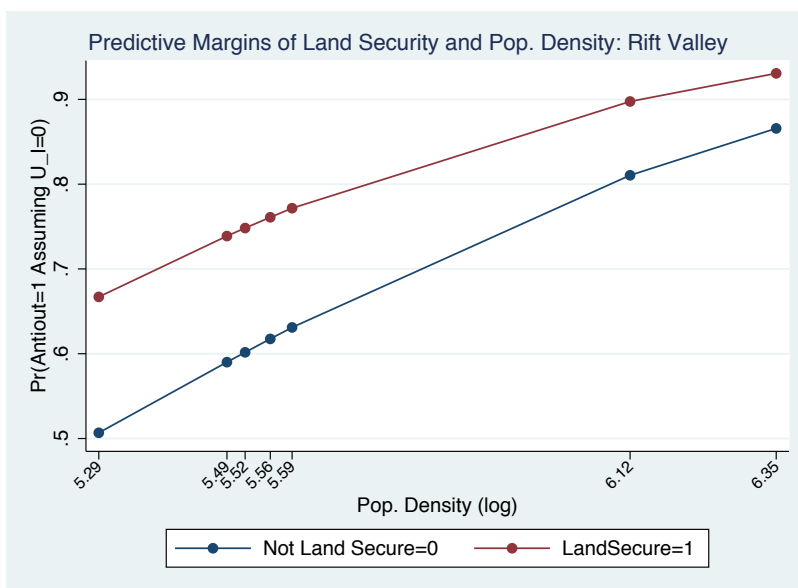
support will also be more fearful of outsiders taking their land, and hence, will be more likely to agree with anti-outsider statements.

Regional Models

Table 4.5 also estimates the determinants of anti-outsider narratives at the individual level. The difference here is that I estimate the effects of each variable on a sub-sample of all survey respondents (either the Rift Valley or the Coast). In addition, I replace the variable *Title Deed*, which measures each type of document with a binary variable, *TitleDummy*.

Model 1 estimates each of the main hypotheses about land security, a title deed, fear of eviction, and whether the respondent has heard promises by politicians to distribute titles deeds (*Title Promise*), but only among Rift Valley respondents. When looking at this single region, the results show that land security is the only statistically significant variable among four main explanatory variables. Individuals who are land secure have an 81 percent probability of agreeing with the narrative while those who are land insecure have a 66 probability of agreeing. Model 2 estimates only one of the explanatory variables (along with all the controls). The results show that land security again has a positive and statistically significant effect ($P < 0.018$). We also see that population density has a statistically significant effect on the likelihood of an individual agreeing with the anti-outsider land narrative. The figure below illustrates the effect of both land security and population density (at the constituency level). Individuals who reside in the constituency with the lowest population density have a 51 percent probability of agreeing with the anti-outsider narrative if they are not land secure, and 67 percent probability if they are land secure. By contrast, if an individual lives in the densest constituency and is not land secure, s/he has an 87 percent probability of agreeing. If the individual is land secure, s/he has a 93 percent probability of agreeing with the anti-outsider narrative.

Fig. 4.13



In Models 3 and 4 I estimate the predictors of anti-outsider land narratives among respondents from the Coast Region only. In model 3, I include a control variable only for the level of wealth that the respondent reports. In contrast to the previous models (Both in Table 2 and the last two models of the Rift Valley), land security is not a statistically significant predictor of whether someone agrees with the anti-outsider land narrative. Among the main explanatory variables, only “Title Promise” is statistically significant. Specifically, those who have never heard of politicians promising title deeds have a 42 percent probability of agreeing with the narrative, whereas those who have heard of these campaign statements have only a 29 percent probability of agreeing with the narrative. The results also indicate that a respondent’s wealth category may have a counter-intuitive effect on how a person views ethnic outsiders. Specifically, a person whose reported daily household income falls between 600-1,000 KES has a 47 percent probability of agreeing with the narrative. Yet when the respondent’s income falls into the lowest category of less than 200 KES per day, his or her likelihood of believing in such

narratives is only 25 percent. Model 4 repeats the same estimation but excludes the variable for wealth.

7. Discussion and Conclusions

In this chapter, I have drawn on the data from my household-level survey to answer two sets of questions that elucidate the link between land rights and divisive land narratives. This is an important first step in understanding the process of electoral violence because it reveals why people in some communities may be more likely to participate in violence. In later chapters (Part III) I examine how and when these “anti-outsider” land narratives provide a tool for elites to organize election time violence.

The first section of the chapter examines the determinants of individual-level land security. One goal here is to move past the assumption that holding a title deed signifies land security. Instead, I use the type of land documentation as one of several predictors about why a person might feel land secure (measure 1) or why they might fear eviction from their land (measure 2). The first hypothesis was that people who held a genuine title deed would feel more land secure than those who did not. This expectation was supported in all models when the measure for land security was the individual’s own assessment of their security. However, where “fear of eviction” is the measure of individual land security, there are important regional differences. In the Rift Valley, having a title deed does not predict whether someone fears eviction. This is likely because respondents interpret “fear of eviction” as eviction through violence associated with election periods. It is distinct from legal or political forms of eviction where more powerful private or state actors issue eviction orders. Yet on the Coast, the title deed remains a significant predictor of “eviction fear.” This is mostly likely because there is not a history of politically instigated violence in Kwale and Kilifi (where people lose land through

violent eviction carried out by another group). Instead, more powerful individuals who have obtained title deeds to the land evict ordinary people. Thus, holding a title deed is a powerful defense against eviction. This contrasts the perceptions of many people living in the Rift Valley, where those using violence to evict people pay little regard for who has a title deed.

The second hypothesis is that people who have never experienced eviction from their land will be more land secure. Results from all models (tables two and three) using both measures of land security support this hypothesis. That is, individuals who have been evicted in the past are less likely to indicate they have land security and they are also more likely to fear eviction from their land in the future.

The third theory in this chapter is that people with larger plots of land will be more land secure than people with smaller plots of land. Overall, the results from the models show that the individual land holding (i.e. plot size) is indeed a significant predictor of land security. Across the entire sample, land security increases as individuals plot size increases. Not surprisingly, the biggest improvements in land security come when individuals go from having “no land” to at least one acre of land. However, when looking at how plot size predicts land security within each regional group, important distinctions emerge. In the Rift Valley (Table 2, Model 6), plot size only predicts land security when individuals have plot size of 2.5-5 acres (which is relatively sizeable for the Rift Valley). Along the Coast by contrast, land security improves at every category of land holding. Further, when the measure of land security is “eviction fear,” the predictive power of plot size also changes. Specifically, the effects of Plot Size along the Coast are not significant. This may reflect the fact that while most Coastal residents are “squatters” on the land, they have been able to gain access to larger plots of land than the more population dense farming areas of the Rift Valley. Yet while cultivating a 5-acre plot versus a two-acre plot

may improve food security, it does not alter eviction fear. Because the average Coastal resident does not have legal documents to the land, any plot of land, regardless of its size, is vulnerable to an eviction order.

The fourth prediction about land security was that individuals who were from Kenya's larger ethnic communities—or those large enough to gain national political representation—would also feel more land secure. Hence, the prediction would be that Kikuyu and Kalenjin would be more likely to feel land secure than Mijikenda, who are the majority along the Coast, but who are a small minority nationally (about 5.9%). This prediction is supported for the first measure of land security (individual assessment of land security). The results suggest that Mijikenda respondents have a lower likelihood of indicating that they are land secure compared to Kikuyu or Kalenjin respondents (Table 2, models 1-5).

In addition, I find that ethnic identification in the Rift Valley—between Kalenjin and Kikuyu identification—does not shape land security. In other words, Kikuyus are not any more likely to feel land secure than Kalenjin (or vice-versa). Yet when the outcome of interest is “fear of eviction” ethnic identity does seem to matter. Specifically, what the results show is that Kikuyu residents in the Rift Valley are much more likely to fear eviction than Kalenjins. This might be because Kikuyu respondents interpret “fear of eviction” with the use of eviction as a tool of election-time violence, in which Kikuyus have been the disproportionate targets.

The second part of the chapter aimed at investigating the factors that influenced individual-level belief or agreement with contentious land narratives in which “outsiders” are framed as a threat to land security. The main prediction was that people with stronger land security would be less likely to agree with or participate in contentious land narratives. I began by testing the predictive power of four different measures of land security: fear of eviction,

having a title deed, plot size, and feeling land secure. The only statistically significant predictor was an individual's assessment of their land security (*LandSecure*).²⁰⁵ I predicted that when individuals felt land secure, they would not view newcomers as a threat their own land rights or the land rights of their larger community. Hence, these land secure individuals should have few reasons to buy-in to anti-outsider land narratives. The results however, suggest the opposite: land secure individuals are more likely to promote anti-outsider land narratives compared to individuals who are not land secure.

The politics of land allocation and contentious claim-making that I have described in the previous two chapters helps explain this counter-intuitive outcome. Specifically, I suggest that in regions such as the Rift Valley where many people have obtained land rights through strong patron-client relationships, access to land is highly political and viewed in zero-sum terms. A particular group or set of individuals may have relatively secure land rights, but only because they have benefited from a particular ethno-political arrangement that has enabled them to obtain and secure stronger access to land. Where these dynamics have shaped the distribution of land rights, citizens will continue to view their land rights as linked to political representation: their ability to elect their political patron into power. In these contexts, people who have benefited from a patronage-based system of land allocation will be the most defensive of the status quo and the most fearful of newcomers who threaten their property holdings, ability to acquire land, and political representation.

The second stage of the chapter also hypothesized that an individual's likelihood for agreeing with anti-outsider land narratives was strongly influenced by region in which she or he lived. The expectation was that individuals from the Coast region would be less likely to

²⁰⁵ Land Security (*LandSecure*) was not significant in models 3-4 (Table 5), which estimated the models using respondents from the Coast region.

promote anti-outsider narratives because there is a different relationship between access to land, ethnicity, and political representation along the Coast compared to the Rift Valley. The Coast is not shaped by the strong patron-client relationship, where individuals secure land through co-ethnics in power. The absence of powerful political patrons weakens the linkage between land rights, ethnicity and belonging, and the political power and resonance of anti-outsider narratives.

Broadly, the results from this chapter point to the importance of land security as both an explanatory variable and outcome to be explained. The first section of this chapter focuses on observing or measuring land security as an outcome of institutional, political, or historical processes. In this way, people are not secure simply because they hold a title deed to their land. Instead, we observe the ways that a past experience with eviction, different types of land documentation, the forms of land wealth, as well as ethnic identity and region contribute to a person's sense of land security. The second part of the chapter looks at land security as causal variable. Specifically, what are the effects of land security, if any, on contentious land narratives? Broadly, how does "feeling land secure" affect a person's attitude toward outsiders? The main finding here is that individual-level land security does not increase tolerance or openness toward the in-migration of "outsiders." On the contrary, the results indicate that more land secure individuals are more "anti-outsider" in their beliefs. Hence, they are more likely to participate in or reproduce group narratives that frame the rival group as a threat to the land rights of their group or community. This contradicts the more common claim that the most contentious narratives or grievances will come from the poorest and most insecure regional or identity-based groups (Gurr 1970; Horowitz 1985).

There are important political dynamics that the models do not fully explain. Specifically, I am not able to observe the effect of relative land rights as they manifest at the micro-level. In

other words, the survey results do not demonstrate how perceived inequality in land rights between neighboring or competing communities affects contentious land narratives. In the next chapter, I draw on in-depth interviews with respondents from two neighboring communities as a way of expanding my theory of land rights and narrative formation.

Chapter 4 Appendix

Table 4.2. Determinants of Individual Level Land Security

	(1)	(2)	(3)	(4)	(5)	(6) Rift Valley	(7) Rift Valley	(8) Coast	(9) Coast
Variables									
2.Title (Fake)	-2.405*** (0.583)	-2.343*** (0.581)	-2.318*** (0.556)			-1.108 (1.041)		-3.339*** (0.765)	
3.Title Allotment	-1.629*** (0.314)	-1.553*** (0.315)	-1.463*** (0.290)			-1.901*** (0.444)		-1.790*** (0.487)	
4.Title Informal	-2.183*** (0.367)	-2.247*** (0.378)	-2.440*** (0.332)			-1.789** (0.770)		-2.546*** (0.489)	
5.Title (None)	-2.254*** (0.292)	-2.364*** (0.308)	-2.615*** (0.277)			-2.248*** (0.456)		-2.526*** (0.443)	
Title Dummy				2.158*** (0.228)			1.932*** (0.370)		2.395*** (0.379)
2.PlotSize	1.405*** (0.525)	1.182** (0.514)				0.801 (0.720)	0.799 (0.641)	2.595** (1.097)	2.657** (1.088)
3.PlotSize	1.449*** (0.541)	1.158** (0.529)				0.391 (0.733)	0.382 (0.669)	3.501*** (1.131)	3.513*** (1.116)
4.PlotSize	2.045*** (0.567)	1.714*** (0.554)				1.017 (0.812)	0.965 (0.716)	4.009*** (1.118)	4.019*** (1.106)
5.PlotSize	2.127*** (0.592)	1.896*** (0.575)				1.749** (0.871)	1.737** (0.800)	3.702*** (1.131)	3.751*** (1.119)
6.PlotSize	2.628*** (0.605)	2.264*** (0.591)				1.471* (0.873)	1.440* (0.807)	4.298*** (1.145)	4.357*** (1.135)
7.PlotSize	2.045*** (0.667)	1.841*** (0.660)				1.382 (1.329)	1.462 (1.297)	3.315*** (1.168)	3.333*** (1.159)
PastEvict	1.304*** (0.256)	1.339*** (0.259)			1.389*** (0.216)	1.264*** (0.389)	1.278*** (0.383)	1.622*** (0.369)	1.622*** (0.357)
2. Uasin Gishu	1.572*** (0.402)								
3. Kilifi	-0.900* (0.526)								
4. Kwale	-0.312 (0.469)								
2.Kalenjin	-0.398 (0.365)	0.0230 (0.387)	0.336 (0.350)	0.491 (0.342)	0.249 (0.310)	0.343 (0.363)	0.162 (0.380)		
3.Mijikenda	0.924* (0.512)	1.241** (0.517)	1.415*** (0.484)	1.448*** (0.477)	1.209*** (0.439)				
4.Other	-0.527 (0.466)	-0.254 (0.469)	-0.0126 (0.439)	0.0553 (0.430)	-0.357 (0.396)		-1.044* (0.572)		
Male	0.0784 (0.213)	0.0557 (0.212)	0.115 (0.198)	0.126 (0.194)	0.0635 (0.183)	0.160 (0.306)	0.173 (0.305)	-0.0497 (0.314)	-0.00533 (0.305)
2.edu	-0.460 (0.486)	-0.558 (0.486)	-0.630 (0.432)	-0.615 (0.424)	-0.596 (0.412)	-1.467 (1.113)	-1.658 (1.092)	-0.170 (0.574)	-0.0950 (0.568)
3.edu	-0.418 (0.490)	-0.509 (0.490)	-0.438 (0.438)	-0.327 (0.426)	-0.544 (0.417)	-0.671 (1.064)	-0.824 (1.044)	-0.728 (0.605)	-0.699 (0.590)
4.edu	-0.0396 (0.428)	-0.219 (0.431)	-0.0604 (0.378)	-0.0826 (0.369)	-0.224 (0.359)	-1.304 (1.025)	-1.398 (1.014)	0.471 (0.520)	0.372 (0.500)

5.edu	0.00589 (0.486)	-0.134 (0.493)	-0.205 (0.439)	-0.221 (0.430)	-0.0395 (0.410)	-0.681 (1.029)	-0.737 (1.015)	-0.546 (0.707)	-0.735 (0.687)
6.edu	-0.0656 (0.483)	-0.253 (0.486)	-0.190 (0.430)	-0.0557 (0.423)	0.290 (0.404)	-1.123 (1.060)	-1.125 (1.049)	0.384 (0.630)	0.463 (0.608)
2.Age	0.784* (0.404)	0.853** (0.407)	0.570 (0.369)	0.584 (0.357)	0.605* (0.334)	0.588 (0.588)	0.721 (0.583)	0.932 (0.589)	0.968* (0.576)
3.Age	0.559 (0.370)	0.634* (0.373)	0.441 (0.341)	0.543* (0.330)	0.781** (0.309)	0.566 (0.540)	0.697 (0.539)	0.612 (0.540)	0.647 (0.522)
4.Age	-0.148 (0.400)	-0.0372 (0.402)	-0.0395 (0.371)	0.137 (0.359)	0.433 (0.334)	0.00641 (0.619)	0.100 (0.610)	-0.202 (0.562)	-0.215 (0.538)
5.Age	1.101* (0.583)	1.224** (0.585)	0.906* (0.522)	0.950* (0.518)	1.027** (0.494)	-0.451 (2.408)	-0.525 (2.304)	1.251* (0.697)	1.207* (0.680)
2.Urban	0.576 (0.424)	0.403 (0.422)	0.628* (0.377)	0.708* (0.370)	0.881** (0.350)	1.054* (0.602)	0.863 (0.617)	0.521 (0.628)	0.472 (0.607)
3.Urban	0.869** (0.436)	0.582 (0.433)	0.693* (0.390)	0.917** (0.381)	1.319*** (0.359)	1.294** (0.647)	1.208* (0.640)	0.666 (0.662)	0.746 (0.626)
4.Urban	1.166*** (0.419)	0.892** (0.419)	1.148*** (0.373)	1.248*** (0.367)	1.804*** (0.341)	1.737*** (0.611)	1.501** (0.615)	0.882 (0.647)	0.830 (0.618)
5.Urban	0.863** (0.402)	0.683* (0.405)	1.164*** (0.357)	1.232*** (0.350)	1.677*** (0.330)	1.077* (0.583)	0.938 (0.589)	0.780 (0.604)	0.645 (0.579)
Pop09_log	-0.754 (0.567)	-0.558 (0.841)	-0.454 (0.793)	-0.447 (0.786)	-0.741 (0.588)	-2.461*** (0.825)	-2.421*** (0.817)	-1.530 (1.126)	-1.470 (1.080)
pDensity_lg	-0.463*** (0.145)	-0.330 (0.229)	-0.357* (0.213)	-0.297 (0.210)	-0.244 (0.157)	2.115*** (0.681)	2.284*** (0.669)	-0.405*** (0.153)	-0.388*** (0.148)
Coast		-1.293** (0.536)	-1.193** (0.504)	-1.285*** (0.499)	-1.426*** (0.420)				
Constant	9.417 (6.641)	7.274 (9.848)	8.289 (9.280)	5.444 (9.195)	8.212 (6.857)	16.51** (7.904)	13.43* (7.869)	16.72 (13.51)	13.50 (12.94)
Observations	703	703	718	718	714	356	356	353	353
Number of CONST	14	14	14	14	14	7	7	7	7
Standard errors in parentheses									
*** p<0.01, ** p<0.05, * p<0.1									
CONST (County) = random fixed effects									

Table 4.3: Determinants of Land Security
(Y=Fear of Eviction)

VARIABLES	(Model 1) Both Regions	(Model 2) Rift Valley	(Model 3) Coast
Title Dummy	-0.898*** (0.204)	-0.492 (0.316)	-1.104*** (0.286)
2.PlotSize	-1.253*** (0.412)	-2.059*** (0.756)	-0.124 (0.476)
3.PlotSize	-0.958** (0.431)	-1.681** (0.770)	-0.0742 (0.525)
4.PlotSize	-1.028** (0.441)	-1.479* (0.816)	-0.285 (0.497)
5.PlotSize	-1.114** (0.450)	-1.803** (0.832)	-0.441 (0.518)
6.PlotSize	-1.392*** (0.458)	-1.604* (0.832)	-0.868 (0.537)
7.PlotSize	-1.443*** (0.530)	-0.876 (1.085)	-0.605 (0.581)
Past Eviction	-1.281*** (0.218)	-1.133*** (0.332)	-1.480*** (0.314)
REG (Coast)	-0.508 (0.479)		
2.Eth_Main (Kalenjin)	-0.843*** (0.326)	-1.061*** (0.393)	
3.Eth_Main (Mijikenda)	0.381 (0.445)		
4.Eth_Main (Other)	0.349 (0.402)	0.957* (0.547)	
Male	-0.0884 (0.180)	-0.122 (0.273)	-0.0864 (0.258)
2.edu	0.0871 (0.411)	-0.417 (0.888)	0.0889 (0.472)
3.edu	0.168 (0.413)	-0.471 (0.841)	0.365 (0.511)
4.edu	-0.106 (0.358)	-0.520 (0.798)	-0.354 (0.405)
5.edu	0.144 (0.412)	-0.505 (0.803)	0.431 (0.591)
6.edu	-0.335 (0.408)	-1.322 (0.847)	-0.111 (0.497)
2.Age	-0.0853 (0.343)	-0.511 (0.562)	-0.0369 (0.446)
3.Age	0.0382 (0.318)	-0.110 (0.527)	0.0258 (0.409)
4.Age	0.620* (0.318)	0.204 (0.527)	0.720* (0.409)

	(0.342)	(0.577)	(0.436)
5.Age	-0.288	0.968	-0.228
	(0.495)	(1.759)	(0.562)
2.Urban	-0.704*	-1.226**	-0.338
	(0.368)	(0.611)	(0.475)
3.Urban	-0.652*	-1.225**	-0.419
	(0.373)	(0.620)	(0.483)
4.Urban	-0.755**	-1.841***	-0.0111
	(0.360)	(0.607)	(0.467)
5.Urban	-0.337	-0.351	-0.463
	(0.352)	(0.594)	(0.447)
Pop09_log	0.234	1.771	-0.154
	(0.750)	(1.222)	(0.885)
pDensity_log	0.120	-1.698*	0.249**
	(0.202)	(0.902)	(0.125)
Constant	-0.539	-6.846	2.507
	(8.791)	(12.03)	(10.61)
Observations	719	360	366
Number of CONST	14	7	7

Standard errors in parentheses

*** p<0.01, ** p<0.05, * p<0.1

CONST (County) = random fixed effects

Table 4.4: Determinants of Anti-Outsider Land Narratives (Full Sample)

VARIABLES	Model 1	Model 2	Model 3	Model 4
Fear Evict Dummy	-0.0477 (0.214)			
Title Dummy	0.0383 (0.235)			
Land Secure	0.653*** (0.247)	0.688*** (0.221)	0.660*** (0.220)	0.642*** (0.223)
2.Eth_Main (Kalenjin)	-0.669* (0.366)	-0.580 (0.359)	-0.959*** (0.329)	-0.625* (0.359)
3.Eth_Main (Mijikenda)	-1.245** (0.489)	-1.185** (0.483)	-1.438*** (0.475)	-1.144** (0.487)
4.Eth_Main (Other)	0.0471 (0.464)	0.124 (0.459)	-0.0360 (0.456)	0.202 (0.462)
Uasin Gishu			0.706** (0.333)	
Kilifi			-1.911*** (0.482)	
Kwale			-0.120 (0.435)	
Title Promise				-0.632*** (0.209)
Coast	-1.326** (0.567)	-1.319** (0.568)		-1.310** (0.562)
Male	-0.212 (0.192)	-0.185 (0.191)	-0.182 (0.191)	-0.128 (0.193)
2.edu	-0.126 (0.446)	-0.106 (0.446)	0.0116 (0.445)	-0.330 (0.453)
3.edu	-0.0210 (0.457)	-0.0110 (0.455)	0.115 (0.456)	-0.0552 (0.455)
4.edu	0.215 (0.391)	0.212 (0.391)	0.369 (0.388)	0.171 (0.391)
5.edu	0.0401 (0.443)	0.0440 (0.443)	0.172 (0.439)	-0.0313 (0.443)
6.edu	0.328 (0.444)	0.305 (0.442)	0.487 (0.439)	0.244 (0.443)
Urban (trading center)	-0.144 (0.396)	-0.243 (0.392)	-0.150 (0.389)	-0.314 (0.393)
Urban (roadside)	-0.345 (0.413)	-0.354 (0.412)	-0.273 (0.409)	-0.502 (0.417)
Urban (within 2km of road)	0.0864 (0.390)	0.0676 (0.388)	0.176 (0.381)	-0.0457 (0.392)
Urban (> 2Km from road)	-0.240 (0.388)	-0.252 (0.387)	-0.198 (0.381)	-0.392 (0.391)

Age (26-35)	0.566 (0.366)	0.586 (0.362)	0.542 (0.362)	0.639* (0.367)
Age (36-49)	0.416 (0.337)	0.478 (0.332)	0.425 (0.332)	0.568* (0.338)
Age (50-65)	0.230 (0.366)	0.274 (0.362)	0.181 (0.360)	0.337 (0.368)
Age (66+)	0.0289 (0.546)	0.0723 (0.543)	-0.0423 (0.551)	0.0734 (0.547)
2.PlotSize	-0.171 (0.446)	-0.197 (0.441)	-0.112 (0.448)	-0.164 (0.443)
3.PlotSize	-0.256 (0.456)	-0.297 (0.450)	-0.215 (0.459)	-0.297 (0.453)
4.PlotSize	0.0199 (0.480)	-0.00351 (0.476)	0.176 (0.480)	0.0701 (0.480)
5.PlotSize	0.0493 (0.494)	0.0426 (0.489)	0.103 (0.497)	0.127 (0.494)
6.PlotSize	0.0198 (0.496)	0.00776 (0.485)	0.152 (0.491)	0.0746 (0.489)
7.PlotSize	-0.0741 (0.562)	-0.0815 (0.551)	0.0298 (0.552)	-0.0640 (0.549)
Pop09_log	-0.116 (0.940)	-0.123 (0.943)	0.753 (0.526)	-0.137 (0.919)
pDensity_log	-0.0491 (0.255)	-0.0515 (0.256)	-0.0726 (0.133)	-0.0580 (0.249)
Constant	2.688 (11.01)	2.665 (11.04)	-7.921 (6.218)	3.310 (10.76)
Observations	682	687	687	687
Number of CONST	14	14	14	14

Standard errors in parentheses

*** p<0.01, ** p<0.05, * p<0.1

CONST (County) = random fixed effects

Table 4.5: Determinants of Anti-Outsider Land Narratives (by Region)

VARIABLES	(1) Rift Valley	(2) Rift Valley	(3) Coast	(4) Coast
Fear Evict Dummy	-0.0278 (0.346)			
Title Dummy	-0.422 (0.367)			
Land Secure	0.895** (0.364)	0.787** (0.333)	0.452 (0.323)	0.348 (0.307)
1.TitlePromise	-0.263 (0.316)		-0.703** (0.320)	-0.834*** (0.304)
2.Eth_Main (Kalenjin)	-1.239*** (0.393)	-1.132*** (0.377)		
4.Eth_Main (Other)	0.518 (0.666)	0.649 (0.660)		
1.Male	0.395 (0.296)	0.417 (0.292)	-0.977*** (0.301)	-0.726** (0.287)
2.edu	0.966 (0.907)	1.031 (0.893)	-1.001* (0.576)	-0.888* (0.531)
3.edu	0.466 (0.838)	0.529 (0.836)	-0.565 (0.601)	-0.422 (0.566)
4.edu	1.479* (0.801)	1.413* (0.796)	-0.814 (0.496)	-0.517 (0.450)
5.edu	0.919 (0.801)	0.874 (0.797)	-1.055 (0.680)	-0.751 (0.639)
6.edu	1.453* (0.844)	1.292 (0.828)	-0.417 (0.579)	-0.188 (0.538)
2.Urban	0.441 (0.651)	0.326 (0.628)	-0.239 (0.521)	-0.176 (0.495)
3.Urban	0.415 (0.656)	0.436 (0.640)	-0.225 (0.573)	-0.429 (0.542)
4.Urban	1.335** (0.664)	1.302** (0.639)	-0.0114 (0.534)	-0.174 (0.510)
5.Urban	1.242* (0.659)	1.221* (0.640)	-0.982* (0.530)	-1.164** (0.505)
2.Age	1.306** (0.526)	1.235** (0.510)	-0.578 (0.555)	-0.133 (0.508)
3.Age	1.315*** (0.492)	1.302*** (0.471)	-0.719 (0.502)	-0.427 (0.466)
4.Age	1.025* (0.559)	1.043* (0.547)	-0.559 (0.525)	-0.312 (0.493)
5.Age	0.350 (1.570)	0.300 (1.652)	-0.548 (0.663)	-0.439 (0.636)
2.PlotSize	-0.590 (0.758)	-0.736 (0.724)	-0.669 (0.617)	-0.299 (0.579)
3.PlotSize	-0.771	-0.951	-0.639	-0.244

	(0.760)	(0.723)	(0.646)	(0.618)
4.PlotSize	-0.0178	-0.195	-0.471	-0.198
	(0.824)	(0.792)	(0.650)	(0.623)
5.PlotSize	0.0574	-0.0842	-0.706	-0.381
	(0.866)	(0.832)	(0.691)	(0.663)
6.PlotSize	-0.343	-0.616	-0.437	0.0314
	(0.841)	(0.797)	(0.679)	(0.645)
7.PlotSize	-1.356	-1.607	-0.158	0.258
	(1.036)	(1.009)	(0.716)	(0.672)
Pop09_log	-0.236	-0.381	-3.811**	-4.341***
	(0.788)	(0.772)	(1.642)	(1.591)
pDensity_log	1.789***	1.989***	-0.368*	-0.331
	(0.608)	(0.590)	(0.220)	(0.219)
2.Wealth			0.549	
			(0.337)	
3.Wealth			1.190**	
			(0.488)	
4.Wealth			1.036	
			(0.766)	
Constant	-8.489	-8.068	49.29**	55.22***
	(7.787)	(7.711)	(19.87)	(19.27)
Observations	346	349	333	343
Number of CONST	7	7	7	7

Standard errors in parentheses

*** p<0.01, ** p<0.05, * p<0.1

CONST (County) = random fixed effects

5

The Formation of Contentious Land Narratives

The problem here is that our neighbors have never accepted and recognized us as legal owners of the land...The Kikuyu demand back their forest [...] which we consider a great disregard to the Kalenjin community.

-Mauche Resident²⁰⁶

In Ogilgei we have never witnessed land clashes because the community has lived peacefully with our neighbors the Kikuyu, and the elders from the two communities are respected by both sides and their decisions are final.

-Ogilgei Resident²⁰⁷

Mauche and Ogilgei are farming communities only twenty kilometers apart along the road that runs through Nakuru County. Both are Kalenjin farming communities that border Kikuyu communities. Yet as the excerpts above suggest, residents in Mauche view their land access through a much more contested lens than residents in Ogilgei, despite similar ethnic arrangements. In Mauche, residents view the strength of their land rights in relation to their Kikuyu neighbors. As the rights of their Kikuyu neighbors strengthen, Mauche residents see their own land security and political power diminish. By contrast, residents of Ogilgei do not see their Kikuyu neighbors as a threat to their land security. Why do contentious land narratives develop between Kalenjin and Kikuyu communities in one context, but a short distance away, they do not? This chapter uses a paired case comparison of two similar communities in Nakuru County to identify a set of factors that can constrain or enable the formation of contentious land narratives.

²⁰⁶ Focus Group-Mauche Elders (Kalenjin Community)-Stage 1.

²⁰⁷ Interview-Ogilgei (3)-Kalenjin Community-9-03-2012.

Land narratives are the stories that groups use to talk about histories of land acquisition and loss, fears of losing land (to the state or rival group), and rights to claim or contest land and territory. I demonstrate that contentious land narratives between groups are not the inevitable outcomes of ethnic rivalry but rather, outcomes of particular histories of land allocation. These histories of land allocation—how community members acquire or lose land—shape beliefs about the legitimacy of the land distribution process.

I argue that when at least one group does not view the lands acquisition process as just or legitimate, this group will contest the land rights of the other.²⁰⁸ Contentious land narratives emerge through this process of land rights contestation. While ideas about what constitutes a just or legitimate allocation varies across communities, nearly all narratives of land injustice emphasize that one group has accumulated land at the expense of another. Group members often articulate these zero-sum interpretations of land rights in terms of “outsiders” who have wrongfully taken the land of “insiders” (i.e., sons-of-the-soil). From the perspective of “native” or indigenous groups, many land allocations have strengthened the rights of outsiders while weakening the rights of insiders.

One important source of land rights inequality between groups is the method of land acquisition or allocation. Across the nine paired case study communities where I collected my qualitative data, I find that groups who were able to purchase their land have much stronger formal land rights than communities who obtained plots of land on government land.²⁰⁹

When group members are able to purchase their land (directly or through a land-buying cooperative), they are better positioned to acquire individual title deeds and gain formal state recognition of their rights. By contrast, when the government settles people onto state-owned

²⁰⁸ The term group can refer to the ethnic, religious, regional, and political categories of identification and belonging.

²⁰⁹ See fig. 2 in Chapter 3 for summary of these case studies.

land, land rights are far more vulnerable to expropriation by the state or a rival group. The relative land rights inequality that emerges plays a key role in shaping beliefs about the legitimacy of the land allocation process. The main focus of the chapter is on how relative equality in land rights between two groups shapes contentious or non-contentious land narratives.

I discuss two factors that shape the relationship between land allocation and the formation of land narratives. The first is the degree of relative land security between two groups. In this chapter I focus on two dimensions of land security: whether group members have formal land tenure security such as a title deed (formal tenure security), and whether land rights are mutually recognized by other individuals or groups (informal security).

A second factor is the authority and autonomy of community leaders (i.e. village elders and chiefs). These community leaders can either fuel or restrain contentious land narratives depending on their preferences for maintaining or challenging the status quo distribution of rights and the autonomy that they maintain from local political elites (e.g. parliamentarians and district administrators).

The chapter has two broader implications. First, I suggest that identifying how and when contentious land narratives develop is an important step in understanding the process of political violence. Second, the chapter contributes to theories of ethnic conflict that emphasize the role of ethnic difference as a driver of communal conflict and violence (Horowitz 1985; Kaufmann 1998, Kasara 2013). I suggest that “contentious land narratives” between groups are one dimension of inter-group conflict: they are based on interpretations of threats and strategies of (re)-claiming land or property. Building on recent constructivist insights of ethnic conflict I demonstrate that ethnic arrangements and ethnic identification are not sufficient predictors of

intergroup conflict (Kalyvas 2008; Chandra 2008). Instead, the salience of ethnic rivalry is a product of institutional arrangements that shape how citizens access and secure land and property.

By comparing two paired cases in which the arrangement of ethnic groups does not vary, I am able to hold ethnic interaction constant. In both case pairs, Kalenjin farming communities neighbor Kikuyu farming communities. Yet intergroup conflict—what I specify as contentious land narratives—only emerges in Case Two (Mauche and Likia). The main distinction between each set of communities is the process through which each side acquired land and the relative equality of land rights between both groups that emerges from this process. The figure below summarizes the paired case-selection between Ogilgei and Kerma (Case 1) and Mauche and Likia (Case 2).²¹⁰

Fig. 5.1 Summary of Paired Case Design

	<i>Community</i>	<i>Mode of Land Acquisition</i>	<i>Distribution of rights</i>	<i>Land Narrative</i>
Case 1	Ogilgei: Kalenjin	Purchased	Even allocation	Non-contentious land narratives (No group conflict)
	Kerma: Kikuyu	Purchased		
Case 2	Mauche: Kalenjin	Settled without purchase	Uneven allocation	Contentious land narratives (Group Conflict)
	Likia: Kikuyu	Purchased		

Ogilgei (Case 1) is a Land Buying Company where most residents are Kalenjin. It borders Kerma, a Settlement Scheme where most residents are Kikuyu. Despite different modes

²¹⁰ Both paired cases are located within Nakuru County in the Rift Valley region. Counties were formerly referred to as districts prior to the implementation of new 2010 Constitution. As of the 2013 Elections, each county has 2 senators and one governor. Nakuru County is composed of 12 electoral constituencies. In 2007-2008, Mauche and Likia were located in Molo Constituency, but currently fall within Njoro Constituency. Ogilgei and Kerma are located at the border of Njoro Constituency (Kikuyu controlled) and Rongai Constituency (Kalenjin controlled). In general, Kikuyu politicians have dominated Nakuru County politics since independence.

of acquisition, both sides eventually purchased their land and acquired title deeds. They therefore benefit from formal and informal property rights recognition. The second pair (case 2) is a sharp contrast. Mauche is a Kalenjin Settlement Scheme that was created in 1990s under the regime of Daniel Arap Moi. It borders Likia, a Kikuyu Land Buying Company. Kikuyus in Likia are poor rural farmers but they hold genuine title deeds that they acquired in the 1960s. Kalenjins in Mauche however, do not have functional title deeds. The government placed a “caveat” on their title deed in 2005, rendering all titles unusable.²¹² Mauche residents therefore do not have formal land security because the government does not recognize their land rights. Likia residents, while formally secure, face land threats from Kalenjins in Mauche who claim that Kikuyus in Likia are occupying Kalenjin “ancestral land.”

1. Contentious and Non-Contentious Land Narratives

In this section, I describe the ways in which land narratives can vary across different local contexts. The comparison between Mauche and Ogilgei for example, demonstrates the way that different land narratives vary, even within a similar geographic area and across communities whose members all identify as Kalenjin.

Narratives are the stories that people tell to make sense of their social or political realities (Patterson and Monroe 1998, Cramer 2007).²¹³ They are the interpretations of historical and ongoing events as well as everyday rules and norms.²¹⁴ I use the term “land narratives” to describe stories of land acquisition or land loss, methods of asserting or claiming rights to land, and interpretations of threat to land security from a rival group or the state. The ways that people

²¹² The lands laws defining a caveat are outlined in the Land Titles Act, Cap 282, Article 72 (Revised Ed 2010).

²¹³ I use narratives and stories interchangeably.

²¹⁴ This concept of narrative is very similar to the concept of frames used first by Goffman (1974) and now commonly used in the social movements literature and specifically, work on collective action frames (See Snow and Bedford 1988, 1992; Gamson 1992, Tarrow 2011). Frames, like narratives, enable actors to make meaning out of events or occurrences and hence to “organize experience and guide action” (Bedford and Snow 2000: 614).

craft narratives tend to draw on a set of narrative types: the metaphor of the insider-outsider (the native/ newcomer), the political leader who favors his own ethnic group (ethnic patronage), the indisputable legal sanctity of the title deed as proof of ownership,²¹⁶ or the belief that “first-comers” have the legitimate claim to the land. Individuals—as members of ethnically or regionally-defined groups—narrate these beliefs and outlooks to their families and broader social and political networks. Land narratives vary by their degree of salience and resonance, or how common and meaningful a particular narrative is across members of a group.

Land narratives between groups are not always contentious as the case of Ogilgei demonstrates. Many narratives of land convey processes of meaning-making; they create and affirm the value of land within the community or larger cultural sphere. Land meanings can convey beliefs about how land or property contributes to livelihoods, wealth, development, and group-identification. Land meanings convey why land matters and hint at the possible forms of political action that people might take to protect or assert rights to land at a future point. A second dimension of land narratives emphasizes stories of land acquisition or land loss. The narrative themes include: ‘this is the story of my father’s land’ or ‘this is how we lost our land.’

Land narratives become contentious when they reflect a fear or anxiety of a rival group—such as a physically proximate neighbor, an ethnic rival, or class-based group. Group members frame their own land access or security in relation to the land rights of the other group. Narratives highlight the ways in which outsiders (group rivals) have eroded rights in the past or threaten future land access.

Specifically, contentious narratives emphasize methods of claiming or securing land. The assertions, ‘this is my family land because...’ or ‘we have the right to this land because...’ develop into group narratives about how property rights are constituted and equally, the methods

²¹⁶ See Ndungu’s note on the “myth of the sanctity of the title deed,” pg. 16-17 of the Ndungu Report.

that people can use to claim or defend these rights. The particular claim-making strategy include assertions of ancestral belonging, title deeds rights, or rights as government beneficiaries (land grantees).

Contentious narratives can also contain a story about an outside group that threatens or undermines the land security of the group or group member. Narratives often recall a past in which land was plentiful and accessible until outsiders invaded or grabbed land. The most ubiquitous contentious narrative across Kenya is the metaphor between “visitors” and “natives.”²¹⁹ In the excerpt below, the Kalenjin interviewee from Mauche (Njoro) illustrates one side of this insider-outsider narrative:

“...There are people who consider themselves natives while the others are viewed as visitors. [The visitors] have reached a point where they have acquired more land than the natives who have been wondering how their counterparts managed this. Yet they, the natives, are the ones who should own land. So the visitor—having seen the benefit of this land—cannot relinquish it. But the native is insisting on his departure [...] For example, in Nakuru most people are Kikuyu, and the natives question how the Kikuyu acquired land. But they would respond and say that they bought the land, which makes them the legal owners too. And this causes chaos.”²²⁰

The narrative contains two parts. The first is a story about a more powerful and land-hungry migrant group who has acquired the land of the natives—pushing the natives off their ancestral land. The second is a story about the method that “visitors” use to acquire land—purchasing the land and following legal procedure—and the feelings of powerlessness that this process evokes in the storyteller. A central aim of this chapter is examine this relationship between the process or method of land acquisition and the group narratives that evolve.

2. A Theory of Land Rights and the Formation of Group Narratives

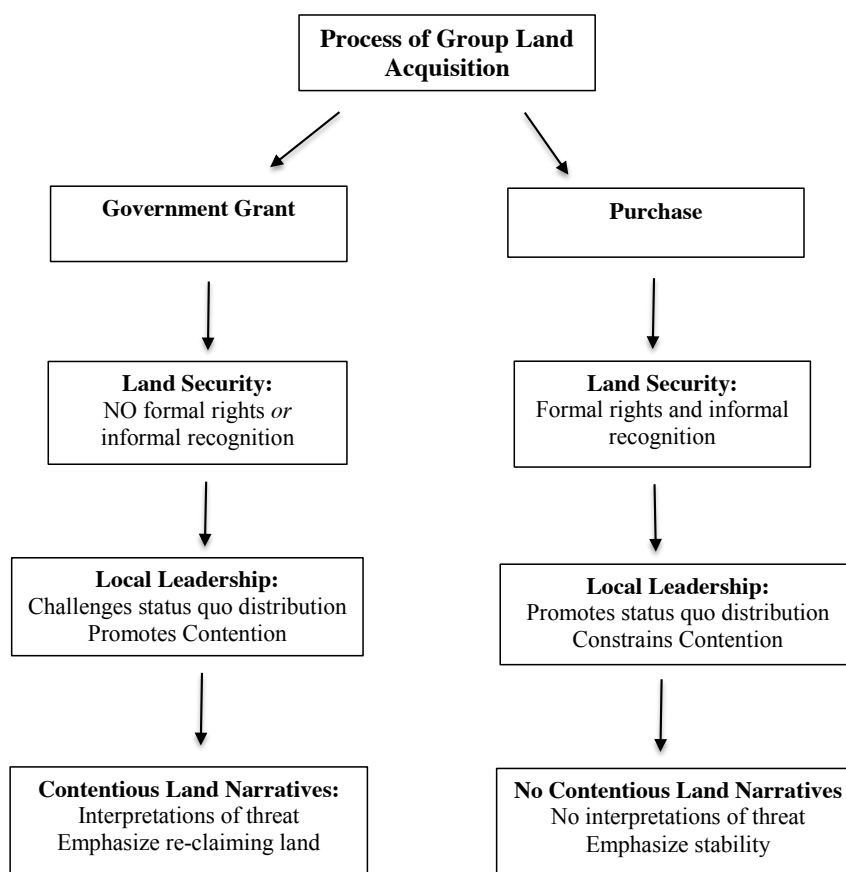
²¹⁹ Scholars and citizens have referred metaphors in a variety of ways. Sara Jenkins (2012) calls it the “immigrant-guest metaphor.”

²²⁰ Interview-Mauche (16) 07/21/2012.

The case comparison between Mauche and Ogilgei illustrates the main theoretical argument of this chapter: that unequal land rights between neighboring ethnic groups is a key factor in shaping the formation of contentious land narratives. Group narratives become more contentious as one group struggles to access the same set of land rights as members of another neighboring group. This happens in part because groups interpret the land gains of a rival group as signs that the balance of power is shifting. As an outside group gains political power, “insider” groups see these rival groups as an increasing threat to their land security. Land acquisition in this sense becomes a zero-sum game where only one group can win. Contentious narratives that emerge reflect fears that more politically powerful groups will be able to leverage their political connections and wealth to displace weaker groups from their land.

The figure below illustrates the different pathways through which land allocation can shape narrative development. I find that non-contentious narratives are most likely in cases where all relevant groups view the process of land allocation as legitimate. This could entail two neighboring or nearby communities where both have been settled, or where both see themselves as “indigenous.” My case comparisons suggest however, that most disputes arise when one group has acquired land through outright purchase (i.e. through land buying cooperative) while the other obtains land through government resettlement (as is the case with many government settlement programs). While there are other modes of acquiring and securing land in Kenya, particularly through indigenous rights on community lands, this chapter focuses on the land buying cooperatives and government settlement programs—the two methods of acquisition that are most common in the Central Rift Valley.

Fig 5.2: Pathways linking land acquisition and the development of land narratives



Process of Land Acquisition

The land allocation process refers to the ways in which members of a group gain access to land tenure rights on a plot of land. The most important feature of this process is whether group members acquire land through private purchase (purchased land) or through a settlement process organized by the government (grant land). The type of acquisition affects the types of actors involved, from national elites to local level power brokers, as well as the type of financing available to ordinary citizens.

To illustrate how the land acquisition process shapes different outcomes, I delineate three institutional pathways. In this hypothetical, I assume there are two different ethnic groups living

in close proximity to one another (i.e. they share borders). The figure below illustrates each of these scenarios.

Fig 5.3: How land acquisition shapes land narratives

		Group B	
		Purchased	Grant
Group A	Purchased	No Contentious Narratives	Contentious Narratives
	Grant	Contentious Narratives	Both narrative forms are possible

In the first scenario, members from Group A and Group B both purchase their land. In most of rural or peri-urban Kenya, this purchase takes place through land-buying companies (LBCs).²²⁴ The second pathway is for one group to receive land through private purchase on a LBC and for another group to receive land for “free” as allottees on a government settlement scheme or other piece of land managed by the state. The third pathway is for both groups to receive land as allottees or beneficiaries on government land.

The pathway has very different implications for the type of land narratives that develop between the two groups. The first pathway is optimal. When both groups have opportunities to purchase their land on relatively equal playing fields, they are more likely to view the land allocation as fair and legitimate and hence will recognize the land rights the other group. The second pathway is least optimal. When two groups access land through two different processes—“purchased” and “granted,” one group is more likely to have stronger formal rights than the other. In addition, they are each likely to question the credibility of each other’s claims. The third pathway is less predictable. If both groups are equally land insecure, claim-making

²²⁴ LBCs work as follows: an initial investor purchases a large piece of development land (outside urban centers) and then issues buyers (shareholders) with share certificates. These share certificates serve as proof of land purchase into the company land until the new buyer receives an individual title from the Ministry of Lands.

may be directed toward the state rather than a nearby group. Yet group members will also be quick to interpret any changes in the status quo with changes in the local power arrangement and hence, as potential threats to the land security of their group.

Type of Tenure Security

Land security in Kenya is two-fold. First, rights-holders must acquire formal recognition by the state. The title deed represents the strongest form of this recognition. As I describe above, the process of land acquisition strongly affects the legitimacy of the title deeds as well as the ability of residents to bargain for stronger property rights recognition.

A second dimension of land security is the informal or tacit recognition that members receive from the neighboring group. This is what I refer to as “relational land security.” The Kenyan state does not enforce formal property rights evenly and consistently and therefore “actual security” hinges on whether surrounding groups recognize ownership rights. A title deed is ineffective when a neighboring group challenges the credibility of another groups’ ownership rights. Land security is therefore also a function of the type of documents that residents hold (formal recognition) as well as the degree of threat that an individual or group members face from the rival group (informal recognition).²²⁶

Let us assume two hypothetical groups: Group A and Group B. The government ensures the title deeds of Group A, but for various reasons revokes the title deeds of Group B. Group B will have little incentive to recognize the title deeds of Group A because the State is seen as a biased allocator of land rights. Group B may seek ways of undermining the land rights of Group A. The title deed in this scenario is not a “matter of fact” but rather a political good that can be

²²⁶ As I demonstrate in the previous chapters, individual land security (“feel land secure”) is also a function of other factors, such as the size of one’s land and whether they have been evicted in the past, which is another way of accounting for both formal and informal recognition.

challenged by the group that sees itself as excluded from access. The table below illustrates this relational theory of property rights:

Fig 5.4: Relational Land Security

Group	<i>Formal Land Rights</i>	<i>Informal Land Rights</i>	<i>Actual Land Security</i>
A	Title Deed	Threat from Group B	Not Secure
B	No Title Deed	Threat of Eviction by State	Not Secure

As I argue throughout this chapter, groups are most likely to challenge the land rights of another group when they do not believe that the neighboring group has acquired land through a legitimate process. Most often, these beliefs form when there are unequal land rights between two groups. While there is an objective dimension to inequality—measured by the type of documents in hand or the size of land plots, these inequalities are politicized when group members frame unequal access in terms of injustice, wrongdoing, or beliefs about integrity and hard work (Lonsdale 2008). What matters in other words, is how groups interpret the land acquisition process of another group. Perceptions of fraud, unfair advantage, or coercion will shape the narratives they use to undermine or reclaim that same land.

If a group is resettled “for free” under the patronage of a sitting president or lower ranking politician, neighboring groups are likely to question the credibility of the acquisition. Similarly, if surrounding groups interpret the acquisition as a form of land grabbing, they will challenge the legitimacy of the land purchase and hence the land rights of incoming residents. Neighboring groups are less likely to challenge newcomers when the land acquisition process is seen as fair and transparent or where new residents “break sweat” for their land. Many disputes

arise when one group acquires land through individual purchase and resents the presence of another group who receives government land for free or without “breaking sweat.”²²⁷

In sum, the credibility of land ownership hinges on questions of whether new residents have displaced old residents or occupy the contested land against the will of other groups, whether they have worked and paid for the land or have received the land for free.

Leadership

The form of land allocation matters in part, because it shapes the power and autonomy that community-level leaders maintain from political elites.

When community leaders such as village elders and chiefs are able to play an active and beneficiary role in the creation of a community—by organizing groups to purchase land and obtain individual title—they acquire greater authority over group members. In addition, if the stakeholders are able to bargain for larger land plots and title deeds during the acquisition/allocation process, levels of wealth and land security are greater for the leadership and group members.

In many cases however, the process of land acquisition is more top-down, particularly within government allocated settlement schemes. In these cases, local leaders (i.e. chiefs, village elders) become enmeshed in the politics of the land allocation. They may have a role in creating the lists of residents that will receive a plot of land and those who will not. Yet they are not active players in organizing groups of people to purchase land. Instead, local leaders within the community are passive recipients of their land. In areas where the government allocates land rather than in areas where members have purchased land, leaders and ordinary members alike

²²⁷ Kenyans use the term “breaking sweat” [i.e. for the land] to emphasize that someone has worked hard and earned the fruits of his or her labor. This idea of working hard or toiling for one’s land—rooted in the Kikuyu work ethic—is part of a narrative that looks down on being given land or other goods “for free.”

depend on higher-up political leaders to act as land patrons. Political patrons offer promises of land security or title deeds in exchange for political loyalty or support. Community leaders can act as brokers for higher-level elites, but there are few sources of status and authority that are independent of these patron-client relationships.

In much of Kenya as well as other parts Africa, elders derive their authority from their ability to manage or distribute land or property to members of the community and for the good of the community. Leaders are also expected to have enough land and land wealth to provide for future generations. The elder generation loses the influence and authority over younger generations when they are neither able to secure land rights nor pass on land to the next generation. In the case of Ogilgei, elders are land secure and hence have a source of political authority independent from politicians. In Mauche, elders lack land security and hence are beholden to politicians to ensure the security of their land.

These distinctions have important implications for the ways that elders construct, restrain, or foment contentious land narratives. When leaders have benefited from an environment where members have formal property rights, they are more likely to promote narratives that advocate the importance of the title deeds and due process. Importantly, they will also have the moral authority to shape the narrative that promotes stability and inter-ethnic cooperation. In Mauche, elders are more likely to promote narratives that challenge the status quo distribution of rights. Equally, because Mauche elders act as clients to local politicians, they have less power to create or constrain land narratives.

3. Equal Land Rights in Ogilgei

Ogilgei is a land buying company located a few kilometers from the bustling commercial center of Njoro town, where farmers from throughout the Central Rift Valley come to trade and

conduct business. The farm also lies at the border of Rongai and Njoro Constituencies, the fault line between Kikuyu and Kalenjin centers of power. Yet when electoral violence rippled throughout neighboring farms and town in 1992, 1997, and 2007, violence did not escalate between Kalenjins living in Ogilgei and their Kikuyu neighbors living in adjacent settlement scheme of Kerma or in Njoro town.²²⁹

The puzzle in this chapter is not the absence of electoral violence, though that is certainly an important implication. Instead, I suggest that a key step in understanding the conditions that make violent escalation possible is identifying the set of narratives that make violence thinkable and logical in one particular context but not another. In Ogilgei, in contrast to many other surrounding Kalenjin communities, there are not contentious land narratives. Residents do not feel threatened by their neighbors, nor does the State or surrounding neighbors challenge the property rights of Ogilgei residents. The implication, as I demonstrate in later chapters, is that leaders are not able to use land narratives as a mechanism of violent political mobilization during elections. In this section, I demonstrate how Ogilgei's rather unique land allocation process shaped the evolution of formal and informal land rights and the development of autonomous and strong local leaders.

The Process of Land Acquisition in Ogilgei

In the first decade after Kenya's independence, the state allocated the majority of land in the Central Rift Valley to both landless and wealthy Kikuyu. Kikuyu elites dominated the land markets and organized ethnically exclusive land buying schemes.²³⁰ The case of Ogilgei is therefore unique because a group of Kalenjin farmers succeed in purchasing the farm of a

²²⁹ Kerma Settlement scheme shares a border with Ogilgei Farm (Land Buying Company). Njoro town, which is both ethnically diverse and a site of past violence, is less than a kilometer down the road from certain parts of the company farm.

²³⁰ I explain this history in detail in Chapter 2

departing White farmer, Lord Egerton.²³¹ The farm would become the Ogilgei Society, one of the few successful Kalenjin Land Buying Companies in the Central Rift. Members succeeded in acquiring the farm for two main reasons. First, they had the assistance of an ambitious and competitive local leader, a man named Kibowen Komen, who had been a manager on the Egerton estate and was a local councilor from Baringo North constituency. Second, the purchase, which was part of Komen's "Kalenjin Enterprise," received the support of both President Kenyatta and vice President Moi (a Kalenjin). Both leaders had interests in facilitating Kalenjin land buying companies to build support and to compete alongside the more common Kikuyu companies.

With the support of President Kenyatta, who was seeking to placate his non-co-ethnics, along with Vice President Moi, Komen formed the Kalenjin Enterprise.²³² Komen played a critical role in opening up parts of the Rift Valley to Kalenjin land ownership. In the formation of Ogilegi, Komen informed people of the sale of the land, led negotiations between the landowners and society members, and facilitated financing.²³³ A respondent talks about Komen's use of the Kalenjin Enterprise as a company that could compete against the Kikuyu-dominated companies (under the umbrella of GEMA).

[Komen] formed an even larger society to buy land in Rift Valley through a society called The Kalenjin Enterprise with the help of the first President Mr. Kenyatta. His job was to approach the whites and ask them to sell their land. Back then it was competitive because the Kikuyu had their own land buying company called Nakuru-Guatanero Company (part of GEMA) so the two [land buying companies] were competing for land acquisition in the Rift. The Kalenjin Enterprise won this battle and that was because the first president wanted to settle everybody without discrimination because he was a nationalist in ideology so he gave Kikuyus one side, Ngecha and Ndeffo and the Kalenjin were set aside to live in Ogilgei.²³⁴

²³¹ Lord Egerton was of the first white settlers to purchase and develop land in the Rift Valley (formerly the White Highlands). The Ogilgei LBC did not purchase the entire estate. Much of the land is currently owned and managed by Egerton University in Njoro.

²³² Interviews-Ogilgei; Gabrielle Lynch (2005, p 100).

²³³ Interviews (Ogilgei); Sang, Francis (2013).

²³⁴ Interview-Ogilgei-09-04_3.

The respondent's interpretations of this process are important. Despite growing land competition from Kikuyus, he credits the success of the Kalenjin Enterprise to Kenyatta's nationalist ideology and his desire to settle Kenyans "without discrimination." This contrasts the more common Kalenjin view, which depicts Kenyatta as favoring his co-ethnics at the expense of Kalenjins and other minority tribes. It also helps explain why anti-outsider narratives develop or in this case, fail to develop. Ogilgei residents received land and title and saw the process as an outcome of multi-ethnic cooperation between the President—a Kikuyu—and their Kalenjin representatives. Members of the company therefore have far less reason to distrust land acquisition by outsiders in contrast to Kalenjins who did not benefit from membership in land society.²³⁵

The respondent's comments above also suggest the key organizational role that Komen played in Kalenjin land acquisition. At a time when the Kikuyu elite dominated the land market, middlemen such as Komen enabled Kalenjins to become key stakeholders in the land acquisition process. Local leaders such as chiefs, village elders, and local brokers played an important role in organizing members and managing the company. This organizational structure was more inclusive than other settlement schemes and even other land buying companies. It enabled members to feel like they each had a common interest in the success of the society. The structure was unique from many other settlement schemes and land buying companies where powerful politicians led the farms but had few incentives in ensuring that poorer members received land or title. One elder in Ogilgei attributes higher levels of corruption on other farms to the fact that most settlement schemes were allocated to individuals holding political power. Another respondent adds:

²³⁵ Within the Rift Valley, Kalenjins and Maasai considers themselves autochthons or "first-comers" to the Rift Valley and refer to Kikuyus as outsiders/migrants/foreigners/ or newcomers by who have migrated from their 'ancestral home' in Central Province (the area surrounding the Mount Kenya).

The success of the settlement schemes was dependent on the management of the office holders. Some schemes like Kihingo, managed under Kihika Kimani²³⁶ experienced chaos because other people who were not supposed to benefit received the land instead of the intended beneficiaries.²³⁷

In Ogilgei, politicians did not take over the land acquisition process for purely political gain.

Komen did not have any known political ambitions (Lynch 2011), nor was he able to leverage the Kalenjin Enterprise as a foothold into KANU party politics.²³⁸

Kalenjin members of Ogilgei succeeded in maintaining their plot of land in large part because they had access to loans that were often not available to smaller ethnic groups or the very poor. Ogilgei farmers jointly purchased the Egerton farm through individual contributions and group loans. “People from different communities joined hands and contributed 1,200 shilling each to enable us buy the land because it was quite hard for an individual to raise the required amount alone.”²³⁹ Members also took out Guarantee Minimum Return (GMR) loans to finance the initial costs of settlement and cultivations. After receiving the loans, “we would settle in the farm, cultivate the land, sell the produce, and pay back the loans.”²⁴⁰

Individual contributions were not sufficient to meet to meet the total costs of the land, so members took out a loan from the Agricultural Development Corporation (ADC).²⁴¹ A respondent explains how people “grouped themselves in partitions of fifty so as to acquire the loan and after loan repayment was over the groups were issued with a common certificate.”²⁴² In

²³⁶ Member of Parliament and one of the most powerful politicians in Nakuru, he was also the national organizing secretary of the Gikuyu, Embu and Meru Association (GEMA) and chairman of Ngwataniro group—a land buying company whose membership reached over 30,000.

²³⁷ Focus Group-Ogilgei-Leaders.

²³⁸ Gabrielle Lynch suggests that President Moi undermined the land acquisition efforts of Komen and his Kalenjin Enterprise because it threatened or interfered with Moi’s personal land enterprise. Moi wanted to reap any benefits for development initiatives and did not want to credit to go to someone else (Lynch 2011: 100).

²³⁹ Interview-Ogilgei 09-03-2.

²⁴⁰ Interview-Ogilgei-09-04_3.

²⁴¹ The Kenyan Parliament designated the ADC in 1965 as a parastatal (state corporation) to support and develop Kenya’s agricultural production and enterprise. It was among primary institutions that provided loans to wealthy and middle class farmers to purchase land.

²⁴² Interview-Ogilgei-08-15-3.

1983, fifteen years after the company's formation, members finally received individual title deeds to their ten-acre plots of land.

Ogilgei's acquisition and management model succeeded in part because they were able to cultivate collectively in the early stages before they had formalized individual title. This enabled them to pay off loans, save money, and purchase more lands elsewhere to relieve the growing land pressure. A resident explains:

...Land would not have been sufficient for all the subscribed members. This made [them] cultivate the land as group and they would sell the farm produce to clear the debts and also save some money, a step that assisted them to purchase more land in Subukia²⁴³ and in Molo.²⁴⁴

In 1970, the initial Phase One farm had 380 members. After the expansion, Phase One had only 180 members, which enabled each family to take ten acres plots of land—a large plot size relative to most other societies and settlement schemes.

The Ogilgei land acquisition process was important for three reasons. First, the Ogilgei Land Buying Company purchased the farm back in 1969 when President Kenyatta (a Kikuyu) was still in power. Kenyatta's indirect support of the purchase was an important signal to surrounding Kikuyu's that Kalenjin land ownership in the area was legitimate. In addition, the purchase of land by a Kalenjin land buying society during a Kikuyu presidency provided the Society greater legitimacy in the eyes of surrounding groups. In contrast to Kikuyu LBCs or Moi's settlement schemes of the 1980s and 1990s, few could argue that the purchase of the farm was the result of ethnic patronage alone.

Second, Kalenjin farmers were able to access the critical land financing that so many other smaller ethnic groups struggled to access (Kalenjin included). These included GMR loans and financing from the Agricultural Development Corporation (ADC). With access to finance,

²⁴³ The Subukia farm was 1500 acres.

²⁴⁴ Focus Group-Ogilgei-Elders-08-15-2012.

members were able to make the investments in their farms that enabled them to reap crop yields that they could then use to pay off loans.

Third, the process of acquisition shaped an organizational structure whereby each member played an active role in the company. Ogilgei was able to access the ADC loan in large part because they applied for the loan as a collective. Members drew on this organizational power and sense of community to advocate for the provision of title deeds for each stakeholder. While the process would take about fifteen years, the end result provided them with much higher levels of land security than many Kalenjins and even Kikuyus would acquire—most of whom could not overcome the financial and institutional barriers to transform their plot allotment letters into title deeds.

Land Security in Ogilgei

One important feature of Ogilgei’s land acquisition process was that it enabled members to organize and demand title deeds for all shareholders. Pioneering members of Ogilgei emphasize that “the allocation of land [which] was accompanied by the title deed has enabled us to live peacefully without any conflicts.”²⁴⁵ Every original shareholder received a ten-acre plot of land and after a period of waiting—a title deed.²⁴⁶ This process contrasts many settlement schemes and less cohesive and more corrupt land buying companies where many people never received their title deeds. In other cases, residents may hold title deeds but have acquired them illegally. Yet most Ogilgei residents express complete confidence in the title deeds that signify their land tenure rights. When talking about how they view the strength of their own land security, many emphasize the significance of each person (household) having ten acres—

²⁴⁵ Focus Group-Ogilgei-Elders-08-15-2012.

²⁴⁶ Residents explain that they were first issued with certificates to indicate their membership, but title deeds were issued in 1983. This period of waiting was about 14-15 years (1968/69 to 1983).

“everybody received land that was equal to the number of shares.”²⁴⁷ The implication, respondents suggest, “is that when a person doesn’t have any [land] chances are high that he is likely to start eyeing his neighbors property.”²⁴⁸ Yet because everyone received a piece of land with legal documents, “issues of land conflict are not common between people or between the people and the government.”²⁴⁹

Ogilgei residents also benefit from informal property rights. Residents feel secure in large part because residents outside the group recognize the legitimacy of each household’s land rights. In addition to formal rights derived from a title deed, they also have informal property rights recognition. A Luhya resident emphasizes the security he feels in Ogilgei, despite coming from Western Region.

I am Luhya by tribe and I was born in Western province, but I live here with the Kalenjins and Kikuyus. This land belonged to the Kalenjins but we bought it from them. I bought my piece in 1990 and I have been living here for more than 20 years [...] My land rights are secure here. My security has never been threatened here. No one has ever pointed a finger at me telling me I took their ancestral home. I feel very safe when I live here with my neighbors.²⁵⁰

The mutual recognition of rights emerges in large part from the credibility that members obtained through the land acquisition process. They did not displace other groups nor did they receive land “for free” as a form of political patronage. Instead, they see themselves as hardworking purchasers of the land—a history that provides a source of pride and power. The chief of Ogilgei speculates that the purchase of land by Kikuyus and Kalenjins—among other factors—has helped reduce the potential for land conflict:

²⁴⁷ Interview-Ogilgei-09-04-2.

²⁴⁸ Interview-Ogilgei 09-03-2.

²⁴⁹ Focus Group-Ogilgei-Elders-08-15-2012.

²⁵⁰ Interview- Ogilgei-09-04_5.

I don't think land is the cause of conflict because we were born near the Kikuyus and we went to school with them, Kikuyus from both Ngecha and Kerma. They bought the land in a legal way and therefore there has never been any conflict between us.²⁵¹

Kenyans in the wider Njoro region draw similar conclusions when reflecting on Ogilgei's peaceful relations with Kikuyu neighbors. What strikes many respondents are that both sides—Kalenjin and Kikuyu—have purchased the land. A respondent living in the far more contentious region of Likia (opposite Mauche) explains:

Even though the inhabitants are Kikuyu and the Kalenjins, there have never been clashes in places like Kerma and Ogilgei because the two tribes both acquired land through buying at the same time. And they understand the history of this region very well. A politician cannot incite them [the Kalenjin] about the land occupied by the Kikuyu, by saying it is their ancestor's land. This has sustained the harmonious living between them.²⁵²

This mutual recognition of land ownership emerges in part because their most proximate neighbors, Kikuyus living on a Kerma settlement scheme, also have title deeds to their 2.5-acre plots of land. Each community has an incentive to recognize and respect the rights of the other group. As I have argued throughout this study, when two neighboring groups have relatively equal levels of land security, they are far less likely to see the other as a potential threat to their land security. Equal allocations of land rights between two groups helps to constrain the formation of contentious land narratives at the local level.

Leadership in Ogilgei: The Power of the Elders

Strong leaders do not always have a peace-enhancing effect. Human rights reports for example, describe the role that Kalenjin elders played in encouraging Kalenjin youth to fight during electoral violence.²⁵³ Yet in Ogilgei, indicators of local leadership emerge from the way that residents talk about elders' ability to restrain violence, promote peace, and organize

²⁵¹ Interview- Ogilgei-09-05_1-chief.

²⁵² Interview-Likia-09-13-stage 3-4.

²⁵³ See for example, *Kenya National Commission on Human Rights* (2008), "On the Brink of the Precipice: A Human Rights Account of the 2007-08 Post-Election Violence."

community members. Many members link this ability to the level of education that leaders have obtained, their organizing skills, and their moral authority.

The first point that residents emphasize is the ability of leaders to impose their vision of peace on the community. Residents speak of themselves as prone to jealousy and suspicion, but with the guidance of their elders—much like the moral voice of religious authority—they live peacefully with their (mostly Kikuyu) neighbors. One resident explains, “we live in peace with our neighbors and we don’t have jealousy. I would also like to congratulate our leaders because their advice has been visionary. I don’t want to say that everyone is learned in Ogilgei but the elders have a done a good job.”²⁵⁴

Leaders promote peace by encouraging youth to avoid fighting and by engaging in peace meetings with Kikuyu elders. When explaining why Ogilgei did not experience electoral violence in 2007-2008, despite violence in the surrounding areas, village leaders explain: “The elders from both communities convened a meeting and agreed to urge the youths from their respective tribes not to engage in the fights.” Another respondent claims, “The power of the Holy Spirit was upon the elders who requested the youths not to attack their neighbors.”²⁵⁵ In nearly every interview, respondents remarked on the power of elders to prevent the escalation of violence between Kalenjins and neighboring Kikuyus—even as tension mounted and fighting seemed to engulf the surrounding areas. Recounting the post-election violence, a respondent tells of how tension developed between the Kikuyu living in Njoro and Ogilgei residents. “But the elders from this community went and held a meeting with the elders from Njoro/Kerma to deliberate on the way forward to shun violence.”²⁵⁶

²⁵⁴ Interview-Ogilgei-09-04_1.

²⁵⁵ Focus Group-Ogilgei-Elders-08-15-2012.

²⁵⁶ Interview-Ogilgei 08-15-2.

The ability of Ogilgei leaders to constrain violence indicates their ability to control the local level narrative. This power is most apparent during electoral periods, when land narratives reach their most contentious points. Political candidates tap into local narratives to gain support, exploiting fears of land dispossession and hopes of gaining land as a mechanism to mobilize violence. In Ogilgei however, elders have been able to counter the mobilizing efforts of politicians by mitigating perceptions of threat and equally, influencing how community members act on threats and fears in the moments of violence.

I suggest that residents' deference to their elders rather than politicians emerges from the strong property rights environment of Ogilgei. Residents are land secure: they have access to plots of land and titles deeds. They do need to rely on politicians to improve and guarantee security. Instead, they see their elders as foundational figures in bringing community members together to access both land and formal documents. Many respondents referred to the impermeability of Ogilgei from the incendiary political messages that circulate during campaigns. A resident explains:

We have never had a politician come here and spread messages of hate against the other community but we know of other places where this happens through the media. This is because people are well organized right from our elders' time [...]²⁵⁷

These divisive “hate” messages do not resonate with Ogilgei residents in large part because village elders are in a position to offer an alternative narrative: one which emphasizes the benefits of inter-ethnic cooperation and the risks of potential violence. Because residents have much to lose on both sides—large plots of land with titles—this pro-stability message resonates across the group.

²⁵⁷ Interview- Ogilgei 09-03-3.

The Formation of Land Narratives in Ogilgei

In Ogilgei, land narratives are explanations of land security rather than insecurity. They are stories of pride and success. Narratives of claim-making are assertions of land rights: ‘this is why our land rights are secure’ rather than strategies of re-claiming the land they have lost to another group. Narratives focus on the centrality of the title deed, hard-work, and peaceful co-existence. I characterize these land narratives along two terms: 1) the degree to which residents view their neighbors as threats to land security and 2) strategies of claim-making.

In Ogilgei, residents do not view their neighbors as a threat to their own land security. Instead, they assume their land rights are secure because they hold title deeds and because they have stable relationships with their Kikuyu neighbors. The local institutional environment that shapes land access and security shapes the way in which residents perceive outside groups as a threat to their land and livelihood.

Residents highlight the positive interactions with their Kikuyu neighbors. One interviewee describes the inter-ethnic relations that Ogilgei has forged with neighboring Kikuyu farmers through trade, business, marriage, and socializing. He explains:

Because of the time we came here we have built strong bonds with the Kikuyus; bonds that go way back to the 1960’s. As a result intermarriages have sprung up. We can say we know each other. We know each other’s weaknesses, aggressiveness and everything about them. We don’t fear them even during clashes. We have beer together. And a good thing about the Kikuyu is that they don’t hold grudges.²⁵⁸

A key point here is that residents feel like they know and trust their neighbors—“*we do not fear them.*” This view of the outsider is not contentious. There is not a nearby group that presents a threat to land.

In the excerpt below, the respondent talks about in-migration of Kikuyus—or ‘outsiders’ into the Rift Valley and Nakuru County in particular. In contrast to many Mauche residents, who

²⁵⁸ Interview-Ogilgei-09-04_3.

feel overwhelmed by the proportions of Kikuyus entering the Rift, the respondent provides a very different view of Rift Valley demographics. He explains:

I would say that the percentage of outsiders in Rift Valley is not that high. Kikuyus dominate Nakuru but that is not because of the first president [Kenyatta]. The second president opened the doors for Kikuyus to come to Rift Valley. The Kikuyus are very entrepreneurial but they don't take up big land. [Rather] they retain their one-acre humbly unlike the Kalenjin who have their ten acres and above. [The Kikuyu] are many but they don't have that much land in acreage.²⁵⁹

For the respondent, “the percentage of outsiders is not the high.” Further, he does not link Kikuyu dominance to their favoritism under the first President (Kenyatta). Rather, he attributes it to their entrepreneurial spirit along with the opportunities that President Moi (a Kalenjin) afforded them. Countering the common narrative that Kikuyus are land greedy, he compares the humble one-acre plots of the Kikuyu compared to the larger ten acres plots of the Kalenjin. The narrative is far more nuanced than the one that has formed in Mauche. It reflects a more class-based rather than ethnic-identity-based view of the world. This suggests that when members form different ethnic communities both acquire sufficient land and property rights, they do not necessarily feel threatened by non-group members (at the ward, county, or provincial level). An Ogilgei farmer illustrates this relative openness to outsiders. He also criticizes forms of claiming land based on ancestral land, partly because it would require a more closed society and a local economy than he thinks is possible in practice:

We as the people of the Rift allow outsiders to come in. We voluntarily sell the land to them. We should not base [our] claim along the ancestral line because [we] are the same people who sold the land in the first place, and in the later years [we] come to say that we have no land because of the invaders.²⁶⁰

In sum, Ogilgei residents do not construct narratives in which an outside group presents a threat to the land rights of members. Because they have title deeds, relatively large plots of land, and

²⁵⁹ Interview-Ogilgei-09-04_3

²⁶⁰ *ibid.*

good relations with their Kikuyu neighbors that go back to the first decade under Kenyatta, residents do not frame their everyday land security in relation to neighboring groups. In addition, residents have relatively strong land rights and hence do not need to rely on politicians to offer protection from impending threats of eviction. A resident explains:

My rights to own land rights are protected by the government through the laid down laws and with the evidence provided to me as the legal owner of the land. This means that the politician has no bargaining power to defend my rights to own land. So there is no particular politician who can get my vote by promising that they will guard my land unless I am not of sound mind.

While residents still seek other forms of developmental goods from politicians—such as schools, roads, and cattle dips, none of these social goods has the same political implications as land. Politicians cannot offer promises of title deeds or protection in exchange for political support. Hence, narratives around land do not become politicized at the local level during electoral periods.

A second dimension of land narratives is the strategies that group use to claim-land. In Ogilgei, residents assert their claims to land through their possession of the title deed. Ogilgei residents do not doubt the authenticity of their title deeds. The government has not challenged the titles, nor have their neighbors questioned their legitimacy. The title deed has become a symbol of their legal recognition by the Government. The title deed provides residents with a feeling of belonging to a nation-state rather than an ethnic community—where they have the means and capacity to follow the rules of land. The title deed is the prize that residents earn after years of hard work: proof that Kenyans must earn their way into the club of national citizenship. One respondent demonstrates this emotional attachment to the title deed, “The title deed is of [so] much importance to the people who own the land. As for my father’s case, he truly treasures

his. In fact I can term it as his heartbeat.”²⁶¹ Another respondent explains his favor for the title deed over ancestral claims to land:

[...] The title deed owner knows that s/he is following the law and the constitution [...] I don't acknowledge ancestral land rights because my Kikuyu friends have no idea where their ancestral land is and they can never go back to where they lived in Central Province. The fact remains that the land is theirs but they have nothing to show for it.²⁶²

The respondent's comments reflect a wider narrative in Ogilgei in which ancestral land claims do not provide an effective mechanism of land access for all Kenyans. Land purchase through the title deed however enables any Kenyan to access land in any part of the country. In this view, one's level of wealth rather than ethnic-identity alone, constrains movement and land acquisition. For the respondent above, the title deed claim also provides the foundation for a more open and democratic society. He emphasizes that for the many Kikuyu who no longer have land access in their ancestral home of Central region, they need or deserve a way of claiming land in the rest of Kenya.

4. The Unequal Allocation of Land Rights in Mauche

Mauche is a Moi-era settlement scheme formed between 1994-1997. Moi's government carved the scheme out of the edge of the Eastern Mau Forest as a way of re-settling the landless Ogiek people living in the Western Mau Forest—a sub-tribe of the Kalenjin.²⁶³ The regime had rendered many Ogiek landless when it forced them out of government forestlands in the Western Mau Forest.²⁶⁴ As the KANU regime headed into its first multi-party elections in 1991-92, the

²⁶¹ Interview-Ogilgei 09-03-4.

²⁶² Interview-Ogilgei-09-04_1.

²⁶³ The Ogiek now consider themselves a sub-tribe of the Kalenjin ethnic group (also referred to as the Ndorobo). Until the last few decades, they lived as forest-dwellers and have been fighting for their rights as an indigenous people to live in the forests. They have faced consistent repression and destruction of their homes and livelihoods for much of the last forty years (1977-2000).

²⁶⁴ The majority of the original residents in Mauche come from Tinet Forest, a Government Forest in Western Mau Forest. The Kenyan Government won a High Court battle to evict Ogieks from their ancestral home in the forests in

settlement scheme also provided a way of consolidating a Kalenjin voter base in the otherwise Kikuyu-dominated district of Molo (now Njoro). The government allocated each household five acres of land within the scheme, accompanied with a plot allotment letter. Residents claim that their plot allotment letters were replaced with title deeds sometime between 1997 and 2005.²⁶⁵ Yet early in the Kibaki Administration, the government issued a caveat on all Mauche title deeds, rendering any title deeds unusable.²⁶⁶

As the beginning of this chapter illustrates, residents of Mauche have developed highly contentious land narratives with their neighbors in Likia. Two institutional features help explain the formation of highly contentious land narratives in contrast to Ogilgei. First, Mauche Settlement Scheme is government-issued land. Unlike many land-buying companies, including Ogilgei and Likia farm, residents have not purchased the land they farm. Second, Mauche residents lack relative land security. Their Kikuyu neighbors on Likia Farm do not recognize their right to occupy the land. Narratives from each side are about who has a stronger claim to the edges of the Eastern Mau Forest.

The Land Allocation Process in Mauche

In a discussion with youth from Mauche, they talk about the time when the Kenyatta regime pushed them deeper into the forest to make space for landless Kikuyus coming from Central Province. “[The Kikuyu] benefited because their leader was [also] a Kikuyu.” Twenty years later in the early 1990s, President Moi acted in the same capacity as Kenyatta, resettling Kalenjins (including Ogieks) in Mauche. Drawing on this history, participants explain, “So there

the March 2000 Case, Tinet Ogiek (S/Western Mau) vs. the Republic of Kenya (HCCA 228/99). High Court of Kenya, Nairobi,

²⁶⁵ Ndungu Report (Vol. II, Annex 14, Nakuru/Likia Forest Excision); Interviews with Mauche Residents

²⁶⁶ According to Mauche residents, the Kenyan government issued title deeds in 2005 and in the same year, placed a caveat on these titles.

are two ways of land acquisition, the president assisted way, and our way, which is when the landless people are resettled.²⁶⁷

While both forms of land acquisition involve the Central State, what matters more is how both sides have interpreted these two methods of settling Kikuyus and Kalenjins. Kalenjin residents in Mauche receive accusations that they have not purchased the land, but instead, have received the land “for free.” Their defense is that they earned the land through their many years of suffering as a landless people. They juxtapose their hardship with the Kikuyus, who they say have received land through the patronage of the first President Kenyatta. Mauche residents frame their struggle to access land as a process of eviction, state repression, and finally, relocation by a merciful leader. They see themselves as recipients of state patronage—a sharp contrast from the shareholders of the Ogilgei land-buying society. Rather than strategically organizing themselves, residents who received land within the scheme were the “lucky” recipients of land allocations.

Many allottees have endured brutal repression and evictions under Provincial Commissioner of the Rift Valley, Mathenge.²⁶⁸ One Mauche farmer emphasizes that “there was no other way of acquiring land” but to wait for government resettlement. He says that “we were so used to that place in the forest [Tinet Forest] that the government had to forcefully evict us...so if we were not given this land, we would still be living there [in the forest].”²⁶⁹ Another resident explains: “As the Ndorobo (Ogiek) people, we took the forest as our homes until the government evicted us. We used to go back and build makeshift houses [but then] the police

²⁶⁷ Mauche Youth Focus Group-Stage 1-July 2012.

²⁶⁸ P.C Isaiah Mathenge is infamous among the Kalenjin for stealing Kalenjin cattle, burning homes, and imprisoning people (beginning in 1977). These abuses, which targeted Kalenjin sub-tribes, remain a source of grievances today.

²⁶⁹ Interview (16)-Mauche-Stage 1-July-21-2012

would come and burn our houses. This continued for some time until the government gave us this land.”²⁷⁰

One theme that emerges from interviews with residents is a belief that the Moi Government rescued them from the forests. This narrative has developed in spite of the forced evictions that they faced under the Moi government. According to a group of Ogiek elders, the government “saw it was fair for us to quit living in the forest since it was a water catchment area and [we] were lagging behind in development.”²⁷¹

Another feature of Mauche’s land allocation concerns the legality of the process. The former Moi regime excised part of the Eastern Mau Forest to settle those who were ostensibly landless. To do so, the Government excised government forestland for settlement purposes before the forests had been formally opened for transfer or sale.²⁷² This breach of due legal process represents the illegal allocation of government land, or what Paul Ndung’u, author of the Ndung’u Commission Report calls “outright illegality.”²⁷³

The legal status of Mauche falls under particular scrutiny because it sits on the eastern edge of the Mau Forest Complex—the largest closed canopy ecosystem in Kenya.²⁷⁴ The Mau Forest Complex has become a political and ecological focal point beginning with the 2005 Forest Act and culminating in the Mau Forest Task Force (launched by the Prime Minister, Raila Odinga in July 2008). The Government has launched a project to remove any settlers or squatters living within the boundaries of the Mau Forest—regardless of title deeds. Mauche residents occupy a precarious position. They occupy land that in all likelihood was allocated

²⁷⁰ Interview (7)-Mauche-Stage 1-7-19-2012.

²⁷¹ Focus Group-Ogiek Elders-Mauche-Stage 1 (July 2012).

²⁷² This process is referred to as de-gazetment where public lands are announced in the newspaper that they are being alienated out.

²⁷³ Government of Kenya. 2004. Report of the Commission of Inquiry into the Illegal/Irregular Allocation of Public Land (aka “Ndungu Report”) p. 153.

²⁷⁴ Government of Kenya, 2009. Report of the Prime Minister’s Task Force on the Conservation of the Mau Forest Complex.

illegally by President Moi in the early 1990s. In addition, the Kenyan Government seeks to restore the Mau Forest. The full restoration process would likely entail their eviction.

Land (in)Security in Mauche

Most residents of Mauche say that they do not feel land secure. While many resident received title deeds, they have been useless since the Government imposed a caveat in 2005. Residents are well aware that they live in contested terrain—both politically and ecologically. They face threats of evictions or forced resettlement from the State as well as from their Kikuyu neighbors. Without genuine title deeds, Mauche residents must rely on political patrons to ensure their land security.

The land security of Mauche residents is weak in large part because their Kikuyu neighbors living the neighboring Likia Farm question their rights to occupy the eastern Mau. Likia residents accuse Mauche farmers of taking land for free without working or paying. Kikuyu residents in Likia see Mauche residents as “forest invaders,” particularly as ideas about the Mau Forest and environmental preservation become popular. One Kikuyu resident of Likia claims, “They should not even occupy that land because it’s government land and also because it’s a forest.” A former forest guard describes the forestland as site of contestation between both sides:

When the forest was being set aside for settlement for the second time it was given to one tribe only [Kalenjin]. We tried to kick them out of the forest but we were defeated followed by an order [from] ‘above’ to let the forest invaders be [Office of the President]. We tried to talk to them but they defiantly denied and said that the Kikuyu had their turn during the Kenyatta era so now it was their turn.²⁷⁵

Linking the Mau Forest allocation with violence in the Rift, another Likia farmer claims, “if the government had not given out the Mau forestland, we would have not have had any clashes in

²⁷⁵ Interview (4)-Likia-Stage 1-July-28-2012

the whole Rift Valley.” These excerpts demonstrate the strong resistance to Mauche settlement. Likia residents contest their right to occupy the adjacent territory. They draw on narratives rooted in ideas of land purchase, hard work, due process, and forest management. Yet underlying each of these narratives is the fear of Kalenjins in Mauche. This fear stems in part from the Kalenjin raids that escalate with each electoral campaign. Kalenjin claims to the Eastern Mau Forest also constrain the ability of Kikuyus in Likia to expand their own land.

In sum, Mauche residents lack two critical dimensions of strong property rights in land. The caveat on the title signifies their lack of formal recognition from the state. In addition, they lack informal recognition from neighboring Kikuyus. In the absence of formal and informal property rights recognition, Mauche residents have developed a set of narratives in which their access to land is either threatened or constrained by their Kikuyu neighbor or a Kikuyu-dominated state.

Leadership in Mauche

This history of land acquisition in Mauche and the levels of land security that have emerged from the process also affected the way that local leaders, or Kalenjin elders specifically, assert their authority over community members. Elders in Mauche have narrative authority. Their voice, beliefs and views of the world play a large role in how narratives develop from within the community. The narratives they promote however, emerge from their experience of everyday land insecurity. Elders draw on histories of lands lost to outsiders, and promote strategies of re-claiming land and pre-empting future threats. Mauche elders thus have significant power in promoting contentious land narratives, but they have less ability to constrain these same narratives when they become mechanisms of violent mobilization. As violence escalated in the aftermath of the 2007 election, Mauche elders did not have the authority to

restrain younger members from fighting. This contrasts Ogilgei, where leaders could use their moral authority to convince younger people not to fight. A respondent explains, “The elders tried their best to calm the youth, urging them not to engage in war. But the youth didn’t listen and sometimes they collided [fought] with the elders.”²⁷⁶

This suggests that the narrative voice of Mauche elders is actually limited. They have the power to shape contentious narratives that focus on past injustices or impending threats from rival groups. But they do not have the power to constrain or moderate these same narratives. I point to three possible explanations. First, most Mauche elders—particularly the Ogiek elders—did not have the opportunity to receive any formal education. In 1975 the Provincial Government destroyed nearly all primary schools accessible to Ogiek children. This was part of the violent campaign to evict Ogieks from the Western Mau Forest.²⁷⁷ In a focus group with Mauche elders, participants refer to marginalization and harsh repression that the Ogiek community faced under the colonial government and the subsequent Kenyatta regime:

The government neglected us and I didn’t go to school because of that...the Ndorobo (Ogiek) don’t have any educated people to represent us because we were side-lined. We have so many problems that can never end. The whites forgot us and the government forgot us.²⁷⁸

Many elders are today illiterate. They must rely on younger members to write letters or read newspapers. As education has become more importance in Kalenjin communities older members without education do not have the same status as educated leaders. Many older leaders therefore struggle to retain authority over younger members. Similarly, have less power to constrain the contentious land narratives that take shape. This contrasts Ogilgei, where the

²⁷⁶ Interview (2)-Mauche-Stage 3-October-04-2012.

²⁷⁷ According to a report submitted Truth Justice and Reconciliation Commission (TJRC) by the Ogiek of Sururu/Mauche Settlement Scheme (Njoro District), the government burned over 10 primary schools, arrested residents, raped women and children, and stole cattle, sheep and goats in large numbers which they subsequently sold at “throw away prices” to Kikuyus.

²⁷⁸ Focus Group-Mauche Elders (Ogiek)- Stage 1.

founding leaders of the community had greater access to schooling—in large part because they were working on or around the farms of White Settlers rather than living in the forests.

A second explanation underlying the constrained narrative authority of Mauche elders is the dwindling supply of land in the community. Unlike many Ogilgei elders who have been able to invest in their ten-acre plots of land and hence can pass on the land to their kin, many Kalenjin leaders in Mauche do not have sufficient land or proper documentation to pass on land to the next generation. This undermines their authority and status in the eyes of the younger generation. Lastly, because elders face dwindling access to lands, insecure land rights, and reside within a constituency where they are the political minority (Njoro Constituency), they rely on local-level politicians and officials to provide land security and basic goods. This patron-client relationship between Mauche leaders and local politicians can provide a source of power for village elders during election time. Yet it also erodes the autonomy of Mauche elders who become beholden to local politicians.

Land Narratives in Mauche

Land narratives in Mauche are based partly on the belief that Kikuyus in Likia—or Kikuyus in general—present a threat to their own land security. This falls under the ‘*narratives of land insecurity*’ that I describe throughout this study. Residents can narrate this threat retrospectively. Retrospective narratives of threat tell stories of migrants who have invaded the ancestral lands of the Kalenjin, in the process evicting Kalenjins or undermining their land rights. The discourse focuses on how the processes of land acquisition—through coercion, corruption, and unfair power advantages—have dispossessed Kalenjins. One respondent from Mauche illustrates this narrative: “Those who benefited more are the ones who have come [from outside

the Rift Valley] because they have denied the real inhabitants their rights to own the land.”²⁷⁹

This reflects a widely held belief that migrants into the Rift Valley have taken land away from the original occupants. The implication is that as more outsiders move into the Rift Valley, they displace current occupants. In a focus group with Kalenjin youth, they interrogate the process of land acquisition.

The people who say that they bought land from the whites are just telling a cover up story. When the whites came they did not buy this land from anybody. They chased away the natives. What was being sold when they left was barbed wire fence, the cows, and one farming tractor. So in essence, the whites did not buy any land in Kenya. So the catch is that they invented the land-buying phenomenon just as a cover up.²⁸⁰

The excerpt is revealing in two ways. First, it demonstrates a narrative in which a more powerful group (mostly Kikuyu) has dispossessed the Kalenjins of their land. Second, the interviewees comment on the mode in which the acquisition occurred: Kikuyu elites dispossessed natives by inventing the idea of a land market in which only a select segment of society could participate. Based on the above remarks, the invention of the formal land market as a form of land acquisition represents a threat to Kalenjins in Mauche because they can not engage in the land market as equal players.

Many other residents provide retrospective accounts of threat through their eviction stories. In each case, threats to land emerge from a rival group—or “those who feel that we shouldn’t have been given land.”²⁸¹ Another respondent talks about the unfairness of the land acquisition process. For him, *genuine owners* of the Rift Valley should have been the group in the position to purchase the land from the outgoing white farmers. His story is part of a larger narrative in which the outside group (the Kikuyu) became a threat to land access and security when they migrated from the Central Province to purchase European-owned farms. The

²⁷⁹ Interview- Mauche-7-18-3-Stage 1

²⁸⁰ Mauche Youth FG- Stage 1-Respondent 1

²⁸¹ Interview-Mauche-7-19-8-Stage 1

respondent adds the exception that, “One could however be a genuine owner if he is a good person, if he is one who wouldn’t think of evicting the Kalenjin community.”²⁸² In other words, migrants can gain legitimacy in the Rift if they purchase land without evicting or displacing natives of the Rift. The accusation of ‘being evicted’ takes the form of a narrative about outsiders wrongfully (and forcefully) taking land without compensating victims (in this case, Mauche residents). This narrative is one of the most ubiquitous land narratives launched against incoming groups.

Residents also interpret and narrate threat based on the possibility of losing land to another group in the future. For most Mauche residents, they draw on two sources of their land insecurity: 1) the caveat on their title deeds and 2) the selective curtailment of land rights—the perception that Kalenjins but not Kikuyus are facing threats to land security.

Referencing the caveat on his title deed, a Mauche resident talks about the threat he feels from his Kikuyus neighbors: “With a caveat on my title deed, I don’t feel safe because anytime I may be chased out. And I think this is why the Kikuyu will want us to be moved from here.”²⁸³ As his own land security has diminished, he sees his Kalenjin neighbors presenting a greater threat. Residents view their own rights in relation to the formal rights of their neighbors.

Another respondent emphasizes the importance of having a genuine title deed. For him, the caveat of Mauche title deeds has weakened the competitive power of the Kalenjin in region, giving the Kikuyus an advantage in trade and development. This economic edge makes Mauche residents feel even more vulnerable.

The title deed is a very vital document in Kenya but the people from the Kalenjin community have no title deeds though the Kikuyu have [the title] and they are able to use it in the bank

²⁸² Interview (15)-Mauche-07-21-2012-Stage 1

²⁸³ Interview (3) Mauche-10-04-2012-Stage 3

and secure a loan. But in our case, our titles have a caveat hanging on them. This allows the Kikuyu to develop very fast compared to us.²⁸⁴

Narratives in Mauche also emphasize the selective or arbitrary allocation of rights toward Kikuyu members at the expense of Kalenjin members. Residents interpret Kikuyus as a threat because they see them benefiting from government policies and patronage (Horowitz 1985). Likia residents—as members of the Kikuyu community and ruling political party—have a monopoly control over local political institutions, including land institutions.²⁸⁵ Kikuyus are a threat not only because they benefit from government patronage but because they control local government and the distribution of local resources, including land access and title deeds.

Mauche elders point out the disparities:

The Kalenjin have land here, the same as the Kikuyu. But only the Kalenjin land is being termed a water catchment area. So they [Kikuyu] are planting wheat and barley with tractors and our people are being kicked out from the forest.²⁸⁶

In the excerpt below, the respondent points to the Ndung'u Commission (2004), a government report which recommended that all lands that had been acquired or allocated illegally should be revoked. Many Kalenjins—particularly around the Mau Forest—interpreted the report as a targeted attack against Kalenjins who had received land from the former President Moi.

According to the respondent:

There is a time when the government established a land commission called the Ndung'u Commission. Based on its finding it said that the Mau forest was given to people illegally by Moi. So the Kalenjins were left wondering why the land given by Kenyatta was not illegal. This is an issue that leads to war...²⁸⁷

²⁸⁴ Focus Group-Mauche (A6) -10-02-2012-focus group-elders

²⁸⁵ Interviews were conducted in 2012 at the end of the term of President Mwai Kibaki, a Kikuyu and leader of the PNU, which was perceived to represent narrow interests of the Kikuyus (and GEMA alliance). The current president is also a Kikuyu (Uhuru Kenyatta) but has allied with William Ruto, A Kalenjin, forming a powerful Kikuyu-Kalenjin alliance.

²⁸⁶ Focus Group-Mauche -10-02-focus group-elders.

²⁸⁷ Interview-Mauche-10-04-2012-stage-3-2.

The respondent's views are illustrative of a broader narrative about unequal treatment—that the Kikuyu-led regime²⁸⁸ has been leading a targeted campaign to undermine the land rights of Kalenjins in the Rift Valley to accommodate Kikuyu expansion. In this narrative framing, Kikuyus present a threat to Kalenjin land security because Kikuyus have a co-ethnic who occupies the Office of the President. In other words, they receive the patronage and protection of the State, while Kalenjins (and other smaller groups) do not.

Land narratives also consist of strategies of claiming or asserting rights to land. Claim-making narratives in Mauche have developed out of an institutional environment framed by weak and uneven access to land. Three salient themes of this land-claiming narrative emerge. The first is a claim based on taking back “what belongs to us.” The second is a desire to assert land claims using the title deed. The narrative emphasizes constraint due to the caveat on the title deed. It emphasizes potential power rather than actual power. In this sense, the claim-making narrative becomes a grievance against the government—a condemnation of ethnic favoritism. The third theme alludes to the violent take-over of Kikuyu properties as method of reclaiming the Rift Valley for Kalenjins and other original occupants.

In a focus group with Mauche elders, respondents reveal a narrative rooted in the idea of re-claiming ancestral land or “land that belongs to us.” The narrative is effective because the Rift Valley provides the imagined territorial boundary in which identification is forged. The “us” to which they refer is ambiguous to an outsider listener, but can serve as a powerful rallying call to anyone who self-identifies as the in-group: those who can narrate the history of the Rift Valley.

“...All the other tribes from outside have come to take away our land and that is why we have clashes. It's all because of land. Now we want our land back. Even with the counties,

²⁸⁸ Mwaki Kibaki, a Kikuyu was the president of Kenya from 2002-2013 (Party of National Unity). Uhuru Kenyatta, also a Kikuyu, won the presidency in 2013 (The National Alliance).

we still *want what belongs to us*.²⁸⁹ These people have taken our land and it belonged to our forefathers, I can say this because I know the history of Rift Valley.²⁹⁰

The second claim-making narrative shifts away from the ancestral-rights based claim. Residents acknowledge the potential power of the title deed. Many see the title deed as “a weapon” to defend their land against theft or land grabbing from others, particularly from people in more powerful positions. Yet because Mauche residents have a caveat on their title deed, the narrative highlights the injustice that the caveat creates for Mauche residents compared to Likia residents who enjoy the benefits of genuine title deeds. One resident explains:

The individual title deed [...] is more powerful than the ancestral land, although now our titles are not powerful because of the caveat. I feel that if these titles were to have equal powers like those of our neighbors in Likia farm, which is also part of Mau [Forest] then it would be better...²⁹¹

In a third narrative, group members talk about re-claiming land after Kikuyus have left or returned to the Central Province. The stories range in their implicit or explicit reference to the use of violence. In the excerpt below, several young people from Mauche talk about the large tracts of land held by the Kikuyu elite. They hope that the Mungiki—a violent organization composed of poor Kikuyu—will rise up against their elite. They believe that the Mungiki uprisings will serve two purposes. First, the efforts of Mungiki will free up land in the Central Province, enabling Kikuyus to move out of the Rift Valley and back to the Central Region, creating more space for natives of the Rift. They also suggest that Mungiki’s claim-making would create a political opportunity to start their own movement. One participant explains:

There are people with huge chunks of land in central like Kibaki, Kenyatta and Michuki.²⁹² They displaced so many Kikuyus in order for them to have the land they have now. That is

²⁸⁹ The participant is referring to the creation of counties, as part of the new devolved system of government, created by the new 2010 Constitution. As of March 2013, there are 47 counties.

²⁹⁰ Focus Group-Mauche Elders-Stage 1.

²⁹¹ Interview-Mauche-07-19-7-Stage 1.

²⁹² The respondent refers to three wealthy Kikuyu politicians, the former president Mwai Kibaki, first President Jomo Kenyatta and high-ranking politician, John Michuki (Chairman of Kenya Commercial Bank, Member of Parliament, and Cabinet Minister under Kibaki).

why they have the Mungiki.²⁹³ And they are claiming the land of their forefathers. When the Mungiki start their (violent) claims to land we will also start our claims to land here in the Rift Valley. It would be good when they start their claims because the Kikuyu will go back home and we will have the Rift Valley to ourselves again.²⁹⁴

It's not clear how or whether the participants in the focus group envision a specific use of violence or force. But the youth articulate a method of claim-making that requires an organized mass movement—such as Mungiki. The movement—whether Kikuyu or Kalenjin based—must remove one group or set of landowners in order to accommodate the needs of the majority.

5. Conclusion

This chapter begins by asking why contentious land narratives develop between groups in one local context, but in a similar context contentious land narratives do not form. My main finding is that the inequality in land security between two neighboring groups shapes contentious land narratives. It is only when members from both sides have relatively equal levels of land security that narratives around land will not be contentious or competitive.

In the case of Ogilgei, there is relative equality in the level of land security between Ogilgei residents and their Kikuyu neighbors in Kerma. I find that this equal allocation of rights is largely an outcome of the land allocation process—whether residents had opportunities to purchase their land. In the case of Mauche, there is a sense of growing inequality in the level of land security between Mauche residents and their Kikuyu neighbors in Likia. The distribution of land rights is skewed in favor of Kikuyus. As I demonstrate through my case studies, this uneven allocation is an outcome of the different modes through which Kalenjins and Kikuyus acquired land. Kikuyus purchased land as shareholders through a land-buying company.

²⁹³ Mungiki began as a religious-based Kikuyu movement in the Rift Valley, modeling itself after the Mau Mau freedom fighters of the 1950s independence movement. It has become a violent criminal organization and vigilante group and is accused hiring itself out to politicians to disturb elections. (See Rasmussen 2010).

²⁹⁴ Focus Group-Mauche Youth-9-7-2012-Stage 1

Kalenjins on the other hand, were resettled on government land “for free.” Their land rights have thus been called into question both by their Kikuyu neighbors and subsequent government regimes.

The comparison provides an opportunity to interrogate scholarly assumptions about the sources of group conflict at the local-level. The arguments presented here contrast studies of ethnic group conflict that would assume that ethnicity is the lens through which people understand their land security. Instead, the case studies of Mauche and Ogilgei demonstrate that that the property rights environment shapes how people evaluate the strength of their land security. In local institutional environments defined by uneven and insecure property rights such as Mauche, where group members struggle to secure tenure security, they are more likely to see a neighboring group of a different ethnic identity as a threat to their own security. Relative land equality between groups shapes the political salience of ethnic identification.

Ogilgei provides an important counter case. Kalenjin residents do not view their Kikuyu neighbors as a threat or impediment to their own land security. Equally, they do not make claims to land based on ethnic or regional-identification but instead rely on formal claims such as the title deed. These non-contentious narratives are the outcomes of Ogilgei’s land acquisition process, formal and informal levels of land security, and the incentives or preferences of community leaders. In contrast to Mauche leaders who advocate for the re-distribution of rights between the Kalenjin and Kikuyu communities, Kalenjin leaders in Ogilgei have strong incentives to maintain the status quo around land ownership and boundaries. Leaders seek to insulate Ogilgei from the instability of the surrounding region. Because Ogilgei residents have relatively strong land rights and because their leaders advocate narratives that ensure stability over reform, politicians are not able to leverage issues of land and ethnic identity during electoral

campaigns. The Ogilgei case is also important because it show local actors such as village leaders can play an important role in increasing perceptions of security, and and mitigating the divisive effects of contentious land narratives and political mobilization.

6

Local Patterns and Dynamics of Kenya's 2007 Post-Election Violence

On December 30, 2007 the Electoral Commission of Kenya (ECK) declared Mwai Kibaki of the Party of National Unity (PNU) the President re-elect of Kenya. The main opposition party, the Orange Democratic Movement (ODM) disputed the results, citing massive vote fraud. ODM party leaders, including presidential candidate Raila Odinga, encouraged party members to mobilize *en masse*. Within minutes of the ECK announcement, violence had escalated across urban and rural regions of the country—from the slums of Nairobi and Kisumu to farming communities across the Rift Valley. The violence followed a distinct pattern. It began with ODM members removing “outsiders” from contested territory. In most cases, these were presumed supporters of Kibaki’s PNU. The violence took several forms: violent evictions, killings, rape, lootings, the destruction of homes and properties, and violent police repression. A second coordinated wave of violence occurred when Kikuyu residents committed revenge attacks against ODM supporters, most of whom were Luo and Kalenjin (KNCHR 2008). While violence did not escalate across the majority of Kenya’s forty-seven counties,²⁹⁵ mass violence escalated in seven of Kenya’s counties. The highest numbers of election-related deaths occurred in Nairobi, Nakuru, and Uasin Gishu counties where it is estimated that between 200 to 400 people died in each county between December 2007 and March of 2008.²⁹⁶ Residents in other counties of the Rift Valley and Nyanza Regions—such as Trans Nzoia, Kisumu, Kericho, and

²⁹⁵ Counties were previously called districts (of which there were 96 in 2007).

²⁹⁶ These death counts come from the Waki Commission Report, ACLED, and PRIO. Chapter one shows a map of national-level deaths counts based on these figures. The appendix describes the details of my coding based on these data sources.

Baringo—also experienced extreme violence, where reported deaths were over 100 (see map in Chapter one).²⁹⁷

I take this variation in both the intensity and form of election-related violence as the chapter's starting point. My aim, however, is to go beyond the provincial or district-level patterns of violence that current reports have established. Instead, I go one step farther to explain the local-level dynamics of violence within and between violence-afflicted regions. The local variation in violence that I observe from my survey data motivates the second question of the chapter: what factors best explain why some Kenyans were more likely to experience election violence than others?

I begin this chapter by drawing my survey data from the Rift Valley region (Nakuru and Uasin Gishu Counties) to examine how individuals experienced the post-election violence. What variation exists in the incidence and scale of violence? Where did people experience the worst violence? And which areas remained relatively peaceful? By describing the occurrence and patterns of electoral violence in these counties, I provide a micro-level empirical account of election violence in Kenya.

The second part of the chapter asks why certain citizens living within the Rift Valley region are more likely to experience election-time violence than others. Most studies that examine electoral violence, particularly in Kenya, focus on why or when electoral violence breaks out at the national or regional level without specifying the factors that explain micro-level patterns of violence. One set of existing explanations focus on identity-based accounts of violence. These studies look at how the likelihood of violence increases where ethnic polarization is greater (Horowitz 1985), where ethnic interaction or ethnic trust is low (Varshney 2002; Kasara 2012), or where particular ethnic groups (i.e. "sons-of-the-soil") have the incentive

²⁹⁷ See appendix for a detailed list of PEV death counts per county (i.e. district).

and capacity to use violence (Fearon and Laitin 2011). Institutional accounts argue that violence is more likely where the state's capacity is limited (Fearon and Laitin, 2003); where patronage, corruption, and coercion are entrenched features of the regime (Klopp 2001; Branch and Cheeseman 2009) and when groups of citizens question the state's ability or willingness to provision state resources or social services such as public security, education, land, and jobs (Mueller 2008; Boone 2014). Rationalist or elite-oriented explanations meanwhile focus on when and why political elites or parties have incentives to use violence to alter the election process (Dunning 2011; Høglund 2009; Gutierrez-Romero 2014).

I build on the insight that electoral competition and the capacity of the state play a role in shaping the incentives and capacity of elites actors to organize violence (Wilkinson 2004; Høglund 2009). Yet these accounts do not go far enough in explaining much of the observed variation in election violence at both micro and meso-level.²⁹⁸ In other words, we still know very little about why intense violence escalates in one village or constituency yet not in a nearby constituency with seemingly similar characteristics. A key objective in this chapter is thus to make inferences about how individual and micro-level factors help explain the escalation or non-escalation of violence by using data gathered at the level of the ordinary citizen.

In line with the arguments that I have developed throughout this study, I argue that three main factors help explain whether an individual is likely to have experienced the post-election violence. The first and strongest predictor is a person's individual land security, which I measure by whether a person fears eviction from her land by state forces or a rival group. The second predictor is a person's belief in a set of contentious land narratives. In this chapter, I use contentious land narrative to refer to the belief that outsiders pose threats to the land security of

²⁹⁸ By micro I refer to community-level (e.g. settlement scheme or village), ward, and constituency-level. I use the 'meso' to refer Kenyan counties and regions.

an individual or his/her community.²⁹⁹ The third key predictor is whether an individual has heard a politician (or other mobilizer) use contentious land narratives as a way to mobilize support. Further, I suggest that the level of political competition at the constituency level interacts with each of these factors.

This chapter proceeds as follows. First, I draw on my household level survey data from the Rift Valley (Nakuru and Uasin Gishu counties) as a way to describe the variation in electoral violence. In this section I motivate the puzzle of local-level violence and describe the main outcome of interest in this chapter: the degree to which an individual experienced election-time violence. In the second section I present a theory of the factors that may affect the escalation of local-level violence and derive a set of testable hypotheses. I also present set of rival explanations. The third section describes my measures and empirical strategy and section five describes my results. Section six concludes.

1. Patterns and Dynamics of the 2007 Post-Election Violence

One of the more difficult and controversial tasks for social scientists and activists studying political violence is to arrive at a consensus on the final tallies: How many people died? How many civilians were displaced? How many people lost limbs, land, and livelihood? As I discuss in other chapters, there is a lack of reliable data on the Kenya's PEV.³⁰⁰ Due in large part to the lack of reliable data, existing studies have relied largely on the Government's Commission of Inquiry on Post Election Violence ("Waki Report") and media coverage from the violence to

²⁹⁹ Community refer one's ethnic community or to a more geographically bounded community where most residents identify along common ethnic lines.

³⁰⁰ The only figures come from the Waki Commission Report and Kenyan national media outlets—both of which cite the same mortuary reports. I address some of these data questions in chapter eight.

construct measures of electoral violence.³⁰¹ While both the Waki Report and media reports provide an important baseline account of the post-election violence, they do not provide a systematic, disaggregated, or thorough report of the violence. First, the Waki Report aggregates violence to the district or provincial level. Hence, we lose the ability to discern patterns of violence within districts (now counties). Further, the Commission only provided reports for 28 out of the country's 69 districts. We are left to assume that violence did not escalate in the remaining forty-one districts for which data are not provided.

Second, there are a number of issues in how the Waki Commission investigated the violence, which the Commission's authors acknowledge in the report. Constrained by time, resources, and the ability to protect witnesses, the Commission relied primarily on the summary accounts of public officials (i.e. Provincial Commissioners, police officers, District Security Intelligence Committee) rather than ordinary citizens. Equally striking is the limited amount of actual testimony—either from officials or ordinary citizens—that the Commission was able to gather. In Western Province for example, the commission did not conduct any hearings due to time constraints (CIPEV, p 12). In Nairobi, where the highest death tolls and the most displacement occurred, the Commission did not hold any formal hearings to “receive evidence and testimony with regard to the violence in Nairobi (CIPEV, p. 13).” In the absence of on-the-ground testimony, the Waki Commission relied instead on the reports and testimony of a small number of high-ranking administrative officials, security personal, and political party representatives. One methodological risk here is that the Commission relied primarily on representatives of the State or a political party. Each of these individuals or institutions had

³⁰¹ See for example, Roxanna Gutierrez-Romero, 2014; James Long 2012 (Dissertation Manuscript). There are also several studies that try to create their new measures of election violence. For example, both Kimuli Kasara (2012; 2014) has used satellite images of fires to proxy for violence in addition to relying on IDPs flowing at the location-level.

strong incentives to provide a particular set of facts about how the violence played out: either to protect themselves or to play by the rules of the organization or party. Within the Rift Valley, the Commission notes that it received witness testimony from thirty individuals: twenty-five from Eldoret Town (Uasin Gishu District) and five from Nairobi.³⁰² While Eldoret town experienced considerable violence, there is a clear oversampling of testimony and evidence from Eldoret town. Hence, because most of the testimony is both urban-centric and comes from Eldoret, the Commission's description of the patterns and dynamics of violence are biased by the very unsystematic manner through which it gathered its evidence.

A second and related issue is that both the Waki Commission and media reports during the PEV reported many of the same deaths and violent incidents. This points to a certain “selection effect” of how violent events are reported: media and truth commissions take note of protests that occur in visible spaces or bodies that made their way to provincial or district hospitals. But there are many deaths and acts of violence that go unreported. In many cases this is because the act of counting and reporting requires a level of capacity and political will that the Kenyan state—in the fragile months of the post-election violence—could not or would not leverage. This lack of capacity is evident by the Waki Commission's emphasis on the considerable time constraints that they faced while gathering data.

In addition, while no commission of inquiry can visit every affected area, there are strategic decisions in why a commission chooses to interview certain areas (i.e. villages, towns, districts) and not others. Hence, the act of gathering data by a government body is always a political act, regardless of whether it is a Government Census or Commission of Inquiry into

³⁰² These included 4 Provincial Administrators, 1 police official, 1 NSIS official, 5 medical officers, 2 hospital employees, and 15 victims and witness. In addition, the commission interviewed 24 individuals, 17 of whom did not testify.

violence or corruption. What this implies is that, “data are produced by people and entities according to their own *incentives* and *capabilities* (Herrera and Kapur, 2007).”

This strategic act of counting was particularly striking in Oljorai Settlement Scheme, located in Naivasha Constituency (Nakuru County). Here I interviewed a young Kalenjin man named George, whose mother has been killed during the violence.³⁰³ George tried to give his story to the Waki Commission but when they came through the area, officials told George that he could not be a PEV victim—‘*because I was Kalenjin.*’ George emphasized that Kalenjin are assumed to be perpetrators, but never the victims. The officials warned George to stay quiet and avoid causing problems. George’s story illustrates how the act of counting the dead can itself be a tool to silence certain communities while projecting a well-crafted image of victims and perpetrators.

In this chapter I rely primarily on data from the household-level survey that I conducted in February of 2013. While this data source has its own limitations, I gain two key advantages over the Waki Commission Report and datasets that rely on media reporting from the PEV period. First, I am able to gain a much more micro-level picture of the election violence. Specifically, my survey data reveals significant variation in how individuals experienced the election violence *within* districts, whereas existing studies and reports aggregate counts of violence at the district level or provincial level. Second, my survey data is based on the responses of ordinary citizens—who are randomly selected—rather than public officials, politicians, or experts. On questions of the election-related violence, I ask how individuals experienced or interpreted the violence (or lack thereof) in their own communities. Specifically, by asking individuals to describe their interpretations of the PEV, I am able to describe more than the occurrence of violence: I am also able to look at patterns in how ordinary citizens viewed the

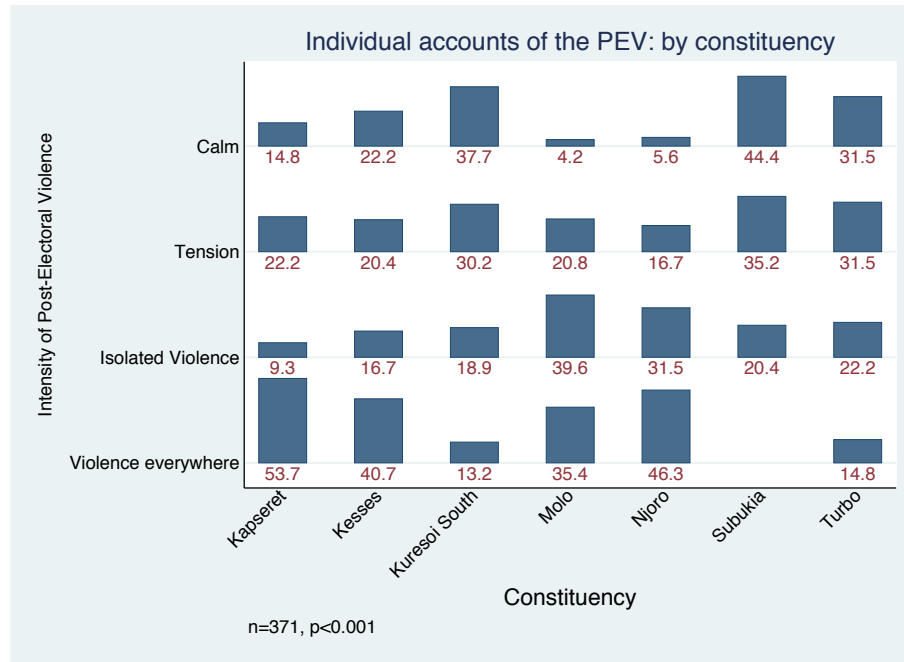
³⁰³ Respondent’s name changed for purposes of anonymity.

process of post-election violence: where it escalated, the targets, the timing, and its organization. These questions enable me to make connections and inferences between the attributes of an individual, his or her physical and political environment, and the form and scale of violence that the individual experienced (or did not experience). This contrasts the very different type of information gathered by the Waki Commission, where key experts provided background context to the violence, and public officials provided intelligence information.

To measure variation in how citizens living in Uasin Gishu and Nakuru counties experienced the post-election violence, I rely on a series of question from my survey that ask respondents to describe the violence. The main question, which I use to establish the occurrence and scale of violence asks the following: “*When you remember the time following the elections, how would you describe events within this community?*” The table below shows responses, aggregated by constituency.³⁰⁴

³⁰⁴ Between 2007 and 2012 (time of data collection) significant changes were made to constituency boundaries. Unless otherwise noted, I refer to the current constituency. See appendix for list on how re-categorized old electoral and administrative boundaries.

Fig. 6.1



Respondents could answer in one of four ways: 1) “peaceful or mostly calm: there were no problem;” 2) “Some tension but no fighting or clashes;” 3) “Some fighting but only in certain areas” and; 4) “A lot of fighting; it was very difficult and people were very scared.” I base these distinctions on my in-depth interviews with respondents about their experiences with the post-election violence. The first category captures the experience of many Kenyans in my survey sample. Specifically, results indicate that 23 percent of respondents from the Rift Valley (n=86) describe the post-electoral period as “calm.” Responses in this category indicate more than an absence of violence. Rather, I suggest that many individuals who provide this answer did not anticipate imminent attacks from either the state (i.e. police) or nearby community. For example, many parts of Rongai Constituency (Nakuru County) experienced significant electoral violence. Yet residents of Belbar, a community within Rongai, describe both the absence of violent escalation as well as any fear of violence. An elderly Kikuyu farmer explains, “Although we are in the Rift Valley, here in Belbar, we didn’t experience clashes. This is mostly because people

here have lived together harmoniously since childhood [...].”³⁰⁵ A woman in the same settlement scheme explains, “Just like I had said, we have several tribes co-existing together and none of them have ever had that mind of quarrelling with their neighbors.”³⁰⁶ As the table indicates, twenty-three percent of respondents from sampled counties in the Rift Valley describe the post-electoral violence in these terms; both stable and without discernable tension.

I include the category of “tension but no violence” because the category captures how many respondents from my qualitative interviews described their experience during the PEV. In these cases, individuals do not witness or endure physical violence personally, but they fear attacks—often as a result of rumors, threats, memories of past violence, or ongoing disputes over land and political power. “Tension” in this sense describes the very real possibility for violence—when both sides have been “primed” by political entrepreneurs or believe that the other side has the intent or capacity to attack. Across much of the Rift Valley, residents traveled to the homes of family members living in safer regions, hoarded food supplies, or buried valuables in anticipation of attacks. Kikuyu and Maasai communities in Mau Narok—located at the border of Nakuru and Narok counties—describe the tension of 2007-08.

“Before elections there is tension because there is stealing of livestock from both communities but it has never gone to the extent of resulting in violence.”³⁰⁷

“In 2007/2008, tension rose and the Maasai were heard saying that the lands we occupy are not ours and so we should leave.”³⁰⁸

“In 2007 there was no violence in Tipis. But there was tension or fear because people had been told that the Kalenjins from Mauche were on their way to fight people here—the Maasai, Kikuyu, and other tribes. But it didn’t really happen. Fear is never lacking [...] But God is good. [Fighting] has never happened here.”³⁰⁹

³⁰⁵ Interview-Rongai (1)-Belbar 08/09/2012.

³⁰⁶ Interview-Rongai (2)- Belbar 08/09/2012.

³⁰⁷ Interview- MauNarok-MwishoWaLami (5) 10/17/2012.

³⁰⁸ Interview-MauNarok-Tipis (6) 10/18/2012 (two respondents).

³⁰⁹ Interview- MauNarok-Tipis (11) 10/18/2012.

The pre-conditions for violence are present and yet for various reasons, violence does not escalate. This category of observations raises an important empirical puzzle about the factors that restrain escalation in contexts where we might otherwise expect violence to occur.

I construct the third category—“some fighting, but only in certain areas”—to describe violence that is limited in scope or scale—a single event or spatially isolated set of events. For example, in Mauche Settlement Scheme in Njoro Constituency, respondents describe violence that escalated either around Mauche Trading Center or along the Kalenjin-Kikuyu border. When the elections results were announced, Kalenjin residents crossed over the Mauche border into the neighboring Kikuyu community. Retaliatory attacks played out along the roadside and border between the two farming communities. While many residents were affected, a majority of residents who lived deep within hillsides were not. In these more remote locations the violence was something that happened to an unlucky friend or distant family member. Yet for many, the violence was not so pervasive that residents felt it was inescapable. Results from the survey show that 22 percent of all sampled respondents experienced violence of this category.

The fourth category describes intense and pervasive violence. When respondents remember this type of violence, they have often endured significant trauma or personal loss. Many fled their homes temporarily or permanently, seeking refuge in the homes of other family members or in IDP camps. For those who remained on their land or in their homes, many suffered injury, loss of a family member, or loss of livestock, crops, and property. A respondent in Mauche (Njoro Constituency) describes this sense of all-encompassing violence: “After Kibaki had been declared the winner we heard the people scream due to their dissatisfaction at

Mauche Trading Centre because everyone expected Raila to win. And the next thing we saw was chaos everywhere.³¹⁰

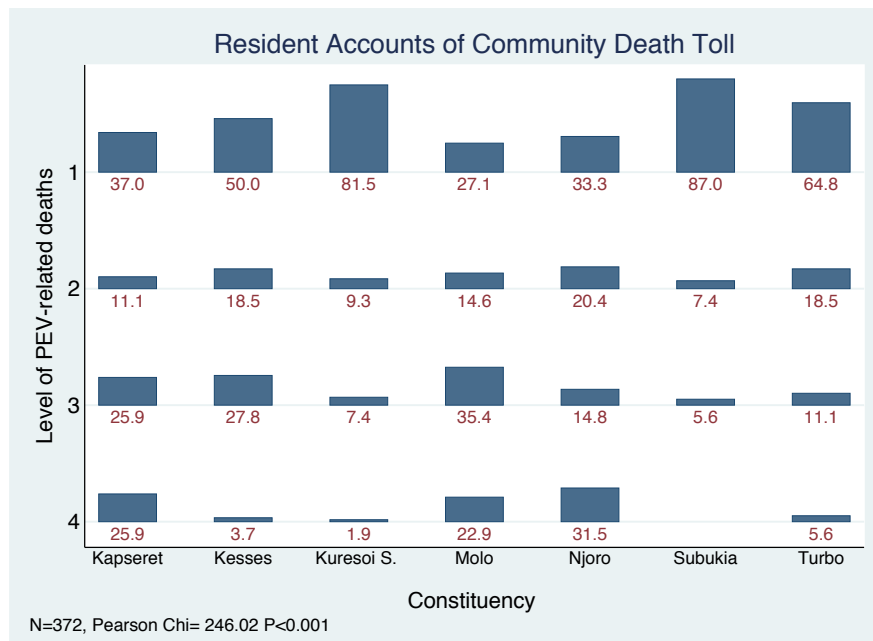
These descriptions of the intensity and scope of violence point to significant variation both between and within constituencies in Nakuru and Uasin Gishu Counties. In Turbo constituency (Uasin Gishu County) for example, 31 percent of respondents experienced relative calm during the post-electoral period, yet 15 percent of respondents within the same constituency describe significant violence. Similar differences exist between constituencies (see table 1). Within Nakuru County for example, around 75 percent of respondents in Njoro and Molo Constituencies indicated that they experienced some or significant fighting. Yet in Kuresoi South and Subukia constituencies, far fewer respondents experienced (or witnessed) physical violence (32 and 11 percent respectively). This variation suggests that while the incentives to deploy violence may have had an elite-based political logic at the national-level, the process of violence—where it escalated and how it escalated, as well as where it *did not* escalate, reveal a much more local story.

There are other ways to look at this variation as well. Another way of measuring the intensity of the violence is to ask residents to recall the number of people who died in their own communities. This provides a similar measure as the question posed in Table 6.1. Yet asking respondents to “count the dead” rather than describe a past experience can provide a more concrete measure of the intensity of violence within a particular location. Table 6.2 below reveals similar patterns of violence that we see in Table 6.1. Yet because the threshold for deaths is usually higher than other forms of violence (i.e. looting, riots), it makes sense that the frequencies of reported deaths are lower. The variation is striking, however, if we look at the last row that shows the proportion of respondents within a constituency who describe “many people”

³¹⁰ Interview-Mauche-10-04-Stage3-4.

being killed.³¹¹ In Njoro Constituency, 31.5 percent of respondents report that “many people” died, while in neighboring Molo Constituency, 23 percent of respondents indicate this high death toll. The reported deaths tolls in Kapseret Constituency stand out against the other two constituencies in Uasin Gishu County. Yet in the remaining four constituencies, less than five percent of respondents describe such high death tolls.

Fig. 6.2



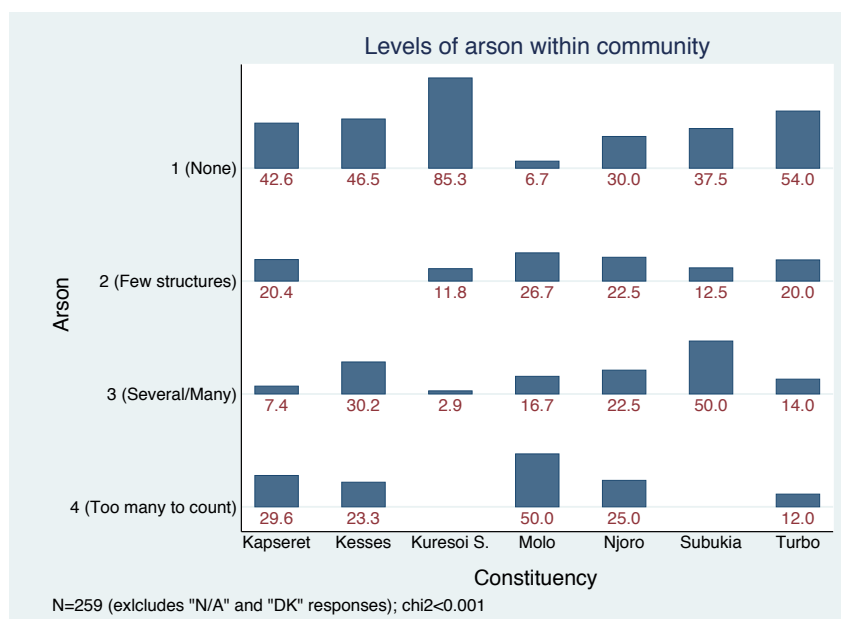
A third way of measuring violence is to ask residents to describe the damage and destruction to valuable property: to business, homes, land, or livestock. How did the loss occur? Many residents lost homes and business through arson, others through looting. And many other Kenyans talk about abandoning their farms—their cultivated fields and livestock—out of fear for their lives. An interviewee in Mauche (Njoro Constituency) describes the forms of violence that he witnessed (or heard about) in the ten-mile radius of Mauche.

³¹¹ “Many people” is distinct from the response category “a few” or “several” people (recoded the third category in this table). Hence, it implies a significant number of people killed.

Ndefu, Likia, and Mauche were the so-called hot zones that experienced more violence than the surrounding regions. The forms of violence included breaking in and looting, destroying property, torching houses and killing the passengers on our roads, blocking the with stones and logs, burning tyres, and digging trenches. All of these made the roads impassable.³¹²

The table below shows accounts of arson.³¹³ Molo, Njoro and Kapseret constituencies show the highest proportion of respondents who describe the number of homes burned as “too many to count.” The results also suggest that arson was particularly pervasive in parts of Kesses and Turbo constituencies, even though these areas were not the most violent by other measures.

Fig. 6.3



Overall however, each table represents a consistent pattern of violence across the sampled constituencies in the Uasin Gishu and Nakuru counties. In Nakuru County, residents living in Njoro and Molo witnessed far greater levels of violence than residents living in Kuresoi South and Subukia Constituency. While more residents of Njoro report a greater number of deaths, a higher proportion of Njoro residents indicate significant levels of arson. Within Uasin

³¹² Interview-Mauche (5) Stage 3-10/9/2012. Mauche is a Kalenjin dominated settlement scheme situated between two Kikuyu dominated land-buying companies: Ndeffo to the East and Likia to the West.

³¹³ Table 6.3 reflects recoded results from the question: “Do you know how many homes were burned or destroyed here?”

Gishu County, Kapseret Constituency stands out as the most afflicted by violence. Within Kesses Constituency, nearly 41 percent of respondents categorize the violence the most extreme term (i.e. “fighting everywhere”). Yet while aggregating responses at the constituency level highlights broader patterns, it may conceal important individual or group-level differences that help account for why individuals within a constituency experienced the PEV in such starkly different terms.

The differences within and between constituencies and communities motivate the next main question: what factors help explain local-level variation in electoral violence? Within a given local boundary, why do experiences with the post-electoral violence vary so significantly? As a way of making inferences about local or community level factors that increase the likelihood for violence, I shift the level of analysis to the individual. I examine how factors such as a person’s identification, socio-economic status, land security, beliefs about ethnic outsiders, physical environment, and residence shape the likelihood of experiencing violence (as active participants or bystanders).

Part II: The Micro-foundations of Electoral Violence

In this section I argue that local or individual-level factors around land help explain the escalation of election violence. I derive a set of testable hypotheses alongside a set of alternative explanations. By estimating how different factors affect the likelihood that an individual experienced the post-election violence, I am also able to make inferences about how these factors can help explain variation across locations. Further, by looking at individuals who experienced violence (rather than communities) I am able to look at all the potential similarities that these residents might have in common that places them at greater risk for engaging in or witnessing violence.

Land Security, Contentious Land Narratives, and Political Mobilization

The main argument of this study is that the escalation of violence is a joint process that relies on three main factors: relative land insecurity between groups, contentious land narratives, and the ability of political elites to use these narratives as a way of mobilizing election violence. I suggest that these are each necessary, but not sufficient conditions for the escalation of violence. Broadly, I argue that violence is only possible when elites are able to exploit existing contentious land narratives between “insiders” and “outsiders” to convince followers that their access and rights to land hinge on the outcome of an election. In this unique scenario, land narratives are powerful mobilizing tools because they establish two logics for violence: *the logic of defense*, based on threat to land and *the logic of opportunity* (to strengthen or re-claim land rights).

First, I argue that individuals who are land insecure are more likely believe in land narratives that portray non-group members as either the source of their land insecurity or a threat to future land security.³¹⁴ This relative view of land rights is a product of Kenya’s highly politicized history of land distribution where ethnic patronage has favored Kenyans within certain ethnic communities and has left many other Kenyans from other ethnic communities marginalized or disadvantaged.³¹⁵ In addition, the land insecurity that many citizens experience, even when holding a title deed, increases the stakes of elections. Many citizens believe that only their chosen candidate or party has the power or interest to protect or advocate for their land rights. Conversely, many believe that the rival party or candidate—if elected—will pursue legal or coercive means to undermine the land rights of the group.

³¹⁴ While there are many measures of land security, I define land security primarily as the absence of fear of eviction.

³¹⁵ I evaluate this link between land security and the formation of contentious land narratives in Chapter 4 and 5.

Second, I find that while contentious land narratives between insider and outsider groups vary across context, two main themes characterize most narratives. The first is the theme of relative land insecurity: the belief that land rights of the group are insecure because another group has greater economic, political and land tenure rights. The narrative itself emphasizes stories of past land acquisition and fears of losing land to the state or rival group (i.e. “outsiders”). In the context of Rift Valley politics, this narrative is cast in insider-outsider terms, where Kalenjin and Maasai view Kikuyu, Kisii and other migrants as threats to their ability to access and secure land in their ancestral home (in the Rift).³¹⁶ A remark by a Kalenjin interviewee in Mauche (Njoro Constituency) illustrates this land narrative of land insecurity vis-à-vis another group:

My rights of land ownership are not secure because there is a caveat imposed on the title deeds. There is a time the then Minister of Lands...said that these title deeds are mere papers... so again the same problem crops up: it's the Kikuyu who are denying the Kalenjins a chance to use their title deeds [...] So I feel unsafe.³¹⁷

In the context of electoral competition, I suggest that politicians can tap into this narrative to establish the logic of defense (logic of pre-emptive violence): the idea that “we must attack or evict them before they can evict us.” This threat gains credibility when it is based on memories of past evictions and rumors that circulate during elections. Group members have incentives to fight as a way of defending their land access and security as well as the well-being of their families and communities. The primary form of violence is eviction of the rival group (defined along political or ethnic lines) in regions where at least one group questions their land security. Pre-emptive evictions can occur in the pre or post-electoral period; both in anticipation of

³¹⁶ Historically, the ethnic communities who see themselves as ‘sons-of-the-soil’ in the Rift Valley include the KAMATUSA alliance (Kalenjin, Maasai, Turkana, and Sambura). Migrants include the GEMA group (Gikuyu, Embu, Meru) as well as Luhya and Luo (most of whom migrated to work as tenants on tea and coffee estates)

³¹⁷ Interview-Mauche-Njoro Constituency-Nakuru County-Oct 4 2012 (stage-3-2).

electoral defeat or as strategy to defend against any offensive ‘strikes’ that a victorious rival side might take.

The second main narrative theme arises when two groups (i.e. “insiders” and “outsiders”) make separate claims to the same land. This is what I call the “competing claims narrative.” Storytellers emphasize the illegitimacy through which the rival side has acquired land or territory. The main narrative theme among indigenous groups in the Rift Valley is that migrants (i.e. Kikuyu and Kisii) have “stolen” or “invaded” ancestral land. The following remarks from focus group with Kalenjin youth illustrate this narrative theme:

When we the Kalenjin came to settle in this region [Mau Forest] the Kikuyu were already there. We raised our grievances to the relevant authorities in attempts to repossess our grabbed land. Enmity has thus been brewing until now. We have become squatters on our native land.³¹⁸

This narrative can shape the logic of opportunity: the belief that elections present a narrow window of opportunity to strengthen the land rights of group members. Violence becomes a strategy for physically seizing or re-claiming lands during elections or ensuring the victory of a leader who will promote and protect the land rights of followers. Based on this theory of land security and contentious land narratives, I test the following hypotheses:

H₁: Individuals who feel land insecure are more likely to experience violence either as bystanders or active participants. Conversely, individuals who are land secure (i.e. who do not fear eviction from their land) are less likely to experience violence (*Fear of Eviction*).

H₂: Individuals who are open to any Kenyan coming to live in their community are *less likely* to have experienced violence than individuals who are not open to any Kenyan coming to live in their community (*Liberal Land Narrative*)

H₃: Individuals who believe that outsiders do not deserve to own land in their community are more likely to have experienced violence. Conversely, individuals who disagree with narrative are less likely to have experienced electoral violence (*Anti-Outsider Land Narrative*)

³¹⁸ Focus Group-Mauche-Njoro Constituency (Nakuru County) October 10, 2012 (Stage 3)

The third part of my argument theorizes the link between the type and salience of contentious land narratives and the use of these land narratives as a tool of political mobilization. I suggest that in certain contexts, politicians can use narratives that invoke fears of losing land (logic of defense) and the promises to gain land (logic of opportunity) to organize or incite violence against a rival political group. This first expectation is that where politicians rely on land-based narratives in their campaigns, rates of violence will be higher. The second expectation is that political statements that use land narratives to invoke the logic of defense (i.e. threats to land from another group) are more likely to incite violence than political incitement that refer to opportunities to strengthen land. I thus aim to test the following hypotheses:

H₄: Individuals who have heard politicians make promises of land in exchange for using violence against rivals are more likely to experience violence than those who have not heard these statements (*Incitement*).

H₅: Individuals who have heard candidates promise title deeds or land resettlement are more likely to have experienced violence than individuals who have not heard these statements (*Title Deed Promise*).

In addition, I take into account how the degree of electoral competition at the constituency level interacts with land security, the salience of “anti-outsider” land narratives, and the political mobilization of these narratives. Many recent studies focus on how elite decisions to use violence are driven by calculations about the political competition. In general, these studies find that incentives for violence are greatest where vote margins are narrow, or where one side is uncertain about their probability of winning (Wilkinson 2004; Hafner-Burton and Hyde 2013). Wilkinson’s study of ethnic riots in India for example, focuses on how the degree of electoral competition at the local-level helps predict whether the regional-level government chooses to use security forces to prevent or foment ethnic riots.

Another set of debates hinges on the type of political parties that is most likely to use violence. The consensus among many scholars is that candidates from the incumbent party can more effectively exploit state resources to deploy violence, and have greater incentives to maintain power (Straus and Taylor 2012; Hafner-Burton et al. 2013). By contrast, Collier and Vincente (2012) find that opposition candidates are more likely to use violence to influence vote outcomes because they do not have the same comparative advantage as the governing party to use vote buying and electoral fraud. In the first decade of multiparty politics in Kenya, Moi's KANU party was the primary perpetrator of violence. Yet in the 2007-08 election violence, it is less clear how opposition and incumbency party dynamics shaped the patterns and intensity of violence. As a way of testing how the dominance of particular party maps onto sites of conflict, I deduce the following hypothesis:

H₆: Individuals who live in constituencies where the incumbent party dominates are more likely to experience violence than individuals who live in constituencies where the opposition party dominates (*Gov_Win*).

Similarly, many scholars of Kenyan politics have documented the role that political competition has played in shaping the patterns of electoral violence, particularly during the first decade of multi-party politics in the 1990s (Klopp 2002; Throup and Horsby 1998). During this time, there was clear overlap between zones where Moi's KANU party faced a credible threat from the opposition, and zones where Moi deployed violence—both in the pre and post-electoral periods (Boone 2011; HRW 1993). The practice of violently displacing non-supporters has shaped citizen expectations about the use of violence. An interview with a resident living in the border zone between Nakuru and Narok Counties (formerly districts) illustrates the way that many citizens interpret the logic of elite-led electoral violence:

Issues of land are connected with politics because the politician sees the presence of other communities in a region as a threat to his [victory] in the area since most people vote along tribal lines. And so he will try his best to eliminate them. He does this by inciting his

community, telling them that the other community is not supposed to be living there.³²⁰

While there does appear to be a relationship between political competition and the occurrence and forms of violence, few scholars on how precisely electoral competition in the post-Moi era has shaped the patterns of electoral violence, particularly with respect to the 2007-08 PEV. Kasara (2014) finds that election violence—measured by the number of IDPs and observed fires—is greater in administrative locations that were “pivotal” to electoral outcomes of the 2002 parliamentary elections. Harris (2012) meanwhile suggests that incentives to use violence are driven by competition at the local ward level rather the parliamentary or presidential level. Long’s study (2012) points to a different effect of political competition. Rather than violence emerging where the vote margin is narrow, he finds that where the vote share of the opposition (Raila Odinga’s, ODM party) is large, political violence was also more likely. I draw on these debates to estimate how the degree of political competition for the presidential and parliamentary races at the level of the electoral constituency can explain the likelihood for violence. I thus deduce the following testable hypotheses:

H₇: Individuals who live in constituencies where the margin of victory for the presidential candidate (at the constituency level) is narrow are more likely to experience violence than individuals who live in constituencies where the margin of vote is wide (*PrezComp07*).

H₈: Individuals who live in constituencies where the margin of victory for the presidential candidate (at the constituency level) is narrow are more likely to experience violence than individuals who live in constituencies where the margin of vote is wide (*PMComp07*).

3. Alternative Hypotheses

Many scholars studying both electoral violence and Kenyan politics have emphasized the role that ethnic polarization or entrenched ethnic alliances play in undermining stable elections

³²⁰ Interview, Tipis, MauNarok-14, Nakuru, 18 October 2012

(Horowitz, 1985, Lynch and Crawford, 2009; Cederman, 2009). One of the main claims in these studies is that in an ethnically diverse society such as Kenya, ethnic identity becomes one of the primary mechanisms for elites to mobilize supporters (Brubaker, 2004; Mansfield and Snyder, 1995; Collier, 2009) and form a minimum winning coalition (Posner, 2004; Wilkinson 2004). Several studies have also emphasized that the political salience of ethnic identification strengthens as elections approach (Eifert et al., 2010). Elections in Kenya have thus become zero-sum games where the loser fears their exclusion from the state. This close association between ethnic identification and political identification raises the stakes of elections and hence the possibilities for violence (Diamond et al., 1995; Boone 2011).

A similar line of research builds on the argument that ethnic politics can undermine democratic institutions, but focuses on how this shapes the likelihood and dynamics of ethnic civil wars (Denny & Walter, 2014; Cederman, et al., 2012). Focusing on the formation of rebel movements rather than election time violence, Denny and Walter argue that these groups are more likely to be ethnically-based because, “ethnic groups are more apt to be aggrieved, better able to mobilize, and more likely to face difficult bargaining challenges compared to other groups (2014, 200).” Scholars and human rights activists working in Kenya observe the strong ethnic-related grievances that political elites have used to orchestrate election-related violence. One of the main findings is that members of the Kalenjin ethnic group are more likely to see themselves as rightful owners of the Rift Valley Province and hence, can be easily mobilized along this particular grievance or narrative to use violent against non-Kalenjin, particularly in the Rift Valley (Anderson, 2008; Lynch, 2011).

A third and related argument focus on when and how certain types or arrangements of ethnic groups are more to likely undermine elections, particularly in the post-election period.

Collier (2009) for example, claims that “sore losers” (usually the political minority) are more prone to instigate violence after elections. Cederman et al. arrive at a similar conclusion, arguing that ethnic groups who feel excluded from power are those who are most likely to instigate violence—either through protest or by challenging the state. I apply the implications of these arguments to the Rift Valley in 2007-08. Specifically, we would expect that where a greater proportion of the population does not view the outcome of the elections as fair or legitimate, violence is more likely, as these “sore losers” will seek to use violence to protest or undermine the newly elected regime. Within constituencies of the Rift Valley of Kenya, the Kalenjin comprised both a prominent ethnic minority and could also be characterized as the “sore losers.” Hence, I derive the following hypothesis:

H₉: Individuals who identify as Kalenjin are more likely to experience violence than individuals who do not identify as Kalenjin (*Kalenjin*).

A separate set of theories examines how ethnic demography and interethnic interaction can shape violent conflict. Kaufmann (1998) for example, argues that the spatial separation of ethnic groups is often necessary in ethnically diverse and post-conflict contexts. Kasara (2012, 2013) applies theories of ethnic segregation and interethnic mistrust to the Kenya context. She argues that ethnic segregation (i.e. that absence of interethnic interaction) decreases tolerance.³²¹ People living in more ethnically diverse areas she claims, should be more trusting of other ethnic groups (Kasara 2012; 2). A key implication is that where inter-ethnic trust is high, the possibility for violence is much lower.

In his study of urban India, Varshney (2002) finds that strong forms of civic engagement, including both associational (i.e. attending political meetings) and “everyday” interaction (i.e. eating together) promote interethnic peace. Varshney specifies that interethnic civic engagement

³²¹ Much of this literature draws on debates within social psychology and sociology about the origins of prejudice and ethnic tolerance, particularly within the U.S context.

can mitigate conflict because it promotes communication between groups (i.e. the formation of peace committees). Second, he suggests that where organized civic networks are interethnic, they can work to “constrain local politicians in their strategic behavior (2002, 10).” Both Varshney and Kasara build on the argument that interethnic interaction—in formal and informal ways—should reduce this likelihood for violence. Conversely then, in ethnically segregated local contexts, or those where there are few opportunities for ethnic interaction, these theories predict that communication, tolerance, and trust will be lower. Hence, the possibilities for violent conflict will be higher. I derive several testable hypotheses from the above arguments.

H₁₀: Individuals who fear their neighboring ethnic group are also more likely to experience violence (*BorderFear*)

H₁₁: Individuals who frequently attend community meetings with members of other ethnic groups are less likely to experience violence than individuals who do not attend meetings with people from other ethnic groups (*CivicEngage*).

H₁₂: Individuals who frequently share meals with people of another ethnic group are less likely to experience violence than individuals do not share meals with people from other ethnic groups (*EthInteract*).

4. Data and Methods

As a way of testing my argument about the joint effects of land insecurity, land narratives, and political mobilization on electoral violence, I estimate a multilevel model, which clusters individuals (level 1) within surveyed constituencies (level 2). In other words, my unit of analysis is the individual respondent clustered within the electoral constituency. Table 1 shows the descriptive statistics of my variables of interest.

Table 1: Summary Statistics for Determinants of Electoral Violence (Rift Valley)

Variable	Obs.	Mean	SD	Min.	Max
Electoral Violence	371	.51	.50	0	1
Fear of Eviction	367	.38	.48	0	1
Liberal Narrative	364	.86	.35	0	1
Anti-Outsider Narrative	364	.75	.43	0	1
Incite	371	.49	.50	0	1
Title Deed Promise	371	.53	.50	0	1
Parliamentary Vote Margin 07	372	36	17.1	5.7	57.6
Presidential Vote Margin 07	372	42.9	27.6	5.1	91.6
Government Win	372	.42	.49	0	1
Kalenjin	370	.58	.49	0	1
Border	368	2.3	.79	1	3
Ethnic Interaction	370	2.1	.98	1	4
Civic Engagement	370	2.4	1.1	1	4
Controls					
Ethnic Identification	370	1.9	.84	1	4
Age Group	370	2.7	.86	1	5
Gender	370	.44	.49	0	1
Education Level	372	4.3	1.3	1	6
Degree Urban	370	2.7	.86	1	5
Plot Size	367	3.7	1.7	1	7
Access to Land	371	1.7	.65	0	2
Population 2009 (ln)	372	11.8	.26	11.45	12.25
Population Density 2009 (ln)	372	5.7	.35	5.28	6.35

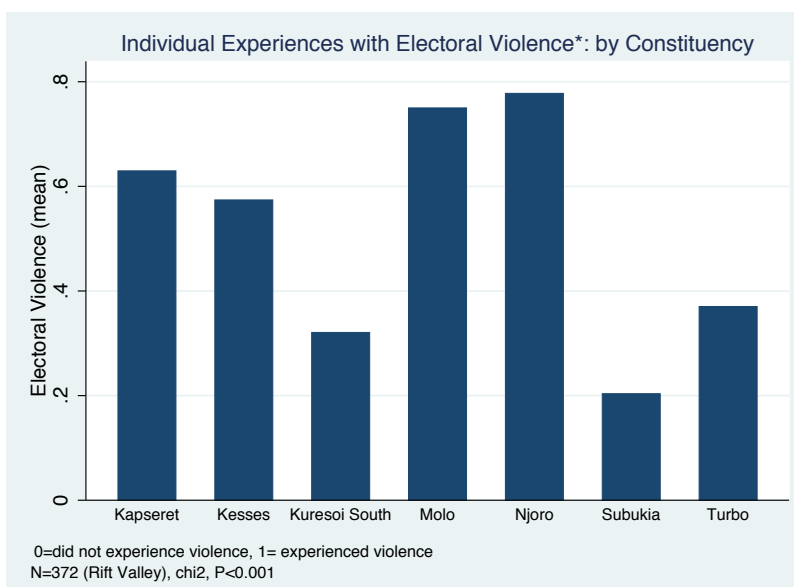
I evaluate each hypothesis about the determinants of electoral violence that I outlined above by using the original household level survey that I conducted in Kenya in February of 2012. I explain the sample design of this survey in chapter four.³²² In this chapter, however, I rely primarily on the data that I collected from respondents sampled in the Rift Valley region (with the exception of models I present in Table Six).³²³ The main outcome of interest in each model that I present is a binary indicator of whether or not a respondent experienced violence (*Eviolence*). I have recoded this variable from the question that I present at the outset of this chapter, which asks respondents to describe events in the aftermath of the electoral

³²² See appendix for further details of survey questionnaire and survey design.

³²³ Hence, my maximum sample size for models in Tables 1-5 is 372. When I look at the effect of each variable in the Rift Valley and Coast regions (i.e. my entire survey sample), my sample size increases to 750.

announcements. All respondents who replied that it was “peaceful” or that there was “tension, but no violence” are coded a 0, while respondents who indicate that there was either isolated or significant fighting are coded as 1.³²⁴ The table below shows the mean values for electoral violence, recoded into a binary variable.

Fig 6.4



In addition, I estimate the predicted probabilities of the effects of the variable of interest unless otherwise noted. This provides a more intuitive interpretation of the effects in contrast to the log-odds that I also report in the appendix. Specifically, unless I otherwise specify, all predicted probabilities are calculations of the probability of a positive outcome (i.e. where binary variable = 1) with the assumption that the random fixed effects at the constituency level is zero ($v = 0$).

I begin by testing the hypothesis that an individual’s land security affects his or her likelihood of experiencing violence (Hypothesis 1). I measure land security based on whether a respondent fears eviction from either the state or another group.³²⁵ I describe this measure in

³²⁴ In Nakuru County, 49.3% (n=103) reported no violence, 52.2 (n=106) reported violence. In Uasin Gishu, 47.5% reported no violence (n=77), and 52.5% (n=85) reported violence.

³²⁵ The measure comes from Question 26: “Right now, how much do you fear being evicted by the government or another group?” See Chapter 4 for further discussion.

much greater depth in Chapter four. Briefly however, I suggest that best measure of land security is based whether a person *feels* secure. While in some contexts, holding a title deed may enable a person to feel more land secure, this is not always the case. Because so many Kenyans have lost both land and livelihood despite holding a title deed to their land, the relevant question is whether a person fears the abrogation of her rights and access to land. In other words: does she fear eviction? Among surveyed respondents in the Rift Valley, 62 percent (n=228) said that they did not fear their eviction while 38 percent (n=139) indicated that they did fear their eviction.

Identifying the causal relationship between land security and an individual's experience with election-time violence raises methodological challenges. Specifically, there is a potentially endogenous relationship between a person's experience with electoral violence in the past and her fear of eviction in the present. Two explanations are possible. The first is that if someone has experienced the effects of the 2007-08 post-election violence, then s/he is more likely to fear eviction. The logic here is that people who were violently displaced from their land during elections will fear a repetition of violent displacement.

Another explanation that I examine in this chapter treats land insecurity as the explanatory variable. I base this theory partly on my qualitative interviews. As I have outlined at the outset of this study, I specify that political elites have more power to mobilize ordinary citizens when they convince followers that elections signal a credible threat to land rights.

The logic here is that a person's past experience with displacement or election-violence is one among other factors that increases a person's fear of losing land (i.e., fear of eviction). The main argument therefore is that during election season, individuals who are land insecure are also more likely to view election periods as threats to their land. Hence, certain members may

engage in violence as a way to defend their land rights (logic of defense). I aim to establish whether individual-level fear of eviction can indeed indicate that certain members within the community engaged in violence based on this logic of defense of land. Yet due to the problems of reversal causality, I am limited in the claims that I can make about how fear of eviction shapes the probability that a person experienced violence.

To test the two hypotheses that an individual who believes in contentious land narratives is more likely to experience violence, I use results from two separate survey questions that I detail in Chapter four. To test hypothesis 2, I measure the variable *AntiOutsider* based on whether a respondent agrees or disagrees with the following statement: “*Outsiders do not deserve to own land in this area. The problem is that they only use corrupt means to buy land from indigenous people.*” To test hypothesis 3, I measure a respondent’s tolerance or openness toward the in-migration of hypothetical outsider (*Liberal*).³²⁶ I’ve recoded responses into a binary variable where respondents who agree with the statement are considered tolerant or “open to outsiders,” which I coded as (0). I categorize respondents who do not agree with the narrative as “not open” or not tolerant and code them as (1).

As a way of testing hypotheses about the effects of political mobilization, I draw on two survey questions that ask respondents whether they have heard candidates or party mobilizers promising land to encourage violence against rivals (*Incite*) or offering title deeds in exchange for support (*TitlePromise*). The first asks whether a respondent has heard the following: “*If you kick out the other tribe, you will get their land.*” I formulated this survey question based on in-depth interviews and focus group, where many interviewees would reference the prevalence of elites encouraging the eviction of outsiders in exchange for land. The second measure of

³²⁶ The question (Q47) reads: “*I am comfortable with any Kenyan coming to live in this community, even if he has a title deed and I do not have my own.*”

mobilization asks if respondents have heard mobilizers make statements such as: “*I will help you get title deed or will help you re-settle when I win.*” This measure of political mobilization is notably different from the first. Rather than measuring the explicit reference to the violent eviction of another group, these statements emphasize the opportunity for followers to improve their land rights by voting for the candidate. While each question probes different forms of land-based mobilization, there is a moderate and positive correlation between respondents who have heard both statements. This suggests that many of the same types of respondents (i.e. who are equally land insecure) are exposed to both statements.³²⁷

Fig 6.5: Measures of Political Mobilization (Hypotheses 4 and 5)

Has the respondent heard of the following statements?

“Kick out other tribe” (<i>Incite</i>)	No	51% (190)
	Yes	49% (181)
“Title deed promise” (<i>TitlePromise</i>)	No	47% (106)
	Yes	53% (196)

These questions measure the prevalence of such statements in the community where the respondent resides (or has resided). However, these questions only provide a measure of whether such statements “are heard” in or around the respondent’s community. Hence, if the respondent indicates “yes” (coded as 1) to either statement, I use this as a measure of “exposure” to land-based forms of political mobilization, but the measure does not enable me to infer whether the respondent received these messages directly.

To measure hypothesis 6 on the effect of incumbent party dominance, I use official results from the Electoral Commission of Kenya (ECK) to code each constituency based on whether the incumbent presidential candidate Mwai Kibaki won (Gov_Win=1) or the opposition candidate Raila Odinga (Gov_Win=0). To test hypotheses about political competition, I measure

³²⁷ The pairwise correlation between both measures (*Incite* and *TitlePromise*) is 0.44 (where $p < 0.001$).

the margin of victory between the first and second-place candidates for the presidential race (*PrezComp07*) and the parliamentary race in 2007 (*PMComp07*) at each constituency included in my survey. The table below shows the vote margins in 2007 in the sampled constituencies in the Rift Valley. I also include a re-coded categorical variable of the presidential vote margin (shown in parentheses in the table below) that codes vote margin on five-point scale. I based this scale on electoral outcomes across constituencies in both the Rift Valley and Coast constituencies.³²⁸

Fig 6.6: Measure of Political Competition in 2007 (Presidential and Parliamentary Races)

Current Constituency	Former 2007 Constituency	Presidential Vote Margin	Parliamentary Vote Margin
Kapseret	Eldoret South	47.7 (4)	48.07
Kesses	Eldoret South	47.7 (4)	48.07
Turbo	Eldoret North	54.4 (4)	57.57
Molo	Molo	5.1 (1)	37.43
Njoro	Molo	5.1(1)	37.43
Kuresoi South	Kuresoi	44.5 (4)	5.72
Subukia	Subukia	91.6 (5)	17.91

Source: *Electoral Commission of Kenya (ECK)*

Alternative hypotheses 9-11 test the effect of ethnicity on violence. To test hypothesis 9, I code constituencies in the Rift Valley for whether the majority ethnic group is Kalenjin (coded 1) or not Kalenjin (0).³²⁹ A constituency where the majority ethnic group is Kalenjin creates a proxy measure for “sore losers.” To test hypothesis 10, I draw on a question from my survey that measures a respondent’s fear of living near a border another ethnic community (*BorderFear*). As I describe in Chapter four, I use this measure of perceived risk to provide a proxy for the degree of fear that an individual has for a neighboring ethnic group.

³²⁸ Vote margin over 50 percent =5, 30-50=4, 20-30 = 3, 10-20=2 and under 10 percent margin of vote =1.

³²⁹ In the constituencies that I sample in the Rift Valley, Kalenjin and Kikuyu are the two largest ethnic communities in any constituencies. Hence, if the largest ethnic group is not Kalenjin, the majority ethnic group is therefore Kikuyu.

As a way of measuring the effect of different types of ethnic interaction (hypotheses 11 and 12) I draw on two questions from my survey. The first measure the hypothesis forms of associational forms of inter-ethnic engagement to reduce conflict. It asks respondents “how often do you attend a community meeting with members from another tribe?”³³⁰ The second question is a measure of what Varshney calls the “quotidian” or everyday interaction. The question asks respondents how often they share meals within someone from another tribe. Both questions also provide different proxy measure for ethnic segregations. With respondents reply that they “often” or “sometimes” either do business or share a meal, we can infer that these regions are less ethnically segregated than in communities where individuals only “occasionally” or “never” interact.

I also include a set of controls that detail in the dissertation’s appendix. These variables include a respondent’s ethnic identification (*Eth_Main*), their age group (*Age*) and gender (*Male*), education level (*edu*), proximity to urban area (*Urban*), size of land available for farming (*PlotSize*), the population of the constituency in 2009, logged (*Pop09_log*), and the population density of the constituency in 2009, logged (*pDensity_log*). I retain these controls unless otherwise specified.

5. Results

In this section I present six sets of results that consider the effects of land security and the belief on contentious land narratives (Table 6.2), as well as the political mobilization of these land narratives (Table 6.3) on the likelihood that an individual experiences electoral violence. I also present the effects of political competition on the likelihood for violence (Table 6.4). I then estimate the effects of the alternative hypotheses about ethnicity on election violence (Table 6.5).

³³⁰ Based on Question 96 of survey.

Lastly, I estimate the effects of the main predictors (eviction fear, agreement with the liberal land narrative, and exposure to incitement) using my complete sample, which includes respondents from both the Rift Valley and Coast regions (Table 6.6). I estimate each model using nonlinear logistic regression with random fixed effects.³³¹ Given the structure of my data, I design each model to estimate how any one of these explanations affects the predicted probability that an individual experienced violence during the 2007-08 elections.

Land Security

In Table 6.2, I present the effects of the eviction fear (*FearEvict*) on post-election violence. Model 1 shows that an individual's fear of eviction has a positive and significant effect on the likelihood that a respondent experienced election violence. Specifically, an individual who *does not* fear eviction has 39 percent predicted probability of having experienced the PEV. Yet if a given individual fears eviction, his/her probability of having experienced the PEV increases to 72 percent. This result supports the hypothesis that an individual who fears eviction is more likely to experience violence than an individual who do not (H₁). In addition, results from the model show that there is a significant and negative relationship between respondents who “never share a meal” with members of another tribe (*Ethnic Interaction*) and the likelihood that a respondent experiences violence. Specifically, the predicted probability of a respondent who never interacts with a non co-ethnic is 19 percent in contrast to an individual who “always” shares a meal (53 percent) “sometimes” (61 percent) and occasionally (49 percent).³³² This finding does not lend support to the hypothesis 12: that individuals who have more interactions with people from other ethnic groups will be less likely to experience violence. Instead we find

³³¹ I set the panel-level (group) observations (group) to the constituency.

³³² See table in appendix for details.

support for the opposite effect ethnic segregation makes people safer (from election-time violence). As Kasara (2012) has pointed out however, this segregation may be endogenous to previous incidents of violence. Individuals and communities segregate as a way to protect themselves from future violence.

The model also indicates that the constituency-level population (logged) has positive and significant effects on election violence. That is, as the population rises the probability that an individual experiences violence also increases. In the table below, I present a figure of the marginal effects of eviction fear and population as a way of illustrating their effects on electoral violence. First, we see that there is a significant difference between people who fear eviction and those who do not. Yet across both groups, population level also increases the likelihood of violence. At the extreme ends, a given respondent living in a constituency with the lowest population *and* who does not fear eviction has only a 19 percent probability of experiencing violence. This increases to 50 percent if they fear eviction. If we then move to the most populated constituency, a respondent who *does not* fear eviction has a 65 percent predicated probability of having experienced violence. This probability increases by 22 percent (to 88 percent) if s/he fears eviction.

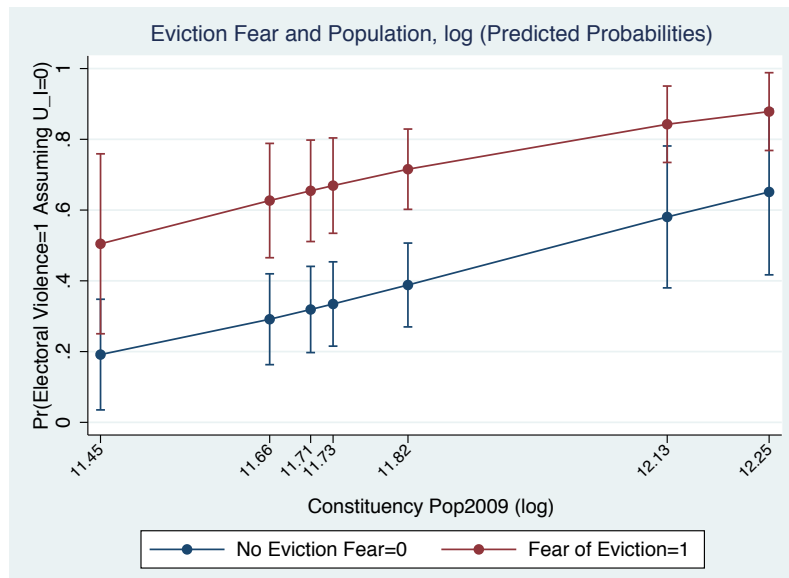


Fig 6.7

Contentious Land Narratives

Table 6.2 presents a series of models that demonstrate the effects of two different land narratives (“Liberal” and “Anti-Outsider”) on the likelihood an individual experienced the post-election violence. Model 2 shows the effects of a person believing in the “liberal narrative.” The expectation here is that if a respondent is comfortable “with any Kenyan coming to live in her community” than she is less likely to have experienced violence (Hypothesis 2). The results confirm this expectation. Respondents who agree with statement have a 34 percent probability of experiencing violence. By contrast, respondents who disagree with this statement have a 54% probability of experiencing violence.³³³ Model 3 estimates the interaction effects between agreement with the liberal narrative an individual’s ethnic identification (*Eth_Main*). I retain the all other variables in the previous model as well. The table below shows the predicted probabilities of the interaction. Again we see that individuals who are more “anti-outsider” in their beliefs (in this case, those who disagree with the liberal statement) are more likely to have

³³³ Predictive margins: at 33.8 percent (“agree”), ***P<0.001, 54 percent (“disagree”), ***P<0.001

experienced violence. But there are also differences among ethnic identification. Specifically, among those who are not open to ethnic outsiders, respondents who are Kikuyu have 13 percent higher probability of experiencing violence than Kalenjin respondents.

Fig 6.8: Predicted Probabilities of Ethnic Identification and Agreement with “Liberal narrative”

Ethnic Identification:	Agree w/ narrative	Disagree w/ narrative
Kikuyu	.13 (.098)	.63*** (.072)
Kalenjin	.36** (.095)	.50*** (.067)
Observations: 357		
Standard Errors in Parentheses		

Model four estimates the relationship between belief in the anti-outsider narrative and election violence. The expectation here is that individuals who agree with the statement, “Outsiders do not deserve to own land in this area (*Anti-Out*)” are more likely to have experienced the post-election violence. I also include the variable of eviction fear. The model shows that both agreement with the anti-outsider narrative and eviction fear are positive and significant predictors of election violence. Predicted probabilities illuminate these effects. What we see is that a person who disagrees with the anti-outsider narrative (i.e. open to outsiders) and does not fear eviction has 29 percent probability of experiencing violence. This probability increases to 43 percent if this person fears evictions. If a given individual agrees with the anti-outsider narrative (i.e. not open to outsider) and but does not fear eviction, his/her probability of experiencing violence is 64 percent. This probability increases to 76 percent if a given individual agrees with the anti-outsider statement *and* fears eviction. These results confirm hypotheses one and two. These models also demonstrate that a person’s fears of losing land (land insecurity) and their anti-outsider views have strong effects on the likelihood of experiencing violence.

Political Mobilization

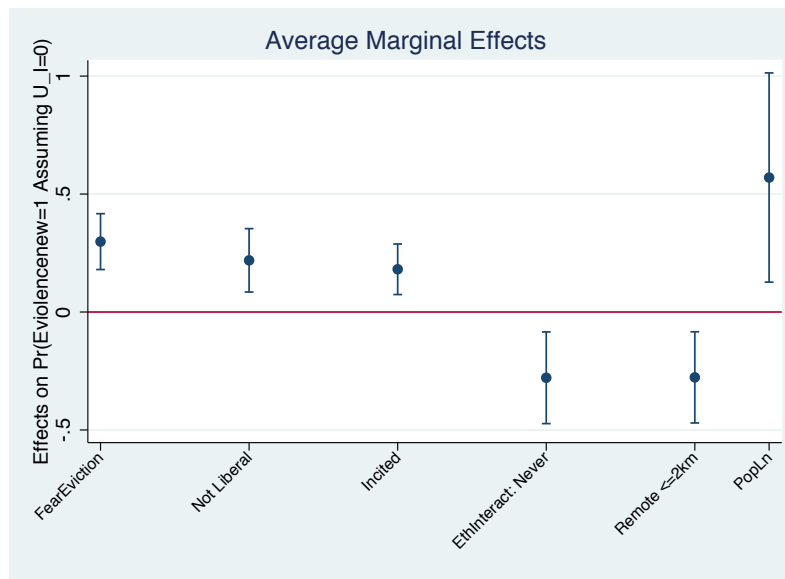
Table 6.3 presents a series of models that estimate the effects of contentious land narratives and political mobilization of these narratives on the likelihood of election violence. Model 1 estimates the relationship between a respondent's exposure to mobilizing strategies that encourage violence against outsider (*Incite*) and their likelihood of experiencing violence (Hypothesis 4). The results confirm the hypothesis: "Incitement" is a positive and significant predictor of whether a respondent experienced violence. Specifically, respondents who say they have never heard politicians or party organizers encourage violence in exchange for lands have a 38 percent probability of experiencing violence. This probability increases to 64 percent if a respondent says they have heard these types of statements.

Model 2 shows the effects of mobilization based on title deed promises (*TitlePromise*). The expectation is that respondents who have been exposed to these types of statements will also have a greater likelihood of having experienced violence (Hypothesis 5). Again, the results show that "TitlePromise" is a positive and significant predictor of violence. A respondent who has never heard of such promises has 43 percent likelihood of having experienced violence.

Model 3 estimates the combined effects of land security (fear of eviction), belief in contentious land narratives (agreement with liberal narrative), exposure to political incitement, and the degree of ethnic interaction on the likelihood that an individual has experienced the post-election violence. The three main explanatory variables remain positive and significant predictors of violence. That is, if an individual fears eviction, does *not* feel comfortable with outsiders entering their community (*Liberal*), and has heard politicians encourage violence in exchange for land (*Incite*), s/he is more likely to have experienced the PEV than another respondent. The figure below shows the average marginal effects of each explanatory variable.

The figure also shows that the constituency-level population has positive and significant effect on violence, although the bounds of the confidence interval are much larger. The model also shows two significant negative predictors. First we see that there is a negative effect on the likelihood of experiencing violence if the respondent never interacts with members of different ethnic group (*EthInteract*).³³⁴ Second, we also see that living within 2km of a paved road (i.e. not at the roadside, nor beyond 2km) has a negative effect on the probability that an individual experiences violence.

Fig. 6.9 Average Marginal Effects (Main Explanatory Variables)



To analyze my main explanatory variables further, I estimate the predicted probabilities of eviction fear and responses to the liberal narrative (columns 1 and 2) and then eviction fear as it interacts with exposure to political incitement (columns 3 and 4). The table reaffirms that same trends that we in the other models so far. Here we see that individuals who do not fear eviction from their land *and* agree with the “liberal” land narrative (i.e. they are “comfortable with any Kenyan moving to their community”) have only a 21 percent predicted probability of

³³⁴ This variable refers specifically to the question: “How frequently do you share food with a member from another tribe?”

experiencing the post-election violence. Yet if an individual fears eviction (1) and does not agree with the liberal version of the narrative (1), the probability that s/he experienced the election violence is 74 percent. The variable “incitement” appears to have a similar effect. The table shows that when an individual does not fear eviction and has never heard political incitement (i.e. mobilizers encouraging violence in exchange for land) s/he has a 31 percent probability of experiencing violence. If however, an individual fears eviction *and* has also been also been exposed to political incitement, than s/he has a 78 percent probability of having had experienced the PEV.

Fig 6.10: Effects of eviction fear, belief in liberal narrative, and exposure to incitement on likelihood of experiencing violence (predicted probabilities)

Fear of Eviction	Liberal (0)	Not liberal (1)	Not exposed to incitement (0)	Exposed to incitement (1)
No fear (0)	.21*** (.07)	.51*** (.09)	.31*** (.06)	.62*** (.07)
Fear (1)	.44*** (.06)	.74*** (.06)	.51*** (.07)	.78*** (.05)

Observations: 350 (Standard Errors in Parentheses)

Political Competition

Table 6.4 estimates the effects of presidential and parliamentary vote margins (constituency-level) on electoral violence. I aim for these models to determine whether individuals living in constituencies with narrow margins of victory (i.e. high levels of political competition) are more likely to experience election violence. I also look at whether the incumbent victory (*Gov_Win*) at the constituency is a predictor of violence. Results from Model 1 suggest that the parliamentary vote margin is a significant predictor of electoral violence. Specifically, individuals living in constituencies with a narrow parliamentary vote margins have a slightly higher probability of experiencing violence than individual living in constituencies

where the vote margins are wide.³³⁵ Model 2 estimates the effect of the presidential victory margin. These results demonstrate that presidential rather than parliamentary vote margins have a stronger effect on the likelihood that an individual experiences violence. In constituencies where the vote margin is 5 percent, an individual has 76 percent predicted probabilities of experiencing violence ($p < 0.001$). When the vote margins are 44.5, 47.7 or 54.5 percent, the probabilities of violence decrease to 49 percent, 47 percent and 42 percent respectively. And in extremely politically homogenous areas, where the vote margin is 92 percent, the predicted probability of violence diminishes to 18 percent. These results support the expectation (Hypothesis 7) that individuals living in constituencies with narrow presidential vote margins will be more likely to experience violence. Model three estimates the effects of whether an incumbent victory at the constituency level predicts the likelihood that an individual has experienced violence. We see that an incumbent victory (PNU victory) is not a statistically significant predictor of whether an individual experienced violence (the coefficient for incumbent party victory is not significant, $p = 0.732$)

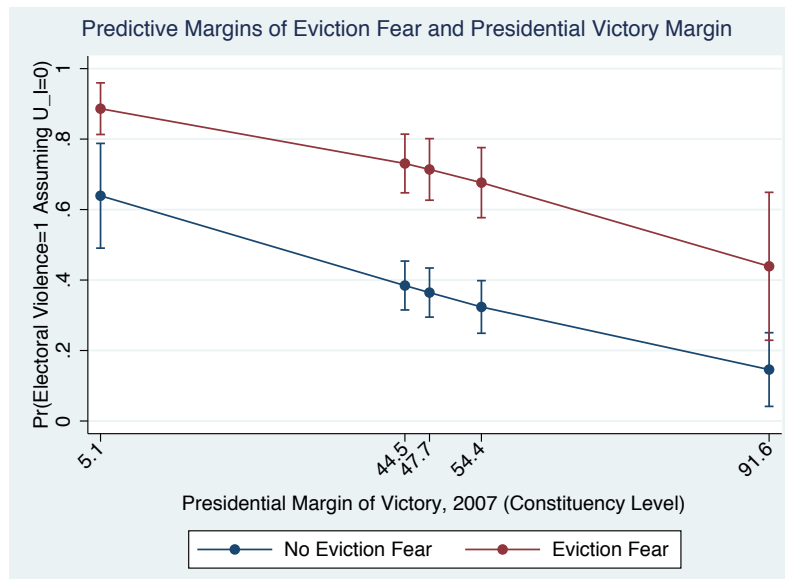
Model 4 combines each of my main variables that estimate the effect of political party competition on electoral violence: parliamentary vote margin, presidential vote margin, and incumbency victory. This model helps to confirm that presidential vote margins are a positive and significant predictor of electoral violence in contrast to the parliamentary vote margin, which is not significant ($p = .089$). We also see that again, victory of the incumbent party (i.e. PNU) is not a significant predictor of election violence.

Model 5 is identical to the above model 4 except that I add one of my main explanatory variables: *Fear of Eviction*. Based on the hypotheses that I have set out, the expectation here is

³³⁵ However, if we estimate the predicted probabilities, we see that the probability of experiencing violence only changes from 64 percent to 57 percent even as the vote margins goes from 5.7 percent to 57.5 percent.

that narrow vote margins (at both levels), an incumbent victory, and fear of eviction each independently increase an individual's probability of experiencing electoral violence. First, the results from the model confirm that the presidential vote margin rather than the parliamentary vote margin is a significant predictor of violence. That is, as the margin of victory increases, the probability that an individual experiences violence decreases. Second, we see that as with previous models, incumbent victory (*Gov_Win*) has no predictive power. Third, we see that fear of eviction is a significant and positive predictor of election violence. Like models in other tables that I have described, these results show that people who fear eviction are significantly more likely to have experienced violence. Estimates of predicated probabilities reveal that where a person fears eviction from his or her land *and* lives in a constituency where the vote margin is very narrow (i.e. 5%), his or her predicted probability of experiencing violence is 89 percent. Yet if this respondent does fear eviction, his or her probability of experiencing violence decreases to 64 percent. At the far other end, an individual who fears eviction but lives in a constituency where the presidential seat is virtually uncontested (i.e. victory margin is ~ 92 percent) has a 45 percent predicted probability of experiencing violence. Yet if this individual has no fear of eviction, his or her likelihood of experiencing violence decreases to 15 percent. The figure below illustrates the predicted probabilities of a respondent's eviction fear and the constituency-level margin of victory for the presidential race.

Fig. 6.11



Alternative Explanations: Effects of Ethnicity

Table 6.5 examines a set of alternative explanations about ethnicity and its effects on electoral violence (hypotheses 9-12). Model 1 in Table 6.5 estimates whether identifying as Kalenjin has any effect on whether an individual is more or less likely to experience post-election violence. This provides a test of hypothesis 9, which predicts that individuals who are Kalenjin are more likely to have experienced violence than non-Kalenjin. Yet results from this model confirm null findings on this specification of Kalenjin identification. That is, individuals who identify as Kalenjin are no more or less likely to experience the post-election violence as people who do not identify as Kalenjin.

Model 2 estimates whether associational forms of inter-ethnic engagement affect the likelihood that a person experiences violence (*CivicEngage*). The expectation here is that the probability of a person experiencing violence diminishes the more often s/he attends community meetings with people from other ethnic groups. Yet the model indicates that this relationship is neither perfectly linear nor negative as the expectation suggests. Instead, we see that among

respondents who only “occasionally” interact with other Kenyans of other ethnic groups, the coefficient is positive and significant at the 90 percent confidence level ($p = .053$). Yet among respondents who never have such interactions, the coefficient is negative ($p = .003$). In other words, people who have occasional interethnic engagements are more likely to experience violence, whereas people who never have interethnic interactions are less likely to experience election violence. The table below shows the estimated predicted probabilities.

Fig. 6.12 Predicted Probabilities: Interethnic Engagement (Associational)	
Frequency	Margins
1-Often	.48*** (.08)
2-Sometimes	.58*** (.08)
3-Occasionally	.61*** (.07)
4-Never	.21** (.07)
Observations: 361	
Standard Errors in Parentheses	

What we see is that isolation, rather than interaction seems to make people safer. But very frequent formal interaction also seems to reduce (slightly) the likelihood of violence than only “occasional” interactions.

Model 3 in Table 6.5 specifies the relationship between the level of everyday form of ethnic interaction (*EthInteract*) and the likelihood of experiencing violence. In this model, the effect of “sharing a meal” with a non co-ethnic is similar to the associational form of interaction estimated above. That is, an individual who never interacts (i.e. shares a meal) with members of a different tribe has a lower probability of experiencing post-election violence than an individual who sometimes or occasionally shares a meal.

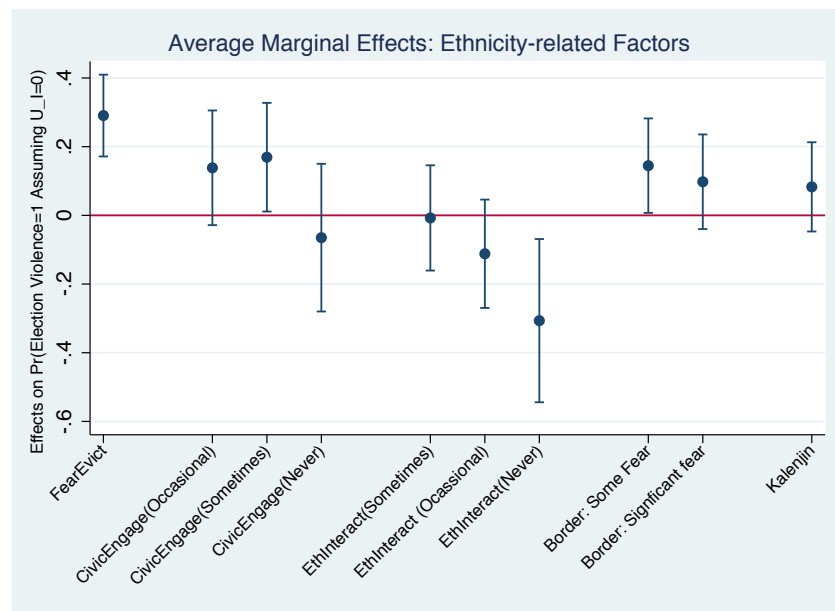
In model 4 I retain both predictors for inter-ethnic engagement (*CivicEngage* and *EthInteract*) but I also add an explanatory variable that measures a person's fear of living near the border of different ethnic community (*Border*). The expectation is where individuals have greater fear of a bordering group (or see the ethnic border as a threat), they are more likely to experience violence. The model indicates that indeed, fear of the border is a positive and significant predictor of violence. However, when estimating the predicted probabilities at each level of perceived border threat, we see that there people who report only "some fear" and "a lot of fear" have about a 55 percent probability of experiencing violence.³³⁶

Model 5 combines each of the ethnic identity predictors. Both predictors of ethnic engagement remain significant, as does fear of the border. Lastly, Model 6 replicates model 5 but here I add one of main explanatory variables: fear of eviction (*FearEvict*). Overall, levels of inter-ethnic engagement (i.e. interaction) and fear of the border are significant. In addition, eviction fear remains a positive and significant of experiencing violence. Looking at the figure of average marginal effects below however, we see that the explanatory power of each predictor varies by the particular response category. Specifically, the frequency with which a person "attends a meeting with members from another tribe" only has predictive power among individuals who indicate that they "occasionally" attend such meetings. For these individuals, this form of interaction increases the probability that they will experience violence. Similarly, the level of quotidian inter-ethnic interaction (sharing a meal) only has predictive power for respondents who indicate that they "never" share a meal with a member of another tribe. Yet contrary to the stated hypothesis, these individuals lower probability of experiencing violence.

³³⁶ The greater difference is among individuals who have no fear of the border, whose probability of experiencing violence is 37 percent. A respondent who indicates "a lot of fear" of a living near a border (of a different ethnic group) has a 54 percent probability of experiencing violence. A person who indicates, "some fear" has a 56 percent, and a person who has no fear has a 37 percent. All predicted probabilities are statistically significant at the 99% confidence level.

The table below also shows that in this model, fear of bordering ethnic group also has predictive power among those individuals who indicate that they have “some fear.” In addition, in this model we can again reject the null hypothesis that being Kalenjin can predict whether an individual experiences election violence.

Fig. 6.13

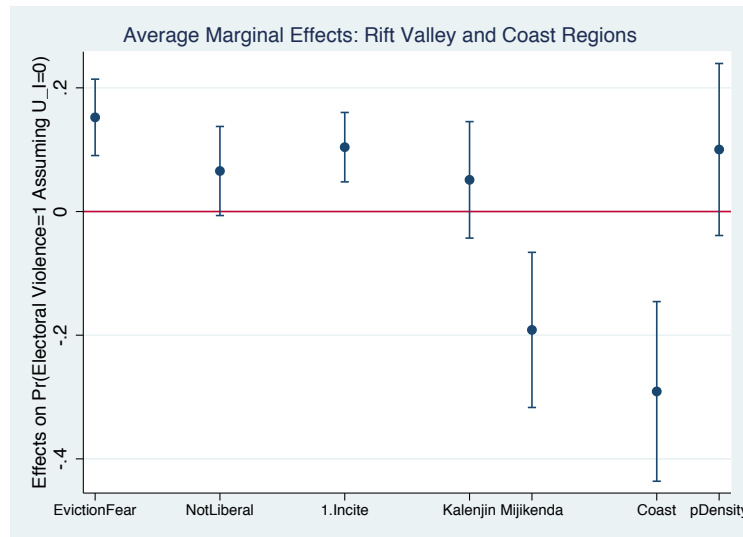


Beyond the Rift Valley Region

The results that I have discussed so far only draw on respondents who reside in the two counties that I sample from the Rift Valley Region (Nakuru and Uasin Gishu), or only 50 percent of my sample. Yet as I have explained, I have narrowed in on an analysis of Rift Valley respondents as a way of analyzing variation in the dynamics of violence within a violent prone region. The methodological challenge in incorporating observations from the Coast Region (Kwale and Kilifi counties) is that only 3.2 percent of all respondents from this region experienced violence. Yet as a way of seeing how each of the main predictors extends to a larger

sample that did not experience violence, I estimate the effects of eviction fear, agreement with the liberal narrative, exposure to incitement, and the controls.³³⁷ I also add a binary variable for region.³³⁸ I report these estimations in the model that I present in Table 6.6. The figure below shows the marginal effects of each of the main predictors.

Fig. 6.14



Specifically we see that eviction fear and exposure to incitement remain statistically significant and positive predictors that a person will experience electoral violence, even when expanding the sample size to encompass respondents from the Coast. Equally, we see that that identifying as Mijikenda or being from the Coast region is a significant but negative predictor of experiencing violence. In others words, and as we should expect, people who identify as Mijikenda or who live in the Coast region are far less likely to experience violence. In the table below, I narrow in on how a person's probabilities of experiencing violence increase based on the region in which s/he lives (Rift Valley or the Coast) and by his or her fear of eviction. As the table below shows,

³³⁷ I estimate effects using a logistic region with random fixed effects (as I have done in most of the preceding models).

³³⁸ Where Region 1= the Rift Valley Region and Region 2 = the Coast Region.

a person's probability of experiencing violence increases by 20 percent if they fear eviction from their land. By contrast, if a person is from the Coast, they have only a 3 percent predicted probability of experiencing violence if they do not fear eviction. This increases to 10 percent if they fear their eviction. Eviction fear and a person's ethnic identification also have very similar effects on the probabilities of experiencing violence. An individual who identifies as Kikuyu has a 21 percent probability of experiencing election violence if s/he has no fears of eviction, but 38 percent if s/he does fear eviction. A person who identifies as Kalenjin meanwhile, has a 26 percent probability of experiencing violence when s/he does not fear eviction and a 44 percent probability if s/he does fear eviction. Finally, the probability that a person who identifies as Mijikenda (who are the Majority in the Coastal counties I sample) has experienced violence increases from 4 percent³³⁹ to 14 percent if they fear eviction.

Fig. 6.15: Predicted Probabilities of Region and Fear of Eviction

Region	No Eviction Fear (0)	Fear of Eviction (1)
Rift Valley	.27*** (.05)	.47*** (.07)
Coast	.03** (.02)	.10*** (.05)

Observations: 701
Standard Errors in Parentheses

6. Discussion and Conclusion

In this chapter I have used survey data that I collected in 2013 to gain new empirical insight into the patterns and dynamics of the post-election violence. I move beyond studies that have identified broad patterns of violence—linked to particular districts, provinces, voting blocs, or ethnic groups. Instead, I draw on individual and local-level factors that can help explain the

³³⁹ This predicted probability is not statistically significant ($P > 0.05$). See appendix for details. For all other estimations $P < 0.05$.

significant variation in violence within and across electoral constituencies in Kenya's Rift Valley. My survey data indicates that despite the extreme levels of violence that escalated in Uasin Gishu and Nakuru Counties, approximately half of respondents in the Rift Valley did not experience violence. This suggests that while there were national and regional-level factors that placed communities at risk for violence, there were important local or individual-level factors that helped to either restrain or foment the violence.

This puzzle of local variation in violence motivates the main empirical analysis of this chapter. What places individuals at greatest risk for experiencing or engaging in election-time violence? My main argument is that election violence is most likely to escalate where people are land insecure (i.e. fear their eviction), where they ascribe to contentious land narratives (i.e. anti-outsider), and where they have heard politicians use these contentious land narratives during campaign periods. On this last point I specify that violence is more likely when politicians use land narratives to encourage violence against rivals in exchange for stronger land rights.

The analysis that I present in the chapter measures the observable effects of each these arguments. I also evaluate how political competition and measures of ethnic identification affect the likelihood that an individual experiences violence. Several important findings emerge. First, I find that the most consistent and robust predictor that a person experienced the post-election violence is if they fear eviction from their land. Fear of eviction is a strong predictor of experiencing violence across all six tables, including those where the sample includes respondents from the Coast region. I suggest that fear of eviction is one of the best ways to measure individual land security, particularly in settings where title deeds do not ensure against

violent evictions and equally, where respondents have stronger incentives to give misinformation about their legal documentation rather than the perception of their security.³⁴⁰

Second, I find that people who ascribe to anti-outsider narratives—those who describe ethnic outsiders as threats to the land security of their own community—are also more likely to experience violence. The limit of this particular analysis is that I cannot identify the mechanism that links an individual’s belief in a group-based narrative and their exposure to violence. One challenge is that my data do not tell me whether an individual experienced violence as an active participant, bystander, or victim. One possibility is that people who view ethnic outsiders as threats to land security are more likely to participate in violent forms of collective action—in large part because mobilization strategies that tap into nativist beliefs will resonate with these individuals. Alternatively, because I am measuring a collective narrative (a commonly held belief by many members of a group or community), measuring an individual’s set of beliefs (i.e. regarding the rights of outsiders) provides an indirect measure of the beliefs of other community members. Stated another way, a person’s viewpoint about the land rights of other groups is in most cases, not idiosyncratic. Rather, it is shaped by the views of other community members and local leaders. Hence, while a given respondent may not be an active participant in election violence, his or her anti-outsider beliefs can signify the salience of contentious land narratives (i.e. anti-outsider narratives) among the larger community. We can infer that where these views are commonly held, it is easier for elites to mobilize followers and hence there is a greater likelihood for violence. Importantly however, the role that anti-outsider beliefs play in predicting election violence is much stronger when a person also fears eviction.

Third, I find that people who have been exposed to political mobilization that exploit issues of land are more likely to experience election violence. I test two different types of

³⁴⁰ In Chapter four I present two main measures for land security: fear of eviction and perceptions of land security.

mobilization strategies. The first measures the effect of statements that make explicit references to the use of violence against rivals (i.e. “kicking out invaders”). The second measures political statements based on promises of land security, but without any references to violence. While both types of campaign statements are associated with higher probabilities of violence, statements that incorporate references to violence against another group in exchange for land appear to have a larger effect in predicting election violence. These results raise questions about how the process of mobilizing violent action. How do land narratives provide a tool to organize violence? Why are elites able to use land-based narratives to foment election violence in some contexts but not others? I examine these questions in greater depth in following chapters Seven and Eight.

Fourth, I find that political competition does appear to shape election violence, but in particular ways. The vote margins for the parliamentary candidate do not significantly alter the probabilities for violence. I am limited in the claims that I can make on this point in part because my survey only includes data from five constituencies (as they existed in 2007). But from these five constituencies we can see that there is very little change between a constituency where the margin of victory was very narrow (i.e. 5 percent) and very large (i.e. over fifty percent). The likely explanation is that in most constituencies in Nakuru and Uasin Gishu Counties, the first and second place candidates at the parliamentary level were co-ethnic candidates. This suggests that a more relevant measure is not the political competition defined by margin of victory. Rather, the victory margins matter only when the first and second candidates are from two different and politically relevant ethnic communities. For example, in Kuresoi Constituency (coded here as Kuresoi South), the victory margin between the winner, Zakayo Cheruiyot and the runner-up, Moses Cheboi, was only 5.7 percent. Both candidates in this case were Kalenjin. By

contrast in Molo Constituency (now split into Molo and Njoro Constituency), Joseph Kiuna, a Kikuyu, won the Parliamentary seat for PNU with a 38 percent margin of victory over a Peter Sang, a Kalenjin running on the ODM ticket. The election violence was much more intense in Molo than it was in Kuresoi, despite the wider margin of victory.

Yet when we look at the role that political competition plays between the two presidential candidates—Mwai Kibaki and Raila Odinga—there seems to be stronger and more consistent effect on election violence. Based on arguments that I've laid on in previous chapters, this makes sense. Many scholars have argued that violence is more likely when citizens view elections as a zero-sum game: groups of citizens believe that they will only gain access to state resources (“the national cake”) if their ethnically-aligned patron is elected. The presidential elections are so high stake for two reasons. First, because Kenya has historically functioned as an executive state and hence, the Office of the President has tremendous formal and informal power. Second, because citizens understand the power of the executive office, many attach particular weight to the ethnic identify of the office holder. Yet in many of the more homogenous constituencies included in my sample, where there is only competition among co-ethnics, the stakes of these parliamentary elections are relatively low. Hence, while there might be violence in these constituencies, competition for the parliamentary seat does not appear to play a decisive role in shaping the dynamics of electoral violence.

Finally, this chapter investigates different theories about how ethnic identification shapes election violence. I began by testing the theory that people who identify as Kalenjin were more likely to experience violence because they were the “sore losers” in 2007 elections and hence had greater incentives to engage in violent protest. However, I find that among respondents in the Rift Valley (i.e. surveyed constituencies in Uasin Gishu and Nakuru), identifying as Kalenjin

had no effect on whether an individual experienced violence. This finding does not provide any insight into the motive and identity of the PEV perpetrators. The result only shows that when we account for a number of other factors (i.e. controls), a person's ethnic identification did not make them more or less likely to experience the violence. Yet nearly all accounts of the post-election violence tell a different story: ODM-aligned groups (most of whom were Kalenjin the constituencies where I conduct my survey) perpetrated violence against Kikuyus. Kikuyu and other ethnic groups aligned with PNU endured a greater loss of life and livelihood. This finding complicates this story. My qualitative work in the next two chapters is better able to explain the ways in which ethnic identification interacts with other factors—relative land security and contentious land narratives—to shape the escalation of violence. The key point however, is that ethnic identity is not an independent predictor of violence.³⁴¹

I also engage with a set of theories that focuses on how the form and level of interaction between ethnic groups can reduce conflict (i.e. Varshney, 2002; Kasara, 2013). The expectation here is that as interactions increase among people from different ethnic groups, the potential for violent conflict will decrease. However, the only significant finding that emerges from my analysis suggests that dynamics in the Rift Valley of Kenya may operate differently. I find that people who never interact with people of other ethnic groups have the lowest probability of experiencing election violence. This includes both quotidian forms of interaction measured by “sharing a meal” and associational forms, which I measure here by attending meetings together. This finding however, should not point to spatial separation as a way to reduce violence. Instead, these results suggest an endogenous relationship between environments where there is a high incidence of past political violence and ethnic demography. Specifically, political violence since

³⁴¹ In this instance, my use of the term ethnic identity refers to the binary variable, *Kalenjin* where a respondent identifies as Kalenjin (1) or another ethnic group that is not Kalenjin (0).

the onset of multiparty elections the early 1990s has taken the form of state-orchestrated (or state-sanctioned) evictions targeting specific ethnic groups. As a result, communities have become increasingly ethnically segregated through processes of voluntary and forced displacement.

In sum, this chapter provides evidence for this study's larger claim: that individual land security, contentious land narratives, and the mobilization of these land narratives interact to shape the incidence and form of election-time violence. These become necessary, but not sufficient factors in explaining the sites and scale of electoral violence. Yet as the analysis in the chapter suggests, other factors, such as political competition and forms of ethnic engagement, matter as well. In the chapters that follow, I focus on the causal process linking the variables that I identify in this chapter. In chapter seven, I provide an in-depth examination of how contentious land narratives can provide an effective tool for elites to mobilize violence in the two neighbouring communities of Mauche and Likia (Njoro Constituency). In the chapter eight, I move my analysis to the Coast region (Kwale and Kilifi) to ask why the variables that I identify here: fear of eviction, contentious narratives, and the mobilization of these narratives do not translate into the escalation of electoral violence.

Chap 6: Appendix

Table 6.2: Effects of Land Security and Contentious Land Narratives on Electoral Violence

VARIABLES	(Model 1)	(Model 2)	(Model 3)	(Model 4)
Fear of Eviction	1.748*** (0.334)			1.759*** (0.330)
Anti-Outsider				0.717** (0.351)
Liberal		1.057*** (0.409)	3.931*** (1.263)	
2.EthInteract	0.426 (0.369)	0.667* (0.362)	2.784** (1.379)	
3.EthInteract	-0.231 (0.357)	-0.146 (0.341)	3.973*** (1.357)	
4.EthInteract	-2.062*** (0.705)	-2.120*** (0.695)	-2.373*** (0.736)	
1.Liberal # 2.EthInteract			-2.099 (1.415)	
1.Liberal # 3.EthInteract			-4.581*** (1.400)	
2.Eth_Main (Kalenjin)	0.0571 (0.424)	-0.411 (0.396)	-0.447 (0.415)	0.290 (0.418)
4.Eth_Main (Other)	-0.884 (0.589)	-0.503 (0.554)	-0.662 (0.587)	-0.585 (0.586)
2.Age (26-35)	0.679 (0.553)	0.265 (0.508)	0.368 (0.518)	0.613 (0.546)
3.Age (36-49)	0.206 (0.528)	0.0489 (0.486)	0.141 (0.494)	0.255 (0.510)
4.Age (50-65)	0.0615 (0.602)	0.126 (0.557)	0.358 (0.576)	-0.0640 (0.585)
2.Urban (<i>Trading Centre</i>)	-1.095 (0.670)	-1.423** (0.622)	-1.517** (0.671)	-1.210* (0.660)
3.Urban (<i>Roadside</i>)	-0.751 (0.684)	-1.012 (0.636)	-1.293* (0.681)	-0.484 (0.678)
4.Urban (<i>Within 2k of road</i>)	-1.604** (0.627)	-1.798*** (0.585)	-2.032*** (0.632)	-1.681*** (0.630)
5.Urban (<i>Beyond 2k of road</i>)	-1.241* (0.641)	-0.957 (0.594)	-1.050 (0.639)	-1.375** (0.640)
1.Male	-0.210 (0.284)	-0.272 (0.275)	-0.294 (0.283)	-0.112 (0.276)
2.edu	-0.914 (1.012)	-1.801 (1.122)	-1.502 (1.160)	-1.516 (1.041)
3.edu	0.780 (0.941)	-0.487 (1.061)	-0.153 (1.099)	0.0517 (0.983)
4.edu	0.787 (0.878)	-0.460 (1.000)	-0.185 (1.034)	0.0749 (0.940)
5.edu	0.469	-0.521	-0.0849	-0.314

	(0.890)	(1.009)	(1.048)	(0.947)
6.edu	0.494	-1.013	-0.769	-0.215
	(0.906)	(1.025)	(1.059)	(0.964)
2.PlotSize	0.713	0.235	0.444	0.164
	(0.721)	(0.649)	(0.670)	(0.730)
3.PlotSize	0.660	0.238	0.623	0.318
	(0.734)	(0.664)	(0.691)	(0.747)
4.PlotSize	1.084	0.676	0.949	0.720
	(0.786)	(0.722)	(0.749)	(0.801)
5.PlotSize	0.209	-0.376	-0.180	-0.182
	(0.791)	(0.715)	(0.737)	(0.799)
6.PlotSize	0.746	0.115	0.252	0.391
	(0.788)	(0.707)	(0.727)	(0.801)
7.PlotSize	-1.220	-1.583	-1.137	-1.877
	(1.331)	(1.287)	(1.311)	(1.332)
Pop 2009_log	3.184**	3.482**	3.555**	3.255**
	(1.499)	(1.612)	(1.777)	(1.475)
Pop Density 09_log	-1.407	-1.888	-1.726	-1.570
	(1.075)	(1.158)	(1.276)	(1.062)
Constant	-30.22**	-29.27*	-34.23*	-29.78**
	(14.64)	(15.74)	(17.47)	(14.41)
Observations	357	354	347	351
Number of CONST	7	7	7	7

Standard errors in parentheses

*** p<0.01, ** p<0.05, * p<0.1

CONST (i.e. County) = random fixed effects

Table 6.3: Effects of Political Mobilization on Electoral Violence

VARIABLES	Model 1	Model 2	Model 3
	(Incite)	(Title Promise)	(Combined)
Incite	1.441*** (0.290)	1.280*** (0.340)	1.094*** (0.335)
Liberal			1.393*** (0.474)
Fear of Eviction			1.732*** (0.375)
TitlePromise		0.267 (0.314)	
2.EthInteract		0.800** (0.369)	0.780* (0.406)
3.EthInteract		0.153 (0.354)	0.276 (0.387)
4.EthInteract		-1.650** (0.696)	-1.857** (0.772)
2.Eth_Main	-0.117 (0.388)	-0.297 (0.407)	0.231 (0.457)
4.Eth_Main	-0.380 (0.558)	-0.606 (0.588)	-1.062 (0.646)

2.Age	0.532 (0.503)	0.282 (0.521)	0.595 (0.576)
3.Age	0.0904 (0.479)	-0.167 (0.502)	-0.0972 (0.557)
4.Age	-0.0666 (0.554)	-0.152 (0.571)	-0.181 (0.637)
2.Urban	-1.200** (0.608)	-1.240* (0.637)	-1.158 (0.713)
3.Urban	-0.493 (0.621)	-0.768 (0.646)	-0.708 (0.728)
4.Urban	-1.715*** (0.571)	-1.748*** (0.593)	-1.693*** (0.651)
5.Urban	-0.900 (0.578)	-0.855 (0.604)	-1.111* (0.664)
1.Male	-0.188 (0.265)	-0.325 (0.279)	-0.317 (0.298)
2.edu	-0.436 (0.961)	-0.139 (1.013)	-1.253 (1.230)
3.edu	0.424 (0.907)	0.741 (0.937)	-0.0408 (1.146)
4.edu	0.545 (0.851)	0.757 (0.873)	0.303 (1.086)
5.edu	0.337 (0.861)	0.588 (0.886)	0.123 (1.094)
6.edu	0.249 (0.884)	0.352 (0.904)	-0.000389 (1.112)
2.PlotSize	-0.381 (0.654)	-0.0838 (0.693)	0.733 (0.779)
3.PlotSize	-0.284 (0.667)	-0.0723 (0.704)	0.648 (0.802)
4.PlotSize	0.184 (0.722)	0.311 (0.756)	1.260 (0.858)
5.PlotSize	-0.802 (0.730)	-0.697 (0.764)	0.0753 (0.852)
6.PlotSize	-0.496 (0.722)	-0.295 (0.760)	0.309 (0.858)
7.PlotSize	-2.729** (1.294)	-2.124 (1.319)	-1.819 (1.389)
Pop09_log	3.661** (1.483)	3.628** (1.589)	3.535** (1.560)
Pop Density 09_log	-1.500 (1.060)	-1.496 (1.139)	-1.597 (1.120)
Constant	-34.33** (14.50)	-34.15** (15.53)	-34.50** (15.29)
Observations	362	361	350
Number of CONST	7	7	7

Standard errors in parentheses

*** p<0.01, ** p<0.05, * p<0.1

CONST (i.e. County) = random fixed effects

Table 6.4: Effects of Political Competition

VARIABLES	(1) Parliamentary	(2) Presidential	(3) Gov Win	(4) Combined	(5) Fear Evict
PMVoteMargin07	0.831** (0.384)			0.0244* (0.0143)	0.0256* (0.0152)
PMVoteMargin07* Pop. Density	-0.149** (0.0733)				
PRESVoteMargin07		-0.0375*** (0.00833)		-0.0293*** (0.00815)	-0.0301*** (0.00876)
Gov_Win			0.253 (0.739)	0.129 (0.369)	0.685 (0.421)
Fear of Eviction					1.671*** (0.315)
2.Eth_Main (<i>Kalenjin</i>)	-0.191 (0.398)	-0.422 (0.343)	-0.393 (0.408)	-0.238 (0.378)	0.372 (0.426)
4.Eth_Main (<i>Other</i>)	-0.336 (0.535)	-0.488 (0.534)	-0.430 (0.545)	-0.340 (0.519)	-0.565 (0.553)
2.EthInteract	0.617* (0.351)	0.521 (0.352)	0.559 (0.351)		
3.EthInteract	-0.207 (0.332)	-0.180 (0.330)	-0.247 (0.334)		
4.EthInteract	-2.073*** (0.668)	-1.883*** (0.665)	-2.098*** (0.672)		
2.Age	0.340 (0.500)	0.345 (0.499)	0.309 (0.500)	0.502 (0.477)	0.796 (0.523)
3.Age	0.127 (0.476)	0.203 (0.478)	0.108 (0.479)	0.355 (0.450)	0.393 (0.491)
4.Age	0.0970 (0.544)	0.270 (0.548)	0.136 (0.545)	0.247 (0.519)	0.0842 (0.569)
2.Urban	-1.416** (0.607)	-1.331** (0.618)	-1.304** (0.610)	-1.352** (0.576)	-1.042* (0.625)
3.Urban	-1.100* (0.624)	-0.926 (0.621)	-0.976 (0.621)	-0.651 (0.589)	-0.428 (0.640)
4.Urban	-1.836*** (0.577)	-1.686*** (0.578)	-1.747*** (0.575)	-1.563*** (0.549)	-1.424** (0.587)
5.Urban	-1.068* (0.587)	-1.092* (0.594)	-1.010* (0.586)	-0.857 (0.537)	-0.910 (0.575)
1.Male	-0.204 (0.268)	-0.227 (0.267)	-0.225 (0.268)	-0.0924 (0.252)	-0.0922 (0.268)
2.edu	-0.866 (0.962)	-0.989 (0.928)	-0.911 (0.945)	-1.783** (0.827)	-1.844** (0.918)
3.edu	0.496 (0.899)	0.515 (0.872)	0.522 (0.887)	-0.309 (0.775)	-0.227 (0.859)
4.edu	0.425 (0.836)	0.412 (0.808)	0.433 (0.823)	-0.262 (0.711)	-0.0570 (0.798)
5.edu	0.236 (0.849)	0.229 (0.819)	0.245 (0.835)	-0.343 (0.723)	-0.254 (0.809)
6.edu	-0.0353 (0.862)	-0.129 (0.833)	-0.0767 (0.849)	-0.709 (0.738)	-0.329 (0.826)

2.PlotSize	0.0450 (0.637)	-0.0666 (0.648)	0.0629 (0.644)		
3.PlotSize	0.0463 (0.651)	-0.0594 (0.660)	0.0691 (0.659)		
4.PlotSize	0.282 (0.706)	0.336 (0.699)	0.378 (0.712)		
5.PlotSize	-0.466 (0.712)	-0.520 (0.713)	-0.472 (0.715)		
6.PlotSize	0.174 (0.700)	0.00811 (0.700)	0.124 (0.705)		
7.PlotSize	-1.455 (1.279)	-1.792 (1.282)	-1.571 (1.284)		
Land Access (Rent)				0.0844 (0.616)	0.340 (0.648)
Land Access (Own)				-0.419 (0.518)	0.119 (0.556)
Pop 2009_log	3.620*** (1.153)	-0.316 (1.075)	3.287** (1.599)	-0.401 (0.953)	-0.826 (1.028)
Pop Density 09_log	5.015 (4.167)	0.493 (0.702)	-1.491 (1.248)	-0.485 (0.894)	0.0823 (0.953)
Constant	-68.90** (30.66)	3.819 (10.04)	-29.22* (15.29)	9.545 (8.959)	9.425 (9.646)
Observations	361	361	361	366	362
Number of CONST	7	7	7	7	7

Standard errors in parentheses

*** p<0.01, ** p<0.05, * p<0.1

CONST (i.e. County) = random fixed effects

Table 6.5: Effects of Ethnicity-Related Explanations on Electoral Violence

VARIABLES	(Model 1)	(Model 2)	(Model 3)	(Model 4)	(Model 5)
Kalenjin	-0.223 (0.345)				0.107 (0.389)
2.EthInteract			0.552 (0.351)	0.216 (0.441)	0.207 (0.440)
3.EthInteract			-0.255 (0.333)	-0.602 (0.451)	-0.578 (0.449)
4.EthInteract			-2.105*** (0.672)	-1.910** (0.804)	-1.839** (0.798)
2.CivicEngage		0.492 (0.397)		0.497 (0.477)	0.499 (0.475)
3.CivicEngage		0.678* (0.349)		0.998** (0.463)	0.957** (0.459)
4.CivicEngage		-1.443*** (0.494)		-0.659 (0.630)	-0.709 (0.628)
2.Border (<i>some fear</i>)				1.058*** (0.405)	1.025** (0.402)
3.Border (<i>a lot of fear</i>)				0.933** (0.390)	0.899** (0.387)
2.Eth_Main (<i>Kalenjin</i>)		-0.0763 (0.399)	-0.436 (0.388)	-0.0682 (0.424)	
4.Eth_Main (<i>other</i>)		-0.266 (0.544)	-0.454 (0.541)	-0.609 (0.577)	
2.Age	0.553 (0.485)	0.194 (0.512)	0.301 (0.499)	0.0446 (0.533)	0.0414 (0.531)
3.Age	0.448 (0.455)	0.123 (0.479)	0.0965 (0.477)	-0.296 (0.515)	-0.284 (0.513)
4.Age	0.297 (0.526)	-0.0229 (0.553)	0.132 (0.544)	-0.281 (0.586)	-0.248 (0.583)
2.Urban	-1.280** (0.567)	-1.268** (0.619)	-1.289** (0.608)	-1.164* (0.664)	-1.004 (0.640)
3.Urban	-0.615 (0.576)	-0.993 (0.635)	-0.962 (0.619)	-1.177* (0.671)	-0.990 (0.639)
4.Urban	-1.593*** (0.535)	-1.903*** (0.593)	-1.734*** (0.574)	-2.166*** (0.630)	-1.967*** (0.592)
5.Urban	-0.993* (0.539)	-1.205** (0.608)	-0.998* (0.585)	-1.317** (0.646)	-1.126* (0.609)
1.Male	-0.0709 (0.253)	-0.128 (0.267)	-0.224 (0.268)	-0.236 (0.281)	-0.260 (0.280)
2.edu	-1.071 (0.878)	-0.740 (0.904)	-0.912 (0.943)	-0.539 (0.961)	-0.535 (0.959)
3.edu	0.238 (0.835)	0.698 (0.866)	0.516 (0.885)	0.703 (0.920)	0.681 (0.919)
4.edu	0.213 (0.778)	0.497 (0.796)	0.428 (0.820)	0.454 (0.843)	0.475 (0.843)
5.edu	0.0148	0.301	0.240	0.386	0.364

	(0.788)	(0.804)	(0.833)	(0.848)	(0.848)
6.edu	-0.206	-0.0768	-0.0839	-0.137	-0.157
	(0.805)	(0.819)	(0.846)	(0.861)	(0.861)
2.PlotSize	-0.382	-0.244	0.0796	0.0903	0.0654
	(0.617)	(0.637)	(0.642)	(0.679)	(0.676)
3.PlotSize	-0.273	-0.00117	0.0911	0.305	0.278
	(0.635)	(0.657)	(0.655)	(0.699)	(0.695)
4.PlotSize	0.156	0.138	0.411	0.529	0.498
	(0.686)	(0.704)	(0.705)	(0.749)	(0.746)
5.PlotSize	-0.683	-0.572	-0.454	-0.177	-0.209
	(0.692)	(0.720)	(0.712)	(0.764)	(0.758)
6.PlotSize	-0.163	-0.0862	0.143	0.311	0.293
	(0.682)	(0.706)	(0.702)	(0.755)	(0.751)
7.PlotSize	-2.162*	-1.660	-1.556	-1.213	-1.227
	(1.252)	(1.286)	(1.283)	(1.354)	(1.353)
Pop 2009_log	3.306**	3.719**	3.395**	3.556*	3.539*
	(1.505)	(1.708)	(1.584)	(1.872)	(1.906)
Pop Density 09_log	-1.601	-2.083*	-1.677	-1.874	-1.940
	(1.078)	(1.228)	(1.135)	(1.346)	(1.370)
Constant	-28.83**	-31.04*	-29.31*	-30.89*	-30.58*
	(14.68)	(16.62)	(15.44)	(18.21)	(18.54)
Observations	362	361	361	358	358
Number of CONST	7	7	7	7	7

Standard errors in parentheses

*** p<0.01, ** p<0.05, * p<0.1

CONST (i.e. County) = random fixed effects

Table 6.6: Determinants of Electoral Violence (Rift Valley and Coast regions combined)

VARIABLES	(Model 1) Combined	(Model 2) Fear Eviction
Fear Evict	1.427*** (0.308)	1.528*** (0.295)
Liberal	0.638* (0.362)	
Incite	0.995*** (0.279)	
2.Eth_Main (<i>Kalenjin</i>)	0.431 (0.411)	0.368 (0.401)
3.Eth_Main (<i>Mijikenda</i>)	-2.193*** (0.841)	-2.610*** (0.831)
4.Eth_Main (<i>other</i>)	-0.828 (0.517)	-0.705 (0.505)
2.REG (Coast)	-3.001*** (0.836)	-2.798*** (0.867)
1.Male	-0.332 (0.259)	-0.212 (0.250)
2.edu	-1.611** (0.819)	-1.457* (0.754)
3.edu	-0.477 (0.778)	0.0796 (0.707)
4.edu	-0.543 (0.693)	-0.168 (0.629)
5.edu	-0.851 (0.729)	-0.501 (0.663)
6.edu	-0.858 (0.737)	-0.502 (0.676)
2.Urban	-1.091** (0.548)	-1.189** (0.533)
3.Urban	-0.523 (0.561)	-0.688 (0.542)
4.Urban	-1.660*** (0.519)	-1.670*** (0.511)
5.Urban	-1.280** (0.522)	-1.461*** (0.513)
2.Age	0.489 (0.506)	0.579 (0.494)
3.Age	0.0782 (0.486)	0.406 (0.469)
4.Age	-0.0400 (0.549)	0.200 (0.531)
5.Age	1.452 (1.104)	1.669 (1.121)
2.PlotSize	-0.410 (0.586)	-0.380 (0.571)
3.PlotSize	-0.436 (0.601)	-0.371 (0.586)

4.PlotSize	-0.127 (0.643)	-0.0771 (0.626)
5.PlotSize	-0.646 (0.655)	-0.470 (0.638)
6.PlotSize	-0.534 (0.656)	-0.126 (0.636)
7.PlotSize	-3.018** (1.238)	-2.435** (1.213)
Pop 2009_log	-0.0877 (1.437)	-0.551 (1.536)
Pop Density 09_log	0.977 (0.696)	1.183 (0.724)
Constant	-3.805 (15.92)	0.797 (17.09)

Observations	701	717
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Number of CONST	14	14
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Standard errors in parentheses

*** p<0.01, ** p<0.05, * p<0.1

CONST (i.e. County) = random fixed effects

Contentious Land Narratives and the Escalation of Violence

Hatred and provocation propagated by the Kikuyu continued daily to the extent of open confrontation, daring us to be ready to pack and leave Mauche when Kibaki won the elections. The loathing and ridicule was a lot for the Kalenjin to take. So with the swearing in of Kibaki as the president, violence ensued. This was all made worse by disputes over the ownership of this land.³⁴²

Kenyans provide layered accounts of the post-election violence. People fought because of anger over a “stolen election,” fears of their eviction, opportunities to earn cash or land, or frustration borne out of years of feeling marginalized and politically voiceless. In the excerpt above, the respondent’s comments point to the challenge of isolating any single cause of electoral violence. Violence “ensues” or begins when Mwai Kibaki is announced the winner. Yet the respondent’s comments suggest other motives for Kalenjin participation in the clashes: fear that their Kikuyu neighbors would evict them if Kibaki claimed the presidency, as well as anger or a sense of injured pride that residents had endured from the “loathing and ridicule.”

In this chapter, I examine the multiple logics driving collective participation in Kenya’s 2007 electoral violence. I do so by focusing in on the violence that escalated in two different communities that formed part of my case study research: between Mauche and Likia in the Eastern Mau forest (Molo Constituency) and the violence that “came from the outside” in two communities in Naivasha Constituency. Three questions guide the chapter. How do elites convince ordinary citizens to fight? What are the different motives or logics that compel ordinary citizens to participate in violence? And how do these logics play out at different stages of violent escalation?

³⁴² Interview-Mauche-Njoro (Stage 3-5) 10/9/2012.

I argue that the mobilization of local land narratives is a key part of process through which elites and ordinary citizens jointly establish motives for organizing and engaging in violent action. In many communities across Kenya, land narratives develop out of fears of losing land and property, desires to strengthen land rights, and strong beliefs about the legitimacy or injustice of the land distribution process. Where these narratives are most salient and where they already resonate with a majority of the community, leaders can use these land narratives to establish threat and opportunity linked to the elections.

I identify two broad logics or motives of violence that emerge from the mobilization of land narratives. The first is the closely linked logics of defense and revenge. Leaders exploit the insecure property rights environment, accentuated by the proximity of elections, to convince their followers that the rival group could displace them if they were to win the elections: ‘evict them from the land before they evict us.’ Similarly, political leaders draw on land narratives of past land injustices to convince followers that violence is a way of avenging for crimes committed by the rival group in the past or ongoing daily life (relating to land deprivation). Revenge is also endogenous to the process of violence. As members of one group kill, displace, or destroy the properties of another, violence becomes a mechanism of retaliation and defense.

The second is the logic of political opportunity. Political leaders or organizers convince followers that elections provide a “window of opportunity” to strengthen or re-claim land rights. Yet because group members cannot ensure their victory at the polls, violence becomes a strategy of altering the electoral results in their favor by reducing the number of opposition voters. In the post-electoral period, leaders can organize followers to fight as method of “gambling for resurrection” (de Figueredo and Weingast 1997). A key point here is that followers believe the electoral victory of their candidate will create opportunities to secure land while an electoral loss

would mean the loss of these same opportunities. Leaders can also recruit individuals to participate in violence by offering land, cash, jobs, or other private benefits in exchange for their participation (Collier and Hoeffler 2002). Further, acts of election violence such as chasing away opposition supporters, destroying homes, and looting, make land and property available for re-distribution to loyal recruits (i.e. participants in violence).

Taken alone, none of these logics can explain the escalation of violent collective action. Instead, I show how these different logics of violence—from pre-emption, opportunities to alter the status quo, revenge, and desire for material gain—interact to shape different stages of violent escalation.

I examine four stages of the escalation in process of electoral violence. These stages of escalation include the “mobilization of land claims” (stage 1), “the trigger” (stage 2), “localized revenge and defense (stage 3)” and “the importation of revenge (stage 4).” At each point, the existing land narrative makes acts of violence thinkable, feasible, or in some cases, necessary. Stated another way, the existence of land narratives is necessary, but not sufficient for the escalation of violence.

In the first stage, politicians and mobilizers on the ground tap into land narratives to mobilize potential fighters. As I outline above, the goal is to use the land insecurities and fear, as well as desires for redistribution of land to create different logics of violence. Before the initial trigger event has occurred, party mobilizers use land narratives to convince followers that violence is the ideal way to hedge against potential electoral losses (*logic of defense*) or to secure the distributive benefits of the electoral outcomes (*logic of opportunity*).

The second stage is the “trigger”—a discrete event at the national or local level that provokes violence. Throughout most of Kenya, the announcement of the disputed poll results

provided the necessary trigger to set violent events into motion. Yet in some communities, the trigger was a much more localized event such as an assassination of one community member by a member from a rival party or ethnic group. In other cases, respondents describe a bar brawl that spiraled out of control. The bar fight—in the context of the disputed elections and the larger land issues—provides the trigger that sets inter-group violence into motion. I analyze how these “triggers” gain meaning in the context of already existing narratives.

The third stage occurs nearly simultaneously to the first outbreak of violence. I call this “localized revenge and defense.” After the first group has launched an attack, in some cases crossing a real or invisible dividing line between two communities, the second group engages in defensive fighting. As the destruction and death toll mounts, fighting is both defensive and revenge-oriented.

The fourth stage of violent escalation is what I call the “importation of revenge.” At this stage, fighting is no longer between two groups who know and interact with one another on a daily basis. Instead, leaders (political and informal) are organizing killing groups to seek revenge against groups whom they deem responsible for the atrocities committed against their co-ethnics. Violence at this stage is well-organized, well-financed, fast-moving, and more diffuse geographically.

How do land narratives work?

Broadly, narratives can guide political action. They provide the set of frames that make certain actions thinkable or logical. Francesca Polletta (2006) writes that familiar narratives “make some courses of action seem reasonable, fitting, even possible, and others seem ineffectual, ill-considered, or impossible (Polletta 2006: 4).” Stated differently, narratives provide the frames that shape “our views on what counts as a problem (Autesserre 2012: 206).”

Narratives alone do not have causal power, but “they make action possible; they authorize, enable, and justify specific practices (2012: 206).”

In the context of land and electoral violence, narratives work in two ways. First, land narratives establish or solidify group land claims. A salient and enduring narrative among residents in the local context might be: ‘we are landless today because [Group A] has stolen our lands.’ A subsequent land claim might be: ‘*therefore*, we have the right to evict Group A from the land that they illegally occupy. In this hypothetical case, land narratives provide a discursive “script” for individuals and groups to assert claims to land or territory. In an electoral context, the logic of political opportunity emerges from this claim. Elections provide a “window of opportunity” to change the status quo distribution of both land and power. Land claims also provide a mechanism for violent collective action when they justify and specify the *form* of violence such as “evicting” invaders from the land or “uprooting the weeds” that have spread across the land.

Second, politicians can tap into these land claims. The claims provide a way for leaders to bargain with their followers. The mobilization process becomes a form of bargaining where political leaders (i.e. candidates) use land claims to induce or coerce potential recruits in exchange for their political support. In each ‘discursive exchange’ (i.e. rallies, pamphlets, secret meetings, text messages) leaders draw on the fears, anxieties, and frustrations that land narratives invoke. These exchanges form over existing patron-client relationships. The following examples, which I’ve extrapolated from my interviews, illustrate common mobilization strategies that typify this type of patron-client exchange.

Example 1: ‘If you vote for me, I will protect you [from eviction]’

Example 2: ‘if you support party A, we will kick Group X off these lands.’

Example 3: ‘If I am voted in, I will ensure the eviction of the other tribe.’

Example 4: ‘If you fight [for me] you will earn land titles, jobs, property and cash.’

These political exchanges help explain how land narratives shift from collective beliefs about rights to land, and methods of making claims, to mechanisms for violent political mobilization.

The role that narratives play in mobilizing individuals is similar to Sanin and Wood’s theory of ideology and its role in mobilizing violence (2013). Ideology, like narrative, encompasses a “a set of ideas that include preferences (i.e. stronger land rights), beliefs (i.e. about who has the right to claim land), and a “program of action” (i.e. removal or opposition voters during elections). Land narratives are far less effective sources for mobilizing violence when the narrative script does not resonate widely across the group, and more so, when residents do not link threats to land or opportunities to gain with electoral outcomes.³⁴³

Methodology

In chapter 5, I compared two pairs of farming communities with different land allocation arrangements as a way of explaining why contentious land narratives develop between some communities but not others. In this chapter, I draw most of my evidence on a single paired case study between Mauche, a Kalenjin farming community and Likia, a Kikuyu farming community, both located at the edge of the Eastern Mau Forest in Nakuru County.³⁴⁴ Strong contentious land narratives have existed between the neighboring communities dating back to the early 1990s when the government settled Kalenjins in Mauche. Both sides have experienced election-time violence (in 1992 and 1997), but the level of violence—marked by deaths, destruction of homes, and displacement—was the most intense during the 2007-2008 post electoral violence.

³⁴³ I expand on this argument in Chapter 8.

³⁴⁴ Both farms fell within Molo Constituency in 2007 but now fall within Njoro constituency due to re-districting.

The main objective in this chapter is to explain the causal role of these contentious narratives in the process of violent mobilization. In other words, in this chapter as well as the next (chapter eight), I focus on the explanatory power of land narratives rather than why they become contentious.³⁴⁵

I use interviews with respondents to illuminate the process of violent mobilization during stage one (mobilization of land narratives), stage two (the trigger) and stage three (localized revenge and defense). I then turn to interviews that I conducted in Oljorai Settlement Scheme includes two neighboring Kalenjin and Kikuyu villages (stage 4).³⁴⁶

The interviews that I use in this chapter draws primarily from a set of questions that I used during the third stage of my micro-comparative case study. The questionnaire included a series of questions about the respondent's experience during the post-election violence and their recollections of how events unfolded (warning signs, sites of fighting, methods of violence that each side used, responses from community members, targets, spread and diffusion of violence), their explanations about why the violence happened, motivations for participation, the role of leaders and process of political mobilization, and comparisons with past instances of election-time violence.³⁴⁷

In conducting interviews dealing with interpretations of election violence, I followed the same interview protocol as I used during other stages of the qualitative research. I interviewed individuals in the privacy of the respondent's home or farm. The selection of respondents was not random. Village elders (or designated community leaders) escorted me though the interview

³⁴⁵ Previous chapters examine the historical and institutional development of land narratives in the two cases studies that I present, Mauche and Likia in Chapter 5. I explain the land politics of Oljorai in Chapter 3.

³⁴⁶ For a detailed discussion of land politics in Oljorai, see the case study in Chapter 3.

³⁴⁷ See appendix for details on the questionnaires and more details of interview methodology.

process and hence they were able to influence the selection of respondents.³⁴⁸ This selection was based the respondent's willingness to speak, whether they were near the home, and their trust in the village elders and by extension, trust in my research assistant. Respondents were never asked to identify their role in the electoral violence, although some chose to volunteer this information. I held focus groups in each community after completing individual interviews. I grouped focus groups by age-sets—youth and elders. Focus group discussions followed a very similar questionnaire. One objective of the focus groups was to use the group structure to facilitate a discussion around each question. The group format helps to illuminate the types of beliefs, opinions, or narrations of events that are more idiosyncratic and those that are widely shared across group members.

The interviews that I present here help me to develop my theory of violent mobilization. There are however, potential pitfalls in asking people to recount or interpret a violent event experienced in the past. As Elisabeth Wood warns, “memories of political events, however well they are initially remembered, may be later reshaped by social and cultural processes that affect which memories were retained, which emphasized, and which forgotten (Wood 2003:34).” Similarly, Leigh Payne (2008) suggests that people interpret past events through a particular political or cultural lens (Payne 2008). Lee Ann Fujii (2010) meanwhile suggests that researchers should be aware of the political contexts that may shape how people decide to tell their story.

Noting these observations, I do not use interviews as sources of absolute truth or verifiable facts about the violence. Instead, I am more interested in how people continue to make sense of the violence: how and why it unfolded, the motives and power of its organizers and participants, and how respondents place themselves and their communities in the larger national

³⁴⁸ Village escorts were never present during the actual interview. To protect the privacy of the respondent, escorts stood beyond earshot (outside the home or at the edge of the property, or would go visit a neighbors) during the interview.

drama. The timing of my research is also relevant. I conducted interviews in the Rift Valley region of Kenya between June-November 2012 in the months before Kikuyus and Kalenjins had solidified a political alliance under the banner of the Jubilee Alliance.³⁴⁹ These months also preceded the more controversial debates surrounding the ICC trials of Uhuru Kenyatta (Kikuyu) and William Ruto (Kalenjin). These trials had the unintended effect of suppressing discussion surrounding the unresolved post-election violence. If I had carried out interviews as little as four months later, many respondents may have filtered their interpretations through a new political lens, shaped by fear and compliance, and perhaps, a genuine sense of inter-ethnic unity.

One way in which I aimed to mitigate these effects was to structure the questionnaire in a way that helped respondents to organize or sort through their experience—facilitating a separation of historical events in the distant past, events in 2007-08, and ongoing issues.

1. Mobilizing Contentious Land Narratives

On the evening of December 30 2007, as the Electoral Commission of Kenya declared Mwai Kibaki the president-elect, hundreds of Kalenjins in Mauche crossed over the border into the neighboring farming community of Likia. They began torching homes and fields, destroying businesses, and killing their Kikuyu neighbors.³⁵⁰ How and why did hundreds of Kalenjins join together to kill, pillage, and burn the homes of their Kikuyu neighbors? In this section, I focus on how different land narratives enabled organizers to establish a logic or motive for violence. For some residents, violence became a form a political participation that was logical and necessary.

³⁴⁹ The Jubilee Alliance was the political coalition that formed between Kikuyu and Kalenjin candidates: Uhuru Kenyatta's TNA and William Ruto's URP.

³⁵⁰ Across the Rift Valley, ODM supporters attacked Kikuyu and Kisii members and other smaller ethnic groups perceived to have voted for PNU. Throughout this chapter however, I refer primarily to the Kalenjin, who supported the ODM party led by Raila Odinga, and the Kikuyu, who supported Party for National Unity (PNU), led by Mwai Kibaki.

I begin by documenting two land narratives that have emerged between the neighboring farming communities of Mauche (Kalenjin) and Likia (Kikuyu). The first is a set of competing claims over which group—the Kalenjins in Mauche or Kikuyus in Likia—are the legitimate claimants of the Eastern Mau Forest. I call this the “competing claims” land narrative. The narrative produces claim-making strategies that provide a basis for removing the group seen as the illegal occupants or “invaders.” The second is what I call the “land insecurity” narrative. This narrative consists of stories and beliefs about potential threat from a rival group or the state. They become stronger and more salient when mobilizers (i.e. political leaders) convince group members that a threat to both land and political power is imminent. Insecurity narratives can establish a motive for violence based on defending land rights and pre-empting “imminent threats.” The table below illustrates how different land narratives among Kikuyu and Kalenjin communities can establish both a motive and method for using violence. As the table illustrates, violent evictions of the rival group (ethnically or politically defined) provides a way of expanding land rights or pre-empting the eviction of group members.

Fig. 7.1 Logics of Violent Mobilization

	Kikuyu	Kalenjin
Narrative 1:	<i>Logic of opportunity:</i> Increase land ownership	<i>Logic of opportunity:</i> Re-claim ancestral land
Competing Claims	<i>Method:</i> Eviction of Kalenjin via legal capacity of elected leader	<i>Method:</i> Violent eviction of “outsiders”
Narrative 2:	<i>Logic of defense:</i> Protection from Kalenjin	<i>Logic of defense:</i> Preempt eviction by Kikuyu
Land Insecurity	<i>Method:</i> Elect leader to remove Kalenjin squatters	<i>Method:</i> Violent eviction

Narrative 1: Competing Claims

Beginning in the early 1960s, Kikuyu farmers began purchasing small 1.25-acre plots of land as shareholders on the Rare Land Buying Company or what is now called Likia Farm. The once powerful Kikuyu politician, Kihika Kimani, purchased the 800-acre farm from outgoing white settlers and distributed the land among relatively poor but well-connected Kikuyu farmers.³⁵¹ All original shareholders hold title deeds to their plots of land.

Mauche settlement scheme sits just over the ridge from Likia. As I note in Chapter 5, Kalenjins did not move onto the land until the early 1990s when President Moi carved out a portion of the Mau Forest and created the Settlement Scheme. Each family received five acres of land “free of charge.” Households received plot allotment letters. Many but not all residents were later issued with title deeds. Yet early in the Kibaki Administration, the government issued a caveat on all Mauche title deeds, rendering all title deeds unusable. Farmers could not transfer the land, nor could they use titles as collateral for bank loans.

Meanwhile, Kikuyus in Likia see themselves as ‘first-comers’ to the Eastern Mau Forest because they settled on the land nearly three decades before the government settled the Kalenjins. In advocating their legitimate and superior claim to the land, they argue that what matters most is the fifty years of hard work they have poured into the land. They contrast their hard work and entrepreneurial work ethic with their Kalenjins neighbors who received the land “for free” through government patronage. As a result, Likia farmers disparage Mauche residents as “land grabbers” who illegally occupy state forestland.

The Kikuyu claim to land in the Eastern Mau also has its roots in the first wave of election-related violence in 1992. As KANU prepared to hold its first multiparty elections in 1992, it organized surrounding Maasai groups to carry out attacks on Likia lands and their livestock. The goal of these attacks was part of the broader political strategy to destabilize the

³⁵¹ Kimani served as MP for Nakuru North (1974-1979), Laikipia West (1992-1997) and Molo (1997-2002).

land rights of the Kikuyu populations (the main opposition) living in the Rift Valley and other politically competitive zones (Boone 2011; Klopp 2001; Throup and Hornsby 1998). In the subsequent months and years, the Moi Government began settling Kalenjin onto the newly demarcated Mauche Settlement Scheme. This history has shaped the belief among Likia residents that the Mauche Settlement Scheme was an overtly strategic move to create a Kalenjin buffer zone between Kikuyu communities; that it was a way for President Moi to reward his Kalenjin followers with free land; and that it was a way for Moi to undermine Kikuyu land security in the region.

In Mauche, Kalenjin struggles to secure land have shaped narratives that asserts the legitimacy and superiority of their land rights over their neighbors. These land claims hinges on two main points. First, residents rely on sons-of-the-soil narratives in which the rights of “first-comers” always trump those of “migrants” into the Rift Valley. Any land that they acquire “for free” through government patronage garners legitimacy because it is a form of restoring their ancestral rights. Residents defend the land they have received through political patronage, stating that they have earned their plots through years of suffering as a landless people. One Mauche resident states, “The former President Moi did not give us this land as a political incentive. He gave us this land because we deserved it.”³⁵²

The narrative of ancestral belonging, both to the Rift Valley or a more local space, has provided an effective mobilization tool for politicians seek the support of “sons of the soil” followers. For many young Mauche residents, the belief in a shared territorial space has strengthened the idea that this same space must be won back from “foreigners” who have taken it away. One young man explains:

³⁵² Interview-Mauche-9-July 5 2014.

The post-election violence was due to the disputed polls as well as the fact that the people [the Kalenjin community] claim that our land was taken away. Rift valley is our land. The children born here are given the information that this was and is their land.³⁵³

In sum, contentious land narratives that contest land ownership have in many ways evolved as a back and forth conversation between Kalenjins and Kikuyus in Eastern Mau. Kikuyus argue that they are the first-comers, and hence have rights to the soil because they have tilled the land since the 1960s. Kalenjins counter that the Rift Valley is their ancestral land, while Kikuyus are outsiders or guests from the Central Province.

Narrative 2: Land Insecurity

The narrative of land insecurity, shared by many Kalenjins in Mauche, gained strength and resonance among residents as the balance of power shifted in favor of Kikuyus after the 2002 elections. President Moi (Kalenjin) accepted defeat and Mwai Kibabi, a Kikuyu, ascended to the presidency. Many Kalenjins explain that because Kikuyus dominate politics at both the local and national level (referring to the Kikuyu president and MP), they have blocked Kalenjins from securing land ownership. From this perspective, gaining political representation is a political imperative to gaining land security.

Kalenjin anxieties were confirmed in 2003 when the Kibaki regime placed a “caveat” on all title deeds held by Mauche residents. The caveat, while not a direct removal of the title deeds, rendered the documents “null and void” for an indeterminate period. The caveat was part of a wider state-led initiative to investigate land that had been improperly and illegally allocated under previous regimes or human settlements located in critical water catchment areas such as the Mau Forest.³⁵⁴

³⁵³ Youth Focus Group-9-Mauche-Oct 3-2012.

³⁵⁴ The “the Commission into the Illegal/Irregular Allocation of Public Land, aka “the Ndungu Report” as well as efforts to prevent and reverse human settlements within the Mau Forest.

When the government imposed the caveat, the land insecurity narrative shifted to a story of Kalenjin persecution under a powerful Kikuyu state. Many Kalenjin farmers saw the government actions as way of removing Kalenjin “rights to possess a title deed.” Without a valid title deed, Mauche farmers could not access the critical bank loans that had enabled them to survive as smallholder farmers. These loans also provided a source of cash for school fees, hospital fees, funerals, and other emergencies. In their view, the Kibaki regime was not only undermining their land rights and their economic competitiveness next to the Kikuyu, it was also threatening their very right to survive in the Eastern Mau. One respondent explains how the fear and anger surrounding the caveat was an important driver of electoral violence in Mauche:

The post-election violence in Mauche erupted due to a lack of right to possess title deeds [...] These [caveats] made the AFCs³⁵⁵ and banks dismiss us from loan allocation because we have no appropriate security to acquire the loans. Meanwhile in the Kikuyu area, they were spreading rumors to the Kalenjin community saying that we don’t have land and that we should be vacated out of Mauche area. All of these kinds of insults lead to the outbreak of the clashes.³⁵⁶

Building on fears of displacement, this narrative facilitated a logic of violence based on preempting future evictions and avenging for forced evictions endured in the past. Many Kalenjin respondents claim that the caveat was not an effort to restore the integrity of land titles. Instead, it was an effort to undermine the land rights of former Moi supporters in the Rift valley. One respondent explains:

There is a time when the government established a land commission (referring to the Ndungu Report)...and it’s finding said that Moi gave the Mau Forest to people illegally. And so the Kalenjins were left wondering why the land given by Kenyatta was not also illegal. This is an issue that leads to war. This is mostly because people take out the wrong done to them by an individual and generalize it to a whole community.³⁵⁷

³⁵⁵ Agricultural Finance Corporation: government-owned development finance institution established in 1963. Originally tasked with facilitating transfer of European-owned land to Kenyans farmers. Currently the largest credit provider to Kenyan farmers.

³⁵⁶ Interview, Mauche 3-3, 9 Oct 2012.

³⁵⁷ Interview- Mauche-10-04-stage-3-2.

In the lead up to the 2007 elections, the uncertainty of Kalenjin land rights had become the locus of local debate. Many Kalenjin farmers were convinced that Likia Farm was as much a part of Mau Forest as Mauche. If the caveat was meant to protect the forest, then caveats should also be placed on Likia titles. Yet no government official had questioned the sanctity of Likia Farm's title deeds. Another respondent talks about the injustice of the caveat and its role in the electoral violence:

The Kalenjins fight over land because they see the Kikuyu as being favored or as being the source of their misery. The Kalenjin title deeds have been cancelled, yet the Kikuyu still have theirs intact. I wish the government could treat both communities equally in matters of land by withdrawing the caveat on the Kalenjins title deeds. Then violence would be no more on this land.³⁵⁸

In interview after interview, Mauche residents emphasized the injustice of the caveat—rooted in the belief that it was part of a larger strategy to deny Kalenjin land rights. Yet in the lead up to the elections, interview responses also hint at the blurring line between “who to blame.” In many explanations, respondents conflated their relatively poor Kikuyu neighbors and Kikuyu elites—they become one and the same.

In sum, the pre-electoral period of 2007 has strengthened and crystallized two local land narratives. The first was a narrative that asserted the ownership rights based either on the formal title deed (Likia residents) or ancestral rights (Mauche residents). Elections would create an opportunity for one group to re-assert their land rights over the other—through violence or coercive state policies. The second narrative was about Kalenjin persecution under a Kikuyu led state and the land insecurities and frustration that this power dynamic created. As Mauche farmers watched their land rights diminish next to their neighbors, group narratives emphasized the rising threat to Kalenjin land tenure. The looming elections created an opportunity to end Kikuyu power. Equally, many residents believed that the possibility of a PNU/ Kikuyu victory

³⁵⁸ Interview- Mauche-10-8-stage-3-2.

could lead to their eviction. A Mauche interviewee says, “We the Kalenjin community voted in block on the ODM ticket hoping that when it took power our problem [referring to the caveat] would be solved.”

2. Land Narratives and Violent Mobilization: Stage 1

In this section I demonstrate how the presence of salient and contentious land narratives between communities can provide leaders with powerful mechanism to organize violence. The process of mobilizing violence proceeds in two stages. First, elites tap into existing local land narratives. In the case of Mauche and Likia, these two narratives are about 1) competing claims about who should occupy the Eastern Mau Forest and 2) fears that one group will use its political power to evict the other group. As elections approach, leaders can use these narrative themes to strengthen beliefs about imminent threat to land security as well as opportunities to re-claim or assert land rights over the other rival group. The motive for violence is thus two-fold: to pre-empt or manage an impending threat by ‘evicting them before they can evict us’ or using violence as a means of “taking back” or gaining accessing land by forcibly removing the residents of the disputed land. As a way of ensuring opportunities to strengthen land rights, violence can always provide a way of ensuring the victory of a preferred candidate “at all costs” (Höglund 2009). Politicians can also provide followers with “selective incentives” to fight. They promise cash rewards, land plots, title deeds, or the bounty from looting homes and business in exchange for a “day’s work” of fighting or for each house they burned.³⁵⁹ Several scholars argue that these private benefits from violence, rather than larger ideological or political objectives, are key to explaining why people take on risk during violence collective action (Collier and Hoeffler

³⁵⁹ According to interviews, the Waki Report (CIPEV) and KNCHR (2008), participants were rewarded in cash and kind for each house they burned/destroyed or in some cases, for the number of people they “removed.”

2001; Kalyvas and Kocher 2007). By contrast, I suggest that ideological and political objectives (articulated through the land narrative) interact with selective incentives. People fight because they come to see their participation as necessary to advance a particular agenda, but equally, because they have opportunities to gain personally. Narratives about reclaiming land or defending one's territory can justify and lend credibility to individual motives.

In addition to shaping the motive and justification for violence, land narratives also equip elites with a language for specifying the form that violent collective action will take. The belief that “outsiders” have invaded ancestral land for example, can shape a strategy of violence based on eviction. Recruits carry out these evictions by burning and destroying homes, businesses and fields, stealing property and livestock, and killing the members of the target group.

Mobilizing the Competing Claims Narrative:

The competing claims narrative is about which group should occupy a piece of land. It facilitates a mobilization strategy based on removing the rival group members from the disputed political territory. For many Kikuyus in Likia (and elsewhere in the Rift), leaders make references to removing Kalenjin as a way of appealing to a sense of security that Kalenjin removal would bring. Leaders seeking Kalenjin support tap into the narrative that Kikuyu have displaced Kalenjin from their ancestral lands in the Rift Valley. In the context of elections, this narrative frames Kikuyu and other non-natives as intruders who have rendered the Kalenjin landless and politically impotent. The mobilization of these narratives infers or implies a violent form of mobilization whereby the removal of “intruders” becomes synonymous with the restoration of land rights to the original or legitimate occupants.

Leaders use subtle and overt ways to imply that their victory will result in the eviction of Kikuyus—from public speeches, radio, pamphlets, secret meetings, text messages, and

metaphors in the vernacular. A Mauche respondent remarks, “Political leaders proliferated hatred between the two communities. For instance, during the political rallies, aspirants promised to remove the outsiders, the *madoadoa* (spots or stains), referring symbolically to the members of a particular community.”³⁶⁰ Participants in a focus group describe a common exchange between the politician and his follower:

The politician uses his speeches to incite people against one another other by saying that if he is elected he will ensure that the eviction of the other tribe is a success. But he says this only to gain political advantage against his adversary. This makes his supporters fight against those of his opponent.³⁶¹

Mauche elders, reflecting on the 1997 electoral violence, also describe the ways that politicians would promise their respective communities that “if voted in, they would ensure that the [opposing group] would have to leave” thus enabling “[the politician’s] community to take over the land.”³⁶²

By ‘ensuring eviction’ of the other group, politicians send a signal to their followers that they are willing and able to support a violent and coercive exercise. Equally, it sends a threat to the opposing side or political party. The signal emboldens followers while provoking the opposition. It instills both fear and anger, but more importantly, it motivates the rival group to prepare for a violent attack. One implication is that both sides begin organizing themselves for potential “clashes” with one another because they have imperfect information about the other side. In certain cases, it may have been that the rumors that Kikuyus were arming or preparing to attack created a “spiral effect” in which groups of Kalenjin decided to attack preemptively—fearing that Kikuyus were also preparing attacks (Jervis 1976).³⁶³

³⁶⁰ Interview- Mauche 10-8 Stage 3-7.

³⁶¹ Interview- Mauche -10-8-stage-3-2.

³⁶² Focus Group-Elders-Mauche-10-02-Stage 3.

³⁶³ Some residents talked about politicians dropping letters and pamphlets, indicating that their community had vowed to fight the other. They would spread these letters through their “agents” along the road. (Mauche-10-4-stage

Kikuyu residents in Likia also discussed their own interpretations of these anti-outsider narratives. In a focus group discussion with Likia youth, they talk about electoral violence erupting because candidates can so easily manipulate Kalenjin but not Kikuyu. One participant explains, “Kalenjins have the issue of land injustices being planted in their hearts.” According to Kikuyu participants, Kalenjin understandings of injustice are simply “misconception[s] that need to be cleared.”³⁶⁴ One participant begins the focus group with his interpretation of the post-electoral events as they unfolded.³⁶⁵ He explains:

The reason the Kalenjins fought the Kikuyu is because the [Kalenjin] always claim that the Kikuyu in the Rift Valley were given this land by the Kenyatta regime. Therefore they made the Kalenjins landless and so they [the Kikuyu] must be evicted. Politicians send these ill-intended messages when they want to gain political [power]. It’s also seen that they fight the Kikuyu to instill fear [in the Kikuyu], forcing them to support a candidate of their choice...the clashes erupt because in most cases, the candidates whom the Kalenjins support rarely win, even for the position of the M.P, so the [Kalenjin] view us as the cause of their failure.

This interpretation of events provides insights into how ordinary group members understand the relationship between land and the process of violence. In the excerpt above, the respondent begins by citing the role of the *land narrative*, that ‘Kalenjin claim Kenyatta gave Kikuyus this land.’ This narrative provides leaders with the *method of political mobilization*: ‘politicians only use the message when they want political power (i.e. to win elections).’ He then specifies the *elite motive*: ‘to coerce Kikuyu into voting with the Kalenjin (by instilling fear).’ Finally, he explains the motive of ordinary Kalenjins: Kalenjin failure to gain seats in electoral contests triggers actual violence when they unleash their frustrations upon Kikuyu, ‘whom they blame for their failure.’

3-3). The “spiral effect” is part the security dilemma, which argues that two sides (i.e. states) resort to fighting when there is a breakdown of order (i.e. anarchy).

³⁶⁴ Focus Group-Youth-Likia-Stage 3 (Oct 3, 2012), Q1

³⁶⁵ Ibid. (Oct 3, 2012): The opening question (Q1) asked the participants to share their own experiences during the 2007-08 post-electoral violence.

Mobilizing Narratives of Land Insecurity

The second land narrative, based on rising land insecurity and diminishing group power, facilitates a mobilization strategy based on ‘defending the community from rival threats.’

Politicians draw on perceptions of rising land insecurity vis-à-vis the rival group to mobilize political support, but equally, to frame the logic of violence. We see this in the comment of one Mauche resident. He highlights the rising land inequality between Kalenjin and Kikuyus as a source of insecurity and a motive to “see that Kikuyu vacate the land.” He explains:

Land is the cause of violence because the Kalenjins see the Kikuyu as intruders from Central Province into the Rift Valley and in situations where a slight difference arises between the members of the two communities the Kalenjins will take advantage to see to it that the Kikuyu vacate the land.³⁶⁶

The uneven land security environment between Mauche and Likia residents provided a valuable narrative device for leaders from both sides. Kikuyu leaders could take advantage of the tenuous legal status of Kalenjin inhabitants of Mauche, referring to the possibility and plausibility of Kalenjin evictions from Eastern Mau. Kalenjin leaders on the other hand, exploited the fears and frustrations of the caveat on title deeds and impending evictions that the caveat signaled. Leaders promised to defend the community from the possibility of evictions under a Kikuyu-led state.

One feature of mobilization manifests as a form of co-ethnic outbidding by leaders. Each candidate must prove that s/he has the capacity and resolve to protect followers from election-related threats, both from violence and loss of land. Politicians have the opportunity to present themselves as more than aspirants but also as “big men” who can defend the interests of the group in exchange for political loyalty. The ability to displace the opposing group is sign of political power that is requisite to winning—even if a politician never acts on this capacity. A

³⁶⁶ Interview- Mauche -10-8-stage-3-2

respondent in Mauche describes his impressions of this tactic as it plays out among Kikuyu politicians: “Any M.P who is voted in must promise to evict the Kalenjins from the land. And if he fails to deliver his promise then rest assured, he cannot go back into office.”³⁶⁷ Using the threat of violence—regardless of the election outcome thus provides an effective strategy for expanding a network of loyal followers. A key part of this strategy however, hinges on being able to exploit group narratives in which the rival group is seen as a rising threat to land security.

The narrative enables politicians to frame the rival group as an impending threat (to land security). Politicians present followers with a set of strategies for mitigating this threat. These strategies range from more moderate promises to advocate for title deeds and expand land rights, to more extreme strategies such as state-order evictions and organized violence.

Land uncertainty in Mauche provides a valuable bargaining point for politicians who promise that if they are elected, “they will ensure that the caveat on title deeds is withdrawn.”³⁶⁸ Despite the frequency of these promises, one resident illustrates why these appeals remain such an effective strategy for building support:

When those vying for presidential seat make these promises, we tend to believe them and we feel that the government is on the verge of recognizing us as the legal owners of the land and we feel that our rights of land ownership are secure.³⁶⁹

By contrast, residents in Likia claim that because their title deeds are genuine and their land rights are secure, politicians cannot use the appeal of ‘land titles in exchange for votes.’ A Likia farmer explains how these mobilization strategies vary between the two communities:

In Likia the politicians don’t use issues of land to woo voters because everybody has a title deed. But for Kalenjin politicians this becomes a tool for winning votes because they know that the Kalenjins are in Mauche illegally and need the protection. The lands are illegal

³⁶⁷ Interview, Mauche, Nakuru County, 4 October 2012

³⁶⁸ Interview- Mauche -10-8-stage-3-2

³⁶⁹ Interview- Mauche -10-8-stage-3-2

because they don't pay land rates to the county council, which means the land is still under the custody of the government.³⁷⁰

Rather than promise title deeds as a form of land security, Kikuyu leaders offered to “remove” or manage the Kalenjin threat. They were able to invoke fears of future attacks by Kalenjin by drawing on the collective anxieties and memories of attacks in the past. Politicians could make credible claims of their ability to remove Kalenjin by emphasizing their illegal land tenure status in Mauche. A Likia resident explains the origins of his own fear, rooted in the electoral violence during the 1990s:

At one time, Mr. Ntimama...who was a powerful political leader in Moi's government declared in public that the Kikuyu men will become dog food during their eviction from the Rift Valley since it was not their ancestral land.³⁷¹ I had already bought five acres in Maasai land where Ntimama was constituency representative and I was forced to leave. Ever since the year 1997 we always felt and still feel that we were not safe at any time we hold general elections.³⁷²

Another respondent in Likia describes the day of the election announcement:

Before we voted there was tension in the land and we knew anything could happen at any time if [Mwai Kibaki] lost. After we voted and waited for the results the media would air news of the tally as the votes streamed in. And we could hear that Raila was up and this made us register fear in our hearts. We knew that the Kalenjins could now attack us fearlessly since the guy they were supporting was now headed to power...³⁷³

The comments demonstrate how many Kikuyu residents believed that they were only safe if another Kikuyu remained in power. Group members interpreted a Raila Odinga/ODM victory as a license for Kalenjin to kill or evict Kikuyus from contested zones. These interpretations of elections are based in part of individual experiences with electoral violence in the past. It also reveals how local and national elites have been able to frame the Kalenjin community as a credible election-time threat to the Kikuyu community. According to an interviewee in Likia,

³⁷⁰ Interview- Likia -10-01-stage- 3-2

³⁷¹ William Ole Ntimama was a powerful member of the KANU and later, the ODM party. He was MP for Narok North (South Rift Valley) for 25 years, councilor in Narok North County Council for 15 years. He is famous for declaring that the Kikuyu in the Rift Valley should “lay low like envelopes.”

³⁷² Interview- Likia - 09-29-stage 3-1

³⁷³ Interview- Likia-10-01-stage -3-4

“people get along really well until a political event is happening. Politicians say so many incorrect statements about history and they don’t know so much.”³⁷⁴

While there is less evidence that Kikuyu leaders used land narratives to organize followers to violently displace Kalenjin residents, their campaign strategies nonetheless affected Kalenjin interpretations of threat. Kalenjin residents also interpreted local Kikuyu campaigns as threats to their land security and political status. As a result, Kalenjin leaders tapped into existing land narratives as a way of responding or preparing for Kikuyu attacks. Mauche residents describe how Kikuyu politicians use the title deed to intimidate Kalenjins while gaining support among Kikuyu:

We have heard of politicians from the Kikuyu community who are vying for various political posts saying that the Kalenjins will have to leave these lands especially during political campaigns.³⁷⁵

A Kalenjin respondent from Mauche, who was among the few Kalenjins to campaign for the PNU in 2007, explains how Kalenjins have interpreted the selection of leaders (MPs) among the Kikuyu community:

In 2002 the person whom the [Kikuyu] elected was a lawyer by profession called Mukiri. He told them in one of their tribal meetings that he was an international lawyer and he would use all the possible legal means to make sure that the Kalenjins were moved from the forestland and afterwards the Kikuyu would occupy the lands. In 2007, they elected Mr. Kiuna, a retired army officer who is said to have been involved in 1997/ 1998 massacre of 59 Kalenjins in Naishi-Lare. During his campaigns he used to tell them that if he was elected, he was going to do to the Kalenjins in Mau Forest what he did to those in in Naishi. And so he was voted in. When the Kalenjins heard of this they declared that they were ready to die but not leave the land. And after their man Raila didn’t win in the polls, they knew the next thing was their eviction so they resulted to fighting.³⁷⁶

The respondent’s story provides important insights into the construction of a Kikuyu threat and how this threat shapes the logic of violent mobilization. According to the respondent, Kalenjins believed that their Kikuyu neighbors were electing leaders based on their ability to remove

³⁷⁴ Interview, Likia, Nakuru County, 4 July 2012

³⁷⁵ Interview- Mauche -10-8-stage-3-2

³⁷⁶ Interview- Mauche -10-04-stage-3-2

Kalenjin residents through legal or violent means. The conviction that Kikuyus would evict Kalenjin shapes two reactions. The first was the claim that ‘we are ready to die (to fight), but we will not leave our land.’ The second was the view that the community needed a strong local or national leader who could counter the Kikuyu threat. Many Kalenjin residents hoped that Raila Odinga could act as this protective leader at the national level. According to an Mauche interviewee:

Kalenjin were supporting the ODM candidate Raila for the two main reasons, the impending threats of eviction. Also [there were] rumours that the MP of this region (Kiuna) said that when he was voted in, he would uproot the *visiki*—tree stumps that referred to the Kalenjin in this region.³⁷⁷

Raila Odinga’s defeat however, provided the crucial tipping point, invoking fear among residents that their eviction was imminent. Many Kalenjin interpreted these campaign messages as grounds for pre-emptive war: ‘They would evict the Kikuyu before the Kikuyu they could evict them [*as they had once done in the battle of Naishi*].’ Interviews with residents suggest that the title deed caveat was not the primary motive for violence. Instead, it was the belief that Kikuyu leaders could exploit the precarious land rights of Mauche residents to rally their own followers.

3. Identifying Triggers of Election-time violence: Stage 2

My family and I were staying in Tinet forest when the violence erupted spontaneously. It spread from Olenguruone and nearer it came to Kamwaura and faster was the spread to Mauche. An evil spirit, the spirit of war, found its place in the hearts of men.³⁷⁸

In this section, I examine when and how the idea of violence shifts to actual violence. What types of events provide the “trigger” that motivates people pick up their guns or machetes, or prompts them to pour petrol over the houses of their neighbors? When and why does fighting begin? So far, I have focused on how land narratives enable elites to convince their followers

³⁷⁷ Interview- Mauche-10-08-stage 3-8

³⁷⁸ Interview- Mauche-10-09 Stage 3-6

that violence is the best or only strategy for avoiding losses or seizing opportunities during an election period. The next task is to identify the particular events that set violence into motion. I define a trigger for violence as a discrete event at either the very local or national level that provokes violent collective action.

Across much of Kenya, violence escalated soon after the Electoral Commission of Kenya (ECK) declared Mwai Kibaki the president-elect. Yet the timing of violence was not spontaneous. While many respondents view the election results as the trigger that prompted fighting, others identify more local-level acts of violence such as a single murder or a bar fight, as the events that pulled their own communities into the larger national drama. Several scholars argue that perceptions of electoral fraud provided the main trigger of the 2007-08 violence (Norris 2013; Dercon and Romero-Gutierrez 2012). I aim to deepen understandings of the trigger of violence by looking at how these events acquire meaning in the context of existing narratives.

Trigger Event One: The Electoral Announcements

On the evening of December 30, 2007, residents in Mauche and Likia gathered around television screens and radios to listen to the Electoral Commission of Kenya (ECK) announce the results from the Kenyatta International Conference Centre in Nairobi (KICC). Amidst the chaos of that evening, one scene in particular captured the attention of Kalenjin viewers. The ECK chairman, Mr. Kivuitu was reading the final results for Molo Constituency. As he read, The MP-elect for Eldoret North, William Ruto interjected to challenge the legitimacy of the results. A young man from Mauche describes his impressions:

As the political leaders argued about who had won, Ruto was dragged by the General Service Unit. When we saw this we knew the whole of the Kalenjin community didn't have anyone to champion for their rights. The youths from the Kalenjin community proceeded to attack

the Kikuyu.³⁷⁹

Across the Rift Valley, images from the KICC triggered rumors of an assassination attempt against Ruto, viewed as the leader and patron of the Kalenjin community.³⁸⁰ Many respondents describe this moment as the beginning of the clashes, when “screams were heard and people were running for their lives pursued by others.”³⁸¹ No more than ten minutes after the ECK declared President Mwai Kibaki the winner, young men from Mauche had crossed over into Likia, burning homes, looting, and killing people.

In many Kalenjin farming communities across the Rift Valley, Raila Odinga’s defeat provoked a set of emotions encompassing anger, frustration, and fear. One respondent says, “people were carried away by a spirit of violence.”³⁸² Another claims that people “became emotional” because they believed Raila Odinga was in the lead.³⁸³ His defeat prompted people to “protest by blocking the roads and attacking Kibaki supporters.” According to another Mauche farmer, Kibaki’s fraudulent victory indicated that the Kikuyu would never accept a leader “who did not originate from their community.”³⁸⁴ This refusal—marked by the delay in the results—“made the Kalenjin impatient, and so they attacked the Kikuyu.”³⁸⁵

I outline several ways that the announcement of the disputed General Elections may have established different logics for violent collective action. I derive these logics from a close case study of Mauche and Likia, but I also base them on the interviews that I conducted in other case study areas of Nakuru and Uasin Gishu County and Nairobi, as well as media sources, expert interviews, and human rights reports.

³⁷⁹ Interview (Mauche, 10-8-2-12stage-3-1)

African Press International (Dec 31 2007) <http://africanpress.me/2007/12/>

³⁸⁰ Interviews (various). Mauche.

³⁸¹ Focus Group, Mauche Youth, Stage 3

³⁸² Interview-Mauche-10-09-Stage 3-5

³⁸³ Interview-Mauche-10-04-Stage 3-3

³⁸⁴ Interview-Mauche-10-08-Stage 3-1

³⁸⁵ Interview-Mauche-10-08-Stage 3-1

First, I suggest that the election results triggered underlying fears and anxieties rooted in Kalenjin narratives of land insecurity (logic of defense). Many residents believed that Kibaki's victory would bring Kalenjin evictions. Residents "engaged themselves in fights...due to fear that they would be denied the rights to own land."³⁸⁶ A group of Mauche elders suggest that Kikuyus were incited by their politicians to attack the Kalenjin and therefore Kalenjin were "forced to respond to Kikuyu attacks [which were] aimed at forcing us off the land so that they could become the owners of these lands."³⁸⁷ Another respondent explains: "In 2007, the clashes came because the Kikuyu didn't want the Kalenjins to live in their *shambas* which are located in Mau forest... The Kikuyu had planned that once Kibaki won the election the Kalenjins would be forced to leave the forestland."³⁸⁸ In sum, Kalenjin attacks against their Kikuyu neighbors became a strategic way of preventing their imminent displacement—or what many believed would be their imminent displacement under a second Kikuyu-led government. These fears and insecurities could mobilize violent collective action because they were rooted in longer standing narratives of insecurity and land dispossession.

Second, the electoral results triggered a violent response by provoking a collective sense of feeling betrayed by the political process and by extension, the Kenyan government. Kalenjins viewed the victory of PNU as an assertion of Kikuyu power. It signified that Kikuyus were unwilling to play by the rules, but more so, that the party had the power and capacity to break the rules.

Interview responses illustrate a frustration and anger that emerged as Kalenjin residents realized they were powerless to challenge the status quo through formal and legal processes.

One Mauche elder explains how community members knew that Raila was going to win. "But

³⁸⁶ Interview- Mauche-10-09-Stage 3-2

³⁸⁷ Focus Group-Elders-Mauche -10-02-2012-Stage 3

³⁸⁸ Interview- Mauche -10-8-stage-3-1

Kibaki rigged the election and was sworn in as the President. And that is what made the Raila supporters go mad.”³⁸⁹ Respondents describe the efforts of Kikuyu to “win at all costs” as a “violation of democratic rights:”

A few [Kikuyu leaders] wanted to maintain the status quo and remain in leadership posts. And this in turn angered the Kalenjin in our native land. It dawned on us that it was a violation of our democratic right and we were angered.³⁹⁰

Residents feel violated because they believe they have been denied the opportunity to win—and by extension, to access political power. Another respondent expresses a feeling that the State, run by the entrenched Kikuyu elite, was denying the Kalenjin community the political opportunities that they deserved. Kalenjin and ODM party members anticipated an ODM victory that would challenge status quo arrangements, including a devolved governing system that would provide more equitable access to land and resources and political representation (so many believed). ODM supporters felt that the PNU had robbed them of an opportunity to improve their lives. Violent collective action emerged out of a sense of frustration and resentment toward the Kikuyu, whom residents saw as blocking an ODM victory. Another interviewee respondent explains the violence:

People fought because they felt that they were being oppressed. But in 2007 the Kalenjins wanted Raila to be in power because they knew that one of their own, Ruto, was a close ally to the president-to-be and this would favor them in matters of governance. And when the opposite happened, the Kalenjins were frustrated and resorted to fighting the Kikuyu who seemed to have blocked Raila from gaining power by not voting for him and also by rigging elections.³⁹¹

Violent protest provided a way for Kalenjins to demonstrate a sense of outrage but equally, to assert a sense of power and agency over an electoral process from which they felt excluded or powerless to change. This is similar to Elisabeth Wood’s analysis of *campesino* participation in the El Salvadoran civil war. She argues that joining the insurgency created a “pleasure in

³⁸⁹ Focus Group-Mauche Elders-10-02, stage 3

³⁹⁰ Youth FG-Stage 3- Mauche-10-10 STAGE 3

³⁹¹ Interview- Mauche-10-04-stage-3-3

agency...the positive effect associated with self-determination, autonomy, self-esteem and efficacy (Wood 2003: 235).” An interviewee from Mauche, for example, describes how youth attempted to take control of the process: “youth just disrupted the peace after it was declared that Kibaki had won. They had the intention of forcing Kibaki to step down and then Raila would take over power.”³⁹² Joining in the violent protests was partly a way for Kalenjins to “reclaim a sense of agency” that the electoral process had denied them. In sum, the escalation of violence in the moments after the electoral announcement relates to the logic of political opportunity that I describe at the outset of the chapter. Yet the logic has also shifted. With the electoral loss of their favored candidate (Raila Odinga), their window of opportunity has dramatically narrowed. Fighting becomes a way to assert power over an electoral process and equally, is it a way to expand their time horizons or what Figueiredo and Weingast describe as “gambling for resurrection (2007).”

Alternative Triggers for Violence

While many Kenyans believe that the electoral results were the main trigger for violence, others identify more local triggers such as bar fight or a public feud. The ability for local dramas to trigger violent collective action relates to Kalyvas’ analysis of the interaction between the political and private identities and actions during civil war violence (2003). Rather than action being motivated solely by a political “master cleavage” he argues that “actions ‘on the ground’ often seem more related to local or private issues than to the war’s [or conflict’s] driving cleavage (Kalyvas 2003: 476).” If we apply these observations to Kenya’s electoral crisis, we would expect that in certain communities, the master cleavage (between ODM and PNU followers) was not the main impetus for fighting. Instead, a more local or private dispute gets

³⁹² Interview- Mauche-10-8-stage-3-3

played out onto the national drama. A respondent in Oljorai Settlement Scheme located in Naivasha Constituency (Nakuru County) identifies a quarrel between a boss and employee as the key event that provoked the escalation of violence:

In 2007, people voted peacefully until the person who had not won [Kibaki] was declared the victor [...] In this area the fight was instigated by a quarrel between two people who used to work together. One was the boss, a Kikuyu man, and the other was the employee, a Kalenjin. They were fighting over pay. One day when the Kalenjin fellow was walking around the center of town, the Kikuyu boss told the youths from his tribe that the guy was ferrying arrows and he was killed. The following day we were all surrounded and we had to defend ourselves.³⁹³

The story suggests the important interaction between a national event—the disputed elections—and a local event. The announcement of the elections strengthened alliances and identification within the ethnically diverse communities. Yet it is only when a fight erupts between the Kikuyu boss and the Kalenjin employee that members from both sides join the fight. A few respondents provide similar accounts in Mauche. According to one interviewee, “Claims that the Kalenjins had been paid to carry out the attacks are misleading because we had not planned for the fight. We were only angered by the fact that an expectant Kalenjin woman had been butchered and the infant thrown along the road.”

Another respondent from Mauche provides his impressions of how the 1997 electoral violence escalated between Mauche and Likia residents. While the story does not explain the 2007-08 post-election violence, it illustrates the ways in which community members understand the process of violence during a larger electoral drama. The respondent explains how, back in 1997, he went to Ndeffo (a Kikuyu community next to Mauche) to drink *muratina* (local brew).

He says:

Barely had we taken our second round of ‘muratina’ when a young man walked right up to where we were seated. He queried about our identities and place of residence. Thinking he was up to good intentions we told him our residential area at Mauche. He called us names

³⁹³ Interview- Elementaita-09-08-oljorai-1

and how we were fools because we had settled on government land. Later that evening the young man who insulted us earlier in the day walked into the bar that was then packed by men who were drinking their heads off. He walked straight in and chopped an old Kalenjin man seated at the counter. And then he fled.³⁹⁴

The respondent explains that the bar owner (a Kikuyu) is subsequently killed by an angry Kalenjin mob who are avenging the death of the Kalenjin elder. He continues: “A scene had been created. Attacks and counter attacks followed for two consecutive days. Ndeffu centre was torched, reducing it to ashes. The aftermath reached us in Mauche on the second day. Police intervention rested the differences.” The 1997 electoral clashes, the respondent concludes, “arose following the insults and the killing of the old Kalenjin man at Ndeffu by that young man...[who had] sowed hatred by turning us against our neighbours.”

These examples illustrate alternative processes of violent escalation. The primary trigger at the national or even regional level—such as the disputed victory of presidential or parliamentary candidate, may not be the event that provokes the first strike. Instead, a fight between two individuals or murder is the event that polarizes community members along the national cleavages defining the election drama—such as Kikuyu vs. Kalenjin or PNU versus ODM.

4. Localized Revenge and Defense: Stage 3

The most painful thing is that the people who did this to us were our neighbors from the start. And during attacks they would tell us that this is not the time of knowing each other.³⁹⁵

The third stage of violence closely follows the initial attacks. In contexts such as Mauche and Likia, where Kalenjin residents attacked their Kikuyu neighbors, this stage of violence is

³⁹⁴ Interview- Mauche-10-09 Stage- 3-6

³⁹⁵ Giwa Resettlement Scheme (Shalom), Rongai Constituency, Nakuru County, Youth Focus Group. The respondent was a former resident of Likia who had fled the violence and was eventually resettled in Giwa.

often a series of “localized” or intimate battles between neighbors. Participants on both sides fight within familiar territorial space such a borderland or a trading center. As some respondents suggest, participants on both sides often know one another. This contrasts the fourth stage of violence where organizers transport participants from outside regions to form *de facto* militias or gangs to fight against targeted ethnic groups. The primary logics of violence at this third stage are community defense and revenge. I use Likia and Mauche to illustrate the dynamics of this third stage of violent escalation.

In Likia, primarily young Kikuyu men mobilized in response to Kalenjin attacks in the hours and days after the elections results. One theme that emerges in my interviews is that Kikuyu residents anticipated Kalenjin attacks in the post-electoral period. They made this calculation based on previous attacks in the 1990s as well as on the anti-Kikuyus pamphlets and rumors that circulated in the months before the December 27 2007 elections.³⁹⁶ While some Likia residents describe the violence as “coming out of nowhere,” other respondents indicate that unlike in past elections, “they were prepared to defend themselves.” These accounts also suggest that Likia residents planned to retaliate if Kalenjins attacked.³⁹⁷ The following responses illustrate how past electoral violence shaped Kikuyu strategies of defense:

Now that the Kikuyu had experienced frequent attacks from the neighboring tribes in the previous instances, they were tired and were prepared to fight once provoked again. The Kalenjins ambushed us and we responded quickly before much damage had been done [...]³⁹⁸

Previously we have had various clashes, about seven of them in all. The [Kalenjin] agenda is for those considered ‘foreigners’ to go back to their land...we were sure the same would be

³⁹⁶ Waki Report (2008) and KNHCR Report (2008). Pamphlets warned of Kikuyu evictions in the event of a Kibaki victory.

³⁹⁷ In several interviews with Kalenjin, they comment that Kikuyu were armed with panga and guns, while they themselves relied primarily on arrows and arson. Two interviews explain that if Kikuyu had better knowledge of how to operate the guns, the Kalenjin “would not have stood a chance.” However, The Waku Commission Report attributes most gun deaths and injuries to police involvement and interviews with Kikuyu in Likia do not corroborate Kalenjin testimony.

³⁹⁸ Interview-Likia-09-13-stage 3-4

repeated since it often occurs during election eve. In all instances...the only response we resort to is defense.³⁹⁹

In a focus group with Kikuyu youth, they explain how years of election time clashes have equipped Kikuyu with the skills and readiness to defend the community:

Likia was the first place where clashes started in the year 1992 between the Kikuyu and the Maasai. The people who were born [here] are now grown ups and they have become used to several clashes and know various types of screams e.g. war cries, theft etc. And by now everybody knows what he or she should do if a certain type of cry is heard. People are always ready to defend.⁴⁰⁰

All three accounts suggest that many members of Kikuyu communities in the region organized, or at the very least, anticipated the first round of defensive attacks. A familiar narrative of “evicting Kikuyus” from the land prompted Kikuyu residents to mobilize along defensive lines.

While anticipation of attacks may have enabled Kikuyus to react quickly to the first strikes by Kalenjin, violence escalated to the level of defensive/vengeance fighting in large part because residents responded to the destruction of property, injuries, and loss of life within their own community (rather than fleeing). Kalenjins waged attacks on Likia throughout the first night after the election results. They dug trenches along the road that prevented Kikuyus from escaping or reaching hospitals. One farmer recalls: “Our neighbors the Kalenjins started torching our houses and we were unable to watch our hard earned wealth go down. We engaged in defense and that’s how the fighting came along.” According to another interviewee, “Kikuyu engaged in the fight because we grieved seeing that our people were losing lives and properties.⁴⁰¹

As the deaths and destruction mounted, defensive fighting became part of strategy of war. Elders organized and advised young men to defend the borders of the community against the

³⁹⁹ Interview- Likia 09-13-stage 3-7

⁴⁰⁰ Likia-Youth Focus Group-Stage 3 (Oct 2012)

⁴⁰¹ Interview- Likia-09-29- stage 3-3

Kalenjin invasion. One interviewee explains, “The youths defended the society while the elders guided them on the tactics they could use so as to best defend the community, while telling them not to attack.”⁴⁰² Kikuyu men joined in defense of the community to protect against Kikuyu losses and equally, to prevent Kalenjin territorial gains. The borderlands between the two communities became the main battleground. One respondent explains how the youth protected the borders: “The community used the youths to defend itself. They would guard along the borders to prevent the enemy’s attack. With time the youths were able to learn how to make the arrows from the samples that were shot at them and this helped them to counter the attacks.”⁴⁰³

Community defense was also a way for men to perform the roles and duties expected of Kikuyu men during battle or war. As one Kikuyu farmer explains,

We were ambushed and so the only thing that we did was to defend ourselves because as men, that is our role and duty...As a family man I was so concerned for my family security and that’s why I, together with other young men in the society had to act and defend our property and lives, by not allowing the Kalenjins to extend their destruction.⁴⁰⁴

In sum, Kikuyus in Likia viewed their own participation in the electoral violence as reactive and defensive. They did not attack the Kalenjin but rather, they reacted to defend their properties and families from further harm. Residents also acted to fulfill a sense of duty and obligations that Kikuyu masculinity demanded during times of war.

In contrast to the Kikuyu, Mauche residents provide much more layered understandings of how revenge and defense shaped their participation in the violence. One key point that I mention in previous sections is that with the victory of Mwai Kibaki, Kalenjin viewed the Kikuyu as an even greater and more credible threat. The Kikuyu community had demonstrated their ability and willingness to steal or rig an election. Many Kalenjin farmers—in Mauche and

⁴⁰² Interview- Likia -10-01-stage- 3-2

⁴⁰³ Interview- Likia 09-13- stage 3

⁴⁰⁴ Interview- Likia 09-13-stage 3-1

elsewhere—believed that now more than ever, their eviction was imminent. The logic of violence at this stage was thus two-fold: Kalenjins had to defend their communities from the security threat posed by Kikuyus. Yet their defense was also a way of avenging for the injustices and “crimes” committed by the Kikuyu: the rigged election, Kikuyu threats to displace them, and the death and destruction that Kikuyus were waging on Mauche residents.

These twin logics of self-defense and revenge are similar to Scott Straus’ account of the logic of violence in the Rwandan genocide. Emphasizing the centrality of security and revenge he writes, “Perpetrators frame the logic of violence and self-defense in war as retaliation for the death of the president. Tutsi civilians were killed, perpetrators say, because Tutsis killed the president and represented a dangerous threat (Straus 2006:154).” The key point of comparison here is that Kalenjin participants in the electoral violence believed that Kikuyus were responsible for a moral and legal wrongdoing—blurring perceptions of election rigging and ongoing injustices committed by a Kikuyu dominated state. And because of these perceived wrongdoings, Kikuyus presented a very real threat to Kalenjin political and physical survival in the Rift Valley.

I document the ways that defense and retaliation interact—in sometimes seemingly contradictory ways. In conversations with Mauche residents they describe their own participation or that of fellow community members, as reactive. One farmer claims, “We never started the attacks but the Kikuyu did and so we decided to defended ourselves.”⁴⁰⁵

In a youth focus group, participants discuss why they (as youth) participated in the clashes. Their descriptions illustrate the use of violence as mechanism for extracting revenge

⁴⁰⁵ Interview- Mauche-10-8-stage-3-3

against “the target group.”⁴⁰⁶

Participant 1: The torching of houses and shops was a way of revenging for the killings. It is aimed at inflicting pain and causing damage or loss to the target individuals or group of people.

Participant 2: The intents of violence are to kill, raid, torch houses, loot, [do] damage to property, all in the name of expressing bitterness and anger towards the target group.

Participant 3: For instance our people were killed on the roads and as a way of avenging, people engaged in violence. Torching of houses was in response to damage to our property.

A member of this same focus group describes the level of stress that characterized the immediate post-electoral period. He explains, “Stress can be ranked into various levels. The reaction stage is characterized by revenge.”⁴⁰⁷ I suggest that the respondent is actually talking about the level of fear, insecurity and vulnerability that many Kalenjin experienced in the moments after the electoral results. Many Kalenjin (and other ODM supporters) had joined in the call for “mass action” to protest the results. These protests were not necessarily violent, but once protests began, many participants (protestors) confronted the state’s attempt to exert control through the police. Ordinary Kalenjins soon realized that they were playing on an uneven playing field where Kikuyus, with the backing of the police and the incumbent-Kikuyu president, had far greater power.⁴⁰⁸ This perception or realization that they did not have a security advantage prompted residents to react defensively: they had to protect themselves because they could not rely on the state. When Kalenjin residents started dying in front of police bullets, Kalenjins retaliated against the police and Kikuyus. One Mauche resident believes that biased police intervention provoked violence:

⁴⁰⁶ Focus Group-Mauche Youth- Stage 3 # 2. These answers were in reply to the following question (Q10): “After the elections results were announced and the violence started to break out in certain places across the country, how did the youth here in Mauche respond?”

⁴⁰⁷ Focus Group-Mauche Youth- Stage 3 # 2

⁴⁰⁸ Kikuyu provide the opposite account: they think many police were biased toward Kalenjin.

The moment that Kibaki was declared the winner, people were urged to go for mass action which was meant to be peaceful. But the police came and disrupted the processions by pelting teargas canisters at the procession and so people resulted to retaliatory attacks at the police as well as those who had voted for Kibaki. This made the situation turn into clashes countrywide.⁴⁰⁹

Another Mauche respondent explains how the police shaped the motive and use of violence among Kalenjin youth:

...The youths could get more agitated because some of them could be arrested when found around the trading center and were taken to Likia police station where a few were killed. The police were seen to be protecting the Kikuyu. This made the youths block the road so that their people could be released and also to ensure that the police didn't have easy access into the Kikuyu land.⁴¹⁰

In sum, violence reaches this third state of “intimate” or localized fighting when both sides believe they are fighting as matter of self or collective defense and by extension, revenge. Each side reacts to the threat posed by the rival group and hence claims to be acting defensively. Yet as causalities and damage mount, the line between defense and revenge is less clear.

Kikuyus in Likia felt that they were pulled involuntarily into the clashes. They had no choice but to defend the border of their community and to protect their lives of and properties within. Kalenjin residents in Mauche however, emphasize the importance of violence as tool for retaliation. It was not only a mechanism of defense but also a method of inflicting pain and “expressing bitterness.”

5. Importing Revenge: Stage 4

The fourth and final stage of violence that I document in this chapter is what I call the “importation of revenge.” Unlike the third state, engagement between groups is not local or “intimate.” It is not confined to neighbors attacking or killing their neighbors. Instead, politicians (or political organizers) transport recruits, often well trained and financed, from one

⁴⁰⁹ Interview- Mauche-10-8-stage-3-2

⁴¹⁰ Interview- Mauche-10-04-stage-3-4

region to another to carry out violence on the specified target group. While politicians and individuals recruits have their own motives for organizing or participating in this form of organized violence, organizers frame the logic of violence as collective revenge. A respondent living on the outskirts of Naivasha town explains this stage of the electoral violence:

In Naivasha, the violence was not started by the residence of Naivasha. It was started by those who had been evicted from other areas and sought refuge in this area. They then decided to revenge on the tribes that had evicted them.⁴¹¹

A Kalenjin resident in Oljorai makes a similar observation: “Here...clashes erupted because the Kikuyu wanted to avenge the deaths of their brothers and sisters *elsewhere*.”⁴¹²

The wave of collective and “imported” revenge that I focus on here is the series of attacks that escalated in the middle of January 2008, 20 to 25 days after the announcement of the electoral results on December 30 2007. The Commission of Inquiry on Post-Election Violence (Waki Commission) describes these types of orchestrated revenge attacks as follows:

These were systematic attacks on Kenyans based on their ethnicity and their political leanings. Attackers organized along ethnic lines, assembled considerable logistical means and traveled long distances to burn houses, maim, kill and sexually assault their occupants because these were of particular ethnic groups and political persuasion. Guilty by association was the guiding force behind deadly “revenge” attacks, with victims being identified not for what they did but for their ethnic association to other perpetrators.

I narrow in on the violence that escalated in late January in two communities in Naivasha Constituency (Nakuru County): Oljorai Settlement Scheme, which is a farming community located about thirty kilometers north of Naivasha town off the Nakuru-Naivasha highway, and Hell’s Gate’s, a community of casual laborers who have migrated in the area to work on the large flowers farms. Naivasha town is ethnically diverse, composed of Kikuyu who are the majority, and Luos, who have migrated into the region to seek work on the flower farms. In the surrounding rural areas such as Oljorai, residents who identify as Kalenjin, Maasai, Turkana and

⁴¹¹ Youth Focus Group-Hell’s Gate-Naivasha-10/20/2012

⁴¹² Youth Focus Group-Oljorai-Naivasha- 09/11/2012

Kikuyu all farm and graze animals on contested settlement schemes and land-buying companies (see Chapter 3 for more details of the Oljorai Scheme).

Violence in the region escalated when Kikuyus from other parts of the country (mostly Kisumu located in Nyanza County) entered into Naivasha as internally displaced persons (IDPs). Stories quickly spread among the resident Kikuyu community about the atrocities that their co-ethnics had endured at the hands of ODM supporters (Luos, Luhyas and Kalenjins). Kikuyu respondents in Hell's Gate (Naivasha) interpret this stage of this violence:

The violence in Naivasha started long after the violence in Eldoret, Kisumu and Molo had started. Those who came here were bitter that we [Kikuyu] were living with the same people (Luos) that fought them back in Eldoret, Kapsabet, Kisumu and other places. So the people who fought were not the residence in Naivasha but those who came in later. Before that Naivasha was very calm and peaceful and there were no plans to start any chaos.⁴¹³

The Waki Commission and various human rights reports however, suggest that Kikuyu elites had planned and anticipated revenge or defense-oriented attacks well in advance of the December 27 elections.⁴¹⁴ Attacks on Kikuyu communities throughout the Rift Valley and Nairobi prompted prominent Kikuyu politicians and business people to organize and finance revenge attacks on the surrounding Kalenjin, Luo, and Luhya communities.⁴¹⁵ Returning IDPs provided the popular support that Kikuyu politicians needed to mobilize large-scale violence.

Another key component of this pre-electoral organizing was the use of Mungiki—a criminal gang with Kikuyu affiliations.⁴¹⁶ Mungiki is well known for hiring itself out to politicians during local and national elections. A Kikuyu youth in Likia explains that each of the

⁴¹³ Youth Focus Group-Hell's Gate-Naivasha-10/20/2012

⁴¹⁴ Waki Commission Report, p. 102-103. Waki Report cites NSIS reports document that the Mungiki leaders were engaged in a recruitment drive aimed at 300 new members in the Nakuru region before the December 27 2007 elections.

⁴¹⁵ KNCHR Report 2008, p. 76

⁴¹⁶ Mungiki is much more than a gang and is better described as a politico-religious grassroots movement. It gained its power as a youth movement in opposition to Moi's KANU regime. They self-identify as the Kikuyu poor and children of Mau Mau who have suffered due to historical injustices created by Jomo Kenyatta, who never distributed land to the freedom fighters (see Rasmussen 2010).

main ethnic communities has its own “youth group.” The Kikuyu have Mungiki, the Kisii have the Chinkororo, the Kalenjin have their warrior groups. He emphasizes that these groups form primarily as ways of “defending their communities with the blessings from the elders. But with time their aim and activities change under the influence of politicians who use them to gain political power.”⁴¹⁷ The use of Mungiki could be one of the main reasons why Kikuyu elites between Nakuru and Naivasha were able to mobilize large-scale retaliatory attacks against Kalenjins, Luos, and Luhyas (ODM supporters) with such efficiency and speed.

A respondent from Oljorai comments on the elite-orchestrated nature of political violence in the region. He explains:

There are those politicians that incite people and these are the big politicians, not amateurs. And the tactic they use is transporting people from one place to another, promising that if elected they will chase a particular community—“black spots”—from their land, a land they consider ancestral land.⁴¹⁸

The comments illustrate two key features of this fourth stage of the violence: 1) that it was well-organized by leaders with sufficient financial and political capacity and; 2) that leaders recruited pre-formed “outside” groups that had already been trained, financed, and armed. In cases where politicians hired Mungiki members, attackers had their own ideological or political motives for violence that required little independent ideological mobilization.

Residents in Oljorai experienced two waves of violence. The first was characterized by stages two and three that I have already documented. Residents identified different triggers that polarized the communities along ethnic and political lines, igniting violence. Several testimonies mention a public fight between a Kikuyu boss and Kalenjin employee, others point to murder of a Kalenjin boy. For others, violence escalated after Kikuyus “began celebrating and [Kalenjin

⁴¹⁷ Interview- Likia 09-13-2012-stage 3

⁴¹⁸ Interview- Elementaita-09-11_Oljorai-2&3

individuals] got angry with them, and armed we advanced to challenge them.”⁴¹⁹

The most significant damage to property and loss of life however, occurred weeks later when “outsiders” came “to seek revenge for their tribesmen in other parts of Kenya.”⁴²⁰

Another respondent suggests that the area was relatively peaceful “until the media showed violence to have mushroomed in many other regions countrywide.” These images he suggests, is what fueled the “immigrant’s incitements” who “questioned [residents] right to a peaceful stay here in Oljorai.”⁴²¹ Many respondents highlight the role of “outsiders” in shaping the violence.

One respondent explains:

Violence experienced in Oljorai was attributed to outsiders: *people not known to the locals, such as Mungiki*. These people torched houses and pastures beginning from the wider stretch of the Oljorai and advancing to Kong’asis trading center... There were rumors about armed strangers (Mungiki) who came via Kiptangwanyi, which revealed their intention and preparedness for attack.⁴²²

The key point is that violence escalates—or continues to escalate—when political organizers (i.e. politicians) recruit Kikuyus from outside the immediate region to target ethnic communities deemed responsible for the deaths and violent evictions committed against Kikuyus in other parts of the country. A participant in a youth group from Oljorai explains this dynamic, placing emphasis on the role of Mungiki:

People started fighting in this area as a result of Kikuyus wanting to revenge for their tribesmen who had been killed in other regions of the country after the votes were allegedly said to be rigged. They sent the Mungiki to come and reinforce the mission in Naivasha and its environs and so we had to respond and defend ourselves and property. And in the long run there was a clash.⁴²³

The respondent’s comments are illustrative in two ways. First, they highlight the perception that these rounds of attacks were not from their Kikuyu neighbors, but rather from “foreign”

⁴¹⁹ Interview- Elementaita oljorai-11-01-3.

⁴²⁰ Youth Focus Group- Oljorai-Elementaita-09-11-2012.

⁴²¹ Interview- Elementaita oljorai-11-01-3.

⁴²² Interview- Elementaita oljorai-11-01-3: Kiptangwanyi is a Land Buying Company bordering Oljorai and is occupied primarily by Kikuyu.

⁴²³ Youth Focus Group- Oljorai-Elementaita-09-11-2012.

Kikuyus, and specifically, Mungiki.⁴²⁴ These “foreign” fighters were well-organized, and openly declared their primary objective: to revenge the deaths of their co-ethnics. Second, the respondent highlights how these attacks fueled counter-attacks from among ODM supports. As several respondents suggest, youth from Oljorai mobilized to defend the welfare of the community.

6. Conclusion

This chapter has documented the different logics that guided the process of violent mobilization during Kenya’s 2007-2008 electoral crisis. Two main logics shaped violent collective action at each stage of escalation. First, people acted out of fear of their imminent eviction and relatedly, out of an anger and frustration over historical or ongoing injustices (logic of defense and revenge). Second, individuals participated in violence out of a desire to change the allocation of land rights or at a more individual-level, to capture the private benefits created through their participation (logic of opportunity). While these logics interacted at each point of escalation, particular motives prevailed as the violence unfolded.

One of the main arguments of the chapter is that political elites have much greater capacity to mobilize violence if there are already contentious land narratives where questions of land access, distribution, legitimacy, and justice are central themes. The first stage of violence is therefore the mobilization of existing land narratives. To analyze this first stage of violence I draw on evidence from Likia and Mauche to demonstrate the relationship between two distinct land narratives and the different logics of violence that these two narratives shape. First, I find

⁴²⁴ When violence escalates and “comes out of nowhere” ODM-aligned respondents across Kenya often point to the use of Mungiki. The organization has gained a mythic-like quality in the popular imagination. There is strong evidence from Waki and KNHRC that suggests the use of Mungiki in Naivasha town and along the Nakuru-Naivasha highway. It is therefore quite plausible that Mungiki was deployed to fight Kalenjin residents in Oljorai. It is however, difficult to verify.

that land narratives around competing claims to land shapes a motive for violence aimed at using elections as an opportunity to alter the distribution of land and political power (logic of opportunity). Second, narratives of land insecurity or fears of displacement work to produce the logic of preemptive violence (logic of defense). The objective here is to evict the rival group before the rival group has the opportunity to do the same. Third, narratives and stories of past land injustices committed by Kikuyu officials—compounded by ongoing perceptions of land policy bias—set up a logic of revenge for past and ongoing crimes and abuses.

The second stage of violence helps to explain the shift from the mobilization of beliefs (narratives) to violent collective action. I argue that for a set of ideas (either fears or desires for opportunities) to become violent, there needs to be a particular event that “triggers” violence into motion (Stage 3). In most cases that I have described here, the trigger was the official announcement of the vote tallies that declared Mwai Kibaki the winner. In many cases of electoral violence, violence or protests escalate at similar moments. That is, when sections of the population perceive fraud or vote-rigging. My research also finds that local level events such a bar fight or a personal feud between community members of a different political party or ethnic group can provide the trigger that polarizes the community and pulls them into the larger national drama.

After the first strike (stage 2), violence escalates to stage three, which I have described as “intimate” or localized revenge. The primary logics are community defense and revenge. As deaths and damage mount, the line between revenge and defense is easily blurred. Kikuyus used violence as way to protect the members of their community and territorial borders. Kalenjins in Mauche however, conceive of defensive and retaliatory violence in multiple ways: as *defense* against a “Kikuyu threat” or the fear that Kikuyu would displace them, *revenge* for Kikuyu

crimes in the past and the present (e.g. electoral rigging), revenge for mounting deaths of Kalenjin members as the electoral crisis unfolds, and defense against police, whom they perceived as allied with the Kikuyu and the PNU-run state.

In the fourth stage of violence that I have documented briefly, electoral violence reaches the stage in which the death toll and displacement are often the greatest. The main objective is to avenge the deaths of co-ethnics who have been killed or displaced in another region of the country. This stage is particularly deadly because revenge attacks are well organized and well financed and the target is any citizen associated with the ethnic group who has perpetuated the crime.

In sum, this chapter empirically evaluates the different logics that drive local-level participation in electoral violence. The central claim is that contentious group land narratives provide the set of frames that enable political organizers to shape the logics of violence. The existence of these narratives is thus a necessary but not sufficient condition for the escalation of violence. In direct and indirect ways, these narratives shape the motives for participation at each stage of violent escalation—through interpretations of fear, threat, opportunity to gain, and revenge. In the next chapter I evaluate why, in a seemingly similar context where there are contentious land narratives, electoral violence does not escalate.

Contentious Land Narratives and the Non-escalation of Violence

Why do land narratives foment violent escalation in one region but not another? In the previous chapter, I argue that elites draw on existing land narratives to convince followers that their access and rights to land hinge on the outcomes of an election. When elites establish this logic, ordinary citizens have a motive to engage in violent collective action: to preempt their eviction or ensure the victory of their leader at all costs. Contentious land narratives develop from group members' fears of losing land or property, desires to expand or strengthen land rights, and beliefs about the legitimacy of the land distribution process.⁴²⁵

While the salience of contentious land narratives between groups can help explain the escalation of electoral violence, there are also contexts where strong contentious land narratives between groups do not map onto the sites of electoral violence. This chapter focuses on two counties in the Coast Region of Kenya where contentious land narratives between “insiders” and “outsiders” are a feature of political life yet election-related violence is very rare. I contrast these cases with counties in the Rift Valley region, where seemingly similar land narratives provide a mechanism for organizing violence.

Many recent studies of electoral violence ask why elites have the incentive or capacity to incorporate violence into their political strategy (e.g. Hoglund 2008; Hafner- Burnton et al 2013; Wilkinson 2004). While studies of elite logics are central to advancing understandings of political violence, this chapter analyzes the escalation of violence as an interaction between the

⁴²⁵ I use the term “group” to refer to the ethnic, religious, regional, and political categories of identification and belonging.

political incentives of elites and the interests of ordinary citizens. The aim is to explain why elites have varying capacities to mobilize their followers to participate in election-related violence.

I argue that land narratives in the Coast Region do not create the same electoral motives for violence as they do in the Rift Valley because citizens do not believe that elections create an imminent threat to their land security nor an opportunity to expand rights. As a result, politicians have less power to use land narratives as a means of organizing violence. If land is a salient and divisive issue in the Rift Valley and Coast regions, why do land narratives establish different electoral logics along the Coast? By comparing the two regions, I find that that variation in the strength of political patrons and the size of “outsiders” (i.e. migrants) relative to “insiders” help explain varying effects of contentious land narratives.

Methods and Data

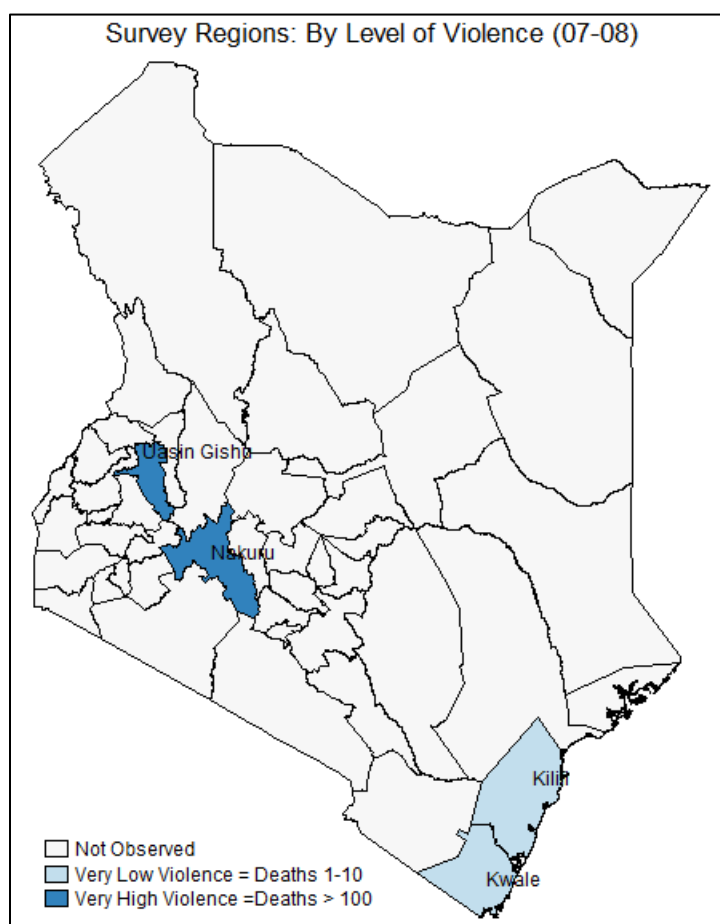
This chapter draws on two main sources of data. The first comes from in-depth interviews and focus groups that I conducted in the Coast Region (Kwale and Kilifi counties). These interviews formed one part of my larger micro-comparative case study that used a series of paired case studies in the Rift Valley and Coast Regions.⁴²⁶ In the Coast counties of Kwale and Kilifi, I conducted structured interviews with fifty residents that lasted an average of forty-five minutes. I also conducted two focus groups with youth and elders in each county.⁴²⁷ The size of these groups ranged from 12 to 20 people and lasted 1.5 hours each. The second data source comes from the household-level survey that I administered in two counties in the Rift

⁴²⁶ In total I interviewed 230 individual interviews and held 20 focus groups. I designed each case comparison to evaluate a different part of the causal process linking land institution, the formation of contentious land narratives, and the escalation of violence.

⁴²⁷ In total, I conducted six full-length focus group interviews on the Coast (2 in Kwale, 2 in Kilifi, and 2 in Likoni, Mombasa County).

Valley (Uasin Gishu and Nakuru) and the Coast (Kwale and Kilifi). In the map of Kenya below, I highlighted the four counties where I administered the survey. I also highlight the stark variation between the high-levels of violence that escalated in the Rift Valley counties (dark blue) and the absence of violence among counties in the Coast (light blue). The levels of election violence in each county reflect the recorded counts of death based on three aggregated sources.⁴²⁸

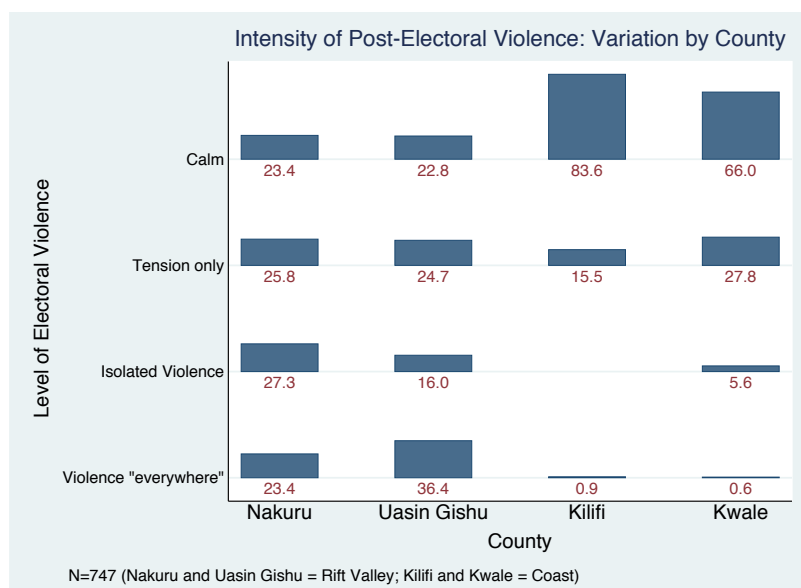
Fig. 8.1



⁴²⁸ In Chapter 5 I provide a map that shows the intensity of violence across all 47 counties of Kenya. The map here highlights only the 4 counties included in my survey. I code levels of violence based on three data sources: Kenya's Commission of Inquiry into Post-Election Violence, [the Armed Conflict and Event Data Project \(ACLED\)](#), and the [UCDP/PRIO Armed Conflict Dataset](#).

While I characterize the 2007 post-electoral period in Kwale and Kilifi as “stable,” these counties were not immune to the post-electoral crisis. Respondents from my own research study and human rights reports describe the tension that in some cases escalated into looting and destruction of property in larger towns. Despite damage to property, there were very few recorded deaths. In the figure below, I show results from one of my survey questions where I ask respondents to describe the level of violence that they experienced following the results of the December 2007 elections. The responses between the two regions are stark. In the Rift Valley (Nakuru and Uasin Gishu), fifty-one percent of respondents indicated that there was either “some” or “a lot fighting.” Yet in the Coast Region (Kwale and Kilifi Counties), less than one percent of respondents indicated fighting of any kind.⁴²⁹

Fig. 8.2



These results contrast the common generalization that the Coast is a region “engulfed by violence” or prone to violence due the explosive squatter problem (Human Right Watch 2002, Mazrui 2001). Overall, the Coast region has been relatively stable over each electoral period

⁴²⁹ 191 out of 371 respondents in the Rift witnessed some form of violence. By contrast, only 9 out of 275 respondents in the Coast witnessed some form of violence. Results in the table are not weighted.

since multiparty elections in 1992. The notable exceptions of electoral violence have occurred within certain neighborhoods of Mombasa District, where both population density and ethnic composition alter the incentives of leaders and followers to use violence.⁴³⁰

While violence has escalated in other regions of the Coast during non-electoral periods, I limit the scope of my analysis to election-related violence in the primarily rural and suburban zones of the Rift Valley and the Coast Regions.

The remainder of this chapter proceeds as follows. First, I establish the puzzle of the non-escalation of violence in the Coast. Second, I outline the chapter's main argument, which explains how political patronage and the size of outsiders interact to shape perceptions of threats to land or opportunities to gain land. Section four explains how political patronage shapes opportunities to gain or re-claim land. Section five explains how the size of the outsiders relative to insiders (group size) explains when and why citizens perceive threats to their land security during elections. I begin with a discussion of group size but also explain how meanings of group identity shape perceptions of threat, and in particular, the meanings that the "insider" group attaches to "outsider" group. Section six concludes.

2. The Puzzle

Why should we expect violence to escalate during electoral periods along the Coast? I suggest that the primarily rural areas of Kwale and Kilifi counties are likely cases for violence in part because they share several important parallels with the much more violence-afflicted zones of the Rift Valley that I explain in the previous chapter. Three of these similarities include high inequality in land tenure security between ethnic or regional groups, strong contentious land

⁴³⁰ The most notable instance of electoral violence in the Coast Region occurred in Likoni Ward (within Mombasa) in the lead-up to the 1997 election. The violence, which pit "native" residents against Kikuyu migrants, resulted in the deaths of over 100 residents. I argue however, that the dynamics of pre-electoral violence in Likoni are specific to Mombasa District and do not generalize to the rest of the Coast region.

narratives that manifest as anti-outsider narratives, and the strategic use of land narratives as a campaign tool.

By comparing the Coast (Kwale and Kilifi) with the Rift Valley (Nakuru and Uasin Gishu) I am better able to explain why the cases in the Coast Region have not yet experienced the levels of electoral violence as the Rift Valley, despite sharing important pre-conditions for electoral violence. These pre-conditions for electoral violence include: 1) Land insecurity, 2) contentious land narratives (i.e. anti-outsider land narratives) and, 3) the mobilization of these contentious land narrative by political candidates.⁴³¹

Land Insecurity along the Coast

A defining feature of the Coast region is extreme land tenure insecurity and inequality in land ownership. The majority of Coastal residents, most of whom identify as Mijikenda, have no formal land tenure rights. Instead, they reside as “squatters” or *de facto* tenants on the land of absentee landlords or mismanaged state lands. Title deeds for the region’s prime agricultural, commercial, and real estate land go to region’s elite: prominent Arab families, Indians, Swahili, and residents from “upcountry” Kenya (i.e. Kikuyus, Kamba, or other elite with Nairobi connections).⁴³² Land insecurity in the Coast is both more profound than the Rift Valley, and emerges from a unique regional history.⁴³³ Among survey respondents from the Coast region, only thirty four percent held a title deed to their land. This contrasts land security in the Rift Valley, where fifty six percent of survey respondents indicated that they held genuine title deeds. Yet an important parallel between the two regions is that groups who see themselves as natives

⁴³¹ See chapters four and five for more explanation/ theorization of these pre-conditions

⁴³² Much of the most valuable land in Kwale and Kilifi is beachfront property. Conflicts ensue when local residents claim that beachfront plots are family land while wealthier and more powerful are able to documents that prove otherwise. The process of converting coastal villages to resorts and commercial development has deepened landlessness and poverty along the Coast.

⁴³³ See Chapter 2 of dissertation for history of land politics on the Coast.

or ‘sons-of-the-soil’ have not been able to secure the same level of land tenure security as “outsiders” or migrants.

The absence of violent mobilization in the Coast contradicts the expectations of early grievance theories (Gurr 1970, Scott 1976). Huntington sums these arguments (1968, 375): “No group is more conservative than a landowning peasantry and none is more revolutionary than a peasantry that owns too little land or pays too high a rental.” Yet the deeper land insecurity among most Coast residents compared to residents from the Rift Valley suggests that relative land deprivation—or grievances over land access—is not sufficient to provoke violent collection action.

Anti-outsider land narratives

The inability for most Mijikenda in Kwale and Kilifi to legally acquire land has generated strong anti-outsider land narratives. These narratives, while in many ways unique to the Coast Region, also echo the nativist claims of Kalenjin farming communities in the Rift Valley. Mijikenda land narratives express strong beliefs about the illegitimacy of the land allocation process—historically and in the contemporary period. The first narrative theme describes a process in which outsiders—Arabs, Europeans, and Kenyans from upcountry—have “grabbed” or stolen their ancestral or family land. A second narrative theme emphasizes extreme land insecurity. Mijikenda residents fear their imminent eviction by a powerful individual, corporate entity, or the State rather than a particular ethnic community.

Strategic use of land narratives during elections

In addition to the presence of salient contentious land narratives, Coastal politicians use divisive land appeals as part of their campaign strategy. In the table below, I present results

from one question on the household survey that I conducted in the lead-up to the March 2013 General Elections. The results indicate that candidates in both regions use land as a divisive strategy, and equally, as a way to signal opportunities to strengthen land rights. In Nakuru County, fifty-five percent of respondents have heard members of a political party mention a statement along the following line: “If you kick out the other tribe, you will get their land.” Similarly, in Kwale County, fifty-one percent of survey respondents indicated that they heard a similar remark.

Fig. 8.3

Exposure to Anti-Outsider Land Narratives by Politicians					
	Rift Valley		Coast		
	Nakuru	Uasin Gishu	Kilifi	Kwale	Total
Yes	55%	41%	39%	51%	46%
	115	66	83	82	346
No	45%	59%	61%	49%	54%
	94	96	132	79	401
Total	N=209	N=162	N=215	N=161	N=747

Results not weighted. Pearson Chi-2 significant, $p < 0.001$

The use of this provocative language may help explain the escalation of violence in Nakuru and Uasin Gishu, where the number of deaths exceeded 200 people in each county in 2007-2008. Yet in Kwale and Kilifi, there were no reported deaths, despite the use of similar land-based appeals.⁴³⁴ The chapter intends to explain this apparent puzzle.

3. Argument: Land Narratives and the Mobilization of Electoral Violence

I argue that leaders can create a motive for electoral violence only when they can tap into existing land narratives to convince supporters that land rights and access hinge on the outcome of an election. In these scenarios, the land narrative establishes two separate logics for violent

⁴³⁴ Reports based on the Waki Commission Report, which did not report deaths in Kwale and Kilifi, perhaps because the levels of violence were so low. KNCHR reports at least one death in Kwale.

collective action. The first is based on the *logic of pre-emption and defense*: ‘evict them before they can evict us’ and emphasizes threat to land from political or ethnic rivals. This threat gains credibility when it is based on memories of past evictions and rumors that circulate during elections.⁴³⁵ The second is based on the *logic of opportunity*: the belief that elections present a narrow window to strengthen the land rights of group members. Violence becomes a strategy for physically seizing these lands (during the electoral process) or ensuring the victory of one’s leader at all costs (Höglund 2009). In each scenario, land narratives provide a way of coordinating followers’ beliefs around how electoral competition presents both threat (from rivals) and opportunity (by violently seizing land from rivals or through the patronage policies of the candidate).⁴³⁶ The task for political entrepreneurs is to connect the idea of a right to protect or seize land with the provision of tools or capabilities that encourages mobilization on the ground.

Yet even when land narratives are salient and divisive, they do not always provide the sufficient conditions for electoral violence. I argue that while land narratives in Kwale and Kilifi are often quite contentious, politicians can rarely use these narratives as a way to signal that elections present either a threat to land rights or an opportunity to gain land. I link the ineffectiveness of Coastal land narratives as a mobilizing tool to two main factors. First, Coastal leaders have less political power than upcountry political elites—they are “landlords” rather than land patrons. Second, “outsiders” (i.e. migrants) along the Coast comprise a small proportion of the regional population.

The figure below illustrates how the interaction between perceptions of threat and perceptions of opportunity shape the possibilities for violent collective action. The key point is

⁴³⁵ For more on the logics of electoral violence, see Chapter 7 of my dissertation.

⁴³⁶ The escalation of violence becomes more likely when elites not only make violence logical but also feasible. Lowering the costs of fighting or offering immediate material benefits in exchange for fighting helps translate the abstract idea of violence into action.

that ordinary actors only have a motive for violence when they believe that elections present both a threat to their land security and an opportunity to gain or re-claim land.

Fig. 8.4: How patronage strength and size of “migrant” group shape motives for violence

	<i>Political Patrons: Strong</i>	<i>Political Patrons: Weak</i>
<i>Migrants are large minority or small majority</i>	THREAT/ OPPORTUNITY (Strong motive for violence)	THREAT/ NO OPPORTUNITY (Weak motive for violence)
Rift Valley Region 2007-08		
<i>Migrants are small minority</i>	OPPORUNITY/ NO THREAT (No motive for violence)	NO THREAT/ NO OPPORTUNITY (No motive for violence)
Coast Region 2007-08		

This scenario captures much of the Rift Valley in 2007.⁴³⁷ The lower right quadrant captures the dynamics of the Coast region during the 2007 elections. In this scenario, citizens did not associate elections with threats to their land nor opportunities to expand rights and hence there were few motives for participating in violence. As I will argue, the absence of threat and opportunity is due to both weak political patronage and the relatively small size of the “outsider” population relative to the indigenous Mijikenda community. As a result, leaders face very high barriers to mobilize violence.

Alternatively, when citizens do not believe that elections will threaten land rights, but will bring opportunities to gain, there are still relatively weak motives to participate in violence (upper right quadrant). The opportunity to gain, absent any interpretation of threat is rarely a

⁴³⁷ Importantly, this does not imply that every resident will have a motive to fight. Rather, I argue that the land narrative—as mobilized by the leader—will be able to establish a logic or motive for fighting that resonates with at least some members of the group.

powerful enough incentive for individuals to run the high risks of participating in violence. Violence is possible, but the barriers to collective action are much higher.

4. Strength of the Political Patron

A growing literature examines the way that patronage politics shapes the possibilities for electoral violence. One argument is that in contexts of competitive elections where patronage politics is more entrenched, the prospects for electoral violence is more likely (Sisk 2012, Boone 2014, Staniland 2014). Patronage politics refers to relationships of exchange in which the ‘patron’ is able to use state or private resources to provide protection, services, jobs, or other goods to reward political clients (Van de Walle 51, 2007; Kitschelt and Wilkinson 2007; Høglund 2008). These relationships or “clientelistic networks” allow patrons to build a network of loyal political followers. Patronage politics can become a powerful and disruptive form of politics because patron-client linkages in most cases are not based on single-shot exchanges but instead rely on a “complex webs of exchange, obligation, and reciprocity [...] sustained over a long period of time (Wilkinson and Kitschelt 2007, 19).”

In countries such as Kenya, where the state controls the allocation of land, the distribution of land rights has provided a key source of patronage, particularly in the face of declining state revenues (Boone 2011, 2013, Klopp 2002, Kanyinga 2000). As Catherine Boone and Norma Kriger (2014) demonstrate in their cases of Kenya and Zimbabwe respectively, politicians in these contexts have relied on land as a patronage tool to reward loyal political clients. Likewise, by revoking and reallocating land rights, they have been able to coerce or punish political opponents. These theories of patronage politics have two important implications

for understanding the pre-conditions for electoral violence: they help explain when and why citizens have such strong *incentives to win* and how elites mechanisms of *control and order*.

First, when patronage politics is the defining feature of distributive politics, each side has a much greater incentive to win because group members perceive the stakes of an electoral loss to be much costlier. Political clients believe that they will only receive access to land rights, finance, jobs, security, or other services if their “ethnic/political patron” is in power. The flip side of this logic is the fear that if the patron loses, clients will be denied or excluded from access to services, land, jobs, and the protection that the patron is able to offer when s/he can access state power. This includes protection from rival groups, armed actors, or state security forces. In a setting such as Kenya where patron-client relations often fall on ethnic lines, citizens may vote for their ethnic patron not so much because they expect to benefit directly, but because “citizens may feel that only a member of their own ethnic group may end up defending the interesting of the ethnic group as a whole (Van de Walle 2007: 65).” In short, electoral violence is more likely where political patrons are strong because followers believe that their preferred candidate has the capacity to protect or alter the status quo in their favor. They thus have strong incentives in ensuring that their patron maintains or gains power at all costs (Hoglund 2008).

Second, I suggest that where patronage networks are strong, leaders have greater power to organize and recruit participants to fight. Patronage provides a mechanism of control and order. The ability to control clients can work both through the expectations of trust and reciprocity (Kitschelt and Wilkinson 2007) or through coercion and punishment (Reno 2007, Staniland 2014). The capacity for political leaders to mobilize followers during elections lies in their ability to leverage their patronage networks. The more resources at their disposal—and the more entrenched these networks—the more power leaders have to organize followers. Likewise,

if political patrons gain a monopoly of the informal distribution networks (of land, property, other essential goods such as public security), they can also coerce citizens to comply out of fear.

I argue that citizens are much more likely to participate in election time violence when they believe that the victory of a particular candidate (or party) can provide protection from rival groups (i.e. protection from forced evictions) or can expand individual or group-level land rights. Yet for individuals to run the high costs of participation, they must believe that their leader has the power, capacity, and political will to follow through on his/her promises. Leaders must therefore be able to credibly commit to their campaign promises.

The most effective way for leaders to signal their commitment to implement land promises is through historical precedence or a demonstrated record of acting as an effective patron to the ethnic or regional community. In the Rift Valley (as well as other regions of upcountry Kenya) the political patron figure is well institutionalized. The patron is a figure who has both the political and financial power to ‘feed’ and protect his community. This leadership image perpetuates the expectation that incoming politicians will continue to fulfill patron-client obligations. While politicians often fall far short of their promises, the expectation or tradition of patronage nonetheless makes their appeals seem more credible. Patronage in this sense is not about the exchange of money gifts, or personalistic favors in exchange for political support. Instead, a strong patron implies the ability—real or imagined—of being able to protect one’s community from potential threats such as eviction by the government or neighboring group, or attacks on land or livestock by a rival group. It also encompasses the ability of a leader to distribute land rights to followers and to revoke these same rights from political defectors.

This theory of patronage politics explains much of “inland” Kenya, where politicians have relied on the distribution of land as patronage tool since the early 1960s. Across the

politically competitive and well-populated regions of Kenya,⁴³⁸ patron-client relations have formed between “ethnic big men” such as parliamentarians, ministers or the head of state, and their co-ethnic clients (or ethnic coalitions). In the rural areas, these clients are mostly poor rural farmers seeking a strong patron to provide mechanisms of land access and tenure security. These patronage relationships have developed since the decade of Kenya’s independence in 1963. The long-standing nature of these patron-client traditions has institutionalized a set of expectations that political patrons will protect or reward their clients. Even though leaders in the Rift Valley fall far short of their campaign promises, they are able to make credible claims—including claims of potential threat and opportunity—because they benefit from an established tradition of strong patronage politics.

Yet in much of the Coast region, patron-client relationships are very weak.⁴³⁹ By “weak,” I suggest that Coast leaders do not have the same power to use land as a source of political patronage because they lack the personal land wealth of many Rift Valley politicians. Equally, they tend to lack the political party connections that facilitate land accumulation. Without political status or property wealth, Coastal politicians have become brokers to both national level political elites from upcountry and the regional business community. Local residents have come to view their leaders as brokers to “outsiders” rather than their own patrons. A resident of Kilifi provides an example of how this broker-style leadership limits possibilities for reform:

When we elect our leaders, rich people target them. They don’t want leaders who represent the issues of the common man. If a politician or MP is deemed to do so, then the rich people call him and tell him to stop discussing the issues of the poor because the poor will realize

⁴³⁸ These regions (formerly provinces) include Nairobi, Central, the Rift Valley, Eastern, Western, and Nyanza.

⁴³⁹ See chapter two of my dissertation for a more detailed discussion of the historical origins of weak leadership in the Coast vis-à-vis stronger patron-client ties in the Rift Valley.

they are being denied their rights and start asking questions. They bribe these politicians too [...]⁴⁴⁰

The key implication is that residents do not trust that their leaders have the capacity or autonomy to follow through on their campaign commitments to protect or advocate for their land rights.

Weak patronage on the Coast manifests as an absence of strong political leaders—a widely shared belief that there are no leaders who represent the interests of the Coastal people.

These weak patron-client ties have emerged from several related factors. First, while the Mijikenda are the majority ethnic group in the Coast region, they constitute only five percent at the national level (2009 Kenya Census). The logic of Kenyan party politics has developed around the idea that larger ethnic voting blocs, namely the Kikuyu (GEMA), Kalenjin (KAMATUSA), and Luo determine presidential outcomes. The Mijikenda have not played a strategic or consistent role in any national-level party alliances. National-level elites have therefore had few incentives to empower Mijikenda politicians. Specifically, they have had few incentives to distribute state or privately-owned lands in the Coast Region to developed a grassroots patronage base. Instead, Nairobi-based politicians have used Coastal lands to enrich themselves and to reward close friends and allies without building the political coalitions that they have developed in more politically strategic zones such as the Rift Valley and Central Regions (Kanyinga 2000).

Relatedly, most Coastal MPs do not own or control the large tract of lands. Instead, elites from upcountry, Europeans, and wealthy Arab families own most of the land in the region. The real landlords of the Coast region are the same set of individuals who wield the most political power. They are not elected officials but entrenched “non-indigenous” regional elite. This wealthy minority group controls the majority of the local economy, including the Provincial

⁴⁴⁰ Interview-Kilifi 1 (Kijipwa) 11/20/2014

Administration, import-export businesses, land and real estate-development (centered around the tourism industry), large-scale commercial farming (sugar, sisal, cashews, sugar), and mining (titanium, oil, salt).⁴⁴¹ Perhaps the most important industry that has restructured power and authority on the Coast has been the tourism industry. Kanyinga (1998) argues that when the Kilifi coastline was identified as “high potential for tourism,” national elites were able to act through local elites to acquire and exploit Coastal lands (Kanyinga 1998; 88). Kanyinga emphasizes that the demand for beachfront land among KANU elite was so great that the “local elite tended to be overshadowed by the national elites (ibid, 87).”

Local politicians are expected to play by a set of rules that facilitates the acquisition of private property for the wealthy while protecting land and investments from the demands of the landless majority. The interests of these private investors outweigh the redistributive demands of the majority. The power of national-level political elites and the business community over local politicians is unique to the Coast. In constituencies within Central, Nairobi, and parts of the Rift Valley, many parliamentarians or aspiring candidates are much wealthier than Coastal politicians. They also have greater access to state resources because they occupy closer social and political circles around the Office of the President. Coastal politicians are dependent upon the financial support of Coastal elites and interest groups for their financial and political survival. The clients of Coastal politicians are not their constituents (political followers) but instead, the small but powerful business class.

What this means is that unlike in the Rift Valley, residents do not expect that their leaders have the political will or power to use land as a patronage good. A group of youth in Kwale remark, “The government has always marginalized the Coast people. What the government does

⁴⁴¹ Throughout most of the 20th century, the British followed by Germans and Italians comprised the most significant presence of foreign landowners and investors. In the last decade (or since the early 2000s), nationals from China, India, and the Arab Peninsula are the most active players in the Kenya’s land market on the Coast.

upcountry is not what it does here [in the Coast region]. Our counterparts living upcountry all have title deed, even the poorest.”⁴⁴² The comments underlie the belief that political leaders in other parts of Kenya such as the Rift Valley are able to provide better forms of land security while Coastal leaders fail to advocate or protect local residents.

Drawing on interviews with Kilifi and Kwale residents, I highlight features of this “broker” style leadership on the Coast and its implications for political mobilization. First, there is a widely shared belief among Coastal residents that their MPs are constrained actors and hence lack the power to follow through on pledges to strengthen land rights. As one respondent states, “MPs have no power to solve this [land] issue, otherwise they would have done so.”⁴⁴³ A group of Kilifi elders remarks, “even if I elect a good MP they will be influenced at the highest level with money, so they won’t take care of my interests.”⁴⁴⁴ Citizens emphasize that their leaders have far less autonomy or power than their upcountry counterparts. MPs (and even national politicians) prove unable or unwilling to alter the status quo distribution of land rights. Specifically, due to the power and interests of the elite class on the Coast, politicians are unable to re-distribute land rights away from the entrenched elite and toward the majority landless (squatters). Many respondents described this relative powerlessness of their elected leaders. In an interview with a farmer in Kilifi, he explains why Coastal leaders, much like the people, find themselves marginalized in national-level politics:

If we look at these people who have been grabbing this land, they don’t come from the Coast...Even our people down here, the Giriama, have no say. Once they leave they go to the Government. They have got no say! They can do nothing. The party leaders are all from that place [upcountry Kenya]. So they [Coast MPs] just sneak into these parties. So if you just sneak in, or they let you in, you have no say. You can’t do anything.⁴⁴⁵

⁴⁴² Focus Group w/ Youth- Kwale (Msambweni) 11/18/2012.

⁴⁴³ Interview-Kilifi 6 (Kijipwa) 11/21/2012.

⁴⁴⁴ Focus Group w/ Elders- Kilifi (Kijipwa) 11/28/2012.

⁴⁴⁵ Interview-Kilifi 5 (Kijipwa) 11/21/2012.

The respondent's comments demonstrate a common perception that local leaders lack the power to protect or strengthen the rights of local people because they have no real power themselves. Participants in a youth focus group frame the constraints of their leaders in even starker terms: "As per history, all the good leaders who fought for the local people have been killed. If you don't toe to the status quo, they kill you. So some of these leaders don't act about some issues because they are scared."⁴⁴⁶

In many interviews, respondents describe their leaders as easily co-opted by higher-ranking politicians. While local MPs may lack the political power to advocate on behalf of locals, most believe that these same politicians knowingly and willingly cooperate with higher-ranking politicians or investors to undermine the land rights of Coastal residents. The particular accusation is that MPs and local councilors become complicit or active players in land grabs that have denied Mijikenda of their ancestral land. A resident in Kwale describes the role that local politicians play in selling off land:

The politicians are the corrupt ones. They sold the land off. For example, the Chale Islands were sold off to foreigners and the locals were not given anything. People like Mwamzandi, Boy Juma Boy and Sharriff Nassir helped people grab our land.⁴⁴⁷

A group of youth from Kwale describes a similar view that their MPs do not advocate on their behalf but instead prioritize their relations with wealthy investors and the Nairobi political elite:

The fat cats have the financial muscle to do anything. If it's title deeds, they have the money to fly to Nairobi and back so that their titles are processed faster. A good example is our own MP who helped rich people acquire our Chale Forest and built a five star resort without the knowledge of the community. So for whom are these political leaders fighting?⁴⁴⁸

⁴⁴⁶ Focus Group w/ youth- Kilifi (Kijipwa) 11/23/2012. The most notorious death was the former MP Ronald Ngala, who championed for Coastal land rights and advocated for regionalism.

⁴⁴⁷ Interview- Kwale (Kinondo-A-3) 11/14/2012: Kassim Mwamzandi, elected to the first parliament of Kenya until 1992 (KANU, Msambweni, Kwale), Boy Juma Boy and Sharriff Nassir are all MPs from Kwale District.

⁴⁴⁸ Focus Group w/ youth-Kwale (Msambweni) 11/18/2012.

Community elders in Kwale claim that political leaders “have failed us” because they “have forced these foreigners on us. The Kikuyu and Kamba own the biggest land around here.”⁴⁴⁹ In effect, leaders not only cater to the wealthy but facilitate the land gains by outsiders. A fisherman in Chale (Kwale District) claims, “Political leaders don’t help at all. They even bring people from upcountry to buy land at horrible prices.”⁴⁵⁰ The comment illustrates the widely held belief that politicians are mere brokers or middlemen for Nairobi’s elite.

Another implication of Coastal leadership practices is the narrative that politicians only use issues of land “to get to parliament.” Once in parliament, they seek out deals “to fill their stomachs,” but have little interest or ability to win a second term. While high turnover rates are not unique to the Coast region (Opalo 2014), the expectation of leaving office further discourages MPs to use land rights as a patronage tool to win votes or expand a clientele base. One implication is that political bases in Kwale and Kilifi are weakly formed, fragmented and constantly changing. There is very little sense of loyalty, obligation, trust or reciprocity that links the leader and followers.⁴⁵¹ In addition, there are few mechanisms of accountability because leaders do not need the support of voters beyond the first election. As an interviewee in Kilifi says, “We vote for them but they never fight for us.”⁴⁵² A narrative of betrayal and neglect had developed that uses the analogy of the father who abandons his own child. One Kilifi respondent asks, “Our local MPs don’t act on our behalf. [How] can you watch your child being beaten up without lifting a finger?”⁴⁵³ Another Kilifi respondent explains, “Politicians use the land issue to get to Parliament. When looking for votes they come promising to stop evictions

⁴⁴⁹ Focus Group w/ elders-Kwale (Msambweni) 11/18/2012.

⁴⁵⁰ Interview- Kwale (Chale-2 Part 2) 11/17/2012.

⁴⁵¹ See appendix for table that show re-election rates from 1992-2007 in Nakuru District (Rift Valley) versus Kwale and Kilifi Districts [*table under construction*].

⁴⁵² Interview-Kilifi 16 (Kijipwa) 11/23/2012.

⁴⁵³ Interview-Kilifi-12 (Kijipwa) 11/22/2012.

and distribute land but when they get to parliament they don't do anything about the land issue."⁴⁵⁴ Over time, this trend has undermined the credibility of the politicians' land appeals during campaigns. A Kilifi interviewee underlies this lack of trust and credibility:

There is a Swahili saying that says, "Whoever has been bitten by a snake will jump even when touched by the grass." This means the politicians have lied to us before, we are wary of them, we don't trust them anymore... They use those lies to get themselves to parliament; too many empty promises and nothing forthcoming.⁴⁵⁵

The inability or unwillingness of Coastal leaders to protect or advocate for their followers has affirmed the view among many local residents that electoral outcomes have little bearing on their land security or their everyday livelihood. The electoral process has become a mechanism for aspirants to attain political office, but the question of who attains that position is far less important than it is in many other regions of the Kenya.

In the primarily rural communities of Kwale and Kilifi districts, where the voter base is relatively homogeneous, and where leaders and political parties change frequently, the stakes of any given election are relatively low. In sum, despite being able to elect co-ethnic representatives, citizens feel insulated from any changes that elections might otherwise bring. Mijikenda politicians are largely constrained actors who act as brokers to national elites and the business class, and cannot act as strong patrons who are able to distribute or protect the land rights of followers. The result is that most politicians do not have the political legitimacy or authority to mobilize violent collective action.

Political Power of the Land Claim

The authority of the political patron also shapes the power and viability of the group land claim. The power of the claim is two-fold: residents must believe that they have the moral or

⁴⁵⁴ Interview- Kilifi-1 (Kijipwa) 11/20/2012.

⁴⁵⁵ Interview- Kwale (Ramisi-3) 11/12/2012.

legitimate right to occupy or re-claim a piece of land or territory from competing claimants. Equally, they must believe that they have the resources and power to defeat competing claimants—either through legal, political, or violent means. This is where having a powerful political patron is important. In much of the Coast region, citizens doubt the willingness or capacity of their local leaders to advocate for their claims. This contrasts the strategies of claim-making among ethnic and political communities in the Rift Valley, where different groups (i.e. Kalenjin, Kikuyu, and Maasai) observe their political patrons advocate for their separate ethno-territorial claims, either by promising to distribute or protect individual title deeds or by making political appeals based on historical land grievances. For example, Kalenjin leaders have created a powerful and compelling narrative about Kalenjin and Maasai land dispossession that dates back to British occupation of the Kenyan highlands.

One observable effect of variation in patronage strength is the difference in how residents in the Rift Valley and the Coast assert their claims to land. In both interview and survey results, I observe a striking difference in claim-making strategies between Rift Valley and Coast residents. In one of my survey questions, I ask respondents to imagine a hypothetical situation in which two different groups are arguing over the same space of land.⁴⁵⁷ The first group claims that they are the true owners because they have the ancestral rights to the land. The second group claims they are the legitimate owners because they have purchased the land and hold a title deed. The respondent is asked to decide which group has the stronger land claim—the one making ancestral claims or title-based claims. As the table below indicates, 87 percent of residents from the Rift Valley believe that having a title deed is the strongest method of claim-

⁴⁵⁷ In a two-sample means test of the Coast and Rift Valley, the mean response for the Rift Valley was 0.13 while the mean response for the Coast was 0.73 (indicating very different responses), where 0 = title deed and 1= ancestral claims. The difference between these two means (0.6) is statistically significant at the 99 percent confidence level.

making. By contrast, only 29 percent of respondents from the Coast viewed the title deed as the stronger land claim.

Fig. 8.5: Preferred Method of Claiming Land

	Rift Valley		Coast		Total
	Nakuru	Uasin Gishu	Kilifi	Kwale	
Title Deed	82.8% (164)	91.7% (143)	19.7% (42)	37.8% (54)	56.7% (403)
Ancestral Claim	17.2% (34)	8.3% (13)	80.2% (171)	62.2% (89)	43.2% (307)
Total	27.9% (198)	22% (156)	30% (213)	20.1% (143)	100% (710)

Results not weighted. Pearson Chi-2, $p < 0.001$

What accounts for this difference? I suggest that in the absence of strong leaders to advocate and help formulate a coherent Mijikenda land claim, locals have instead relied on the ancestral land claim as a method of protesting the power of title-based claims to land. Many Kwale and Kilifi residents view the title deed as a tool used by the wealthy, outsiders, or the government to dispose them. Despite the potential power of a title deed to secure land rights, the process of acquiring title deeds feels beyond the reach of most citizens.⁴⁵⁸ The belief that title deeds are unobtainable derives in part from the ambiguity and dysfunction of formal land institutions in the Coast that favor wealthy and well-connected individuals; those willing and able to navigate the complex bureaucracy or those who can subvert the process through corruption and patronage.⁴⁵⁹ The remarks of a Kilifi resident demonstrate how frustration with title deed access shapes community perceptions of the document.

Our community does not really care about title deed. They fear the process, the time, and the finances involved. Imagine if someone was allocated land in 1979 and they haven't followed up on the title until this day. I also blame the lands officials. They complicate the process.

⁴⁵⁸ For more discussion on why citizens on the coast feel unable to access or acquire title deeds, see Chapter 3.

⁴⁵⁹ See Chapter 3 for more detailed explanation of land institutions on the Coast.

Sometimes you are told to go to Nairobi to get the title discharge. We know the importance of the title but it's complicated to follow it up.⁴⁶⁰

The lack of transparency and cost barriers to obtaining the title deed also contribute to growing distrust toward outsiders (i.e. Kikuyu). Youth in Kwale remark: “People are now so suspicious of any allocations and that’s why you are seeing so much tension each time Kikuyus come around.”⁴⁶¹

Citizens make ancestral claims because the title deed is fraught with so much distrust and suspicion. Ancestral land claims are compelling in part because they have greater legitimacy and moral resonance among group members. As one interviewee says, “selling land is like selling your own mother.”⁴⁶² His comments imply that selling land is unthinkable; it falls outside the established norms of Mijikenda culture (Schatzberg 2001). A respondent in Kilifi explains how title deeds have undermined rather than strengthened the land rights of Coastal communities: “The title deed in the African context is not valid. We used to plant trees to mark which land belongs to us. These title deeds were brought in to take away land from the local people.”⁴⁶³

As a result, Mijikenda residents do not have a single and effective narrative for asserting their rights to land. Residents understand the pragmatic potential of the title deed but they articulate ancestral claims to land as a way of protesting the power of title-based claims. Knowing the power of title deeds, yet viewing them as illegitimate or inaccessible has created what Sharon Hutchinson describes as a “simultaneous dependence on and estrangement from the powers of the government (in Willis 2011, 51).” The comments of one interviewee hint at this dilemma, whereby local residents understand the power of the title-holder, “according to the law:”

⁴⁶⁰ Interview-Kilifi 7 (Kijipwa) 11/21/2012.

⁴⁶¹ Focus Group w/ youth-Kwale (Msambweni) 11/18/2012.

⁴⁶² Interview-Kwale (Makongeni 2 & 3) 11/13/2012.

⁴⁶³ Interview-Kilifi 8 (Kijipwa) 11/22/2012.

We cannot confirm who has the right, the local or people from upcountry? [...] A title deed confirms you as the real owner by law. That's the most important. The people who have the right to ownership are the titleholders according to the law. Yet the local people who have stayed here for a long time deserve land too.⁴⁶⁴

In this context, residents in Kwale and Kilifi have struggled to develop a single and coherent discourse for asserting right to land. On the one hand, residents assert their rights through a language of indigeneity and ancestral belonging and a rejection of land commodification. At the same time, they seek the private benefits and security of participating in the formal land economy by acquiring individual title deed. In the respondent's comments below, he explains the imperative of holding a title deed as land security. Yet like many others, he argues that those with ancestral (family) claims should be allocated titles before those who can purchase outright:

A title deed is very important because when these rich people come asking for title deeds [we don't have one]. Therefore it means the title deed shows that you are the true owner of this land [...]. The people who have stayed there for the longest need to be allocated land first, forget about those people who come with title deeds. They use their financial might to get these title deeds.⁴⁶⁵

Citizens are caught between two claim-making strategies that both pose significant constraints.

The use of the ancestral land claim resonates widely across Mijikenda groups because the tradition of ancestral or family claims garners legitimacy. Yet ancestral claims are much weaker legally and politically than title deed claims. Relying on title-deed claims provides greater tenure security, but the barriers to obtaining a title deed are so high that that they are remain out of reach for the majority.

As comments of the respondents above suggest, ancestral claim-making is not only about protesting the power of title deeds. Equally, it is a livelihood strategy that emerges from a longer tradition of demarcating and asserting a household's plot of land and acknowledging the lineage

⁴⁶⁴ Interview-Kilifi 6 (Kijipwa) 11/21/2012.

⁴⁶⁵ Interview-Kilifi 16 (Kijipwa) 11/23/2012.

rights of single family. Claims to land draw on physical markers such as coconut trees, fruit trees, or gravestones that prove lineage rights and family history.

In the Rift Valley, ancestral land narratives provide a political rather than livelihood role. As results from the survey suggest, residents are very aware that title deeds are far more effective for securing individual land tenure. Youth in Njoro District explain, “If you advocate for your ancestral land claims by saying that the land belonged to your forefathers nothing will happen. You will be ignored. It's not as strong as having a title deed.”⁴⁶⁶ The ancestral land claim is instead a political strategy and method mobilization that declares the right of one group to reclaim land from another group who is seen as the invader. This narrative has political power because it is linked to an ethnic group’s belief in their right to occupy territorial space with the aim of undermining the rights of the group that has “invaded” or migrated into the region.

In Kwale and Kilifi by contrast, the ancestral narrative is not a call to exclude or deny the rights of non-natives. Nor is it a zero-sum narrative as it has become in Rift Valley, where the balance between land rights and political power between rival groups are one and the same. The implication is that the promise of land during elections rarely provides a rationale or motive to attack another group. Instead, ‘ancestral land’ is the only claim-making strategy that squatters have at their disposal. This varies from the Rift Valley where residents can demand title deeds from their political representatives as their primary form of land tenure (with varying degrees of success), while at the same time mobilizing around a discourse of ‘ancestral rights’ to territory.

In sum, I suggest that residents from the Rift Valley (Nakuru and Uasin Gishu Counties) are much more likely to believe that elections create an opportunity to strengthen their rights at both the individual and group-level. At the group-level, residents believe they have the legitimate claim, resources, and political power to counter rival claimants. This contrasts

⁴⁶⁶ Youth Focus Group-Njoro, Nakuru County (Mauche) 7/5/2012.

Mijikenda claimants who doubt the capacity of their leaders to advocate on their behalf. At the individual-level, Rift Valley residents rely on title-based claims to land rather than ancestral claims. Many residents believe that if their candidate is elected, s/he will distribute titles or protect existing titles. This expectation comes from past precedent. Rift Valley patrons have historically used the distribution of land titles and plots as a way of building political support.⁴⁶⁷ As a result, individuals are more likely to anticipate that leaders will continue to distribute and protect individual tenure. Yet along the Coast, there are very few examples of leaders who distributed land to the landless majority. As a result, most Mijikenda do not see elections as viable moments of opportunity to re-claim or improve individual or group-level land rights.

5. Group Size

Several scholars suggest that electoral violence is more likely under two related conditions. First, when the anticipated margin of victory between leading candidates is narrow (Wilkinson 2004) and second, when voting occurs primarily along ethnic lines (Collier and Vicente 2012; Kuhn 2013). Elections in these situations are both competitive and based along ethnic group identification. These arguments are based on the assumption that social identity provides a mechanism of electoral mobilization and shapes voters' expectations of resource allocation, thereby strengthening the salience of identity-based cleavages during elections (Posner and Eifert 2010). Building on these observations about social identity and elections in Africa, I suggest that when outsiders and insiders are relatively equal in size at the sub-national level (i.e. constituency or region) they both serve as viable bases for political mobilization and competition (Posner 2004). Yet when either the migrant or indigenous group comprises a very

⁴⁶⁷ See Chapter two for an historical account of differences between property accumulation and distribution between Rift Valley and Coast leaders.

small proportion of the regional population (the sub-national area of electoral competition), the insider-outsider cleavage will not provide a viable cleavage to build the political party or mobilize support (Klaus and Mitchell forthcoming).

The main implication is that where political competition closely aligns with a salient insider-outsider cleavage, electoral politics becomes a zero-sum game where outsiders compete over political power and resources (i.e. land) with insiders. In this scenario, each side has the political incentive and power to use coercive strategies such as forced evictions, to alter electoral outcomes, both in the pre and post-electoral periods. Hence, each side will associate elections with the risk of violent evictions by the rival group.⁴⁶⁸

This dynamic has played out in many parts of the Rift Valley where so-called “natives” are a smaller but still competitive minority group relative to “migrants” (i.e. Kikuyu). Rift Valley natives have used violence and intimidation to remove perceived migrants/outsideers. “Removal” of outsiders has been a way to alter the balance of political power vis-à-vis insiders, while also providing participants with an opportunity to seize or acquire the land of those killed or displaced. The driving logic behind pre-poll violence, particularly as it has manifested in the Rift Valley, Western, and parts of the Coast Province in the 1990s,⁴⁶⁹ was for the incumbent party (KANU) to ensure that the opposition parties would not defeat KANU candidates.⁴⁷⁰ In sum, the ethnically competitive nature of elections in the Rift Valley since 1992 have enabled political mobilizers to frame elections as both “windows of opportunity” to gain land and power but also as moments of potential threats; to both land security and the balance of power.

⁴⁶⁸ In the 1990s (1992 and 1997), sporadic inter-ethnic violence followed the electoral results. Analyses have argued that attacks against opposition voters (mostly Kikuyu) provided a way of ensuring that opposition members did not President Moi’s victory (see Marcel Rutten, 2001)

⁴⁶⁹ As I detail in the section on “1997 violence;” violence did mark the 1997 in the Coast Province, but this violence was mostly contained within Likoni, a city that falls within Mombasa District.

⁴⁷⁰ In 1992, the main opposition parties were Ford-Asili (led by Matiba) and the DP (Mwai Kibaki); in 1997 the main opposition was the DP (Mwai Kibaki).

In Kwale and Kilifi districts, two factors have constrained this particular logic of election-time violence. The first is that Mijikenda constitute the overwhelming majority of nearly all constituencies within Kwale and Kilifi districts. The balance of power at the local-level favors Mijikenda. While non-Mijikenda aspirants are on the ballot, electoral competition is not ethnically competitive; they are not races in which political party affiliation divides the population along ethnic lines. This is not to say that candidates have not used ethnic identity as a way to build political support. In the 1990s, KANU politicians used “outsiders” as a scapegoat for rising landlessness and insecurity (and continue to do so). The majority of Mijikenda supported KANU candidates because—among other reasons—these candidates presented themselves as “anti-outsiders” who could defend locals from the land acquisitions by Kikuyus and other groups from “upcountry” (Kanyinga 1998b; Rutten 2001). While local politicians have exploited Mijikenda anxieties around the in-migration of Kikuyus, this has primarily provided a tool of co-ethnic outbidding. Mijikenda politicians have used the issue as a way of outbidding one another to prove who has the financial and political muscle to defend locals from outsiders and promote local development. In most cases however, the two rivals, for example, from ODM and PNU, are both Mijikenda (or Mijikenda and Swahili). In Kilifi district, almost all candidates—regardless of political party—tend to be Giriama, the largest Mijikenda sub-groups in the district. Likewise in Kwale, nearly all candidates regardless of party tend to be Digo, the largest sub-group of Mijikenda in District. Candidates gravitate towards parties based largely on perception of opportunity, calculating the resources that will be made available through the party network and the possibilities for political and social advancement, regardless of the electoral outcome. Table 8.1 (Chap 8 appendix) shows the parliamentary results from the 2007 parliamentary elections in Kwale and Kilifi districts. I indicate the sub-ethnic group identity of

each candidate (1st and 2nd contender). The table demonstrates the absence of competitive elections along ethnic lines, even where parliamentary elections are competitive. For example, in Kwale (Matuga Constituency), Chirau Ali Mwakwere ran on the PNU ticket while the runner-up, Hassan Mwanyoha ran on the ODM ticket. While the election margins were very close, both candidates were from the same Digo ethnic group.

The key point is that in Kwale and Kilifi, most Mijikenda residents are confident that they have the demographic advantage to keep “outsiders” from gaining political power. Because Mijikenda are the largest ethnic group at the ward, constituency, and district level, so-called outsiders (i.e. Kikuyu, Kamba and Meru) have not been able to organize around a single political party that could or would challenge the ethnic balance of power. With the exception of a few constituencies that are primarily urban or dominated by settlers from upcountry, Mijikenda are able to elect their co-ethnics (Mijikenda or Swahili) into office. Residents thus have few incentives to use violence as a way of chasing away or removing Kikuyus as a method ensuring political power or the victory of a particular leader.

It is crucial to note however, that most Mijikenda and local residents of the Coast are preoccupied by fears of their eviction. But unlike residents from the Rift Valley, people from the Coast did not believe that election time was any more threatening than non-election time. In other words, residents interpret their land insecurity and the possibility of eviction as a daily risk rather than a feature of the campaign period. A respondent in Kilifi emphasizes this sense of *daily* land insecurity. He says, “I have never been allocated land and I don’t know if I will ever get land. I don’t have any paper work to show that I own this land. I know I can be evicted any time.”⁴⁷¹ The source of threat is not a neighboring ethnic group who threatens to displace them through raids or a political party who might evict residents depending on the election outcomes.

⁴⁷¹ Interview- Kilifi (Kijipwa) 11/22/2012.

Instead, residents fear the eviction orders sent from corporations and powerful individuals who seek to clear the land for private or commercial purposes.⁴⁷² Another Kilifi respondent explains, “I cannot say that the land issue is caused by a particular tribe. It is the rich people who are taking advantage of us. The government was involved in my eviction.”⁴⁷³

Ambiguous constructions of rivalry and threat

As these above quotes from Coast residents suggest, ethnic demography only partially explains how and why contentious land narratives vary so markedly in their power to mobilize violence. One shortcoming of ethnicity-based theories is that they tend to overlook how the boundaries, meanings, and political salience of group identity change over time (Horowitz 1985, Huber 2011, Reynal-Querol 2005). In much of the Rift Valley, land narratives have worked to sustain and deepen the meanings and salience of ethnic identification. Yet along much of the Coast, land narratives are constantly re-shaping the meaning and significance of group-identity.

The history of land access and ownership on the coast has created a set of narratives in which there is very little consensus about who constitutes an outsider, how these outsiders bear responsibility for Mijikenda landlessness, and equally, how this group threatens Mijikenda political power. This ambiguity diminishes the sense of threat tied to elections. As I have argued, threats to land security are part of daily life—they come from state officials, wealthy individuals with the power to contract out “thugs,” and private companies with demolition equipment. The key point however, is that compared to the Rift Valley, the delineation between ‘insider’ and ‘outsider’ does not provoke the same political narrative.

⁴⁷² Along the Coast, the types of corporations that have received notoriety for issuing eviction orders include sugar (i.e. KESCOE), sisal, and cashew plantations and cement (Mombasa Cement), and salt plants.

⁴⁷³ Interview-Kilifi-2 (Kijipwa) 11/20/2012.

At first glance, the increasingly nativist tone of the Mijikenda land narrative parallels the Kalenjin narratives in the Rift Valley. I recorded many stories about how outsiders have migrated from upcountry regions to take over the lands of local people. Yet the category of the “outsider” is neither as well defined nor as visible as for example, the Kikuyu “outsiders” in the Rift Valley. Residents raise the question of who qualifies as an outsider: the absentee landlord from Oman, the hotel manager from Nairobi, or the landless Mijikenda family who must rent a home in the city? The term “outsider” can refer to private developers, government bureaucrats in the land ministries or provincial administration, European investors, upcountry Kenyans, Arab families who have lived on the Coast since the 19th century, or even Mijikenda who must rent land or property from other locals. The ubiquity of the term “outsider” along the Coast makes it difficult for politicians to appropriate. It is too broad to effectively divide followers and opponents.

In Nakuru County (Rift Valley) there is far less ambiguity about who constitutes an outsider, which political party they comprise, where they have come from, and where they reside. Importantly, the political salience of different identities—such as Kalenjin and Kikuyu or first-comers and migrants—changes between each electoral cycle. Yet the language that residents use to describe each of these groups is quite durable.

In many interviews, respondents expressed a willingness or desire to fight for land rights or to seek revenge for land that they had lost. But unlike in the Rift Valley, residents do not specify the ethnic identity of their target. When I ask the interviewee to define whom they would fight, respondents often conflate an ethnic outsider with a bureaucratic official and the Kenyan State. When there is a perception of crime and injustice but no identifiable group or set of individuals to blame, there are fewer possibilities for violence. The following excerpt provides

one example of how people understand culpability and envision the target.⁴⁷⁴ A respondent in Kilifi says:

We are getting ready.

Q: What do you mean?

Whether they like it or not, I will fight first before they get my piece of land. I won't let [the land] go like that. No, because I don't come from America or India. I was born here. I am a Kenyan. And I'm above fifty, how come I can't have a piece of land? Why? What happened? Why does someone have to come and say that this is his piece of land?

Q: You say that you would fight for your land. So whom would you fight?

[I would fight] the people coming from Nairobi with their title deeds, those who claim that these pieces of land are theirs.

The respondent makes an implicit claim to the land based on his citizenship, on 'being born here;' on not being a foreigner. Yet when he envisions the perpetrator of this land injustice, it is not the American or the Indian or even the Kikuyu. Instead, he remarks that the target of his violent acts would go toward "the people coming from Nairobi." His comments hint at how residents understand culpability: not along ethnic identity or belonging, but by the method through which an individual makes claims to a piece of land.

Interviews demonstrate how land narratives have become stories of ascribing blame, yet subjects of this blame are vague at best. For one elderly interviewee, land insecurity is the fault of Arab families who, "really sold us out." Many other respondents blame the Kenyan government or officials. One interviewee claims, "Our land was taken away by the big fish in government. Most of it was allocated to government officials."⁴⁷⁵

For many respondents, the term "outsider" describes the (lack of) authenticity or legitimacy through which one acquires land ownership. Narratives frame outsiders as wealthy, greedy, and powerful individuals who leverage their connections [to the State apparatus] to

⁴⁷⁴ Interview-Kilifi-5 (Kijipwa) 11/21/2012.

⁴⁷⁵ Interview- Kilifi 4 (Kijipwa) 11/21/2012.

disinherit local communities. A respondent in Kilifi explains: “An outsider is somebody who has land in their motherland but comes down here to grab land. People from other countries buy land or arrange partnerships, but upcountry people use corrupt deals to access land.”⁴⁷⁶ An elder Digo man provides a similar view: “There are two groups of people living here [in Likoni]: Those who were born here, and those who bought land from the local people.”⁴⁷⁷ Another Kilifi resident does not link land insecurity with the outsider specifically, but with an array of more powerful people. “The rich people, foreigners and Arabs” he explains, “have the biggest pieces of land in the Coast area. They own most of the beach areas. They have the financial power to buy. They were definitely not allocated [the land legally].”⁴⁷⁸ His emphasis that this group ‘does not have the power to buy’ illustrates the belief that the illegitimate land acquisition by more powerful actors, both from within and outside Coastal society has created land insecurity on the Coast.

Other residents use the term outsider to describe their own feelings of insecurity and rootlessness. An outsider is not someone wealthy but rather, someone who does not have the social or political power to attain the status of belonging. A respondent from Kwale explains, “An outsider is someone who doesn’t own land. Maybe they stay in rental houses...when I get land and a title deed I will feel less of an outsider.”⁴⁷⁹ In Kilifi, a respondent describes a similar feeling: “My land rights are not protected because I don’t have a title. I am like a stranger here, as much as I am a local person.”⁴⁸⁰ Interview responses demonstrate that the meaning of the term outsider—while ubiquitous in everyday discourse—does not have a single and commonly agreed upon meaning nor does it describe a particular group identity.

⁴⁷⁶ Interview-Kilifi 8 (Kijipwa) 11/22/2012.

⁴⁷⁷ Focus Group w/ Elders (Likoni, Mombasa County) 12/2/2012.

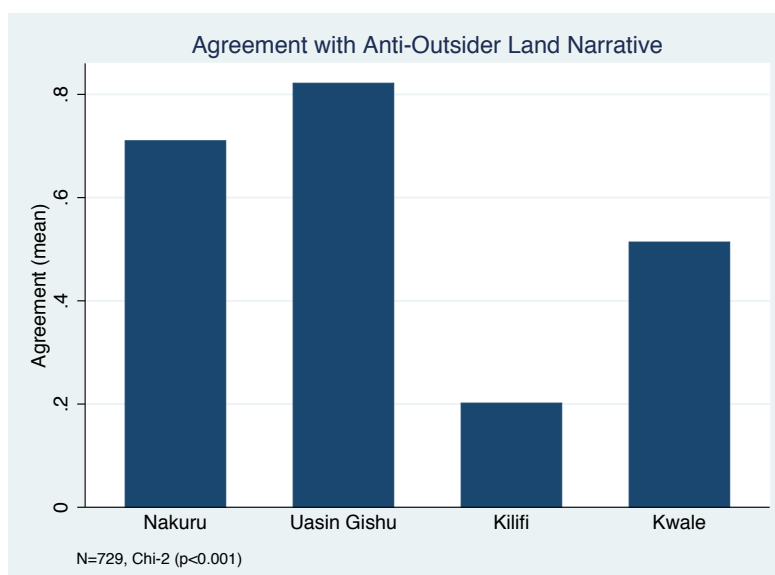
⁴⁷⁸ Interview-Kilifi 15 (Kijipwa) 11/23/2012.

⁴⁷⁹ Interview-Kwale (Kinondo A-2) 11/14/2012.

⁴⁸⁰ Interview-Kilifi 10 (Kijipwa)-11-22/2012.

Despite the fears and anxieties that residents expressed toward “the outsider,” land narratives suggest a greater level of tolerance or willingness to accommodate outsiders in contrast to land narratives in much of the Rift Valley (Nakuru and Uasin Gishu). As a way of demonstrating the relative openness toward outsiders in the Coast, I draw on evidence from the survey I administered in 2013. The figure below shows that residents in Kilifi and Kwale are significantly more open to outsiders than respondents in Nakuru County and Uasin Gishu (Rift Valley). The survey asks respondents how much they agree or disagree with the following statement: “*I am comfortable with any Kenyan coming to live in this community, even if he has a title deed and I do not have my own.*” The question aims to test the respondent’s attitude (fear or bias) against another Kenyan who has “come [from the outside] to live among the community.” The respondent may feel assured by the newcomer’s proof of land purchase or s/he may feel threatened.

Fig. 8.6



The variation in “openness to outsiders” between counties in the Rift Valley and the Coast is striking. In Uasin Gishu, where the majority of respondents were Kalenjin (whom identify as

“natives” or first-comers), only ten percent said that they would feel comfortable with any Kenyan coming to live in their own community. By contrast, nearly seventy percent of respondents in Kilifi felt comfortable with “any Kenyan” coming to live in their community. Uasin Gishu and Kilifi are interesting comparisons as well. In both counties, the so-called “natives” constitute the overwhelming majority. Yet Mijikenda respondents in Kilifi are far more open to the idea of outsiders (migrants) than the respondents in Uasin Gishu County, most of who identify as Kalenjin.⁴⁸¹

Two factors help account for this greater degree of openness toward outsiders. First, I suggest that there is a long tradition of economic inter-dependency between Mijikenda and non-locals that defines the squatter economy of the Coast region today. The origins of this squatter economy extend back to the Arab-Swahili slave trade in the 18th and 19th centuries under the Sultan of Zanzibar when Mijikenda fled their more arable lands along the Coast to avoid slave capture (Cooper 1980). In 1908, the Colonial Government passed the Land Titles Ordinance in an effort to formalize and encourage land ownership among Europeans. The Ordinance solidified the ownership rights amongst a small Anglo and Arab elite while locking out Mijikenda from access to titles. Squatting on the land of Arab and Swahili landlords became the only way for Mijikenda to access land.⁴⁸² Upon independence in 1963, the Kenyan Government inherited rather than revised the Ordinance. All pre-existing land claims were evidence of ‘absolute ownership of land, thereby sealing the fate of the landless and squatters and intensifying their tenure insecurity’ (Kanyinga 2000, 53). Without formal land rights of their own, people indigenous to the Coast have had to negotiate access to land as tenants, squatters, or casual

⁴⁸¹ Kalenjin were 72.8 percent of the sample in Uasin Gishu and Kikuyu while Kikuyu were 16 percent. In Kilifi, 77.8 percent of respondents identified as Mijikenda while another 13.4 percent identified as Swahili. See Appendix A in dissertation for full details of home languages of survey respondents across all four counties.

⁴⁸² The economic decline of Arab and Swahili landlords relative to European farmers, particularly after the abolition of slavery, meant that they did not have the power to evict squatters as they depended upon squatters’ labor.

laborers with more powerful patrons or landlords who were not natives of the land (Cooper 1980). Relations of interdependence have developed between non-locals, who have required labor on their plantations and Mijikenda, who require access to land to sustain their livelihoods (ibid). Outsiders, notably Arab landlords, have become a centerpiece of the local landscape and political culture, despite the resentment that many squatters express regarding the vast landholdings of Arab families.

Despite the bitterness that has accompanied the mass accumulation of land in the hands small and non-indigenous minority, Mijikenda residents tend to interpret land accumulation through the lens of community and family history. A resident in Kilifi explains:⁴⁸³

I don't consider anyone an outsider, so long as you go [about acquiring land] in the right way. I will not complain because he comes from Nakuru, as long as he does not displace anyone I don't mind [...] Down here [on the Coast] we have accepted everyone. We want peace. We want everyone to feel at home. But do not grab land just because you have money.

The response reveals a degree of tolerance toward outsiders with the caveat that the outsider should 'follow the rules and not displace local residents.' For newcomers who have not displaced or grabbed land, then it is the responsibility of locals to act as hosts—"to make everyone feel at home." The respondent continues,

Also, it is just a part of our history, all that has been going on. I have seen land being bought by people of Arab nationalities. I don't know where they came from because they thought this land belonged to them—some Sultan of Oman in Zanzibar. And they have got big chunks of land [which they bought] even before independence. And they still own them. And there is no problem...And people have been living by knowing, this land belongs to an Arab. They've been there. But I don't know, after independence, things changed.

Around the time of Kenya's independence, elites in the "politically strategic" zones began building and solidifying networks of followers—deepening support within their co-ethnic base

⁴⁸³ Interview-Kilifi 5 (Kijipwa) 11/21/2012.

and expanding coalitions.⁴⁸⁴ The effect within the Rift Valley (and much of upcountry Kenya) was to solidify the practice of patronage politics along ethnic lines. Citizens would learn to fear a political leader from another ethnic community because it would signal their exclusion from the “national cake”—or access to national or regional resources (i.e. land, education, jobs, and other goods).

As I have explained, in the politically marginal areas of the Coast, where the Mijikenda represented little more than five percent of the national population, KANU elites felt no great rush to build networks of political supporters.⁴⁸⁵ The primary objective at the time was to ensure that the opposition party KADU did not gain a strong foothold. Without strong co-ethnic patrons who could offer land or employment, many Mijikenda continued to seek out economic relationships with “strangers” or outsiders (i.e. Europeans, Arabs, Indians, or upcountry Kenyans) for access to land and livelihood. Residents in other words, have had to negotiate their access to land or employment by through relationships with so-called “outsiders” rather than relying on party or ethnic networks. The outsider in this sense has become an imperative for economic survival more than a political and economic threat.

In sum, Mijikenda land narratives are weaker than Rift Valley land narratives because they lack a clear target category (the group responsible for land dispossession) that elites and followers can be linked to electoral outcomes. In addition, while many resident have strong feelings against outsiders, there is also tradition of working with and for outsiders that does not exist in other parts of Kenya. Lastly, and perhaps most importantly, even if leaders and followers can agree that the upcountry resident (i.e. the Kikuyu) constitute the main political

⁴⁸⁴ By politically strategic, I mean electoral units where a) the ethnic-identity of the population could be used to the political advantage of party elites and; b) The population was significant number to constitute a sizeable and potentially powerful constituency (even though Kenya was a de facto one-party state at the time).

⁴⁸⁵ In addition the low numbers of Mijikenda nationally, the KANU party had less political support among the Mijikenda, who had supported KADU because it had advocated for a majimbo constitution (federalism).

rival, the group is not a feasible target. Outside of the towns and cities, many upcountry residents are a small and largely invisible minority who occupy a well-protected stratum of society. If violence were to escalate, the scapegoats would be the urban poor who locals identify as upcountry migrants.

6. Conclusion

I begin this chapter with the assumption that within certain contexts, contentious land narratives can provide political elites with an effective tool to mobilize election violence. I have developed this theory of land and political mobilization based on observations from the Rift Valley region. The Coast Region provides an import site to explain why and how the relationship between land narratives and violent political mobilization breaks down. I narrow in on Kwale and Kilifi counties because, like the ethnically heterogeneous districts of the Rift Valley, there are strong contentious land narratives that delineate natives from more powerful and wealthy migrants. Unlike Uasin Gishu and Nakuru counties in the Rift Valley however, Kwale and Kilifi have experienced only minimal levels of electoral violence.

I take these two basic points of similarity and difference to ask two related questions about the process of election-time mobilization. By selecting two regions (contexts) in which land is of central importance to residents, I aimed to explain why local elites would have the capacity to use land narratives as a tool to organize violence in many parts of the Rift Valley, but not the Coast. The flip side of the question asks why “the land narrative” provides individuals with a motive to participate in election violence in certain contexts but not others.

These questions frame mobilization along two terms. The first is a question of leadership capacity: does the candidate have the ability (credibility, legitimacy, power) to exploit both resources and a political narrative? The second is about the narrative itself: How do longer-

standing ideas about land rights and allocation shape residents' beliefs about threats of land appropriation or opportunities to expand land rights during an election period?

I have specified several factors that make electoral violence more likely based on the dynamics that I document in the Rift Valley. These include: strong patron-client relations, the power of group land claim to defeat contesting claims, the size of outsiders relative to insiders, and the salience or ambiguity of the outsider group. The absence of these factors can help explain the relative absence of violence in the Coast. They become in effect, "mechanisms of restraint." Each factor relates to the capacity of the leader to mobilize violence, and political power of existing land narratives.

The main argument running throughout this chapter is that when citizens believe that elections create either a threat of land appropriation or an opportunity to strengthen land rights, there is a motive or incentive to engage in violence.⁴⁸⁶ Yet when citizens do not believe that elections pose a significant threat to their land security, or have the power to improve their land rights, there are far fewer incentives to fight. The strength of the political patron and the size outsiders relative to insiders help explain whether citizens will associate threat and opportunity with the electoral process.

The project focuses narrowly on the question of electoral violence: when and why are elites willing and able to convince followers to use violence as an electoral strategy. The story of Coastal politics that I have presented is one in which citizens do not feel apart of the formal political system. There are few incentives for participation in the political process because many citizens feel relatively insulated from both the positive and negative effects of political participation. Yet this feeling of marginalization does preclude all forms of political violence. On the contrary, while election violence is not common, there is a growing window for new

⁴⁸⁶ The caveat being that these are necessary but not sufficient conditions to explain electoral violence.

forms of violence, particularly as citizens express the view that their politicians and the Government do not represent them, or that leaders facilitate land accumulation for elites or outsiders at the expense of the poor majority. These sentiments have helped to generate a movement for secession from Kenya under the slogan of “*Pwani si Kenya*”—the Coast is not Kenya.

There is also a rise in new forms of violence along the Coast: attacks on churches, grenade attacks on buses, cafés, hotels, targeted attacks on religious leaders, and sites that symbolize the success of migrants at expense of locals. This escalation of violence points to the growing power of new forms of authority in the region with links to religious organizations, secessionist groups, but most of all, terrorist networks such as Al-Shabaab.

Chapter 8: Appendix

	Winner	Second	Third
Kwale: Msambweni	ODM 27 (7,670) Omar Zonga (Digo)	DP 14.35 (4,069) Abdallah Ngozi* (Digo)	ODM-K 13.38 (3793) Yusuf Mubwana (Digo)
Kwale: Matuga	PNU 29.6 (8,638) Chirau Ali Mwakwere* (Digo)	ODM 28.54 (8,328) Hassan Mwanyoha (Digo)	ODM-K 17.51 (5,109) Kassim Ali Sawa (Digo)
Kwale: Kinango	FORD-P 28.47 (9,514) Samuel Rai* (Digo)	ODM 27.58 (9,217) Simeon Mkalla (Duruma)	FORD-K 8.94 (2,986) Jiwe Said (Digo)
Kilifi: Bahari	ODM 35.75 (16, 290) Benedict Gunda (Chonyi)	KADU-A 9.99 (4,553) Joe Tete (Giriama)	ODM-K 7.51 (3,421) Jospeh Khamisi (Freed slave)
Kilifi: Kaloleni	PNU 26.32 (7,441) Samwel Kambi (Giriama)	ODM 22.68 (6,410) Michael Kenga (Giriama)	ODM-K 13.04 (3,685) William Mwamkale
Kilifi: Ganze	KADU-A 56.85 (13,775) Francis Baya (Giriama)	ODM 18.48 (4,478) William Kenga (Giriama)	PNU 12.27 (2,972) Joseph Kingi* (Giriama)
Kilifi: Malindi	ODM 48.37 (16,030) Maitha Mung'aro (Giriama)	ODM-K 17.4 (5,767) Lucas Maitha* (Giriama)	PNU 12.28 (4,069) Ali Didi Aboud
Kilifi: Margarini	ODM 28.5 (6,600) Jeffah A. Kingi (Giriama)	PNU 27.87 (6,454) Franco Esposito (Italian)	SPK 22.77 (5,273) Harrison (Giriama)

Conclusion

In this study, I provide a theory of local-level variation in election-time violence. I suggest that we should view the escalation of electoral violence as a process rather than a single event such as disputed election. In the Kenya context, this process consists of three main stages of violence: land rights inequality between groups, the formation of contentious land narratives, and the mobilization of these narratives by political elites. Each stage is necessary for the escalation of violence, yet independently none are sufficient. In this chapter I summarize the argument and main findings. I then discuss the generalizability of this argument by providing a comparative analysis of other countries, within and outside the African continent. I conclude with the dissertation's broader implications for studies of elections and democratization, land and violent conflict, and peace-building.

2. The Argument

The main argument of this dissertation is that land access and distribution shape the dynamics of political violence, and electoral violence in particular. While election violence is often triggered by a disputed election, I argue that in many rural-based democratizing countries, the escalation of electoral violence is part of an historical process that relies on three joint conditions. The first condition is relative land inequality: when two groups (e.g. insiders and outsiders) occupy the same socio-economic class, but one group has secured stronger land rights over the other. The second condition is the formation of contentious land narratives between

these two competing groups based on perceived inequalities in land access or land security. The third condition is the ability of political elites to use these contentious land narratives as tools to organize election-time violence. Land narratives provide powerful tools to mobilize violence because elites can use these narratives to signal that elections threaten the land security of followers or create opportunities to strengthen or re-claim land rights. Yet the ability of elites to exploit these narratives depends largely on whether citizens view elections as a credible threat to their land security or as windows of opportunity to strengthen their land rights. In sum, each of these conditions is a necessary but not sufficient condition for electoral violence.

3. Generalizability

How does this argument generalize to other countries? In what ways can scholars use land as a lens to understand election-related violence? One objective of this study is to develop a theory of land and violence that can help explain election-related violence in other country contexts. The central argument that I have developed can travel to other multiethnic, democratizing, and post-conflict societies where property rights are not well institutionalized and hence, can be easily politicized or expropriated. This theory is even more likely to travel to contexts where a majority of citizens continue to rely on land for livelihood purposes.

In addition, one of the main questions of the study asks how elites are able to use the issue of land to convince ordinary citizens to fight on their behalf. Hence, because this is a question about why *ordinary people* participate in violence, this theory does not generalize to contexts where violence is carried out exclusively by state forces such as the police, the military,

or highly institutionalized paramilitary forces.⁴⁸⁷ For example, I would not expect this argument to explain Iran's 2009 post-election violence. In this case, the government ordered the police and a paramilitary group (the Basij) to suppress people who were protesting the election results.⁴⁸⁸ In the African context, the Ethiopian and Zimbabwean governments have used state security forces to brutally suppress and kill protestors. In the 2005 Ethiopian elections for example, the police are charged with massacring 193 protestors. Yet because these protestors (ordinary citizens) were not also using violence, this case falls beyond the scope of my theory. While security forces have certainly contributed to election-time violence in Kenya, the distinction that I make is that "ordinary civilians" were also significant participants in violence.

Further, because I explain the process of mobilization, I do not generalize to contexts where citizens have no agency over their participation: where citizens are forced or coerced to fight and kill by state or non-state armed forces. Nonetheless, coercion and forced recruitment are a key recruitment strategy employed by state and non-state armed actors (Humphreys and Weinstein 2008).⁴⁸⁹

With these scope conditions in mind, I exclude on one end, countries with well-consolidated democracies that have strong and inclusive property rights institutions. On the other extreme, I exclude countries that remain under authoritarian regimes where opposition parties do not compete in elections (e.g. *de jure* single party regimes such as Azerbaijan) or countries where violence is carried out exclusively by state forces (e.g. Zimbabwe).

⁴⁸⁷ I would include group where ordinary citizens are recruited into informal youth wings or paramilitary groups of political parties such as the "Kalenjin Warriors" or *Mungiki* in Kenya, the *Interahamwe* militia in Rwanda, or the *Imbonerakure* in Burundi.

⁴⁸⁸ See: HRW (2013) <http://www.hrw.org/news/2013/05/24/iran-threats-free-fair-elections>.

⁴⁸⁹ Both state and non-stated groups have used forced recruitment of fighters. This has been documented in countries such as Sierra Leone (RUF), Liberia (under Charles Taylor), Sudan and South Sudan, Northern Uganda (under Joseph Kony), and Colombia (under FARC), and Eastern DRC.

As a way of demonstrating how the argument generalizes to other countries, I present a figure below where I have selected cases within and outside Africa. I begin by explaining cases that have at some point in their electoral history displayed all three conditions for electoral violence. These conditions include: 1) relative land inequality between insiders and outsiders, 2) contentious land narratives between these groups, and 3) the election-time mobilization of these land narratives by political entrepreneurs.

In the second set of cases, I present countries that are possible cases for election violence, yet not all three conditions for election time violence are present. I then turn to explaining the limits of my theory, and specifically, how and why it does not explain notable instances of election time violence in cases such as Nigeria.

Fig. 9.1 Comparative Case Analysis

Country	1. Relative land inequality ^a	2. Contentious Land Narratives ^b	3. Political Mobilization of Narratives	Election-related violence?
<i>Applications of theory:</i>				
Burundi	Yes	Yes	Yes	Yes
Cote d'Ivoire	Yes	Yes	Yes	Yes
DRC	Yes	Yes	Yes	Yes
Bangladesh	Yes	Yes	Yes	Yes
<i>Exceptions to theory:</i>				
Tanzania	No	No	Yes	No **
Ghana	Yes	Yes	Yes	No
Columbia	No	No	No	Yes
Brazil	No	No	No	No

^a Between distinct identity-based groups (i.e. 'insiders' and 'outsiders') from similar class
^b Contentious narratives between two groups
* Violence escalated in 6-month period before elections but was not explicitly linked to elections
** Exception: Electoral Violence that escalated in Island of Zanzibar in 2000

Burundi

I begin by evaluating my theory of land in the context of present-day Burundi. I suggest that the three conditions that would predict the escalation of electoral violence are present. Land has become one of Burundi's most pressing political and socio-economic challenges. Like

Kenya, the vast majority of the population relies on land as the primary income source (90 percent).⁴⁹⁰ Yet in contrast to Kenya, these land issues are largely the outcome of decades of violence and civil war that have resulted in the mass displacement of large sections of the population from their land. The first wave of displacement came in the wake of the 1972 mass killings that resulted in the deaths of between 150-300,000 people (mostly Hutu). These ethnically and “selectively” targeted killings aimed to suppress Hutu insurgents seeking to overthrow the Tutsi-led state (Lemarchand 2008).⁴⁹¹ Approximately 300,000 people fled the country following these massacres (ICG 2003).

The second wave of displacement came after the 1993 coup that resulted in the assassination of the country’s democratically elected and first Hutu president, Melchior Ndadaye. The coup and the reprisal attacks between Hutu and Tutsi communities that followed pulled the country into a 12-year civil war (1993-2005). Within the first year following the coup, approximately 50,000 people died (Reyntjens 2005). The war displaced 400,000 people outside Burundian borders and created 880,000 IDPs.⁴⁹² Forty years of war and political instability has meant that significant portions of the population have lived as refugees in Tanzania and the DRC, as well as in internal displacement camps within Burundi.

It is only in the last few years that displaced Burundians are beginning to return home—both as host countries repatriate displaced refugees and as the political situation in Burundi has stabilized. Yet as thousands of people return home—some after an absence of forty years—they find their land occupied by new owners. There are two main groups of returnees. The first and largest group comprises Hutus who fled their lands in 1972. Current occupants, many of whom

⁴⁹⁰ UNDP 2007; Burundi Ministry of Agriculture and Livestock 2008.

⁴⁹¹ Educated Hutus were selectively targeted as a way of “incapacitating” future Hutu leadership (Minorities at Risk)

⁴⁹² UNHCR-WFP. 2007. Joint Assessment Mission of Burundian Returnees. Burundi. Available:

<http://documents.wfp.org/stellent/groups/public/documents/ena/wfp145774.pdf>

are Tutsi, have long since acquired these lands, either legally or informally.⁴⁹³ The second group of returnees is Tutsi and Hutu families who fled their farms following violent events of 1993.

I suggest that the waves of political violence and displacement have shaped two discernable groups with varying levels of land access and security. The first are the *returnees*, who no longer own land but make claims to their former land. The second are the “new owners” or “secondary occupants” who have acquired the lands of the displaced. In many cases, ethnic identities overlap with these categories. In some cases, new owners have intentionally taken over the lands of families who have fled. In other cases, new owners were the beneficiaries of state re-distribution schemes that re-allocated vacated land. Many of these owners received title deeds in the process. In other scenarios, family members who stayed behind occupied vacated lands.

A key point here is that decades of political violence have shaped two groups of competing claimants: returnees see themselves as rightful owners of their family land. Current owners meanwhile claim that they have purchased the land legally from neighbors, private sellers, or the state. “Secondary occupants” argue that because they have been cultivating the land for more than 30 years, they are the rightful owners. These narratives of claiming land also overlap with narratives of justice and reconciliation. Many families who were violently displaced and are finally returning to their lands view the occupiers of their plots as “perpetrators” in the violence (Binder and Murithi 2013).

The government created the National Land Commission (CNTB) as way to mediate and adjudicate these competing claims.⁴⁹⁴ In its first iteration, the commission suggested that the returnees and current residents split the plots of land under dispute. More recently, the CNTB

⁴⁹³ Following the 1972 violence, the Burundian government redistributed vacated lands to new owners through agricultural settlement schemes (*paysannats*).

⁴⁹⁴ The CNTB was formed as part of the Arusha Accords in 2000. These accords formalized a peace agreement (ethnic power sharing agreements) and put in place several measures to bring about more ethnically inclusive and democratic governance.

shifted its favor to repatriated citizens over current landowners, declaring that all repatriated citizens would have full claims to contested plots.⁴⁹⁵ This government bias toward returnees at the expense of current owners is fuelling the perception that the government is using the policy as a mode of “revenge-seeking.”⁴⁹⁶ Under these new changes in the policy, many current residents fear they will be evicted from their lands. Land narratives articulate competing claims over land but equally, fears of losing land to a rival group. Changes in policy have exacerbated tensions between “returnees” and “residents.”

As I have argued in this dissertation, these narrative themes provide an extremely useful and dangerous device for political entrepreneurs to mobilize segments of the population, particularly citizens who are reliant on land for survival. These land narratives are effective because they invoke fear of losing land and the opportunity to gain land tied to the victory or defeat of particular candidate. Politicians on both sides use the land issues to say, ‘*I promise to return to you what is rightfully yours.*’⁴⁹⁷ These promises or statements are credible among large segments of the population, especially supporters of the current President Pierre Nkurunziza because the Hutu-led government retains significant control over the country’s land institutions. This includes the National Land Commission that adjudicates land claims among returnees and “secondary occupants.”⁴⁹⁸ The political power that the governing party has over the adjudication of land rights raises the stakes of the upcoming elections. Specifically, the recent changes that Nkrunziza has made to the CNTB signal that he is willing to defy the spirit of

⁴⁹⁵ “Fields of Bitterness II”, Africa Report No. 214 17 Feb 2014 (ICG 2015).

⁴⁹⁶ Ibid.

⁴⁹⁷ Thierry Uwamahoro, in *Foreign Policy* (March 27, 2015)

⁴⁹⁸ According the ethnic power sharing agreements of the Arusha Accords, neither ethnic group should control the state or state allocation of resources. Nonetheless, a small group of Hutu elite control the ruling party CNDD-FDD and have significant power over state public institutions (Ndayirukiye and Takeuchi: 2014)

the Arusha Accords, instead favoring repatriated citizens, many of whom are Hutu returnees from the 1972 conflict, over the land rights of current occupants.

Côte d'Ivoire

The political dynamics in Côte d'Ivoire provide an additional illustration of land and electoral violence. In Côte d'Ivoire, state policies have at different points in time favored either “insiders” (*autochthones*) or “outsiders” (*allogenes*). The relative land inequality between autochthones and outsiders has generated contentious land narratives between these two broad groups. The narrative themes that have emerged are based on competing claims to the land and fears of losing land to the other group. These narratives provided an effective tool for political elites to mobilize violent action among ordinary citizens, as the violent events of the 2010 elections demonstrated.

The origins of Côte d'Ivoire's current land conflicts date back to the early post-colonial period when President Félix Houphouët-Boigny encouraged the in-migration of foreign labor to stimulate the growth of cocoa and coffee sectors in the south. To incentivize migrants, Houphouët-Boigny stated famously in 1963 that the “land belongs to those who make it productive.”⁴⁹⁹ Yet the language of this policy meant that as migrants entered the region in mass, there was not a clear policy for adjudicating land rights between migrants and autochthons (i.e. native Ivoirians). In the absence of unambiguous *de jure* land rules, the longer-standing informal system known as the *tutorat* shaped rights between new migrants and Ivoirians. Under this patron-client system, migrants gained access to land in exchange for the labor and/or annual

⁴⁹⁹ “Migrant” refers to internal migrants (e.g. from the Baoulé region) and from neighboring countries (Mali, Bukina Faso, and Guinea).

payments they offer to autochthons who retained moral authority over the land (Klaus and Mitchell 2015).

The political climate shifted from more pro-migrant under Houphouët-Boigny to ultra-nationalist in the 1990s. This culminated in the 1998 Land Law that declared that only Ivoirian citizens could own land. This decisive nativist shift in land policy prompted both groups to question the strength and legitimacy of their land claims relative to the other group. Legally, native Ivoirians (autochthons) had stronger land tenure security. As citizens, they were legally entitled to make individual claims to the land. Yet migrants had in many cases benefited disproportionately from the productive uses of the land.

As we have seen in both Kenya and Burundi, the inability of these groups to secure relatively equal or secure land rights produced a set of contentious land narratives around 1) competing claims to land and 2) fears of losing lands to the rival group. The most visible theme is articulated as a narrative of competing claims. Autochthons in the cocoa regions echo Houphouët-Boigny's lines: "The land cannot be sold, it can only be allocated, we lease it to you, we rent it you; the land is a property for decades and decades, an individual cannot sell it, he can rent it." Migrants countered these narratives by arguing, "This is false. Everyone has a paper. We cannot purchase something without receiving a receipt" (Klaus and Mitchell 2015). The second narrative is about land insecurity. As migrants reaped the benefits from the soil, autochthons feared that they would lose their user rights as "sons-of-the soil." Meanwhile, migrants feared their evictions from the lands they had farmed for generations.

In the context of the contentious elections of 2010 and the larger dynamics of the country's civil war, these narratives provided one mechanism for political elites to organize violent collective action among ordinary citizens in the pre- and post-electoral period.

Specifically, elites drew on existing narratives to convince citizens that violence could provide a mechanism of both defending land rights and strengthening or re-claiming rights. There is evidence of these mobilization strategies in the cocoa regions, where reports find that pro-Gbagbo media outlets bombarded radio listeners and television viewers with hate messages that encouraged violence against migrants (ONUCI 2011: 4 in Klaus and Mitchell 2015). At this time, many autochthons threatened to expropriate migrants' lands if Gbagbo were to lose the elections (Airault 2010). In the early days of the post-electoral crisis, pro-Gbagbo supporters distributed anti-migrant propaganda leaflets. Titled, "the hour has come for ultimate vengeance," the handouts urged autochthons to mobilize together to kill and chase away Ivorian and foreign migrants (ONUCI 2011, 6).

In sum, land narratives rooted in fears of losing land rights provided a rhetorical device for politicians to mobilize violence based on defense or "re-claiming" rights. These dynamics exist in various forms throughout the African continent, particularly in countries where the state or political elites retain formal or informal control over the distribution of land rights. In these cases, elections become high stakes games for ordinary citizens because they believe that their access and rights to land hinge on the victory of a particular party. These dynamics are further complicated and heightened in countries that are in the midst of an ongoing civil conflict or war. For example, in the eastern region of the DRC (North Kivu), contentious land narratives have formed between communities who see themselves as indigenous "sons-of-the-soil" (i.e. the Hunde and Nyanga) and communities seen as "migrants" of Rwandan origin (Hutu and Tutsi). Indigenous groups view the larger migrant groups as violent land grabbers who have taken their customary land. Tutsi and Hutus meanwhile have endured decades of evictions within and outside the DRC. These migrant communities struggle to secure land tenure and citizenship

rights. Politicians have exploited land grievances on both sides—promising land restitution to “sons of the soil” and encouraging the displacement against rival groups as a way of mobilizing election-time violence.⁵⁰⁰

Bangladesh

I also consider how my theory of land and electoral violence applies to democratizing contexts outside of Africa. One such example is the violence that escalated in certain regions of Bangladesh during the 2014 parliamentary elections. At the national level, the opposition Bangladesh Nationalist Party (BNP) violently protested the elections when the ruling party, Awami League (AL) refused to allow a “neutral caretaker government” to monitor the elections. Awami League supporters became targets of these attacks across the country. What I focus on here however, is how local tensions around land access and tenure security shaped the dynamics of conflict. Land and electoral violence has played out with particularly dramatic and violent effects in two separate regions of the country: along districts in the southwestern region (bordering India) between Bengali Hindus and Muslims, and in the Chittagong Hill Tracts (CHT) in the far southeastern region of the country bordering India and Myanmar, where ongoing struggles over land have shaped a twenty year civil war between indigenous Buddhist communities and Bengali “settlers.”⁵⁰¹ I focus this discussion on the land tensions in the southwest, where minority Hindu communities have faced violent evictions and seizures of their land by supporters of the opposition party (BNL) and the alliance party, Jamaat-e-Islami.

Much of this recent political violence has occurred in the Southwestern districts (Satkhira district) along the border with India. The region is characterized by extreme land scarcity due to

⁵⁰⁰ For more on land, identity, and violence in the DRC, see J. Stearns (2012) and C. Huggins (2010), S. Jackson (2006), D. Newbury (1997) and F. Reyntjens (2010).

⁵⁰¹ *Dhaka Tribune*, Dec. 20 2014 <http://www.dhakatribune.com/bangladesh/2014/dec/20/%E2%80%98land-grabbing-reason-behind-every-attack-cht%E2%80%99>

both population pressures and environmental fragility of the region, a very weak and highly politicized property rights system, and inter-communal tensions between Bengali Hindus who comprise a large minority and Muslims who comprise the small majority.⁵⁰² Both groups struggle to access and secure land. Residents on both sides believe that one community has the potential to become more land secure over the other only if and when they can elect their respective party into power (Awami League for Hindus and BNL and the smaller Jamaat-e-Islami for Muslims). The two main political parties tap into these narratives of land security and political representation to divide communities in the pre- and post-electoral periods. Politicians tell supporters that “if you burn their house, you will get their land” (referring to opposition supporters).⁵⁰³ The seizure of land and land documents provides politicians with an easy source of patronage to reward loyal followers. Equally, displacing or burning the lands of minority Hindus (Awami League supporters) allows the BNL and Jamaat-e-Islami a way to assert their political dominance in the region. In addition, the destruction of land and the abrogation of land rights provide both parties a way of punishing supporters of the other party. For example, Human Rights Watch has documented how the security forces of the Awami League destroyed the home of BNL activists and then “took all the land registration documents into the courtyard and set them on fire” (HRW 2014).⁵⁰⁴ In sum, by convincing supporters to destroy the homes, properties, and land documents of minority communities, opposition leaders (BNL and Jamaat-e-Islami) undermine support for the governing party while re-distributing stolen land to their supporters.

Exceptions to the theory

⁵⁰² *Time*, January 14 2014. <http://world.time.com/2014/01/14/the-hindus-of-bangladesh-are-fearing-for-their-future/>

⁵⁰³ *Ibid.*

⁵⁰⁴ <http://www.hrw.org/news/2014/04/29/bangladesh-elections-scarred-violence>

In this next section I analyze Tanzania, Ghana, and Columbia. Each of these countries fit some of the scope conditions I describe in that they are democratizing countries with weak property regimes. Yet for different reasons, some or none of the conditions of electoral violence are present.

Tanzania

I begin by examining Tanzania, which provides a puzzling foil to Kenya's political trajectory. Kenya and Tanzania share many important similarities: common geography, national language (Swahili), and European colonial rule.⁵⁰⁵ Despite these similarities, Tanzania has never experienced significant electoral violence on the country's mainland, with the important exception of the 2000 elections in the island of Zanzibar.⁵⁰⁶ More so, group-level struggles over land have not had a discernable effect on election-time conflict or violence.

I suggest that the main reason Tanzania has not experienced election-time violence is because there is not significant land inequality between different ethnic groups. That is, the institutions that have shaped access to land have not operated along ethnic lines. As a result, contentious land narratives have not developed—despite internal migration and land shortage—because access and security to land is not linked to ethnic identification. This is not to say that there are not group conflicts over land, but in most cases these do not manifest between ethnically-defined groups. Instead, they take shape between large companies (foreigner owned)

⁵⁰⁵ Edward Miguel (2004) suggests that Kenya and Tanzania make for natural paired comparison. Importantly, they have quite different colonial experiences, with Kenya being administered by the British Crown and having a population of White Settlers, while Tanzania fell under German Rule (until World War I).

⁵⁰⁶ In January 2001, state security forces (under the ruling party, CCM) violently suppressed protestors in Zanzibar who were protesting the alleged irregularities of the October 2000 election. Security forces indiscriminately opened fired, killing 35-40 Zanzibar residents. They also went door-to-door, "arresting, beating, and sexually abusing island residents" (HRW 2002, "Bullets were Raining").

and indigenous groups (e.g. Maasai) or between farmers and pastoralists (Benjaminsen et al. 2009).

Drawing on the observations of Boone and Nyeme (2015), I outline three main factors that help to explain why there is not relative land inequality between identity-based groups across much of rural Tanzania. The absence of identity-based land inequality in turn helps explain why contentious land narratives have not formed.

First, upon independence, the newly independent government significantly revised pre-existing colonial institutions such that customary authorities did not have the power to allocate or manage land on behalf of the central state (Boone and Nyeme 2015; Miguel 2004). In doing so, the state cut one of the main links that had shaped the institutionalization of ethnicity and territoriality under colonial rule. Boone and Nyeme (2015) note that even before independence, Tanzania's property rights institutions were unique in the region. A 1923 land law "recognized customary rights...and invested these in the *land user*, not the ethnic group." These users were granted with titles. This policy is in stark contrast to many colonial policies in Kenya and elsewhere, which transformed customary lands into "Native Reserves" or ethnically defined units where the land titles were held by the colonial state (i.e. the British Crown).

A second important factor was the forced state-led villagization process that formed part of Julius Nyerere's Ujamaa policy. Under this socialist vision of rural re-engineering, about 50 percent of the population was uprooted from rural and urban homes and resettled in Ujamaa villages, also termed "reconfigured villages" (Boone and Nyeme 2015: 13).

One important implication of this policy was that it altered how people and communities could make land claims. By moving families and communities away from what they viewed as their ancestral land or their community lands; villagization undermined land claims based on

sons-of-the-soil rights. Equally, villagization had the very opposite effect of settlement schemes in Kenya: it made villages more ethnically and culturally heterogeneous by opening them up to Tanzanians from different regions of the county, in effect “[chipping] away at the principle of ethnic homelands by altering facts on the ground” (Boone and Nyeme 2015: 13). Further, the relatively equal distribution of land plots across families, regardless of ethnic identification, meant that contentious land narratives are far less likely to form between ethnic groups, including along an insider-outsider cleavage.

In sum, Tanzania is not a likely case for land-related electoral violence because ethnic identity is neither a formal nor informal mechanism of land access or land distribution. These land politics emerged from a set of nation-building policies that aimed to re-structure land rights along political and administrative lines rather than ethnicized territorial space. The absence of salient differences in land rights between different ethnic groups has constrained the formation of contentious land narratives along the lines of ethnic-identification. Because these narratives do not resonate widely among communities, they are not effective tools for politicians to mobilize support and even less effective tools for organizing violent action.

Ghana

Ghana provides a further test of the theory. While I observe the three main factors that underlie election time violence, Ghana is a puzzling case because it has not experienced significant electoral violence. Ghana exhibits relative land inequality, contentious land narratives between groups, and the mobilization of these narratives. Yet I suggest why other factors help account for the stability of elections in the country.

The first necessary condition in the escalation of violence is the relative inequality in land access or security between insiders and outsiders. We see this across many local spaces within

Ghana where ethnic insiders benefit from customary land tenure rights, while ethnic outsiders (strangers) must bargain for “subordinate” and hence more tenuous land rights (Boone 2014). This insider-outsider cleavage is distinct from Kenya or Cote d’Ivoire where state or colonial institutions have shaped the salience of ethnic territoriality. Instead, Ghana has a *customary land regime* (Boone 2014). This means that traditional authorities control, manage, and sell the land in trust of the communities.⁵⁰⁷ Tenure rights are distributed along ethnic lines with preference given to members of the group (i.e. members under a particular “stool”). Chiefs can sell land to outsiders (e.g. ethnic outsiders, investors, politicians, foreigners from other countries) but a good chief is supposed to prioritize and protect the land and development needs of his people.

Broadly, contentious land narratives are most likely to form at the local level when “ethnic insiders” believe that outsiders threaten their customary land claims. These insider-outsider cleavages however, are rarely cast in such stark terms. In many contexts, particularly before multi-party politics, the demand for labor and the availability of land created incentives for chiefs to absorb strangers into communities. Yet with the institutionalization of a two-party system in the 1960s, alongside the rising demand for land, access over land and resources became closely linked with national party politics.

Despite these changes, land narratives in Ghana are still less contentious than in Kenya and Cote d’Ivoire. This is in large part because the customary land rights system has favored indigenous rights over the rights of migrants or strangers. Migrants do not try to assert claims to land, as they often have their own “ethnic homelands” elsewhere. As a result, indigenous

⁵⁰⁷ Lands under traditional authority (referred to as ‘stool’ or ‘skin’ lands) cover about 75 percent of the country territory (Onoma 2010).

residents do not feel threatened because they maintain stronger or superior land rights in their homeland.⁵⁰⁸

There are scenarios however, where changing inequalities in land rights are shaping more contentious narratives around land and territory. These narratives form when migrants become a large minority or majority in a region or district and therefore have the power to change the balance of political power. The fear among “ethnic insiders” is that migrants will vote in a different political party. Apart from land, residents have prior beliefs about how each of the two major political parties (NPP and the NDC) will distribute state resources. Like many parties across Africa, citizens believe that the distribution of goods flows largely along ethnic or regional lines (Fridy 2007; Lindberg and Morrison 2008). Hence, where migrants are large in number and vote differently from the indigenous population, they are seen as a threat to the distribution of state and developmental resources to indigenous residents.

For the most part however, Ghana’s rural territory is ethnically homogenous.⁵⁰⁹ Yet prior to the 1970s, the cocoa region in the country’s south once employed a large percentage of foreigners. When the cocoa sector collapsed in the late 1960s, migrants left the region and looked for work in Ghana’s major cities or in the cocoa fields of Cote d’Ivoire and Togo (Mitchell 2011: 131). As a result, the most ethnically diverse zones are large urban areas: Accra in the Greater Accra Region, Kumasi in the Ashanti Region, and Sekondi-Takoradi in the Western Region.

⁵⁰⁸ Geschiere and Gugler (1998) have termed this conception of local citizenship, “primary patriotism.” The term also describes why migrants (i.e. strangers) ensure that they maintain strong relationships with their own families back home (see also Carola Lentz, 2013).

⁵⁰⁹ The exception is Ghana’s Western Region

But as my study shows, inequality in land rights only become contentious when they interact with competitive party politics. Because these dynamics exist primarily in Ghana's cities, rather than its agricultural zones, land narratives are most likely to emerge in urban areas.

The third condition for the escalation of violence is the ability and incentive for elites to exploit these existing land narratives during electoral campaigns. This raises the question: if chiefs control land, how are political elites or parties able to use land as a mobilization strategy? I suggest that political parties have formed interdependent relationships with traditional authorities. Chiefs rely on their linkages with politicians to secure state goods and the flow of patronage into their community (and personal pockets). Politicians meanwhile, rely on chiefs to mobilize electoral support on their behalf, particularly the support of voters outside the party's ethnic core (Baldwin 2014). A parliamentary candidate in a constituency in Accra explains this "symbiotic relationship" between politicians and chiefs:

The chiefs...tend to have a voice. They are banned from participating in politics, but in reality they can drop a word here and there. And their followers tend to know which way they [the chiefs] want them to go [...] During election periods the politicians need the influential chiefs and leaders. After elections, the chiefs need the politicians to keep them alive and in power—to feed them.⁵¹⁰

This alliance between the chief and the politician is critical because it can determine the type of land policy that the state is able and willing to pursue. For example, the New Patriotic Party (NPP), which is seen as the party of the Akan ethnic group, is also seen as the more liberal or market-oriented party. In the context of Accra politics, the NPP has aligned itself with Ga

⁵¹⁰ Interview with Victor Okaikoi, NPP Parliamentary candidate for Odododiodioo Constituency (Accra) and executive campaign team. March 2012. When Okaikoi refers to "feeding" the chief, he refers mainly to politician providing contracts to the chiefs.

Chiefs that are more outward oriented in their approach toward developing urban land.⁵¹¹ The Ga-Mantse is a powerful position in Accra because the Ga own (i.e. have ancestral claims) to most of Greater Accra.⁵¹² A Ga leader who is more interested in working with politicians and investors (e.g. by selling off or leasing Ga land to outsiders) will appeal to both elite and ordinary “outsiders” looking to invest in urban lands, set up businesses, and buy residential property. Indigenous residents however, are much more likely to see this type of alliance as a potential threat to their indigenous land claims.

In these scenarios, indigenous residents have strong motives to ensure that they can elect their candidate and indirectly, their preferred chief. A victory of a “pro-indigenous” chief would help ensure that their indigenous land claims are protected against the competing claims of outsiders. Claiming rights to the land is also a source of informal political power. Hence, if outsiders gain both the ability to claim land and urban space as well as the ability to “claim votes” over insiders, it disrupts the equilibrium that has stabilized the balance of power between insiders and outsiders across much of Ghana.

These land narratives, based in fears of losing land and power to outsiders, can provide effective mobilizing tools in contexts where “outsiders” are large enough demographically to alter the status quo. While Ghana has not experienced significant election violence, there is a narrow set of circumstances when political elites have incentives to resort to low-level forms of violence. Specifically, I find that political elites are most likely to resort to such anti-outsider land narratives to organize low-level forms of electoral violence when the margin of victory is narrow and most importantly, when their party can claim the “indigene advantage” at the local

⁵¹¹ This is particularly evident in the contested Ga-Mantse throne, between Joe Blankson, aka “King Tackie Tawiah III and Tommy Okine (supported by NDC)” (favored by NPP) and Author Interviews, Accra (Dec 2011-April 2012). See appendix for list of informants.

⁵¹² The Ga-Mantse is the king of the traditional Ga State.

level.⁵¹³ Politicians campaign as the party of the “indigenous.” These nativist campaign strategies help solidify a core “indigenous” voting block and frame non-indigenous as potential opposition voters and targets of harassment and intimidation. Local politicians encourage or organize strategies to intimidate outsiders (migrants) who “do not belong.”⁵¹⁴ These low-level forms of violence escalated in the run-up to the 2012 presidential elections and include intimidation, the use of “thugs” (i.e. macho-men), physical assaults against targeted individuals and rivals, death threats, and damage to property belonging to residents and rival political parties.

In sum, while low-level election violence has escalated at the local level, Ghana is not a likely case for large-scale electoral violence. One of the key mechanisms of constraint is the role that customary land tenure institutions play in diffusing the stakes of electoral outcomes. Specifically, because state actors do not have direct control over the distribution of land rights, traditional authorities are able to mediate identity-based tensions around access to land and other resources. Traditional authorities align with political actors, but because they have considerable autonomy over land locally, they can insulate their members from the negative effects of an electoral loss. In other words, even if a community is in the political opposition, a good chief will ensure that ethnic insiders can access and secure land. Hence, national elections are rarely cast in such zero-sum terms as they are in countries such as Kenya and Burundi where the central state leverages such significant control over the distribution of land.

⁵¹³ This finding draws largely on a paired case comparison of two electoral constituencies in Accra (Ayawaso Central and Ododiodioo), where I conducted in-depth interviews and focus groups with party organizers, candidates, and supporters (Jan-April 2012).

⁵¹⁴ In the Accra, the NDC “indigenous” are the Ga. While people who had migrated from the Northern regions (or from Mali and Burkina Faso) are referred to as foreigners, they tend to vote for NDC and hence are not targeted. The main target were market people, most of whom are Akan (i.e. Asante). During the voter registration process there were many attempts to prevent Akan market and tradespeople from registering to vote in “Ga Lands.”

In addition, there are few cases where the insider group has been displaced from their land—violently or otherwise—by “outsiders.” There are therefore few incentives for insiders to run the high costs of participation in violence to alter electoral outcomes. Equally, while the state has issued anti-foreigner policies in the past, host communities have rarely used violence against strangers. The Ghanaian state has used violence against its citizens, but there is not a legacy of inter-group violence or civil war. In this regard, many Ghanaians describe large-scale election violence as unthinkable.⁵¹⁵

Colombia

Lastly, I consider the case of Colombia, where a significant portion of the rural population struggles to access land. Colombia has one the highest rates of violence in the world and has endured the longest civil wars in both the Latin American region and globally (Sanin 2012). The conflict began in the 1960s with the formation of the *campesino*-based movement known as the Revolutionary Armed Forces of Colombia (FARC). The movement—or self-defence group—aimed to evade and eventually, resist the state (Ballve 2013; Sanin 2012; Arjona 2014). Struggles to access and secure land have played a central role in the ongoing conflict between the FARC rebels, the government, and paramilitary groups. These struggles have also taken on new dynamics in the post civil war period, particularly between right-wing paramilitary groups and campesinos.

Yet inequality in land between different identity-based groups does not explain the motives and organization of the Colombian civil conflict (Romero 2000). Specifically, the struggles to secure or re-claim stolen lands are not “sons-of-the soil” conflicts in which migrants

⁵¹⁵ Further, there are important factors that are exogenous to land and customary institutions: the Electoral Commission, successive peaceful elections (democratic consolidation).

or foreigners have invaded the lands of indigenous peasants. Instead, smallholder farmers across Colombia (Cordoba and Urabá) have lost or risk losing their land to counter-insurgent groups (right-wing paramilitary groups). Hence, land struggles are based primarily along class or political lines rather than ethnic-identity based cleavages. The form of land inequality resembles more of what I describe along Kenya's coast: extreme land inequality between smallholder farmers (i.e. campesinos or peasants) and business and landed elites. The more recent struggles in Colombia turn on campesino struggles to re-claim land that they have lost through violence or coercion to paramilitary groups or regional elites (Ballve 2013, Romero 2000; Arjona 2014).⁵¹⁶

The key point is that while these struggles generate land grievances over land dispossession and rights to re-claim lost lands, political parties have few incentives to use these narratives to mobilize groups to fight during elections. In the post-conflict reconstruction period, the two main parties must instead signal that they can bring much needed reconciliation, stability, and security to the country or their respective municipality. Nonetheless, the last several elections have been marked by violent events across the country. Since the 2007 elections, the independent Electoral Observer Mission (MOE) has recorded numerous murders and kidnappings, mostly against local political candidates, as well forced displacement of people from their homes and land.⁵¹⁷

These acts of violence are distinct from the violence I observe in Kenya in several ways. First and most importantly, political party actors are not directly responsible for organizing election-related attacks. Instead, non-state armed groups carry out the majority of assassinations or other violent attacks. These armed groups include FARC, and the National Liberation Army

⁵¹⁶ *The Economist* (Sept 16 2010), "[This Land is Our Land](#)"

⁵¹⁷ Mision de Observacion Electoral (MOE). "[Violencia Politica \(2011\)](#)."

(ELN) and paramilitary groups such as Rastrojos and Aguilas Negras.⁵¹⁸ Behind these groups are a class of powerful regional elites who seek to protect their business and landed interests.

Second, the targets of election-time violence are not usually civilians, or members of a particular ethnic group or political party. Instead, they tend to be local political candidates and state officials like mayors, legislators, city council members, or governors and candidates.⁵¹⁹ For example, in the lead-up to local elections in October 2011, 41 political candidates and nominees had been assassinated.⁵²⁰ In 2011, the MOE recorded 253 acts of election-related violence across 233 municipalities. Of these, 157 targeted political candidates.⁵²¹

In this context, violence has become an effective strategy for private actors (rather than political actors alone) to influence the political process. Specifically, by employing targeted assassinations or threats, armed groups can ensure that local politicians do not interfere with their control over land and territory.⁵²² In many ways, electoral violence reproduces civil war dynamics: where the use of violence provides a way of (re)-asserting which groups control territory.

4. Implications

I conclude by highlighting three broad implications of this study. First, this project contributes to studies of elections and democratization, particularly in Africa. While the onset of multiparty elections and democratic reforms since the early 1990s has brought important democratic gains across many countries, elections have also coincided with violent conflict, including urban riots, police repression, and ethnically targeted evictions that leave thousands of

⁵¹⁸ *Christian Science Monitor*, (October 28 2011). "Ahead of Colombia's Elections, Violence Stalks Candidates."

⁵¹⁹ <http://colombiareports.co/one-third-colombia-face-high-risk-electoral-violence-electoral-observers/>

⁵²⁰ Ibid.

⁵²¹ Most effected municipalities included Antioquia, Valle, Córdoba y Magdalena (MOE, Violencia Política 2011)

⁵²² The resources at stake vary by region, in some areas paramilitary groups seek to maintain control over the cocoa trade, while in other areas it's oil (Casanare) or Coal (Guajira).

people dead or displaced. While election-related violence has been the exception rather than the norm during most elections, the fear of violence and the occurrence of violence erode the quality of the democratic process and prospects for durable peace and stability. Despite the destabilizing effects of electoral violence, there are few systematic accounts of election-time violence at the sub-national level. This study advances a theory of electoral violence as a “joint production” between the electoral incentives of political elites and the local interests and motives of ordinary citizens (Kalyvas 2003). In this way, I suggest that we should examine the local conditions that shape the interests of ordinary citizens. These important yet often overlooked factors affect how and when elites can organize citizens to fight on their behalf. Broadly, the study suggests that an emphasis on how land and property institutions interact with multi-party politics is fundamental to understanding the sources of political instability and violence in democratizing and post-conflict societies.

Second, I find that land access and security provides a powerful lens for explaining the dynamics of political violence. For much of the world’s population, land sustains livelihoods, shapes identities, and provides a source of investment and security. Yet the centrality of land in both political and everyday life also means that it can become a source of contentious politics and violence. This study provides a generalizable theory that links group struggles over land with different forms of conflict or violence: between squatters and state officials, different ethnic or religious groups, or rebel groups and the state. Land can provide a powerful explanatory lens to explain political action because it combines institutional (e.g. politics of distribution), “ideational” (e.g. grievances or narratives) and material factors (e.g. land holdings). Specifically, the project suggests that by examining the meanings that groups ascribe to land, property, and territory, scholars gain a better understanding of why and when people mobilize or fight around

issues of land security, territory, or identification. By taking a historical and comparative view of the institutions that shape land rights, we can better explain why some citizens are able to access and secure land rights.

A third and related implication of this study demonstrates how land interacts with political mobilization. I show how narratives around land provide a tool for political elites to organize both violent and non-violent political action. While this dissertation has focused primarily on how political candidates use nativist land narratives to mobilize election-time violence, land-related narratives can also provide a tool to mobilize violence beyond elections. The starkest example of this in Kenya is the relatively recent use of land narratives by Islamic terrorist organizations as a way to mobilize and recruit followers. The narrative here is one of “re-claiming back Muslim lands under Kenyan occupation.”⁵²⁴

In this way, narratives of land provide a powerful tool for political mobilization because the narratives resonate with people on the ground. Many studies of political violence focus on elite motives to orchestrate violence but rarely specify how and when leaders compel ordinary citizens to participate in violence. This project suggests that under a certain set of circumstances, narratives around land rights can establish a motive for violent action because they draw on beliefs about personal security, justice, identity, and political territory.

By demonstrating the link between land and electoral violence, the study also points to implications for strategies of conflict prevention and peace-building. Broadly, the study suggests that long-term peace and conflict reduction depends on strong and functional property rights institutions. When land institutions are weak, political leaders are able to use the provision of land security, such as title deeds, resettlement or informal protection, as a patronage resource.

⁵²⁴ This was the title of a video produced by the Al-Shabaab Media wing (al-Kataib) and features the attack against Kenyans in Mpeketoni (Lamu District).

This ability to allocate or protect land rights can provide a powerful tool to mobilize election-time support.

Weak land institutions also undermine trust in the state or in the formal legal process to protect personal security and property. Instead, residents rely on the protection of political patrons, like land patrons. But if or when a political patron uses or condones violence, community members will be reluctant to prosecute or sanction their own leaders for fear that their own land or person security will diminish. Strengthening democracy and preventing violent conflict in countries such as Kenya requires building stronger land institutions so that groups of citizens do not fear that their land security is tied to the outcome of an election.

This study uncovers the complex political dynamics that underlie violent conflict in Africa by demonstrating that electoral violence is a historical process that includes the joint motives and incentives of elites and ordinary citizens.

Appendix A: Home Language of Respondents

Table 10: Home language of respondents across Counties

	Rift Valley		Coast		Total
	Nakuru	Uasin Gishu	Kilifi	Kwale	
Kalenjin	45.67 (95)	72.84 (118)	0.0 (0)	16.13 (25)	32.12 (238)
Kikuyu	48.08 (100)	16.0 (20)	0.93 (2)	1.94 (3)	16.87 125
Mijikenda	0.0 (0)	0 (0.0)	77.78 (168)	66.45 (103)	36.57 (271)
Kiswahili	0.48 (1)	0.62 (1)	13.43 (29)	0.0 (0)	4.18 (31)
Kamba	0.48 (1)	1.23 (2)	1.85 (4)	12.16 (19)	3.51 (26)
Luo	0.48 (1)	4.94 (8)	1.39 (3)	1.29 (2)	1.89 (14)
Luhya	1.44 (3)	3.7 (6)	1.39 (3)	0.0 (0)	1.62 (12)
Kisii	2.88 (6)	3.09 (5)	0.0 (0)	0.0 (0)	1.48 (11)
Taita	0.0 (0)	0.0 (0)	2.78 (6)	0.65 (1)	0.94 (7)
Maasai	0.0 (0)	0.62 (1)	0.46 (1)	0.65 (1)	0.40 (3)
Turkana	0.48 (1)	0.0 (0)	0.0 (0)	0.65 (1)	0.27 (2)
Somali	0.0 (0)	0.62 (1)	0.0 (0)	0.0 (0)	0.27 (2)
Total	N=208	N=162	N=216	N=155	N=748

Appendix B: Notes on Interview Protocol and Questionnaires

Interview Logistics

During the micro-comparative case study portion of this project, I interviewed 230 Kenyan residents living on settlement schemes and Land Buying Companies (LBCs) and conducted 19 focus groups with youth and elders of these farms and communities. The majority of interviews were conducted in Swahili (Kenya's national language). All interviews were recorded using an audio recorder. These interviews were later translated and transcribed by research assistants. A research assistant who was fluent in Swahili or the relevant language (e.g. Kikuyu or Kalenjin) was always present during the interview and often assisted in conducting the interview. The average length of an individual interview was 45 minutes (ranging from 25 minutes to 90 minutes). I interviewed individuals in the privacy of their residence. Village escorts were never present during the actual interview. To protect the privacy of the respondent, escorts stood beyond earshot (outside the home or at the edge of the property) during the interview. The selection of respondents was not random. Village elders (or designated community leaders) escorted me through the interview process and hence, they were able to influence the selection of respondents. This selection was based on the respondent's willingness to speak, whether they were near the home, and their trust in the village elder or village guide (and by extension, trust in my agenda and my research assistant). Respondents were never asked to provide their name, or to identify their role in the electoral violence, although some chose to volunteer this information.

I held focus groups in each community after completing individual interviews. I grouped focus groups by two age-sets: youth and elders. "Youth" refers to young members of society who have not acquired a position of leadership in the family or community (in general, 18-35). Elders meanwhile, refer to community leaders, usually older men. Focus group discussions followed a very similar questionnaire that I used in the individual individuals. One objective of the focus groups was to use the group structure to facilitate a discussion around each question. The group format helps to illuminate the types of beliefs, opinions, or narration of events that are more idiosyncratic compared to those that are widely shared.

In addition to the interviews with ordinary citizens that I conducted as part of my comparative case study, I conducted interviews with key informants on issues relating to elections, electoral violence, human rights, and land. Informants in this category include Kenyan lawyers that have chaired commissions such as the Commission of Inquiry into the Illegal/Irregular Allocation of Land, the Truth Justice and Reconciliation Commission (TJRC), or the National Cohesion and Integration Commission, Kenyan academics and activists, and politicians and political officials (i.e. officials working for the Ministry of Lands). A list of these informants is available upon request.

Selected Interview Questions

I have selected the following questions from three sets of questionnaires that guided the 3-stage research design that I outline in Chapter 1. Each stage aimed to uncover a different part of the process of violence. The first questionnaire (Stage 1) focuses primarily on the respondent's land tenure and beliefs about land rights. The second questionnaire combines stages two and three of the analysis. The first part of the questionnaire focuses on understanding the respondent's individual-level views about land. The second part of questionnaire focuses on the respondent's interpretations and experiences of the electoral violence, and specifically, the post-election violence of 2007-08. Because I repeated each questionnaire in multiple communities, I made several small changes to the

questionnaire (either to improve the wording of the question or to adjust for the particular location). Hence, the numbering and exact wording of questions is not consistent. Yet because we translated these questions into Swahili and because of the “informal” or semi-structured style of the interview, questions within the questionnaire served as “guide posts” for each interview, but did not set the exact wording or question order.

Stage 1: Linking Land Access (Land Institutions) and Land Narratives

Background

1. In which community or region were you born?
2. Where do you stay now?
3. When did you come to this village or community?
4. Can you tell us why you first came to this community? How did you manage to come?
5. How would you describe the type of farm or village where you are now staying?
(Settlement scheme, Land Buying Company, Forest Land)

Land Ownership and Access

6. In this area (location/ scheme/ LBC) who owns most of the land today?
7. In the past, who owned this land or resided on this land?
8. In your view, is there a certain group that has the right to use or cultivate this land today?
9. Are you able to access a piece of land for your own family?
10. If yes, what method do you use to access this land?
11. If you do not land access, what factors prevent you from accessing land?
12. If you do not have access to a plot of land right now, did you have land in the past?
Where did you have this land?
13. If you have land, can you explain how and when you or your family first acquired this land? (I.e. who first helped you join the society or the settlement scheme?)
14. What is the size and location of your plot now? Has this land been sub-divided How do you use this land?
15. Would you say that the method of accessing land is different today than in the past?

Land Narratives/Claim-Making

16. When you hear people use the words “outsider” or “newcomers,” what do these words mean to you?
17. In your community/area, would you say that there is a certain group that arrived here first?
18. Does this community have important boundaries? (For example, a certain lines between communities or between one settlement scheme and another?)

19. People and groups use different arguments to make claims to the land. Some people argue that they have the ancestral right to land. Others say they have purchased the land, and hence, they are the rightful owners. In your opinion, what does it mean when people say that they have the ancestral right (or historical right) to the land?
20. Two different groups are arguing over the same space of land. The first group says that they are the true owners because they have ancestral rights to the land. The second group says that they are the real owners because they purchased the land and they hold the title deed. In your opinion, which group has the right to claim the land? If these groups came to you to seek your help, what would you say?
21. In your opinion, if a person holds a title deed to the land, does he or she have the right to own that piece of land? Why or why not?
22. If you had a title deed to your land, would you feel that your land rights were safe?
23. If there were clashes, would you feel safe remaining in your home if you held a title deed? Why or why not?
24. If you felt that someone (either the government, a neighbor, or someone from a neighboring community or ethnic group) was threatening to take away your land, how would you try to protect your land? Whose help would you seek?
25. After independence, do you think that the government tried to allocate the land equally between the different ethnic groups? Why or why not?
26. How do you view the settlement schemes that President Kenyatta created? Were they mostly a success or a failure?
27. How do you view the Settlement schemes that President Moi created? How did they fail? How did they succeed?
28. In your opinion, do you think that some settlement schemes and companies have been more successful than others? If so, where are these farms? Why do you think they have been more successful?
29. In your view, do you think that politicians should consider history (historical events) when they distribute land or draw boundaries? In other words, do you think that history of different groups should matter today?

Opinion of Land Institutions

30. Do you think the national government has done a good job managing land in this country? Why or why not?
31. Do you think that the district level government (Ministry of Land, District Offices, County Council, MPs, n.k) have tried to allocate land in a way that is fair, legal, and transparent? Why or why not?

32. Do you know how to access the Ministry of Lands or other offices related to land documentation and land security?
33. Have you witnessed land grabbing, illegal allocation of land (i.e. double allocation), or other forms of corruption among government officials? If so, when?
34. If have witnessed land grabbing, who are the main types of people grabbing land? (I.e. local politicians, big politicians, small farmers)
35. Do you think that political leaders can help people gain land?
36. If so, can you describe the ways that politicians have given land to people in the past?
37. Have you or members of your family benefited from land that the government has provided?
38. If politicians give land to people, how do you think this affects relations between or within communities?
39. Do you think the government or politicians have the right to take land away from people? Has the government ever taken land away from you or other people in this area?
40. Do you think that the local and national government has the power to protect the land rights of your community?
41. In general, would you say that you trust the government, including the police and military, to protect your safety? Why or why not?

Stage 2 and 3: Linking Land, Narratives, and Violence (Combined Questionnaire)

Remembering the post-election violence:

1. Can you please share with us your own experiences during the most recent clashes (2007-2008)? Please take some time to provide as much detail as you can recall or feel comfortable providing. (Note to interviewer: *Example of guiding questions to help respondent remember: Were there warning signs? What happened first? What was the order of events? The first day, the second day...? Where in ___ did the worst fighting take place? Whom did the opposition target?*)
2. Some people have said they were able to see warning signs before the last clashes. For example, people talk about rumors against “outsiders,” secret meetings, cattle theft, and growing tension between communities. Did you see any warning signs before the violence broke out? If so, what were some of these signs?
3. During the clashes, people sometimes remember a certain event that started the fighting between the two sides. Can you recall any single event? In your mind, what was the order of events that followed after this first event?

4. After the election results were announced, and the violence started to break out in certain places in the country, how did the youth respond?
5. During the violence, how did the elderly respond? How did they advise the youth? Do you think the young people listened the elderly during this time?
6. Can you remember if certain sections in ____ experienced worse fighting than other parts? If so, which sections were these? (Examples: The borders between communities, roadside, markets and trading centers, important buildings homes of important people)
7. If you noticed that certain areas were affected more than others, do you know why?
8. Did you notice if certain people were the targets of attacks more so than others? If so, what types of people seemed to be targeted? (For example, local politicians, or wealthy people)?
9. During the attacks, can you recall the main methods of violence that the each side used? (Burning homes, panga, theft, barricades in the road, etc.). In your opinion, why do you think each side decided to use certain methods of violence as opposed to other methods?
10. How many people do you think left this community during or after the violence? How many have returned?
11. Why do you think the areas such as X and Y were hotspots during the violence, but other areas with both Kikuyu and Kalenjin (or ODM and PNU) remained calm?
12. Overall, would you describe the violence here as “politically organized”, “spontaneous” or a combination of both? Can you explain?

Participation in the Election violence

13. In your opinion, what are some of the main reasons that people join in the clashes or become involved in the clashes?
14. Do you think some young people believe they will be able to gain something by fighting—such as land or money? Are they made promises by leaders?
15. Which types of leaders (or politicians) are known to make promises of land or money to youth? Do you think they are usually from the local level (local councilors, party chairmen) or the “big men” at the top (like MPs)?

Mobilization

16. In your time living here, have you ever experienced land disputes or other land problems? Have you ever felt that your own land rights were not secure?
17. During campaign season, do you hear politicians using issues of land (such as promises to provide land titles) to win support of people here? What are some ways that you hear politicians talking about land during campaigns?

18. During election season (in the past or now) did you hear politicians sending messaging about “removing outsiders” or “*Kuondoa madoadoa*”? If you hear these statements, what is your view of such statements? In your view, who is an outsider?
19. Do you believe that your land rights will be more secure if a certain political party or politician wins? If so, can you explain why you feel this way? Or if not, can you say why you think it does not matter?
20. Do you think that some politicians send messages that can incite people or communities? (Using means such as local radio, secret meetings, or pamphlets?) If so, can you explain how these messages work?
21. In your opinion, why do you think politicians create violence during election time?
22. Do you feel safe living in your home now as the next election approaches? If yes, why do you feel safe this time, when violence has happened so many times in the past? If not, what makes you feel insecure or worried?
23. In your opinion, what are the major obstacles to peace that still remain in this community?

Appendix C: List of Interviews

Individual interviews

#	Gender	Interviewee (general descriptor)	Location (Constituency, County, Region)	Date
Likia (Stage 1)				
1	Male (2)	Resident, Likia Land Buying Company	Njoro, Nakuru, Rift Valley	06/27/2012
2	Male	Resident, Likia Land Buying Company	Njoro, Nakuru, Rift Valley	06/27/2012
3	Male	Resident, Likia Land Buying Company	Njoro, Nakuru, Rift Valley	06/27/2012
4	Female	Resident, Likia Land Buying Company	Njoro, Nakuru, Rift Valley	06/27/2012
5	Male	Resident, Likia Land Buying Company	Njoro, Nakuru, Rift Valley	06/28/2012
6	Female	Resident, Likia Land Buying Company	Njoro, Nakuru, Rift Valley	06/28/2012
7	Male	Resident, Likia Land Buying Company	Njoro, Nakuru, Rift Valley	06/28/2012
8	Male	Resident, Likia Land Buying Company	Njoro, Nakuru, Rift Valley	06/28/2012
9	Male (2)	Resident, Likia Land Buying Company	Njoro, Nakuru, Rift Valley	06/28/2012
10	Male/Female	Resident, Likia Land Buying Company	Njoro, Nakuru, Rift Valley	07/03/2012
11	Female (2)	Resident, Likia Land Buying Company	Njoro, Nakuru, Rift Valley	07/03/2012
12	Female	Resident, Likia Land Buying Company	Njoro, Nakuru, Rift Valley	07/03/2012
13	Male	Resident, Likia Land Buying Company	Njoro, Nakuru, Rift Valley	07/03/2012
14	Male	Resident, Likia Land Buying Company	Njoro, Nakuru, Rift Valley	07/04/2012
15	Male	Resident, Likia Land Buying Company	Njoro, Nakuru, Rift Valley	07/04/2012
16	Female	Resident, Likia Land Buying Company	Njoro, Nakuru, Rift Valley	07/04/2012
17	Female	Resident, Likia Land Buying Company	Njoro, Nakuru, Rift Valley	07/04/2012
Mauche (stage 1)				
18	Female	Resident, Mauche Settlement Scheme	Njoro, Nakuru, Rift Valley	07/18/2012
19	Male	Resident, Mauche Settlement Scheme	Njoro, Nakuru, Rift Valley	07/18/2012
20	Male	Resident, Mauche Settlement Scheme	Njoro, Nakuru, Rift Valley	07/18/2012
21	Female	Resident, Mauche Settlement Scheme	Njoro, Nakuru, Rift Valley	07/18/2012
22	Male	Resident, Mauche Settlement Scheme	Njoro, Nakuru, Rift Valley	07/18/2012
23	Male	Resident, Mauche Settlement Scheme	Njoro, Nakuru, Rift Valley	07/18/2012
24	Male	Resident, Mauche Settlement Scheme	Njoro, Nakuru, Rift Valley	07/19/2012
25	Male	Resident, Mauche Settlement Scheme	Njoro, Nakuru, Rift Valley	07/19/2012
26	Male	Resident, Mauche Settlement Scheme	Njoro, Nakuru, Rift Valley	07/20/2012
27	Female	Resident, Mauche Settlement Scheme	Njoro, Nakuru, Rift Valley	07/20/2012
28	Male	Resident, Mauche Settlement Scheme	Njoro, Nakuru, Rift Valley	07/20/2012
29	Female	Resident, Mauche Settlement Scheme	Njoro, Nakuru, Rift Valley	07/20/2012
30	Male	Resident, Mauche Settlement Scheme	Njoro, Nakuru, Rift Valley	07/21/2012
31	Male (4)	Residents, Mauche Settlement Scheme	Njoro, Nakuru, Rift Valley	07/4/2012
32	Male	Resident, Mauche Settlement Scheme	Njoro, Nakuru, Rift Valley	07/21/2012
33	Male	Resident, Mauche Settlement Scheme	Njoro, Nakuru, Rift Valley	07/21/2012
34	Male	Resident, Mauche Settlement Scheme	Njoro, Nakuru, Rift Valley	07/21/2012
35	Male	Resident, Mauche Settlement Scheme	Njoro, Nakuru, Rift Valley	07/21/2012
Giwa Re-Settlement Farm (Stage 1)				
36	Male/Female	Resident, Giwa Settlement Scheme	Rongai, Nakuru, Rift Valley	07/25/2012
37	Male	Resident, Giwa Settlement Scheme	Rongai, Nakuru, Rift Valley	07/25/2012
38	Male	Resident, Giwa Settlement Scheme	Rongai, Nakuru, Rift Valley	07/25/2012
39	Male	Resident, Giwa Settlement Scheme	Rongai, Nakuru, Rift Valley	07/25/2012
40	Male	Resident, Giwa Settlement Scheme	Rongai, Nakuru, Rift Valley	07/31/2012
41	Male	Resident, Giwa Settlement Scheme	Rongai, Nakuru, Rift Valley	07/31/2012
42	Female (2)	Resident, Giwa Settlement Scheme	Rongai, Nakuru, Rift Valley	07/31/2012
43	Female (2)	Resident, Giwa Settlement Scheme	Rongai, Nakuru, Rift Valley	07/31/2012

44	Male	Resident, Giwa Settlement Scheme	Rongai, Nakuru, Rift Valley	08/06/2012
45	Male	Resident, Giwa Settlement Scheme	Rongai, Nakuru, Rift Valley	08/06/2012
46	Male/Female	Resident, Giwa Settlement Scheme	Rongai, Nakuru, Rift Valley	08/06/2012
47	Male/Female	Resident, Giwa Settlement Scheme	Rongai, Nakuru, Rift Valley	07/26/2012
48	Male	Resident, Giwa Settlement Scheme	Rongai, Nakuru, Rift Valley	07/26/2012
49	Female (2)	Resident, Giwa Settlement Scheme	Rongai, Nakuru, Rift Valley	07/26/2012
50	Female	Resident, Giwa Settlement Scheme	Rongai, Nakuru, Rift Valley	07/26/2012
Belbar/Umoja/Tetu Farms (Stage 2)				
53	Male	Resident, Umoja Land Buying Company	Rongai, Nakuru, Rift Valley	08/08/12
54	Male	Resident, Umoja Land Buying Company	Rongai, Nakuru, Rift Valley	08/08/12
55	Male/Female	Resident, Belbar Settlement Scheme	Rongai, Nakuru, Rift Valley	08/09/12
56	Male/Female	Resident, Belbar Settlement Scheme	Rongai, Nakuru, Rift Valley	08/09/12
57	Male/Female	Resident, Belbar Settlement Scheme	Rongai, Nakuru, Rift Valley	08/09/12
58	Male/Female	Resident, Belbar Settlement Scheme	Rongai, Nakuru, Rift Valley	08/09/12
59	Male	Farm Laborer, Tetu Farm	Subukia, Nakuru, Rift Valley	08/14/12
Ogilgei (Stage 2)				
60	Female	Resident, Ogilgei Land Buying Company	Rongai, Nakuru, Rift Valley	08/15/12
61	Male (2)	Resident, Ogilgei Land Buying Company	Rongai, Nakuru, Rift Valley	08/15/12
62	Male	Resident, Ogilgei Land Buying Company	Rongai, Nakuru, Rift Valley	08/15/12
63	Male	Resident, Ogilgei Land Buying Company	Rongai, Nakuru, Rift Valley	09/03/12
64	Male	Resident, Ogilgei Land Buying Company	Rongai, Nakuru, Rift Valley	09/03/12
65	Male	Resident, Ogilgei Land Buying Company	Rongai, Nakuru, Rift Valley	09/03/12
66	Male	Resident, Ogilgei Land Buying Company	Rongai, Nakuru, Rift Valley	09/03/12
67	Male	Resident, Ogilgei Land Buying Company	Rongai, Nakuru, Rift Valley	09/03/2012
68	Female	Resident, Ogilgei Land Buying Company	Rongai, Nakuru, Rift Valley	09/04/12
69	Male (2)	Resident, Ogilgei Land Buying Company	Rongai, Nakuru, Rift Valley	09/04/12
70	Male	Resident, Ogilgei Land Buying Company	Rongai, Nakuru, Rift Valley	09/04/12
71	Female	Resident, Ogilgei Land Buying Company	Rongai, Nakuru, Rift Valley	09/04/12
72	Male	Resident, Ogilgei Land Buying Company	Rongai, Nakuru, Rift Valley	09/04/12
73	Male	Resident, Ogilgei Land Buying Company	Rongai, Nakuru, Rift Valley	09/05/12
74	Female	Resident, Kerma Settlement Scheme	Rongai, Nakuru, Rift Valley	09/05/12
75	Male	Resident, Ogilgei Land Buying Company	Rongai, Nakuru, Rift Valley	09/05/12
76	Male	Resident, Ogilgei Land Buying Company	Rongai, Nakuru, Rift Valley	09/05/12
Oljorai Settlement Scheme (Stage 2)				
77	Male (Group)	Residents, Oljorai Settlement Scheme	Gilgil, Nakuru, Rift Valley	09/06/2012
78	Male	Resident, Oljorai Settlement Scheme	Gilgil, Nakuru, Rift Valley	09/07/2012
79	Female	Resident, Oljorai Settlement Scheme	Gilgil, Nakuru, Rift Valley	09/07/2012
80	Male/ Female	Residents, Oljorai Settlement Scheme	Gilgil, Nakuru, Rift Valley	09/08/2012
81	Male (2)	Residents, Oljorai Settlement Scheme	Gilgil, Nakuru, Rift Valley	09/08/2012
82	Male	Resident, Oljorai Settlement Scheme	Gilgil, Nakuru, Rift Valley	09/08/2012
83	Male	Resident, Oljorai Settlement Scheme	Gilgil, Nakuru, Rift Valley	09/08/2012
84	Female	Resident, Oljorai Settlement Scheme	Gilgil, Nakuru, Rift Valley	09/08/2012
85	Male	Resident, Oljorai Settlement Scheme	Gilgil, Nakuru, Rift Valley	09/08/2012
86	Male (2)	Residents, Oljorai Settlement Scheme	Gilgil, Nakuru, Rift Valley	09/11/2012
87	Male	Resident, Oljorai Settlement Scheme	Gilgil, Nakuru, Rift Valley	09/11/2012
88	Male/Female	Resident, Oljorai Settlement Scheme	Gilgil, Nakuru, Rift Valley	09/12/2012
89	Female	Resident, Oljorai Settlement Scheme	Gilgil, Nakuru, Rift Valley	09/12/2012
90	Female	Resident, Oljorai Settlement Scheme	Gilgil, Nakuru, Rift Valley	09/12/2012
91	Male	Resident, Oljorai Settlement Scheme	Gilgil, Nakuru, Rift Valley	09/12/2012
92	Male	Resident, Oljorai Settlement Scheme	Gilgil, Nakuru, Rift Valley	09/12/2012
93	Male	Resident, Oljorai Settlement Scheme	Gilgil, Nakuru, Rift Valley	11/01/2012

94	Male	Resident, Oljorai Settlement Scheme	Gilgil, Nakuru, Rift Valley	11/01/2012
95	Male	Resident, Oljorai Settlement Scheme	Gilgil, Nakuru, Rift Valley	11/01/2012
Likia Farm (Stage 2/3)				
96	Male	Resident, Likia Land Buying Company	Njoro, Nakuru, Rift Valley	09/13/2012
97	Male	Resident, Likia Land Buying Company	Njoro, Nakuru, Rift Valley	09/13/2012
98	Male	Resident, Likia Land Buying Company	Njoro, Nakuru, Rift Valley	09/13/2012
99	Male	Resident, Likia Land Buying Company	Njoro, Nakuru, Rift Valley	09/13/2012
100	Female	Resident, Likia Land Buying Company	Njoro, Nakuru, Rift Valley	09/13/2012
101	Male	Resident, Likia Land Buying Company	Njoro, Nakuru, Rift Valley	09/13/2012
102	Male	Resident, Likia Land Buying Company	Njoro, Nakuru, Rift Valley	09/13/2012
103	Male	Resident, Likia Land Buying Company	Njoro, Nakuru, Rift Valley	09/13/2012
104	Male	Resident, Likia Land Buying Company	Njoro, Nakuru, Rift Valley	09/29/2012
105	Male	Resident, Likia Land Buying Company	Njoro, Nakuru, Rift Valley	09/29/2012
106	Female	Resident, Likia Land Buying Company	Njoro, Nakuru, Rift Valley	09/29/2012
107	Male	Resident, Likia Land Buying Company	Njoro, Nakuru, Rift Valley	09/29/2012
108	Female	Resident, Likia Land Buying Company	Njoro, Nakuru, Rift Valley	09/29/2012
109	Female	Resident, Likia Land Buying Company	Njoro, Nakuru, Rift Valley	10/01/2012
110	Male	Resident, Likia Land Buying Company	Njoro, Nakuru, Rift Valley	10/01/2012
111	Female	Resident, Likia Land Buying Company	Njoro, Nakuru, Rift Valley	10/01/2012
112	Male	Resident, Likia Land Buying Company	Njoro, Nakuru, Rift Valley	10/01/2012
113	Male	Resident, Likia Land Buying Company	Njoro, Nakuru, Rift Valley	10/03/2012
114	Male	Resident, Likia Land Buying Company	Njoro, Nakuru, Rift Valley	10/03/2012
115	Male	Resident, Likia Land Buying Company	Njoro, Nakuru, Rift Valley	10/03/2012
Mauche (Stage 2/3)				
116	Male	Resident, Mauche Settlement Scheme	Njoro, Nakuru, Rift Valley	10/04/2012
117	Male	Resident, Mauche Settlement Scheme	Njoro, Nakuru, Rift Valley	10/04/2012
118	Male	Resident, Mauche Settlement Scheme	Njoro, Nakuru, Rift Valley	10/04/2012
119	Female	Resident, Mauche Settlement Scheme	Njoro, Nakuru, Rift Valley	10/04/2012
120	Male	Resident, Mauche Settlement Scheme	Njoro, Nakuru, Rift Valley	10/08/2012
121	Male	Resident, Mauche Settlement Scheme	Njoro, Nakuru, Rift Valley	10/08/2012
122	Male/Female	Resident, Mauche Settlement Scheme	Njoro, Nakuru, Rift Valley	10/08/2012
123	Male	Resident, Mauche Settlement Scheme	Njoro, Nakuru, Rift Valley	10/08/2012
124	Male	Resident, Mauche Settlement Scheme	Njoro, Nakuru, Rift Valley	10/08/2012
125	Male	Resident, Mauche Settlement Scheme	Njoro, Nakuru, Rift Valley	10/08/2012
126	Male	Resident, Mauche Settlement Scheme	Njoro, Nakuru, Rift Valley	10/08/2012
127	Male	Resident, Mauche Settlement Scheme	Njoro, Nakuru, Rift Valley	10/08/2012
128	Male	Resident, Mauche Settlement Scheme	Njoro, Nakuru, Rift Valley	10/09/2012
129	Male	Resident, Mauche Settlement Scheme	Njoro, Nakuru, Rift Valley	10/09/2012
130	Male	Resident, Mauche Settlement Scheme	Njoro, Nakuru, Rift Valley	10/09/2012
131	Male	Resident, Mauche Settlement Scheme	Njoro, Nakuru, Rift Valley	10/09/2012
132	Male	Resident, Mauche Settlement Scheme	Njoro, Nakuru, Rift Valley	10/09/2012
133	Male	Resident, Mauche Settlement Scheme	Njoro, Nakuru, Rift Valley	10/09/2012
134	Female	Resident, Mauche Settlement Scheme	Njoro, Nakuru, Rift Valley	10/09/2012
135	Male	Resident, Mauche Settlement Scheme	Njoro, Nakuru, Rift Valley	10/09/2012
136	Male	Resident, Mauche Settlement Scheme	Njoro, Nakuru, Rift Valley	10/10/2012
137	Male	Resident, Mauche Settlement Scheme	Njoro, Nakuru, Rift Valley	10/10/2012
138	Male	Resident, Mauche Settlement Scheme	Njoro, Nakuru, Rift Valley	10/10/2012
139	Female	Resident, Mauche Settlement Scheme	Njoro, Nakuru, Rift Valley	10/10/2012
Naivasha (Stage 1)				
140	Female	Resident, Hell's Gate Sub-Location	Naivasha, Nakuru, Rift Valley	10/13/2012
141	Male	Resident, Hell's Gate Sub-Location	Naivasha, Nakuru, Rift Valley	10/13/2012
142	Female	Resident, Hell's Gate Sub-Location	Naivasha, Nakuru, Rift Valley	10/13/2012

143	Male	Resident, Hell's Gate Sub-Location	Naivasha, Nakuru, Rift Valley	10/13/2012
144	Female	Resident, Hell's Gate Sub-Location	Naivasha, Nakuru, Rift Valley	10/13/2012
145	Female	Resident, Hell's Gate Sub-Location	Naivasha, Nakuru, Rift Valley	10/13/2012
146	Female	Resident, Hell's Gate Sub-Location	Naivasha, Nakuru, Rift Valley	10/13/2012
147	Male	Resident, Hell's Gate Sub-Location	Naivasha, Nakuru, Rift Valley	10/13/2012
148	Male	Resident, Hell's Gate Sub-Location	Naivasha, Nakuru, Rift Valley	10/13/2012
149	Male	Resident, Hell's Gate Sub-Location	Naivasha, Nakuru, Rift Valley	10/13/2012
150	Male	Resident, Hell's Gate Sub-Location	Naivasha, Nakuru, Rift Valley	10/20/2012
151	Male	Resident, Hell's Gate Sub-Location	Naivasha, Nakuru, Rift Valley	10/20/2012
152	Female	Resident, Hell's Gate Sub-Location	Naivasha, Nakuru, Rift Valley	10/20/2012
153	Female	Resident, Hell's Gate Sub-Location	Naivasha, Nakuru, Rift Valley	10/20/2012
Mau Narok (Stage 2)				
154	Male	Resident, Mwisho wa Lami Settlement Scheme	Njoro, Nakuru, Rift Valley	10/15/2012
155	Male	Resident, Mwisho wa Lami Settlement Scheme	Njoro, Nakuru, Rift Valley	10/15/2012
156	Female	Resident, Mwisho wa Lami Settlement Scheme	Njoro, Nakuru, Rift Valley	10/17/2012
157	Male	Resident, Mwisho wa Lami Settlement Scheme	Njoro, Nakuru, Rift Valley	10/17/2012
158	Male	Resident, Mwisho wa Lami Settlement Scheme	Njoro, Nakuru, Rift Valley	10/17/2012
159	Male	Resident, Mwisho wa Lami Settlement Scheme	Njoro, Nakuru, Rift Valley	10/17/2012
160	Male	Resident, Tipis Scheme/Group Ranch	Njoro, Nakuru, Rift Valley	10/18/2012
161	Male	Resident, Tipis Scheme/Group Ranch	Njoro, Nakuru, Rift Valley	10/18/2012
162	Male	Resident, Tipis Scheme/Group Ranch	Njoro, Nakuru, Rift Valley	10/18/2012
163	Male	Resident, Tipis Scheme/Group Ranch	Njoro, Nakuru, Rift Valley	10/18/2012
164	Male	Resident, Tipis Scheme/Group Ranch	Njoro, Nakuru, Rift Valley	10/18/2012
165	Female	Resident, Tipis Scheme/Group Ranch	Njoro, Nakuru, Rift Valley	10/18/2012
166	Male	Resident, Tipis Scheme/Group Ranch	Njoro, Nakuru, Rift Valley	10/18/2012
167	Male	Resident, Tipis Scheme/Group Ranch	Njoro, Nakuru, Rift Valley	10/18/2012
168	Male	Resident, Tipis Scheme/Group Ranch	Njoro, Nakuru, Rift Valley	10/18/2012
169	Female	Resident, Tipis Scheme/Group Ranch	Njoro, Nakuru, Rift Valley	10/18/2012
170	Male	Resident, Tipis Scheme/Group Ranch	Njoro, Nakuru, Rift Valley	10/18/2012
171	Male	Resident, Tipis Scheme/Group Ranch	Njoro, Nakuru, Rift Valley	10/18/2012
172	Male	Resident, Tipis Scheme/Group Ranch	Njoro, Nakuru, Rift Valley	10/18/2012
173	Male	Resident, Tipis Scheme/Group Ranch	Njoro, Nakuru, Rift Valley	10/18/2012
Kisima, Camp for Internally Displaced Persons (IDP)				
174	Female	IDP, Kisima Camp	Njoro, Nakuru, Rift Valley	10/29/2012
175	Female	IDP, Kisima Camp	Njoro, Nakuru, Rift Valley	10/29/2012
176	Male	IDP, Kisima Camp	Njoro, Nakuru, Rift Valley	10/29/2012
177	Male	IDP, Kisima Camp	Njoro, Nakuru, Rift Valley	10/29/2012
Kwale (Stage 3)				
178	Male	Resident, Ramisi-I Settlement Scheme	Msambweni, Kwale, Coast	11/12/2012
179	Male	Resident, Ramisi-I Settlement Scheme	Msambweni, Kwale, Coast	11/12/2012
180	Male	Resident, Ramisi-I Settlement Scheme	Msambweni, Kwale, Coast	11/12/2012
181	Male	Resident, Ramisi-I Settlement Scheme	Msambweni, Kwale, Coast	11/12/2012
182	Male	Resident, Ramisi-II Settlement Scheme	Msambweni, Kwale, Coast	11/13/2012
183	Male	Resident, Ramisi-II Settlement Scheme	Msambweni, Kwale, Coast	11/13/2012
184	Male	Resident, Ramisi-II Settlement Scheme	Msambweni, Kwale, Coast	11/13/2012
185	Male	Resident, Ramisi-II Settlement Scheme	Msambweni, Kwale, Coast	11/13/2012
186		Resident, Ramisi-II Settlement Scheme	Msambweni, Kwale, Coast	11/13/2012
187	Male	Resident, Kinondo Settlement Scheme	Msambweni, Kwale, Coast	11/14/2012
188	Male	Resident, Kinondo Settlement Scheme	Msambweni, Kwale, Coast	11/14/2012
189	Male	Resident, Kinondo Settlement Scheme	Msambweni, Kwale, Coast	11/14/2012
190	Male	Resident, Kinondo Settlement Scheme	Msambweni, Kwale, Coast	11/14/2012
191	Female	Resident, Kinondo Settlement Scheme	Msambweni, Kwale, Coast	11/14/2012
192	Male	Resident, Kinondo Settlement Scheme	Msambweni, Kwale, Coast	11/14/2012

193	Female	Resident, Kinondo Settlement Scheme	Msambweni, Kwale, Coast	11/15/2012
194	Male	Resident, Kinondo Settlement Scheme	Msambweni, Kwale, Coast	11/15/2012
195	Male	Resident, Kinondo Settlement Scheme	Msambweni, Kwale, Coast	11/15/2012
196	Male	Resident, Kinondo Settlement Scheme	Msambweni, Kwale, Coast	11/15/2012
197	Male (2)	Resident, Kinondo Settlement Scheme	Msambweni, Kwale, Coast	11/17/2012
198	Male (2)	Resident, Kinondo Settlement Scheme	Msambweni, Kwale, Coast	11/17/2012
199	Male	Resident, Kinondo Settlement Scheme	Msambweni, Kwale, Coast	11/17/2012
200	Male	Resident, Kinondo Settlement Scheme	Msambweni, Kwale, Coast	11/17/2012
201	Male (2)	Resident, Kinondo Settlement Scheme	Msambweni, Kwale, Coast	11/17/2012
Kilifi (Stage 3)				
202	Male/Female	Resident, Kijipwa Settlement Scheme	Kilifi South, Kilifi, Coast	11/20/2012
203	Male	Resident, Kijipwa Settlement Scheme	Kilifi South, Kilifi, Coast	11/20/2012
204	Male	Resident, Kijipwa Settlement Scheme	Kilifi South, Kilifi, Coast	11/20/2012
205	Male	Resident, Kijipwa Settlement Scheme	Kilifi South, Kilifi, Coast	11/21/2012
206	Male	Resident, Kijipwa Settlement Scheme	Kilifi South, Kilifi, Coast	11/21/2012
207	Male	Resident, Kijipwa Settlement Scheme	Kilifi South, Kilifi, Coast	11/21/2012
208	Male	Resident, Kijipwa Settlement Scheme	Kilifi South, Kilifi, Coast	11/21/2012
209	Female	Resident, Kijipwa Settlement Scheme	Kilifi South, Kilifi, Coast	11/22/2012
210	Male	Resident, Kijipwa Settlement Scheme	Kilifi South, Kilifi, Coast	11/22/2012
211	Male	Resident, Kijipwa Settlement Scheme	Kilifi South, Kilifi, Coast	11/22/2012
212	Male/Female	Resident, Kijipwa Settlement Scheme	Kilifi South, Kilifi, Coast	11/22/2012
213	Male	Resident, Kijipwa Settlement Scheme	Kilifi South, Kilifi, Coast	11/22/2012
214	Male	Resident, Kijipwa Settlement Scheme	Kilifi South, Kilifi, Coast	11/23/2012
215	Female	Resident, Kijipwa Settlement Scheme	Kilifi South, Kilifi, Coast	11/23/2012
216	Male	Resident, Kijipwa Settlement Scheme	Kilifi South, Kilifi, Coast	11/23/2012
217	Male/Female	Resident, Kijipwa Settlement Scheme	Kilifi South, Kilifi, Coast	11/23/2012
218	Female	Resident, Kijipwa Settlement Scheme	Kilifi South, Kilifi, Coast	11/27/2012
219	Male	Resident, Kijipwa Settlement Scheme	Kilifi South, Kilifi, Coast	11/27/2012
220	Male	Resident, Kijipwa Settlement Scheme	Kilifi South, Kilifi, Coast	11/27/2012
221	Female	Resident, Kijipwa Settlement Scheme	Kilifi South, Kilifi, Coast	11/27/2012
222	Male	Local organizer, Kijipwa Scheme	Kilifi South, Kilifi, Coast	11/25/2012
223	Male	Parliamentary candidate, Kijipwa	Kilifi South, Kilifi, Coast	11/25/2012
Likoni (Stage 3)				
224	Male	Resident, Waitiki Informal Settlement	Likoni, Mombasa, Coast	12/02/2012
225	Male	Resident, Waitiki Informal Settlement	Likoni, Mombasa, Coast	12/02/2012
226	Male/Female	Resident, Waitiki Informal Settlement	Likoni, Mombasa, Coast	12/02/2012
227	Male	Resident, Waitiki Informal Settlement	Likoni, Mombasa, Coast	12/02/2012
228	Female	Resident, Waitiki Informal Settlement	Likoni, Mombasa, Coast	12/02/2012
Random				
229	Male	Owner, Kemu Farms (White Settler)	Njoro, Nakuru, Rift Valley	08/10/2012

Focus group discussions

Participants	Sub-Location	Location	Date	Duration
Youth	Mauche Settlement Scheme	Njoro, Nakuru, RV	07/05/12	1:28:17
Elders	Mauche Settlement Scheme	Njoro, Nakuru, RV	07/21/12	1:39:25
Youth	Giwa Settlement Scheme	Rongai, Nakuru, RV	07/26/12	1:54:44
District Commissioners	Bontana Hotel, Nakuru Town	Nakuru, Nakuru, RV	08/13/12	38:15
Elders	Ogilgei Land Buying Company	Rongai, Nakuru, RV	08/14/12	1:35:14
Turkana Squatters	Oljorai Settlement Scheme	Gilgil, Nakuru, RV	09/06/12	48:35:00
Youth	Oljorai Settlement Scheme	Gilgil, Nakuru, RV	09/11/12	1:35:03
Elders	Mauche Settlement Scheme	Njoro, Nakuru, RV	10/02/12	1:48:02
Youth-Group 1	Mauche Settlement Scheme	Njoro, Nakuru, RV	10/10/12	1:06:41
Youth-Group 2	Mauche Settlement Scheme	Njoro, Nakuru, RV	10/10/12	1:40:48
Youth	Likia Land Buying Company	Njoro, Nakuru, RV	10/03/12	1:12:18
Combined	Hell's Gate Sub-Location	Naivasha, Nakuru, RV	10/20/12	1:48:10
Maasai Youth	Tipis Scheme/Group Ranch	Njoro, Nakuru, RV	10/18/12	39:15:00
IDP-Youth	Kisima IDP Camp	Njoro, Nakuru, RV	10/29/12	45:54:00
Youth	Kinondo Settlement Scheme	Msambweni, Kwale, Coast	11/18/12	1:58:55
Elders	Kinondo Settlement Scheme	Msambweni, Kwale, Coast	11/18/12	1:10:54
Youth	Kijipwa Settlement Scheme	Kilifi South, Kilifi, Coast	11/28/12	1:23:48
Elders	Kijipwa Settlement Scheme	Kilifi South, Kilifi, Coast	11/28/12	1:15:03
Elders/MRC	Waitiki Settlement	Likoni, Mombasa, Coast	12/02/12	1:22:38

Appendix D: Survey Codebook

Question Number	Question	Values (Responses)
EA_LANG	Ethnic Identification of enumerator	1) Kalenjin 2) Kikuyu 3) Luo 4) Luhya 5) Kisii 6) Meru/Embu/Kamba, 7) Mijikenda-Digo 8) Mijikenda-Chonyi 9) Mijikenda-Giriama
INT_TIME	Length of interview	1) 30-35m 2) 36-41m 3) 42-47m 4) 48-53m 5) 54-59m 6) 60-65 7) 66-71m 8) over 71m
COUNTY_K	County	1) Nakuru, 2) Uasin Gishu, 3) Kilifi 4) Kwale
WARD	Ward	See list of wards
PS	Polling Station	See list of polling stations
Q1	In what type of shelter does the respondent live?	1) Formal House 2) Hut 3) Tent 4) Flat/ Block of Flats 5) Single Room
Q2	What is the roof of the respondent's home of shelter made of?	1) Metal/ Tin 2) Thatch/Grass 3) Plastic Sheets 4) Multiple materials 5) Tiles/Singles
Q3 (Recoded: MALE)	Respondents Gender	1) Female (0) 2) Male (1)
Q4	Household is located in	1) Urban Area 2) Rural Area-Town/Trading Center 3) Rural Area-Roadside 4) Rural Area-Remote [2 km from main/paved road] 5) Rural Area-Remote [more than 2km from main/paved road]
Q5	What is your age?	(1) 18-25 (2) 26-35 (3) 36-49 (4) 50-65 (5) 66 and over
Q6	Can you say about how many shilling your household/family earns on a normal day?	(1) Less than 200 (2) 250-500

		<ul style="list-style-type: none"> (3) 600-1000 (4) 1100-2000 (5) Over 2000 (6) You don't know
Q7	Were you born or raised here [in this community]?	<ul style="list-style-type: none"> 1) Yes 2) No
Q8	If you were NOT born here, which answer best describes the reasons you moved here?	<ul style="list-style-type: none"> (1) Other members of your family live here (Husband's family, mother's family) (2) The opportunities to earn a living are better here (3) You were given land here/ settled here by the government (4) You did not feel safe or secure in your old home (i.e. you fled during the PEV) (5) Both: You were given land here <i>and/because</i> you did not feel safe in your old home (6) NA
Q9	Which Kenyan language is your home language?	<ul style="list-style-type: none"> 1) Kiswahili 2) Kikuyu 3) Kalenjin (ogiek) 4) Luo 5) Luhya 6) Kamba 7) Kisii 8) Meru/Embu 9) Maasai 10) Mijikenda 11) Taita 12) Somali 13) Turkana 14) Other
Q10	Did you move to this area (this location, ward, or farm) because you were displaced after the post-election violence?	<ul style="list-style-type: none"> 1) No 2) Yes
Q11	Which of the following best describes the type area where you reside?	<ul style="list-style-type: none"> (1) Settlement Scheme Farm (2) Land Buying Company—"Society" (3) Group Ranch or Community Lands (4) Company Land (i.e tea, flower, coffee or sisal farm) (5) Don't know (6) NA
Q12	Do you have access to a plot of land for farming or doing business?	<ul style="list-style-type: none"> 1) No, you can't access any land for farming/ doing business 2) No, you can't access any land, and you are NOT looking for land 3) Yes, you can access a plot of land but the land is not yours. You rent from someone else. 4) Yes, you are able to access a plot of land, but the land is not yours, it belongs to other family members. 5) Yes, you can access land, and the land

		belongs to you/ your spouse.
Q13	If you do NOT have access to any plot of land, what prevents you from accessing land?	<ul style="list-style-type: none"> (1) Land is too expensive to purchase. (2) Parents land is too small to divide (3) Process of finding land is very difficult (4) You had land, but you had to leave or sell the land (0) Don't Know (9) NA
Q14	What is the size of the plot of land you currently cultivate (acres)?	<ul style="list-style-type: none"> 1) Under 1.0 2) 1.0-1.5 3) 1.5-2.5 4) 2.6-4.9 5) 5-10 6) 11-20 7) 21-50 8) More than 50 9) No land
Q15	In general, how would you rate the fertility of your land or the land that you use—thinking about the rainy seasons and droughts?	<ul style="list-style-type: none"> 1) The soil is excellent at all times of the year 2) The soil is usually very good 3) The soil is good but it requires fertilizers 4) The soil is okay, but it struggles in certain seasons 5) The soil here is very difficult to cultivate during most years
Q16	Do you have any animals? If yes, can you tell me how many animals you have?	<ul style="list-style-type: none"> 1) No animals/ Livestock 2) Kuku: 1-10 3) Kuku: 10 na zaidi 4) Rabbits: Many 5) Mbuzi/ Kondoo: 1-5 6) Mbuzi/ Kondoo: 6 na zaidi 7) Ng'ombe: 1-4 8) Ng'ombe: 5-10 9) Ng'ombe: 11-20 10) Punda: 1-4 11) Punda 5-10
Q17	In the last year, have you had to sell all of your animals or many of your animals (i.e. several goats/ rabbits/ sheep) for any purpose?	<ul style="list-style-type: none"> 1) No, you have not needed to sell your animals (only chickens here and there) 2) Yes, you have sold a few animals, but nothing large. 3) Yes, you have sold some, but you still remain with many 4) Yes, you had to sell all of your animals. Now you are left with nothing 5) NA.
Q18	What type of documents, if any, do you have showing that you own your land?	<ul style="list-style-type: none"> 1) Title Deed and you know it is real. 2) Title Deed, but you have some worries about it. 3) Plot allotment letter 4) Shareholder certificate 5) Letter written by a friend, family member or agent 6) You don't have any documents or your

		rent your land 7) Other
Q19	If you have a title deed, can you say how secure you feel holding this document?	(1) Very secure/ Salama kabisa (2) Somewhat secure/ Salama kiasi (3) Not very secure/ Sio salama kabisa (4) Not secure at all/ Sio salama kabisa (5) NA
Q20	In this area, do you think some people (such as government officials) have received bigger plots than most of the other residents?	(1) No, everyone in this area has almost the same plot size. (2) Yes, some people have bigger plots, but they are not many. Their plots are only a little larger. (3) Yes, there are many people who have larger plots. (0) I don't know anything about this.
Q21	How common are the following problems are in this area: Government officials sell or subdivide big plots of land to individuals or companies.	1) This is very Common 2) This is somewhat common 3) This is not very common 4) This has never happened (0) Don't know
Q22	How common are the following problems are in this area: The government takes forestland or state farmland and gives it to one person or a company?	1) This is very Common 2) This is somewhat common 3) This is not very common 4) This has never happened 0) Don't know
Q23	How common are the following problems are in this area: <i>Land officials have sold school land, cemetery land, or church land to companies or individuals.</i>	1) This is very Common 2) This is somewhat common 3) This is not very common 4) This has never happened 0) Don't know
Q24	How common are the following problems are in this area: <i>Politicians or wealthy people take land ("grab land") from people living here.</i>	1) This is very Common 2) This is somewhat common 3) This is not very common 4) This has never happened 0) Don't know
Q25	In many places in Kenya, title deeds have problems. For example, you find that a title deed has been allocated to more than one person. Sometimes people realize that they have been given a fake title deed. In this area, do you see these problems—with double allocation and fake title deeds?	1) Yes, there are a lot of these problems 2) Yes, there are these problems, but they are not common 3) No, these problems do not exist here/ 4) Don't know
Q26	Have you or any members of your family ever been evicted by the government?	1) Yes 2) No
Q27	IF YES, did you (or family) receive compensation?	1) Yes. You were resettled on land or received money for resettlement 2) No. You were never compensated 9) NA
Q28	Right now, how much do you fear being evicted by the government or another group?	(1) Not at all (2) A little bit/ (3) Somewhat (4) A lot
Q29	In general, how often do you think land	1) Never

	disputes between residents disrupt the peace in your community?	<ol style="list-style-type: none"> 2) Only sometimes 3) Frequently 4) All the time
Q30	<i>When or if disputes occur, are local leaders able to resolve disputes quickly or do residents continue fighting for a long time?</i>	<ol style="list-style-type: none"> 1) Leaders are usually able to resolve disputes in a timely manner 2) Leaders intervene but the disputes are usually not resolved 3) Leaders <u>do not</u> intervene and the disputes continue 0) Not sure
Q31	When you think about the leadership of this community (including the village elders, chiefs, religious leaders, and civic leaders) do you think there is unity among these leaders or do you see division amongst the leadership?	<ol style="list-style-type: none"> 1) <i>There are divisions among leadership</i> 2) <i>There is unity among the leadership</i> 3) <i>There is usually unity, but occasionally divisions break out</i> 0) Don't know
Q32	During election time, do you think that the village elders here are more likely to maintain peace or incite chaos?	<ol style="list-style-type: none"> 1) They will definitely be able to maintain peace 2) They will try to maintain peace, but they might fail 3) Some elders will advocate peace, but some might encourage chaos 4) They could incite chaos 5) Siwezi kusema
Q33	I am going to read a list of leaders. Tell me whom you would trust the most to defend or promote your land rights or your land security	<ol style="list-style-type: none"> 1) MP 2) Government of Kenya 3) An aspirant (candidate) 4) Your local ward councilor 5) Village elders 6) Chief 7) You don't trust anyone
Q34	In general, how long do you think it would take <u>someone like you</u> to obtain a title deed from the Ministry of lands?	<ol style="list-style-type: none"> 1) Less than six months 2) Six months to one year 3) Several years 4) Can't Say
Q35	Based on your own experiences or those of people in your community, how would you rate the performance of the land offices here?	<ol style="list-style-type: none"> 1) Very bad—officers are all corrupt; they only help certain people 2) Mostly bad—there is a lot of corruption; but sometimes they can help. 3) Mostly good—there is some corruption, but they mostly follow rules/ help people 4) Good—You have not seen or heard of corruption/ they follow the rules. 0) Don't know/ Can't say
Q36	Can you compare the levels of corruption in the Ministry of Lands (lands offices) with other Ministries (Agriculture, Education, Justice)?	<ol style="list-style-type: none"> 1) It is much more corrupt 2) It little bit more corrupt—but not much 3) It is the same as all other ministries 4) It is not as bad/ not as corrupt as the other ministries 0) Can't say
Q37	As the elections come closer, can you say how safe and secure do you feel about your family, your land and animals, and other	<ol style="list-style-type: none"> 1) <i>Very safe</i>—You are certain there will be peace here in your community 2) <i>Somewhat safe</i>—You're fairly certain

	possessions?	<p>there will be peace here, but you can't be sure</p> <p>3) <i>Doubtful/ Uncertain</i>—You're not sure what will happen—it could go either way</p> <p>4) <i>Nervous</i>—You don't feel good about the elections—maybe you've moved part of your family already</p> <p>5) <i>Very nervous or fearful</i>—You are almost certain something bad will happen</p>
Q38	If a household lives near a <u>border</u> of another [ethnic] community, do you they face greater risk of attack from another group, especially during elections?	<p>1) No, the border does not make any difference</p> <p>2) Maybe a little, but not much</p> <p>3) Yes, there is somewhat more risk near the border than inside the community.</p> <p>4) Yes, there is much more risk near the border than inside the community</p>
Q39	<i>I am going to read four statements that describe different views about personal land security. Please tell me which statement best matches your view</i>	<p>1) <i>You do not have land security because another group threatens to invade us</i></p> <p>2) <i>I do not have land security because my community is a minority here [the other community is larger]</i></p> <p>3) <i>I do not have land security because the government has issued an eviction order here.</i></p> <p>4) <i>I do not have land security because the government questions the documents that I hold</i></p> <p>5) <i>None of these; I have land security.</i></p> <p>6) <i>I don't have land security because I RENT</i></p>
Q40	<i>I am going to read four different views about land security. Please tell me which one you agree with the most.</i>	<p>1) I have land security because I have a title deed or allotment letter.</p> <p>2) I have land security because this land is my ancestral/family land.</p> <p>3) I have land security because my tribe is the majority here.</p> <p>4) I have land security because there are no problems here.</p> <p>5) None of the above: I do not have land security/ I do not have land</p>
Q41	In your opinion, what is the <u>number one cause</u> of landlessness or land insecurity in your community?	<p>1) Other tribes invade our land and take land that does not belong to them.</p> <p>2) The government evicts squatters.</p> <p>3) The government resettles IDPs on land where other groups are landless.</p> <p>4) A few very rich families take up so much of the land</p> <p>5) Foreign companies such as the Chinese and European build big factories and farms.</p> <p>6) The price of land is rising; people sell their land and then struggle to buy new land.</p>

		7) Too much valuable land is taken by national forest or parks 0) Don't Know/Can't Say
Q42	<i>Two different groups are arguing over the same space of land. The first group says that they are the true owners because they have <u>ancestral rights to the land</u>. The second group says that they are the real owners because they purchased the land and they hold the <u>title deed</u>. In your opinion, which group has the right to claim the land?</i>	1) The group holding the title deed is the true owner 2) The group claiming ancestral rights is the true owner/ 3) Can't Say
Q43	<i>Agree or disagree: Our community is landless today because other tribes have invaded and taken the land that belong to us</i>	1) Strongly Agree 2) Agree 3) Disagree 4) Strongly Disagree 0) Don't Know
Q44	<i>Agree or disagree: We will never have power here because foreigners occupy our lands</i>	1) Strongly Agree 2) Agree 3) Disagree 4) Strongly Disagree 0) Don't Know
Q45	<i>Agree or disagree: Outsiders do not deserve to own land in this area. The problem is that they only use corrupt means to buy land from indigenous people.</i>	1) Strongly Agree 2) Agree 3) Disagree 4) Strongly Disagree 0) Don't Know
Q46	<i>Agree or disagree: A tribe that is always seeking land and wealth will clash with those that have less.</i>	1) Strongly Agree 2) Agree 3) Disagree 4) Strongly Disagree 0) Don't Know
Q47	<i>Agree or disagree: I am comfortable with any Kenyan coming to live in this community, even if he has a title deed and I do not have my own.</i>	1) Strongly Agree 2) Agree 3) Disagree 4) Strongly Disagree 0) Don't Know
Q48	<i>Agree or disagree: In general, the government policies are seen to favor certain tribes and discriminate against others.</i>	1) Strongly Agree 2) Agree 3) Disagree 4) Strongly Disagree 0) Don't Know
Q49	Which do you agree with the most? A title deed is:	
Q50	[Narrative Script] You are the DC and the three old men come to you to seek your advice. Which judgment would you provide?	1) John is the rightful owner because he purchased the land and therefore must hold a title deed. 2) David is the rightful owner because the government allocated him the land 3) George is the rightful owner because his family has been sitting on this land before John of David's family and he has been here the longest 0) Can't say

Q51	If you can't provide an answer ("can't say"), which person or office should solve this problem?	<ol style="list-style-type: none"> 1) Chief or village elders 2) Court 3) Office of the President 4) Ministry of Lands 5) Your MP 9) NA (answered Q50)
Q52	Say how often you believe certain issues can bring conflict or clashes to this community: When Outsiders invade land here	<ol style="list-style-type: none"> 1) Always brings conflicts 2) Sometimes brings conflicts 3) Rarely brings conflicts 4) Never brings conflicts 0) Don't Know
Q53	Say how often you believe certain issues can bring conflict or clashes to this community: When people invade forestland or government land	<ol style="list-style-type: none"> 1) Always brings conflicts 2) Sometimes brings conflicts 3) Rarely brings conflicts 4) Never brings conflicts 0) Don't Know
Q54	Say how often you believe certain issues can bring conflict or clashes to this community: When the government re-settles IDPs in areas where people are landless or without title deeds	<ol style="list-style-type: none"> 1) Always brings conflicts 2) Sometimes brings conflicts 3) Rarely brings conflicts 4) Never brings conflicts 0) Don't Know
Q55	Say how often you believe certain issues can bring conflict or clashes to this community: When the government "grabs land"	<ol style="list-style-type: none"> 1) Always brings conflicts 2) Sometimes brings conflicts 3) Rarely brings conflicts 4) Never brings conflicts 0) Don't Know
Q56	Say how often you believe certain issues can bring conflict or clashes to this community: When the biggest tribe takes most or all of the political positions	<ol style="list-style-type: none"> 1) Always brings conflicts 2) Sometimes brings conflicts 3) Rarely brings conflicts 4) Never brings conflicts 0) Don't Know
Q57	Say how often you believe certain issues can bring conflict or clashes to this community: When people believe that elections results are not fair	<ol style="list-style-type: none"> 1) Always brings conflicts 2) Sometimes brings conflicts 3) Rarely brings conflicts 4) Never brings conflicts 0) Don't Know
Q58	Has a candidate or someone from a political party ever promised you cash, land, or a job if you supported his party?	<ol style="list-style-type: none"> 1) No, no one has ever approached or talked to you about these issues 2) Yes, they have promised someone else in your family land, cash, or a job 3) Yes, they have promised you cash 4) Yes, they have promised you land (i.e. titled deed or more land) 5) Yes, they have promised you a job 6) Yes, they have promised you all of these things
Q59	All politicians make promises during campaigns. When you think about the different promises you hear, what promises seem to be the most important to people in your community	<ol style="list-style-type: none"> 1) Education 2) Jobs and Development 3) Land Issues 4) Peace and Security 5) None of these
Q60	In your community, how often do the following activities occur? Candidates hold	<ol style="list-style-type: none"> 1) Often/ All the time 2) Sometimes

	public rallies.	3) Occasionally 4) Never 0) Don't know
Q61	In your community, how often do the following activities occur? Candidates hold special/ secret meetings	1) Often/ All the time 2) Sometimes 3) Occasionally 4) Never 0) Don't know
Q62	In your community, how often do the following activities occur? Candidates deliver messages on radio in your local language.	1) Often/ All the time 2) Sometimes 3) Occasionally 4) Never 0) Don't know
Q63	In your community, how often do the following activities occur? Candidates distribute pamphlets with strong messages against the opposition groups.	1) Often/ All the time 2) Sometimes 3) Occasionally 4) Never 0) Don't know
Q64	In your community, how often do the following activities occur? Candidates give title deeds or loans to community members to get their support	1) Often/ All the time 2) Sometimes 3) Occasionally 4) Never 0) Don't know
Q65	In your community, how often do the following activities occur? Candidates give cash or buy beer to motivate the youth.	1) Often/ All the time 2) Sometimes 3) Occasionally 4) Never 0) Don't know
Q66	In your community, how often do the following activities occur? Candidates or party officers send out SMS messages giving warnings to the opposition or encouraging or inciting supporters against opposition.	1) Often/ All the time 2) Sometimes 3) Occasionally 4) Never 0) Don't know
Q67	In your community, how often do the following activities occur? Candidates who are NOT from your own ethnic group come to visit this village/ hold rallies here/ give out gifts.	1) Often/ All the time 2) Sometimes 3) Occasionally 4) Never 0) Don't know
Q68	In general, would you say most of the candidates who come to campaign here are	(1) From your own tribe (2) From a political party or alliance that your ethnic group is a part (3) Not from your ethnic group's political party/alliance nor a candidate from your same ethnic group (4) Don't know
Q69	I am going to read some statements that Kenyans have mentioned from past elections. Please tell me if you have heard any similar statements: "If you kick out the other tribe, you will get their land"	1) Yes, I have heard this type of statement in this past 2) No, I have never heard anything like this 3) I have not heard this statement, but they say things like this
Q70	I am going to read some statements that Kenyans have mentioned from past elections.	1) Yes, I have heard this type of statement in this past

	Please tell me if you have heard any similar statements: “This is your ancestral land. If I win, I will help you defend this land.”	2) No, I have never heard anything like this 3) I have not heard this statement, but they say things like this
Q71	I am going to read some statements that Kenyans have mentioned from past elections. Please tell me if you have heard any similar statements: I will help you get title deeds or I will help to re-settle you when I win.	1) Yes, I have heard this type of statement in this past 2) No, I have never heard anything like this 3) I have not heard this statement, but they say things like this
Q72	I am going to read some statements that Kenyans have mentioned from past elections. Please tell me if you have heard any similar statements: The other groups have land because they received it for free, while you did not receive anything. This is not fair to you	1) Yes, I have heard this type of statement in this past 2) No, I have never heard anything like this 3) I have not heard this statement, but they say things like this
Q73	Imagine that there was a [insert respondent’s ethnic group] candidate who was quite popular. He talked about bringing development and strengthening land rights for your group. But he also had a history of using dirty tricks and hiring youth to create chaos. He ran in the last election but did not win. Many people think he might win this time. How do you think his strategies would affect his reputation within this community?	1) Most people would not care—it is normal for candidates to use dirty tricks and hire youth 2) Many people would not support him—they might be afraid that he would create problems here. 3) Most people would look for another candidate—no one wants to support a candidate like this. 4) Can’t say/ Don’t know
Q74	Since the last election (2007), have you moved to a new home?	1) You have not moved-- you remain the same home. 2) You have moved, but you remain in the same area (same constituency) 3) You have moved very far away (i.e. different constituency or county)
Q75	When you remember the time following the elections, how would you describe events (within this ward)?	1) Peaceful/ calm; there were no problems around here. 2) Some tension; but <u>NO</u> fighting or clashes 3) Some fighting; but only in certain areas 4) A lot of fighting. It was very difficult and people were very scared. 5) You were not in this area, but where you stayed it was peaceful/ calm. 6) You were not in this area, but where you stayed there was some tension; but <u>NO</u> fighting or clashes. 7) You were not in this area, but where you stayed there was some fighting; 8) You were not in this area, but where you stayed there was a lot of fighting
Q76	When you think about the levels of intimidation, violence, and rule of law in the 2007-2008 elections, would you say that the last elections were better, worse, or about the same as elections between 1992-2002?	1) I can’t say—I am too young to comment. 2) The 2007 elections were worse (more violent) than elections in the past. 3) The 2007 elections were better than past elections (past elections had more problems)

		4) The 2007 elections were mostly the same as past elections.
Q77	I am going to read to you a list of things that happened to many people affected by the clashes. Please let me know if any of these happened to your household.	<ol style="list-style-type: none"> 1) <i>Your animals were stolen</i> 2) <i>Your house was burned or crops destroyed</i> 3) <i>Your or other family members were injured</i> 4) <i>Several family members were injured</i> 5) <i>A family member was killed</i> 6) <i>More than one family member was killed</i> 7) <i>None of these apply to you</i>
Q78	Do you know how many homes were burned or destroyed here?	<ol style="list-style-type: none"> 1) None 2) Just a few (less than 10) 3) Many (between 10-15) 4) Too many to count (over 20) 0) Not sure 9) NA
Q79	How many members of the community do you think lost valuable livestock, crops, or businesses	<ol style="list-style-type: none"> 1) No one 2) Only a few people 3) Several people 4) Many people 0) Can't say 9) NA
Q80	Were people injured or killed?	<ol style="list-style-type: none"> 1) No, no one was injured or killed 2) A few people were injured, no one was killed 3) Many people were injured, no one was killed 4) A few people were killed, others injured 5) Several people were killed 6) Many people were killed
Q81	<i>During the clashes, some people tried to escape to camps, some people stayed in their homes, and other people—especially the youth—decided to fight to defend their homes and families. What best describes your actions during the days, weeks or month surrounding the elections?</i>	<ol style="list-style-type: none"> 1) You fled to an IDP camp 2) You traveled to the home of a family member or friend 3) You remained in the home and waited for things to calm down 4) You carried on business as usual 5) You engaged in the <u>defense</u> of your property and community 6) You took revenge against the other group for certain injustices they help to bring 9) None of these: your community was not affected by the clashes
Q82	Describe where most of the fighting and looting occurred? (<i>Mark all that apply</i>)	<ol style="list-style-type: none"> 1) Trading Centers 2) Near Schools/ Polling Stations 3) Along border areas between communities 4) Along the roadside 5) It seemed to be everywhere 0) Can't say 9) NA

Q83	In your opinion, who was targeted during the fighting	<ol style="list-style-type: none"> 1) People belonging to a certain political party 2) People belonging to a certain ethnic group 3) People living in a certain area 4) People who were known to be powerful, wealthy or politically involved 0) Can't say 9) Not applicable—no fighting/clashes in your area.
Q84	In this area/ community, when did the worst fighting begin?	<ol style="list-style-type: none"> 1) Just after the election result were announced (within hours) 2) Within a day of the election results 3) Within a week of the election results 4) After several weeks of the election results 0) Can't say/DNK 9) Not applicable—no fighting/clashes in your area.
Q85	In your opinion, what were the main reasons that people started fighting in this area <u>after</u> the election results were announced?	<ol style="list-style-type: none"> 1) Anger over the vote rigging 2) To take revenge for the deaths or forced displacement of their tribesmen 3) To defend their homes and community 4) The reasons were different in each community—such as disputes between individuals 5) The reasons had deep roots 0) Can't say 9) Not applicable—no fighting/clashes in your area.
Q86	How would you describe the fighting that started after the election results?	<ol style="list-style-type: none"> 1) Not planned 2) Planned by people at the grassroots-- such as county reps and ward councilors, and local leaders 3) Planned by people at the top 4) Planned by people at top and bottom 0) Can't Say/ Don't know 9) Not applicable—no fighting/clashes in your area.
Q87	Many people say that politicians are able to convince youth to fight because they provide motivation. For example, they give them cash, they bring them to the bars, or they promise them land or small jobs. In this area, how much do these offers affect young people's involvement in the clashes or violent activities?	<ol style="list-style-type: none"> 1) A lot—it is the only reason that some youth decide to fight. 2) Somewhat—It influences some youth, but not all. 3) Only a little—it can affect a few, but not many. 4) None—these promises do not influence the youth here. 0) Can't say
Q88	How far is the nearest police station to your home?	<ol style="list-style-type: none"> 1) Very Close: Less than 10 minutes walking 2) Close, about 20 mins walking 3) Somewhat near, 30 mins walking 4) Far, 40 minutes walking 5) There is no police in walking distance
Q89	If there were clashes or looting around the elections, do you think the police would be	<ol style="list-style-type: none"> 1) Yes, the police here are able to keep or restore the order

	able to create or restore order between the different groups or individuals?	2) No, the police here are too weak 3) No, the police here only support one side 0) Don't know
Q90 (recoded: <i>edu</i>)	What is the highest level of education that you have completed?	1) No formal schooling 2) Some Primary 3) Some Secondary 4) Secondary School Graduate 5) Some University 6) University Graduate
Q91	In this household, what is the highest level of education that any family member has achieved?	1) No formal schooling 2) Some Primary 3) Some Secondary 4) Secondary School Graduate 5) Some University 6) University Graduate
Q92	How often do you trade or do business with someone from another tribe?	1) Often/ All the time 2) Sometimes 3) Occasionally 4) Never 0) Don't know
Q93	How often do you talk about politics with someone from another tribe?	1) Often/ All the time 2) Sometimes 3) Occasionally 4) Never 0) Don't know
Q94	How often do you talk about family affairs with someone from another tribe?	1) Often/ All the time 2) Sometimes 3) Occasionally 4) Never 0) Don't know
Q95	How often do you Share a meal with someone from another tribe?	1) Often/ All the time 2) Sometimes 3) Occasionally 4) Never 0) Don't know
Q96	How often do you attend a community meeting with members from another tribe?	1) Often/ All the time 2) Sometimes 3) Occasionally 4) Never 0) Don't know
Q97	Since the last elections, how would you say that your meetings/ chats/ or business interactions with people from other tribes have changed?	1) They have not changed at all 2) You have <u>fewer</u> greetings or exchanges or interactions (meetings or gatherings) 3) You have <u>more</u> greetings, exchanges, or interactions
Q98_V1	The Kamau Family has been displaced from their home and has been living in a camp for many years. The government has purchased land for them and has promised them a title deed. Do you support this government policy?	1) Yes 2) No
Q98_V2	The Biwott has been displaced from their home and has been living in a camp for many years. The government has purchased land for	1) Yes 2) No

	them and has promised them a title deed. Do you support this government policy?	
Q98_V3	A Kenyan Family has been displaced from their home and has been living in a camp for many years. The government has purchased land for them and has promised them a title deed. Do you support this government policy?	1) Yes 2) No
Q99_V1	If the government gives title deeds to the Kamau Family, it will:	1) Help Re-build Kenya 2) Bring bad feelings and resentment 3) None of these
Q99_V2	If the government gives title deeds to the Biwott Family, it will:	1) Help Re-build Kenya 2) Bring bad feelings and resentment 3) None of these
Q99_V3	If the government gives title deeds to a Kenya Family, it will:	1) Help Re-build Kenya 2) Bring bad feelings and resentment 3) None of these
MOB_C	I'm going to read to you a list of activities that some candidates use during their campaigns. Listen to the list and tell me <i>how many</i> of these activities you have seen or heard about in this area.	1) One of these activities 2) Two of these activities 3) Three of these activities
MOB_T	I'm going to read to you a list of activities that some candidates use during their campaigns. Listen to the list and tell me <i>how many</i> of these activities you have seen or heard about in this area.	1) One of these activities 2) Two of these activities 3) Three of these activities 4) Four of these activities
VIOL_C	<i>I am going to read a list of actions that many people took during the days, weeks and month around the elections. Tell me how many of these activities apply to you:</i> <ul style="list-style-type: none"> • <i>You traveled to an IDP camp or safer area.</i> • <i>You remained in the home and waited for things to calm down.</i> • <i>You defended your family from attacks.</i> • <i>You tried to carry on our business as usual.</i> 	1) One of these activities 2) Two of these activities 3) Three of these activities 4) Four of these activities
VIOL_T	<i>I am going to read a list of actions that many people took during the days, weeks and month around the elections. Tell me how many of these activities apply to you:</i> <ul style="list-style-type: none"> • <i>You traveled to an IDP camp or safer area.</i> • <i>You remained in the home and waited for things to calm down.</i> • <i>You defended your family from attacks.</i> • <i>You tried to carry on our business as usual.</i> • <i>You engaged in the defense of your property and community</i> 	1) One of these activities 2) Two of these activities 3) Three of these activities 4) Four of these activities 5) Five of these activities

Recoded/ Added Variables

New Question (Variable Name)	Original Question	Values
<i>Eviolence</i>	Q75	1) <i>Peaceful/calm</i> OR you were not in this area, but where you stayed it was calm. 2) <i>Some tension</i> but <u>no</u> fighting or clashes OR You were not in this area, but where you stayed there was some tension; but <u>no</u> fighting or clashes 3) <i>Some fighting</i> but only in certain areas OR You were not in this area, but where you stayed there was some fighting 4) <i>A lot of fighting</i> OR You were not in this area, but where you stayed there was a lot of fighting.
<i>EviolenceNew</i>	Q75	0) Did <u>not</u> experience electoral violence (it was calm or tense) 1) Experienced electoral violence (some fighting or a lot of fighting)
<i>Arson</i>	Q78	1) None 2) Just a few structure (less than 10) 3) Several/many (10-15) 4) Too many to count (over 20)
<i>Deaths</i> (community-level fatalities)	Q80	1) None 2) Injuries only 3) Several killed 4) Many killed
<i>AntiOut</i> (Anti-outsider narrative)	Q45	0) Disagree 1) Agree
<i>Liberal</i> (Liberal land narrative)	Q47	0) Agree 1) Disagree
<i>Invader</i> (Invader land narrative)	Q43	0) Disagree 1) Agree
<i>LandSecure</i>	Q39	0) Not Secure 1) Secure
Fear_Evict	Q28	1) Not at all (no fear) 2) A little bit/ somewhat (i.e. some fear) 3) A lot [of fear of being evicted]
FearEvictDummy	Q28	0) No (does not fear eviction) 1) Yes (fears eviction)
PastEvict	Q26	0) Yes, experienced past eviction 1) No, never experienced eviction
<i>TitlePromise</i>	Q71	0) No, never promised Land 1) Yes, promised land
TitleDeed	Q18	1) Title Deed (genuine) 2) Title Deed (fake) 3) Plot allotment letter 4) Informal document 5) No documentation
<i>TitleDummy</i>	Q18	0) No formal title deed 1) Formal title deed

<i>Border</i>	Q38	<ol style="list-style-type: none"> 1) <i>No fear of border</i>: “No, the border does make any difference.” 2) <i>Some fear</i>: “Maybe a little, but not much [difference] 3) <i>Significant fear</i>: “Yes there is somewhat more risk near the border...AND, Yes there is much more risk bear the border than insider the community.”
<i>Incite</i>	Q69	<ol style="list-style-type: none"> 0) No: Respondent has not heard/been exposed to such a statement 1) Yes: Respondent has heard/been exposed to such a statement
<i>CivicEngage</i> (Inter-ethnic civic engagement)	Q96	<ol style="list-style-type: none"> 1) Often/ all the time 2) Sometimes 3) Occasionally 4) Never
<i>EthInteract</i> (Ethnic Interaction)	Q95	<ol style="list-style-type: none"> 1) Often/ all the time 2) Sometimes 3) Occasionally 4) Never
<i>Eth_Main</i>	Q12	<ol style="list-style-type: none"> 1) Kikuyu 2) Kalenjin 3) Mijikenda 4) Other (See original question for possible responses)
<i>Kalenjin</i>	Q12	<ol style="list-style-type: none"> 0) Respondent does not identify as Kalenjin 1) Respondent identifies as Kalenjin
<i>PlotSize</i>	Q14	<ol style="list-style-type: none"> 1) No land 2) Under 1.0 acres 3) 1-1.5 acres 4) 1.5-2.5 acres 5) 2.5-5 acres 6) 5-10 acres 7) 11 or more acres
<i>Access</i> (Land Access)	Q12	
<i>Wealth</i>	Q6	<ol style="list-style-type: none"> 1) Income less than 200 KES/ day 2) Income between 250-500/day 3) Income between 600-1000/day 4) Income between 1000-2000/ day

<i>PM_Comp07B</i>	Parliamentary vote margin in 2007 elections at constituency level <i>(Note: there are only 10 constituencies here rather than the 14 included in the survey because new constituencies were added in 2010)</i>	1) 0.63 2) 1.06 3) 5.72 4) 12.7 5) 17.91 6) 30.97 7) 37.43 8) 40.37 9) 48.07 10) 57.57
<i>PRES_07C</i>	Presidential vote margin in 2007 elections at constituency level	1) 5.11 2) 22.9 3) 29.3 4) 32.9 5) 44 6) 44.5 7) 47.7 8) 54.4 9) 58.8 10) 91.6
GovWin		0) Incumbent party did not win majority vote at the constituency level 1) Incumbent party won majority vote at the constituency level
<i>Pop09_log</i>	Population 2009 (ln) at the constituency level	1) 11.456 2) 11.656 3) 11.705 4) 11.730 5) 11.731 6) 11.820 7) 11.931 8) 11.999 9) 12.008 10) 12.052 11) 12.085 12) 12.127 13) 12.243 14) 12.248
<i>pDensity_log</i>	Population Density 2009 (ln)	1) 3.218 2) 4.043 3) 4.990 4) 5.288 5) 5.488 6) 5.517 7) 5.557 8) 5.560 9) 5.590 10) 5.840 11) 5.968 12) 6.059

		13) 6.120 14) 6.349
<i>REG</i>	Region	1) Respondent resides in the Rift Valley 2) Respondent resides in the Coast

Appendix E: County-Level Electoral Violence, 2007-08 (reported fatalities):

County	Waki Report	ACLED	UCDP	Total	Code
Baringo	23	95	0	118	4
Bomet	9	22	0	31	2
Bungoma	28	40	11	68	3
Busia	9	32	0	41	2
Elgeyo-Marakwet	0	0	0	0	0
Embu	0	0	0	0	0
Garissa	0	0	0	0	0
Homa Bay	8	28	0	36	2
Isiolo	0	0	0	0	0
Kajiado	0	0	0	0	0
Kakamega	43	12	4	55	3
Kericho	74	65	4	139	4
Kiambu	4	24	0	28	2
Kilifi	1	0	0	1	1
Kirinyaga	0	2	0	2	1
Kisii	9	35	0	44	2
Kisumu	81	119	58	154	4
Kitui	0	0	0	0	0
Kwale	0	11	0	11	2
Laikipia	0	42	6	48	2
Lamu	0	0	0	0	0
Machakos	0	0	0	0	0
Makueni	0	0	0	0	0
Mandera	0	0	0	0	0
Marsabit	0	0	0	0	0
Meru	0	2	0	0	0
Migori	26	16	0	42	2
Mombasa	0	37	19	37	2
Murang'a	0	1	0	1	1
Nairobi	125	124	55	209	4
Nakuru	263	219	98	431	4
Nandi	7	4	0	11	1
Narok	19	6	5	25	2
Nyamira	0	0	31	31	2
Nyandarua	1	1	1	1	1
Nyeri	0	13	13	13	2
Samburu	0	0	0	0	0
Siaya	10	8	0	18	2

Taita-Taveta	0	1	0	1	1
Tana River	0	0	0	0	0
Tharaka-Nithi	0	0	0	0	0
Trans Nzoia	104	60	13	160	4
Uasin Gishu	230	111	42	306	4
Vihigia	18	4	0	22	2
Wajir	0	0	0	0	0
West Pokot	0	0	0	0	0

Note: In most cases the different sources do not sum to the total I provide because the different sources count the same fatalities or incidents of violence. The “total” column therefore reflects separate incidents of violence (i.e. deaths) that are unique across all three datasets. In other words, I have tried to avoid “double-counting” fatalities.

Coding Scheme (As used in maps that appear in Chap 1 and Chapter 8)

Code	Level of Violence	Recorded deaths/County
0	No Violence	No Recorded Deaths
1	Low Level of Violence	1-10
2	Moderate Level of Violence	10-50
3	High Level of Violence	50-100
4	Mass Violence	Over 100

Bibliography

- Acemoglu, D., & Robinson, J. A. (2006). *Economic origins of dictatorship and democracy*. Cambridge, UK: Cambridge University Press.
- Albertus, Michael & Kaplan, Oliver (2012). Land reform as a counterinsurgency policy: Evidence from Colombia. *Journal of Conflict Resolution*, 57, 198-231.
- Anderson, David and Emma Lochery (2008). "Violence and Exodus in Kenya's Rift Valley, 2008: Predictable and Preventable?" *Journal of Eastern African Studies*. 2 (2): 328-343
- Anderson, David (2005) 'Yours in Struggle for Majimbo'. Nationalism and the Party Politics of Decolonization in Kenya, 1955-64. *Journal of Contemporary History*, 40(3), 547-564.
- Arjona, Ana (2014) "Civilian Resistance to Rebel Governance." (No. 170). *Households in Conflict Network*.
- Arriola, Leonardo, & Johnson, Chelsea (2012) *Insurgents, Institutions and Post-Conflict Elections*. *unpublished paper, University of California*.
- Autesserre, Severine (2010) *The Trouble with the Congo: Local violence and the failure of international Peacebuilding* (Vol. 115). Cambridge University Press.
- Autesserre, Severine (2012) "Dangerous Tales: Dominant Narratives on the Congo and their Unintended Consequences." *African Affairs*, 111 (443), 202-222.
- Baland Jean-Marie et al. (1999) "Poverty, Tenure Security, and Access to Land in Central Uganda: the Role of Market and Non-Market Processes." Centre for the Study of African Economies Conference Paper.
- Baldwin, Kate (2014) When politicians cede control of resources: Land, chiefs, and coalition-building in Africa. *Comparative Politics*, 46(3), 253-271.
- Ballvé, Teo (2013) Territories of Life and Death on a Colombian Frontier. *Antipode*, 45(1), 238-241.
- Bates, Robert H (1981) *Markets and States in Tropical Africa: The Political Basis of Agricultural Policies*. Berkeley: University of California Press.
- Bates, Robert H (2008) *When Things Fell Apart: State Failure in Late-Century Africa*. Cambridge, MA: Cambridge University Press.
- Bekoe, Dorina (2012) "The scope, nature, and pattern of electoral violence in Sub-Saharan Africa." In: Dorina A. Bekoe (ed.) *Voting in Fear: Electoral Violence in Sub-Saharan Africa*. Washington, D.C: United States Institute of Peace, 1-14.
- Benjaminsen, Tor A. & Christian Lund (eds.) (2003). *Securing Land Rights in Africa*. London: Frank Cass.

- Benjaminsen, Tor A., Faustin P. Maganga, and Jumanne Moshi Abdallah. (2009). "The Kilosa killings: Political ecology of a farmer–herder conflict in Tanzania." *Development and Change* 40(3): 423-445.
- Besley, Timothy. 1995. Property Rights and Investment Incentives: Theory and Evidence from Ghana. *Journal of Political Economy*, 103 (5): 903-937.
- Binder, Judith, and Tim Murithi (2013) "Home at last? Land Conflicts in Burundi and the Right of Victims to Reparations." Institute for Justice and Reconciliation (ICJ), Policy Brief, No. 11
- Blair, Graeme and Kosuke Imai (2012) "Statistical Analysis of List Experiments." *Political Analysis* 20(1): 47–77.
- Blattman, Christopher & Edward Miguel (2010) Civil war. *Journal of Economic Literature* 48(1): 3-57.
- Blattman, Christopher, Alexandra Hartman, and Robert Blair (2014) "How to promote order and property rights under weak rule of law? An experiment in changing dispute resolution behavior through community education." *American Political Science Review* 108 (1): 100-120.
- Bøås, Morten (2008) "Just Another Day"—The North Kivu Security Predicament After the 2006 Congolese Elections. *African security*, 1(1), 53-68.
- Boone, Catherine (2014) *Property and Political Order in Africa: Land Rights and the Structure of Politics*. Cambridge: Cambridge University Press.
- Boone, Catherine (2013) "Land regimes and the structure of politics: patterns of land-related conflict." *Africa*, 83 (1): 188-203
- Boone, Catherine (2011) Politically-allocated land rights and the geography of electoral violence: The case of Kenya in the 1990s. *Comparative Political Studies* (44)10: 1311-1342.
- Boone, Catherine (2009) "Electoral Populism Where Property Rights are Weak: Land Politics in Contemporary Sub-Saharan Africa." *Comparative Politics*. (January);181-201.
- Boone, Catherine (2007) "Property and Constitutional Order: Land Tenure and the Future of the African State." *African Affairs*. 106(425): 557-586.
- Boone, Catherine and Kriger, Norma (2012) "Land patronage and elections: winners and losers in Zimbabwe and Côte d'Ivoire," In: Bekoe, Dorina A., (ed.) *Voting in fear: electoral violence in sub-Saharan Africa*. USIP Press, Washington, DC, USA, 75-117.
- Boone, Catherine and Nyeme, Lydia (2015) "Land institutions and political ethnicity in Africa: evidence from Tanzania." *Journal of Comparative Politics* (forthcoming).
- Branch, Daniel & Nic Cheeseman (2009) Democratization, sequencing, and state failure: Lessons from Kenya. *African Affairs*, 108(430): 1-26

- Branch, Daniel. (2009). *Kenya: Between Hope and Despair, 1963-2011*. Yale University Press: New Haven.
- Brasselle et al. 2002. "Land Tenure Security and Investment Incentives: Puzzling Evidence from Burkina Faso." *Journal of Development Economics* 67(3): 373-418.
- Brockett, Charles. 1992. "Measuring Political Violence and Land Inequality in Central America." *American Political Science Review*, 86(1): 169-176.
- Bruner, Jerome S. 1986. *Acts of Meaning: Four Lectures on Mind and Culture*. Cambridge, MA: Harvard University Press.
- Carothers, Thomas (2007). "The" sequencing" fallacy." *Journal of Democracy* 18(1): 12-27.
- Cederman, Lars-Erik, Kristian Gleditsch and Julian Wucherpfennig (2014) Explaining the Decline of Ethnic Conflict: Was Gurr Right and For the Right Reasons? Paper presented at the American Political Science Association Annual Meeting, 2014.
- Cederman, Lars-Erik and Luc Girardin (2007) "Beyond Fractionalization: Mapping Ethnicity into Nationalist Insurgencies," *American Political Science Review* 101:1, pp. 173- 185
- Cederman, Lars-Erik, Andreas Wimmer & Brian Min (2009) Ethnic Politics and Armed Conflict: A Configuration Analysis of a New Global Data. *American Sociological Review*, 74 : 316-337.
- Cederman, Lars-Erik, Andreas Wimmer & Brian Min (2010) Why do ethnic groups rebel? New data and analysis. *World Politics* 62(1): 87-119.
- Cederman, Lars-Erik, Kristian Gleditsch and Simon Hug (2012) "Elections and Ethnic Civil War." *Comparative Political Studies*, 46(3): 387-417.
- Cederman, Lars-Erik, Kristian Gleditsch, and Halvard Buhaug (2013) *Inequality, Grievances, and Civil war*. Cambridge: Cambridge University Press.
- Cederman, Lars-Erik, Kristian Skrede Gleditsch, and Simon Hug. "Elections and ethnic civil war." *Comparative Political Studies* 46.3 (2013): 387-417.
- Chandra, Kanchan. 2005. "Ethnic Parties and Democratic Stability." *Perspectives on Politics*, 3(2): 235-252.
- Chandra, Kanchan. 2008. "Making Causal Claims About Ethnic Politics" in Mark Lichbach and Alan Zuckerman eds, Cambridge: Cambridge University Press
- Chaturvedi, Ashish. (2005) "Rigging elections with violence." *Public Choice*, 125 (1-2): 189-202.
- Chauveau, J-P. 2006. "How does an institution evolve? Land, politics, intergenerational relations and the institution of the *tutorat* between autochthons and migrant farmers in the Gban region (Côte d'Ivoire)' in R. Kuba and C. Lentz (eds), *Land rights and the politics of belonging in West Africa*. Leiden: Brill Academic Publishers.

- Cheeseman, Nic (2008) The 2007 Kenyan election: An introduction. *Journal of Eastern African Studies* 2(2): 166-184.
- Colin, Jean-Philippe, Georges Kouamé & Débénoun Soro (2007) Outside the autochthon-migrant configuration: Access to land, land conflicts and inter-ethnic relationships in a former area of lower Côte d'Ivoire. *Journal of Modern African Studies* 45(1): 33-59.
- Collier, Paul & Anke Hoeffler (2004) Greed and grievance in civil war. *Oxford Economic Papers* 56(4): 563-595.
- Collier, Paul and Pedro C. Vicente (2012) "Violence, bribery, and fraud: the political economy of elections in Sub-Saharan Africa." *Public Choice* pp. 117-147.
- Collier, Paul (2009) The political economy of state failure. *Oxford Review of Economic Policy*, 25(2), 219-240.
- Commission of Inquiry into Post-Election Violence (Waki Commission Report) (2008) Available at: <http://www.cipev.org/home.asp>.
- Cooper, Fredrick (1980) *From Slaves to Squatters: Plantation Labor and Agriculture in Zanzibar and Coastal Kenya: 1980-1925*, New Haven: Yale University Press.
- Cramer, Katherine (2012) "Putting Inequality in its place: Rural Consciousness and the Power of Perspective." *American Political Science Review*, 106 (3): 517-532
- Dahl, Robert (1971) *Polyarchy: participation and opposition*.
- Davenport, Christian (2007) *State Repression and Domestic Democratic Peace*. Cambridge: Cambridge University Press.
- De Figueiredo, Rui J.P Jr. and Barry Weingast. (1999) "The Rationality of Fear." In, *Civil Wars, Insecurity, and Intervention*. Barbara Walter and Jack Snyder (eds). New York: Columbia University Press.
- De Soto, Hernando (2000) *The Mystery of Capital. Why Capitalism Triumphs in the West and Fails Everywhere Else*. New York: Perseus.
- Denny, Elaine and Barbara Walter (2014) "Ethnicity and Civil War." *Journal of Peace Research*, 51(2): 199-212.
- Dercon, Stefan & Roxana Gutierrez-Romero (2012) Triggers and characteristics of the 2007 Kenyan electoral violence. *World Development* 40(4): 731-744.
- Diamond, Larry, Juan J. Linz & Seymour Martin Lipset (1995) *Politics in Developing Countries: Comparing Experiences with Democracy*. Boulder, CO: Lynne Rienner.

- Dunning, Thad. (2011) "Fighting and Voting: Violent Conflict and Electoral Politics." *Journal of Conflict Resolution*, 55(3): 327-339.
- Easterly, William, and Ross Levine (1997) "Africa's growth tragedy: policies and ethnic divisions." *The Quarterly Journal of Economics*. 1203-1250.
- Eck, Kristine (2014) The law of the land: Communal conflict and legal authority. *Journal of Peace Research* 51(4): 441-454.
- Eifert, Benn, Edward Miguel & Daniel Posner (2010) Political competition and ethnic identification in Africa. *American Journal of Political Science* 54(2): 494-510.
- Ekeh. Peter P. (1975). "Colonialism and the Two Publics in Africa: A Theoretical Statement." *Comparative Studies in Society and History*, 17 (January): 91-112.
- FAO (2002). "Land Tenure and Rural Development," *FAO Land Tenure Studies Vol. 3*.
- Fearon, James & David Laitin (2003) "Ethnicity, insurgency, and civil war." *American Political Science Review* 97(1): 75-90.
- Fearon, James & David Laitin (2011) "Sons of the soil, migrants, and civil war." *World Development* 39(2): 199-211.
- Feder, Gershon (1987) "Land Ownership and Farm Productivity: Evidence from Thailand." *The Journal of Development Studies*, 24(1): 16-30
- Ferree, Karen E (2006) "Explaining South Africa's racial census." *Journal of Politics* 68 (4): 803-815.
- Finkel, Evgeny, S. Gehlbach, and T Olsen (2015) "Does Reform Prevent Rebellion? Evidence from Russia's Emancipation of the Serfs." *Comparative Political Studies* (forthcoming).
- Firmin-Sellers, Kathryn and Patrick Sellers. (1999). "Expected Failures and Unexpected Successes of Land Titling in Africa." *World Development*, 27(7): 1115-1128.
- Firmin-Sellers, Kathryn (1996) *The Transformation of Property Rights on the Gold Coast: An Empirical Analysis Applying Rational Choice Theory*. Cambridge: Cambridge University Press.
- Fridy, Kevin S (2007) "The elephant, umbrella, and quarrelling cocks: Disaggregating partisanship in Ghana's fourth republic." *African Affairs* 106.423 (2007): 281-305.
- Fuji, Lee Ann (2009) *Killing Neighbors: Webs of Violence in Rwanda*. New York: Cornell University Press.
- Fujii, Lee Ann (2010) Shades of truth and lies: Interpreting testimonies of war and violence. *Journal of Peace Research*, 47(2), 231-241.
- Gamson, William. (1992). *Talking Politics*. Cambridge: Cambridge University Press.

- George, Alexander L. & Andrew Bennett (2005) *Case Studies and Theory Development in the Social Sciences*. Cambridge, MA: MIT Press.
- Geschiere, Peter (2009) *The Perils of Belonging: Autochthony, Citizenship, and Exclusion in Africa and Europe*. Chicago: University of Chicago Press.
- Geschiere, Peter and Josef Gugler (1998) "Introduction: The Urban-Rural Connection: Changing Issues of Belonging and Identification." *Africa*, 68(3): 309-319.
- Ghai, Yash P., and Patrick McAuslan (1970). *Public law and political change in Kenya: A study of the legal framework of government from colonial times to the present*. Oxford University Press.
- Goffman, Erving. 1974. *Frame Analysis. An Essay on the Organization of Experience*. Cambridge, MA: Harvard University Press.
- Gurr, Ted (1970) *Why men rebel*. Princeton, NJ: Princeton University Press.
- Gurr, Ted (1993) "Why Minorities Rebel: A Global Analysis of Communal Mobilization and Conflict since 1945." *International Political Science Review*, 14(2): 161
- Gutierrez-Romero, Roxana. (2014). "An Inquiry into the Use of Illegal Electoral Practices and Effects of Political Violence and Vote Buying." *Journal of Conflict Resolution*, 58(8): 1500-1527.
- Hafner-Burton, Emilie, Susan Hyde & Ryan Jablonski (2013) When do governments resort to election violence? *British Journal of Political Science* 44(1): 149-179.
- Harbeson, John W. (1973) *Nation-Building in Kenya: The Role of Land Reform*. Evanston: Northwestern University Press.
- Hegre, Håvard (2001). "Toward a democratic civil peace? Democracy, political change, and civil war, 1816–1992." *American Political Science Association* 95(01): 33-48
- Herbst, Jeffrey (2000) *States and Power in Africa*. Princeton: Princeton University Press.
- Herrera, Yoshiko and Devesh Kapur (2007) "Improving Data Quality: Actors, Incentives, and Capabilities." *Political Analysis*, 15: 365-386.
- Höglund, Kristine (2009) Electoral violence in conflict-ridden societies: concepts, causes and consequences. *Terrorism and Political Violence* 21(3): 412-427.
- Horowitz, Donald L (1985) *Ethnic Groups in Conflict*. Berkeley: University of California Press
- Huber, John (2011) "Measuring Ethnic Voting: Do Proportional Electoral Laws Politicize Ethnicity?" Working Paper.

- Huggins, Chris (2010) "Land, Power and Identity: Roots of Violent Conflict in Eastern DRC." International Alert/ European Union.
- Human Rights Watch (1993) "Divide and Rule: State-Sponsored Ethnic Violence in Kenya."
- Human Rights Watch (2002) "Playing with Fire: Weapons Proliferation, Political Violence and Human Rights in Kenya." HRW: Washington, New York.
- Human Rights Watch (2002) "The Bullets were Raining: the January 2001 Attack on Peaceful Demonstrators in Zanzibar." Accessible here:
<http://www.hrw.org/reports/2002/04/10/bullets-were-raining>
- Human Rights Watch (2014) "Democracy in the Crossfire: Opposition Violence and Government Abuses in the 2014 Pre- and Post-Electoral Period in Bangladesh."
- Humphreys, Macartan and Jeremy Weinstein (2006) Handling and manhandling civilians in civil war. *American Political Science Review*, 100(03), 429-447.
- Humphreys, Macartan and Jeremy Weinstein (2008) "Who Fights? The Determinants of Participation in Civil War." *American Journal of Political Science*. 52(2): 436-455
- Huntington, Samuel (1991). *The third wave: Democratization in the late twentieth century*. Norman: University of Oklahoma Press.
- Huntington, Samuel (1968) *Political Order in Changing Societies*. New Haven: Yale University Press.
- Hyde, Susan and Nikolay Marinov (2012) "Which Elections Can Be Lost?" *Political Analysis*, 20(2), 191-201.
- International Crisis Group (2003) "Refugees and Displaced Persons in Burundi—Defusing the Land Time-Bomb." Africa Report No. 70. Available here:
<http://www.crisisgroup.org/en/regions/africa/central-africa/burundi/070-refugees-and-displaced-persons-in-burundi-defusing-the-land-time-bomb.aspx>
- International Crisis Group (2014) "Fields of Bitterness II: Restitution and Reconciliation in Burundi." Africa Report No. 214. Available here:
<http://www.crisisgroup.org/en/regions/africa/central-africa/burundi/214-fields-of-bitterness-ii-restitution-and-reconciliation-in-burundi.aspx>
- Jackson, Stephen (2006) "Sons of Which Soil? The Language and Politics of Autochthony in Eastern DR Congo," *African Studies Review*. 42(2): 95-123.
- Jenkins, Sarah (2012) Ethnicity, violence, and the immigrant-guest metaphor in Kenya. *African Affairs* 111(445): 1-21.
- Jervis, Robert (1976) *Perception and Misperception in International Politics*. Princeton: Princeton University Press.

- Joireman, Sandra (2011) *Where there is no Government: Enforcing property rights in common law Africa*. Oxford: Oxford University Press.
- Kahl, Colin (2006) *States, Scarcity, and Civil Strife in the Developing World*. Princeton, NJ: Princeton University Press.
- Kalyvas, Stathis (2008) "Ethnic Defection in Civil War." *Comparative Political Studies*, 41 (8): 1043-1068.
- Kalyvas, Stathis (2006) *The Logic of Violence in Civil War*. Cambridge: Cambridge University Press.
- Kalyvas, Stathis (2003) "The Ontology of Political Violence," *Perspectives on Politics* 1(3): 475-494
- Kalyvas, Stathis and Adam Kocher (2007). "How 'Free' is Free Riding in Civil Wars? Violence, Insurgency and the Collective Action Problem." *World Politics*, 59 (2): 177-217.
- Kanyinga, Karuti (2000). *Re-Distribution from Above: The Politics of Land Rights and Squatting in Coastal Kenya*. Research Report No.115. The Nordic Africa Institute, Uppsala.
- Kanyinga, Karuti (2009) The legacy of the white highlands: Land rights, ethnicity and the post-2007 election violence in Kenya. *Journal of Contemporary African Studies* 27(3): 325-344.
- Kasara, Kimuli (2012) "Local Ethnic Segregation and Violence." Working Paper. Columbia University
- Kasara, Kimuli (2014) "Separate and Suspicious: Local Social and Political Context and Ethnic Tolerance in Kenya." *Journal of Politics*.
- Kaufmann, Chaim (1998) "When All Else Fails: Ethnic Population Transfers and Partitions in the Twentieth Century." *International Security* 23(2):120–156.
- Kenya Human Rights Commission (1996). "Ours by Right, Theirs by Might." A Study on the Land Clashes. Nairobi, Kenya: Kenya Human Rights Commission
- Kenya Human Rights Commission (2008) "Violating the Vote: A Report on the 2007 General Elections." Feb 27, 2008.
- Kenya Human Rights Commission (1997) *Kayas of Deprivation, Kayas of Blood: Violence, Ethnicity and the State in Coastal Kenya*. Nairobi, Kenya: Kenya Human Rights Commission.
- Kenya National Bureau of Statistics (2010) *The 2009 Kenya Population and Housing Census*. Nairobi: Kenya National Bureau of Statistics.
- Kenya National Human Rights Commission (2008) *On the Brink of the Precipice: A Human Rights Account of Kenya's Post-2007 Election Violence*.
- Kenya National Human Rights Commission (2008) "Back from the Precipice? A Human Rights

Account of Kenya's Post 2007 Election Violence.”

- Kitchelt, Herbert and Steven Wilkinson. 2007. *Patrons, Clients, and Policies: Patterns of Democratic Accountability and Political Competition*. Cambridge University Press: Cambridge
- Klaus, Kathleen and Matthew Mitchell (Forthcoming) “Land Grievances and the Mobilization of Electoral Violence: Evidence from Cote d’Ivoire and Kenya.” *Journal of Peace Research*.
- Klopp, Jacqueline (2002). Can moral ethnicity trump political tribalism? The struggle for land and nation in Kenya, *African Studies* 61(2): 270-294.
- Klopp, Jacqueline M and Elke Zuern. (2007). “The Politics of Violence in Democratization: Lessons from Kenya and South Africa.” *Comparative Politics* pp. 127–146.
- Klopp, Jacqueline M. (2000). "Pilfering the Public: The Problem of Land Grabbing in Kenya," *Africa Today*, 47/1 (Winter), pp. 7-26.
- Klopp, Jacqueline M (2001) Electoral despotism in Kenya: Land, patronage and resistance in the multi-party context. PhD Dissertation Manuscript.
- Klopp, Jacqueline (2008) “Remembering the Destruction of Muoroto: Slum Demolitions, Land and Democratization in Kenya. *African Studies* 67(3): 295-314
- Kraetzschmar, Hendrik and Francesco Cavatorta. 2010. “Bullets over ballots: Islamist groups, the state and electoral violence in Egypt and Morocco.” *Democratization*, 17(2): 326-349.
- Kuhn, Patrick. 2013. “Ethnic Voting, Partisanship, and Pre-electoral violence: Evidence from Sub-Saharan Africa.” Paper presented at American Political Science Association, Chicago, IL
- Landesa. April 17, 2015, “One Indicator, Many Target: A Path for Tracking Land Rights Post-2015.” <http://landpost2015.landesa.org/wp-content/uploads/2015/04/One-Indicator-Many-Targets-A-Path-for-Tracking-Land-Rights-Post-2015.pdf>
- Law Society of Kenya (1998) Impunity. Report of the LSK on the Judicial Commission of Inquiry Into Ethnic Clashes in Kenya. Nairobi, Kenya: Law Society of Kenya.
- Lemarchand, Rene (2008) “The Burundi Killings.” Online Encyclopedia of Mass Violence/ Sciences Po, June 2008.
- Lentz, Carola and Richard Kuba (eds) (2006) *Land and the politics of belonging in West Africa*. Leiden: Brill.
- Lentz, Carola (2013) *Land, Mobility, and Belonging in West Africa: Natives and Strangers*. Indiana University Press.
- Leys, Carola (1975) Underdevelopment in Kenya. The Political Economy of Neo-colonialism. Berkeley and Los Angeles: University of California Press.

- Lieberman, Evan, & Singh, Perna (2012) "The institutional origins of ethnic violence." *Comparative Politics*, 45(1), 1-24.
- Lindberg, Staffan I (2006) *Democracy and Elections in Africa*. Baltimore, MD: The Johns Hopkins University Press.
- Lindberg, Staffan I., and Minion KC Morrison (2008) "Are African voters really ethnic or clientelistic? Survey evidence from Ghana." *Political Science Quarterly* 123(1) : 95-122.
- Long, James (2012) "Voting, fraud, and violence: political accountability in African elections." *Dissertation Manuscript*.
- Lonsdale, John (2008) "Soil, Work, Civilization, and Citizenship in Kenya." *Journal of Eastern African Studies*. 2(2): 305-314.
- Lund, Christian (2008) *Local Politics and the Dynamics of Property in Africa*. New York: Cambridge University Press.
- Lynch, Gabrielle (2008) "Courting the Kalenjin: The failure of dynastisicm and the strength of the ODM wave in Kenya's Rift Valley Province." *African Affairs*, 107, 541-568.
- Lynch, Gabrielle (2011) *I Say to You: Ethnic Politics and the Kalenjin in Kenya*. Chicago: University of Chicago Press.
- Mahoney, James & Gary Goertz (2004) The possibility principle: Choosing negative cases in comparative research. *American Political Science Review* 98(4): 653-669.
- Mamdani, Mamdani (1996) *Citizen and Subject: contemporary Africa and the legacy of late colonialism*. London: James Currey.
- Mansfield, Edward & Jack Snyder (1995) Democratization and the danger of war. *International Security* 20(1): 5-38.
- Mansfield, Edward D., and Jack Snyder (2002) "Democratic transitions, institutional strength, and war." *International Organization* 56 (2): 297-337.
- Mansfield, Edward, & Jack Snyder (2007a) *Electing to Fight: Why Emerging Democracies Go to War*. Cambridge, MA: MIT Press.
- Mansfield, Edward, & Jack Snyder (2007b) "The Sequencing Fallacy." *The Journal of Democracy*, 18(3): 5-10.
- Marshall-Fratani, Ruth (2006) The war of 'who is who': Autochthony, nationalism, and citizenship in the Ivoirian crisis. *African Studies Review* 49(2): 9-43.
- Mazrui, A. (1997). *Violence, Ethnicity and the State in Coastal Kenya*. Kenya Human Rights Commission. Nairobi, Kenya: Kenya Human Rights Commission.

- McGovern, Mike (2011). *Making War in Cote d'Ivoire*. Chicago, IL: University of Chicago Press.
- Midlarsky, Manus I (1988) "Rulers and the Ruled: Patterned Inequality and the Onset of Mass Political Violence." *American Political Science Review* 82:491-509.
- Midlarsky, Manus I (1988) "Rulers and the Ruled: Prologue to the Onset of Mass Revolution." *Journal of Conflict Resolution* 26:3-38.
- Miguel, Edward. (2004). Tribe or nation? Nation building and public goods in Kenya versus Tanzania. *World Politics*, 56(3), 328-362.
- Mitchell, Matthew (2011) "Insights from the cocoa regions in Côte d'Ivoire and Ghana: Rethinking the migration–conflict nexus." *African Studies Review* 54(2): 123-144.
- Mueller, J. (2001) The remnants of war: Thugs as residual combatants. *Unpublished paper. Columbus: Department of Political Science, Ohio State University.*
- Mueller, Susanne (2008). The Political Economy of Kenya's crisis. *Journal of Eastern African Studies*, 2, 85-2
- Mueller, Susanne (1984) "Government and Opposition in Kenya, 1966–9." *The Journal of Modern African Studies*, 22(3): 399-427.
- Muller, Edward N., and Mitchell A. Seligso (1987) 'Inequality and Insurgency.'" *American Political Science Review* 81:425-51.
- Ndayirukiye, Sylvestre, and Shinichi Takeuchi (2014) "Dealing with land problems in post-conflict Burundi." *Confronting Land and Property Problems for Peace*, Routledge.
- Newbury, David (1997) Irredentist Rwanda: ethnic and territorial frontiers in Central Africa. *Africa Today*, 211-221.
- Norris, Pippa (2013) Why lack of integrity triggers electoral violence. Paper presented at the Annual Meeting of the American Political Science Association, Chicago.
- Okoth-Ogendo, H. W. O (1991) *Tenants of the crown: evolution of agrarian law and institutions in Kenya*. ACTS Press, African Centre for Technology Studies (Nairobi, Kenya).
- Olson, Mancur. (1969) *The logic of collective action: public goods and the theory of groups*. Cambridge: Harvard University Press.
- Onoma, Ato Kwamena (2009). *The Politics of Property Rights Institutions in Africa*. Cambridge: Cambridge University Press.
- Opalo, Kennedy. (2014). "The Long Road to Institutionalization: The Kenyan Parliament and the 2013 Elections." *Journal of Eastern African Studies*, 8(1): 63-77.
- Operation des Nations Uniesen Cote d'Ivoire (ONUCI). (2011) Report on violations of human rights and international humanitarian law committed in the west of Ivory Coast]. Human Rights

Division.

Ostrom, Elinor (1990) *Governing the Commons: The Evolution of Institutions for Collective Action*. Cambridge: Cambridge University Press.

Paige, Jeffery (1975) *Agrarian Revolution*. New York: The Free Press.

Patterson, Molly and Kristen Monroe (1998) "Narrative in Political Science," *Annual Review of Political Science* (1): 315–31.

Payne, Leigh. (2008). *Unsettling Accounts: Neither Truth nor Reconciliation in Confessions of State Violence*. Durham: Duke University Press.

Platteau, Jean-Philippe and Catherine Andre (1998) "Land Relations under unbearable stress: Rwanda caught in the Malthusian trap." *Journal of Economic Behavior and Organization*. 34: 1-47.

Polletta, Francesca. (2006). *It Was Like a Fever: Storytelling in Protest and Politics*. University of Chicago Press: Chicago.

Popkin, Samuel. (1979). *The rational peasant: The political economy of rural society in Vietnam*. Berkeley: University of California Press.

Posner, Daniel. (2004) The political salience of cultural difference: Why Chewas and Tumbukas are allies in Zambia and adversaries in Malawi. *American Political Science Review* 98(4): 529-545.

Posner, Daniel. (2005). *Institutions and Ethnic Politics in Africa*. Cambridge: Cambridge University Press.

Raleigh, Clionadh, Andrew Linke, Håvard Hegre & Joackim Karlsen (2010) Introducing ACLED: An Armed Conflict Location and Event Dataset. *Journal of Peace Research* 47(5): 1-10.

Reno, William. (2007). "Patronage Politics and the Behavior of Armed Groups." *Civil Wars*, 9(4): 324-342.

Republic of Kenya (2002) *Report of the Judicial Commission Appointed to Inquire into Tribal Clashes in Kenya*, chaired by Hon. Mr. Justice A. M. Akiwumi. Nairobi.

Republic of Kenya. (2004) *Report of the Commission of Inquiry into Illegal/Irregular Allocation of Land* (Ndung'u Report) Nairobi: Government Printers.

Republic of Kenya. (2013). *Report of the Truth Justice and Reconciliation Commission*, Chaired by Amb. Bethuel Kiplagat. May 3 2013.

Reyntjens, Filip (2005) "Briefing: Burundi: A Peaceful Transition after a decade of war?" *African Affairs*, 105(418): 117-135.

- Reyntjens, Filip. (2009). *The great African war: Congo and regional geopolitics, 1996-2006*. Cambridge University Press.
- Riker, William and Itai Sened. (1991) "A political theory of the origin of property rights: airport slots." *American Journal of Political Science*, 35(4): 951-969.
- Rustow, Dankwart A. (1970) Transitions to democracy: Toward a dynamic model. *Comparative politics*, 337-363.
- Rutten, Marcel, Alamin Mazrui and Francois Grigon (eds). (2001). *Out for the Count: the 1997 Elections and Prospects for Democracy in Kenya*. Fountain Publishers: Kampala.
- Sambanis, Nicholas (2001) "Do Ethnic and Nonethnic Civil Wars Have the Same Causes? A Theoretical and Empirical Inquiry (Part 1)." *Journal of Conflict Resolution* 45 (3): 259–82.
- Sanin, Francisco Gutierrez and Elisabeth Wood. (2014). Ideology in Civil War: Instrumental Adoption and Beyond. *Journal of Peace Research*. Vol. 51(2) 213–226
- Sanin, Francisco Guterrez, "The Dilemmas of Recruitment: the Colombian Case," in Guichaoua, Yvan, ed. (2011) *Understanding collective political violence*. Palgrave Macmillan.
- Schatzberg, Michael (2001) Political Legitimacy in Middle Africa: father, family, food. Indiana University Press: Bloomington.
- Schatzberg, Michael G., ed. 1987. *The Political Economy of Kenya*. Praeger Publishers,
- Scott, James C. (1976). *The moral economy of the peasant*. New Haven, CT: Yale
- Shipton, Parker. (2009) *Mortgaging the Ancestors: ideologies of attachment in Africa*. New Haven CT: Yale University Press.
- Simmons, Erica (2014) Grievances do matter in mobilization. *Theory and Society* 43(5): 513-536.
- Skocpol, Theda. (1979). *States and social revolutions: A comparative analysis of France, Russia, and China*. Cambridge, UK: Cambridge University Press.
- Smith, Lahra (2009). "Explaining violence after recent elections in Ethiopia and Kenya." *Democratization* 16 (5): 867-897.
- Snow, D., & Benford, R. (1992). Master Frames and Cycles of Protest. In A. Morris, & C. Mueller (Eds.), *Frontiers in Social Movement Theory*. New Haven: Yale University Press.
- Snyder, Jack (2000) *From Voting to Violence: Democratization and Nationalist Conflict*. New York WW Norton & Company Inc.
- Staniland, Paul (2014). Violence and democracy, *Comparative Politics* 47(1): 99-118.

- Stearns, Jason (2012). *North Kivu: The Background to Conflict in North Kivu Province of Eastern Congo*. Rift Valley Institute.
- Steele, Abbey (2011). Electing Displacement: Political Cleansing in Apartado, Colombia. *Journal of Conflict Resolution*, 55(3): 423-445.
- Stepan, Alfred C., and Juan José Linz. (1996). "Toward consolidated democracies." *Journal of democracy* 7(2): 14-33.
- Straus, Scott & Charlie Taylor (2012) Democratization and electoral violence in Sub-Saharan Africa, 1990-2008. In: Dorina A. Bekoe (ed.) *Voting in Fear: Electoral Violence in Sub-Saharan Africa*. Washington, DC: United States Institute of Peace, 15-38.
- Straus, Scott (2011) Briefing: 'It's sheer horror here:' Patterns of violence during the first four months of Côte d'Ivoire's post-electoral crisis. *African Affairs* 110(440): 481-489.
- Straus, Scott (2012) Retreating from the brink: Theorizing mass violence and the dynamics of restraint. *Perspectives on Politics* 10(2): 343-362.
- Straus, Scott. 2006. *The Order of Genocide: Race, Power and War in Rwanda*. Ithaca, NY: Cornell University Press.
- Tarrow, Sidney. 2011. *Power in Movement: Social Movements and Contentious Politics* Cambridge: Cambridge University Press.
- Themnér, Lotta & Peter Wallensteen (2014) Armed Conflict, 1946-2013. *Journal of Peace Research* 51(4).
- Throup, David and Charles Horsby (1998). *Multiparty Politics in Kenya*. Oxford: James Currey.
- Toft, Monica Duffy (2005). *The geography of ethnic violence: Identity, interests, and the indivisibility of territory*. Princeton: Princeton University Press.
- UNHCR-WFP. 2007. *Joint Assessment Mission of Burundian Returnees*. Burundi. Available from: <http://documents.wfp.org/stellent/groups/public/documents/ena/wfp145774.pdf>
University of Chicago Press.
- Unruh, Jon D. (2009). "Land rights in postwar Liberia: the volatile part of the peace process." *Land Use Policy*, 26(2): 425-433.
- Van de Walle, Nicolas. "Meet the new boss, same as the old boss" in Kitchelt, Herbert and Steven Wilkinson (eds). 2007. *Patrons, Clients, and Policies: Patterns of Democratic Accountability and Political Competition*. Cambridge University Press: Cambridge.
- Varshney, Ashutosh (2002) *Ethnic Conflict and Civic Life: Hindus and Muslims in India*. New Haven: Yale University Press.

- Vlassenroot, Koen, and Chris Huggins (2005). "Land, migration and conflict in eastern DRC." *From the ground up: land rights, conflict and peace in sub-Saharan Africa* (115-195).
- Walsh, Katherine Cramer. (2007). *Talking About Race: Community Dialogues and the Politics of Difference*. Chicago: University of Chicago Press.
- Wedeen, Lisa. (2002). Conceptualizing Culture: Possibilities for Political Science. *American Political Science Review*, 96:4 (December): 713-738.
- Weimer, David. (1997). *The Political Economy of Property Rights: Institutional Change and Credibility in the Reform of Centrally Planned Economies*. Cambridge: Cambridge University Press.
- Wilkinson, Steven (2004) *Votes and Violence: Electoral Competition and Ethnic Riots in India*. Cambridge: Cambridge University Press.
- Willis, Justin and Ngala Chome. (2014). "Marginalization and Political Participation on the Kenya Coast; the 2013 Elections. *Journal of Eastern African Studies*, 8(1); 115-134
- Young, Crawford. (2007). "Nation, Ethnicity, and Citizenship: Dilemmas of Democracy and Civil Order in Africa." In *Making Nations, Creating Strangers: States and Citizenship in Africa*. Dorman, Sara, Daniel Hammett, Paul Nugent (eds.). 241- 264. Leiden: Brill