

A short history of land settlements in the Rift Valley



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<http://www.pambazuka.org/images/articles/370/46930rift.jpg> Since the outbreak of post-election violence in the Rift Valley, there have been numerous reports in the local dailies claiming that the root cause of this conflict is 'the land question'. Without exception, these reports fail to inform or educate us precisely because of their misrepresentation of history. Horace Njuguna Gisemba seeks to rectify this.

Given the scale and the urgency of the current crisis and its repeated association with the so-called 'land question' it is time for a complete unpacking of the history behind colonial and post-colonial settlement in the White Highlands. Only then will we determine with certainty whether land is at the centre of the ongoing systematic evictions in the Rift Valley.

The first argument that is normally presented is that the North Rift region (Uasin Gishu, Trans Nzoia, Nandi and West Pokot Districts) exclusively constitutes the ancestral land of the supra-ethnic group we have come to term 'the Kalenjin', i.e. the Nandi, Keiyo, Pokot, Tugen, Marakwet and Kipsigis. A quick etymology of geographical names in the North Rift region such as Uasin Gishu, Eldoret, Sirikwa, and Kipkaren confirms that the Maasai long lived in and named these places. Indeed, it is the Maasai who were displaced from these lands by the colonialists and therefore, any question of restitution to ancestral owners – if at all it can be achieved - must of necessity be resolved with the full inclusion of the Maasai.

In the early 1900s colonial settlement in Central Kenya displaced many Gikuyu families. In their search for productive agricultural land, many of these families gradually moved west through Kijabe and into the Rift Valley. At the same time, white settlers moving into the Rift Valley aggressively recruited Gikuyu farmhands from Central Kenya who became their tenants at will. Between 1904 and 1920, 70,000 Gikuyus had migrated to the Rift Valley. By the end of the 1930s that community had grown to more than 150,000, many of whom were second and third generation Rift Valley Gikuyus. As the tension between these increasingly successful squatter farmers and their white landlords heightened the white settlers in some districts decided to do away with squatters altogether. In 1941 the first Government re-settlement scheme for Africans was established in Olenguruone north of Nakuru and it absorbed many of the Gikuyu squatters who were being driven out by their white landlords. But the larger majority of the Gikuyu, numbering over 100,000, were forcefully repatriated to Central Kenya between 1946 and 1952. This cyclical pattern of Gikuyu removals from Central Kenya, then settlement in the Rift Valley, followed by forceful evictions and painful repatriation back to Central Kenya, should be the subject of real concern. For each time they have occurred (1952, 1991/92, 1997 and 2007/2008) these returns have generated bitterness and inflamed the Gikuyu in Central Kenya. As a barrage of Kenyan historians agree (David Throup, Tabitha Kanogo, David Anderson, Frank Furedi, Rosberg & Nottingham) these reactions ignited the 1952 Mau Mau Uprising, and in 2008 they have been the reason for the vicious revenge attacks of the past two weeks.

The eviction of the Gikuyu from Olenguruone in the late 1940s and early 1950s made room for a new government-initiated settlement of Africans in the White Highlands. This 1955 settlement

was conceived for the purposes of benefiting loyal African farmhands. Given that this re-settlement was taking place at the height of the Mau Mau uprising, the colonial authorities were quick to exclude the Gikuyu people from this scheme. The question of loyalty was to determine another pattern of settlement in the run-up to Independence and soon thereafter - some departing white farmers chose to gift their parcels to trusted farmhands. This is the history behind the ownership of farms running to hundreds and even thousands of acres by some people of Teso origin in Trans Nzoia District.

The third wave of African settlement in the White Highlands was the Million Acre Scheme which began in 1963. On the eve of Independence the departing colonisers negotiated a scheme by which white settlers were bought out of their farms by the in-coming Kenya government. The money for this purchase was made available as a loan by the British government, hence the acrimonious dispute that pitted Jomo Kenyatta on the one hand and Bildad Kaggia and Jaramogi Oginga Odinga on the other. The argument of the latter nationalists was that there was no justification for a people to buy that which had been forcefully wrenched from them. The vehicle that the independent Kenya government used to facilitate the acquisition and subsequent distribution of these lands was the Settlement Fund Trustees (SFT). SFT was a separate legal entity whose trustees were government ministers. It is important to note that the SFT exists to this day and the records of all their transactions from 1963 to date, including those allocations that were made in the Moi era, are available for perusal at the Ministry of Lands.

Through the 1960s and 1970s the SFT would, through the local dailies and village barazas, advertise and invite applications for allocation of land in recently created settlement schemes. These schemes were constituted from the farms that the SFT had acquired from the white farmers. The conscious process of designing these schemes involved several steps. First was the amalgamation of parcels and sub-division by use of aerial surveys into economically viable units, including the provision of access roads. This was followed by conversion of the land registration system from the complex Registration of Titles Act (RTA) to the simpler Registered Land Act (RLA) which was borrowed from Australia. Along with that, the government made loans available not only for the purchase of land, but also for the acquisition of livestock, farm inputs and other developments. These loans, which were part of a revolving fund, were administered by the SFT.

As individuals responded to the advertisements and applied for allocation of land, grassroots leadership and enterprise were ultimately critical to the ways in which communities organised to make the best of the emergent SFT opportunities. For instance, it was the power of what John Lonsdale defines as positive ethnicity that saw the Maragoli community congregate to purchase SFT land in Lugari District which, though it lies in Western Province, was part of the White Highlands. Matunda Scheme, which straddles Rift Valley and Western Province, attracted the Abanyore people. Likewise the close-knit Abagusii people drew each other into significant purchase of the Sinyerere Settlement Scheme in Trans Nzoia District. There was no political patronage in this manner of settlement. Rather, it was solely the desire for productive land that drove these traditionally agricultural communities to participate in these schemes.

It is worth noting that even in the 1980s, under former President Moi's regime, the SFT continued to acquire land. In Kipkabus, Uasin Gishu District, SFT took over a large parcel from East African Tanning Extract Co. Ltd (EATEC), a Lonrho subsidiary. Through sponsored economic mobility and political patronage it was allocated to members of the Kalenjin community.

Because of the publicity surrounding it, the fourth pattern of resettlement in the Rift Valley in the late 1960s and early 1970s overshadows all of the above. Perhaps on account of the elaborate

organisational infrastructure attending to it and the entrepreneurial genius required to enable its proper realisation, references to this pattern of resettlement invariably carry grave misrepresentations. The venture capitalists who conceived this scheme saw an opportunity in the mobilisation of low income earners for the purchase of large-scale white-owned farms. They therefore set up public companies and in some instances cooperative societies. These became the vehicles through which they raised capital from the masses and then acquired farms that were being offered for sale on a willing buyer-willing seller basis. Examples of this abound, and records of the companies and their transactions should be readily available from the advocates who oversaw these processes. In Kitale, the Abagusii acquired a parcel that they renamed North Kisii while the Maragoli mobilised to purchase what was later to be known as Bidii Farm. Another group from the same community bought Vihiga Farm in Soy Division. In Uasin Gishu, a group of Kalenjins set up Kapkures Farm Ltd and bought land in Moiben Division. Others bought land in Lessos through Barkeiwo Farm Ltd while Kaplogoi Estates Ltd and Sessia Farm Ltd made good of other opportunities within the district. The populous Gikuyu formed several land-buying companies, the most famous of which were Gema (Gikuyu, Embu Meru Association), Ngwataniro, and Nyakinyua and all of which bought land in the Rift Valley as well as in Central Province.

Farms such as Kiambaa, Kimuri, Yamumbi and Kondoo in Uasin Gishu District which are at the heart of the on-going violent post-election evictions were purchased by land-buying companies of this nature. In the initial years, the farms that were acquired in this manner remained as large-scale parcels and were only sub-divided through presidential edict in 1981. This edict by former President Moi was aimed at undercutting the growing influence of the venture capitalists who had used land-buying companies as a springboard for electoral politics. The names that immediately come to mind are Kihika Kimani, Njenga Karume and Stephen Kairo. The result of the sub-division was the creation of tiny parcels of land that were then transferred to the low-income shareholders who had formed the original land-buying companies.

Alongside land-buying companies in the willing buyer-willing seller resettlement model were transactions between departing white settlers and individual members of the emergent African elite. This class had access to funding from the Agricultural Finance Corporation (AFC) and was drawn from across the ethnic divide. Thus one finds large-scale farms in excess of 1,000 acres in the hands of Kalenjins, Gikuyus, Luos, Luhyas, Kisiis and Masaais in the Rift Valley.

The wrath of the Kalenjin peoples over what they consider the appropriation of their ancestral lands is not a new phenomenon, neither does it have its roots in the 1991/1992 'land clashes'. As far back as 1969, the Hon. Jean Marie Seroney (MP for Tinderet) had drawn controversy when he authored 'The Nandi Declaration' that demanded all non-Nandi vacate the ancestral land of this sub-tribe. The Kenyatta government reacted by imprisoning Seroney for sedition but his ideas did not die. Ironically, in 1991/1992 Moi and his foot soldiers were to adopt Seroney's template for ethnic exclusivity (expanded to encompass the larger Kalenjin community) by evicting Gikuyus, Luos, Luhyas and Kisiis in their bid to secure political victory in the Rift Valley.

Borrowing from Kenyatta's example of using land to reward cronies and in some cases emergent national heroes such as athletes and popular musicians, Moi expanded this other form of settlement in the Rift Valley. In the best practice of political patronage, Moi used state forests, demonstration and research land owned by parastatals such as the Agricultural Development Corporation (ADC) and Kenya Agricultural Research Institute (KARI) to reward loyalists largely drawn from his community. This is how a select new elite acquired, at well below the market price, sizeable parcels of prime land in Trans Nzoia, Nandi and Uasin Gishu Districts. Apart from this latter settlement by political protégées all other forms of post-

independence settlement in the Rift Valley were essentially valid commercial transactions. They were, in fact, no different from the commercial transactions by which the coffee farms bordering Kiambu District came to be transformed into the residential areas that we now know as Runda, Gigiri, Loresho, Kitisuru, Nyari and Rosslyn.

Towards the end of Moi's tenure, EATEC decided to divest and sold off 49,000 acres on a willing buyer-wiling seller basis. Even so, these 2001 transactions caught Moi's eye and he demanded that most of this land be sold to Kalenjins. The top EATEC management that had been summoned to State Lodge in Eldoret provided Moi with a list to prove that they had indeed taken cognisance of this concern.

Contrary to what has so often been posited as an irrefutable fact, there are several reasons why the eviction of non-indigenous communities from the Rift Valley has had nothing to do with the so-called 'land question'. Indeed this systematic on-going violence is not about remedying of past injustices, land scarcity, growing impoverishment of the Kalenjin or protests against the outcome of the flawed December 2007 General Election. To keep repeating that the Gikuyu got to the Rift Valley through presidential favour fails to explain how the Kambas, Luhyas and Kisiis, who have never produced a president, became land owners and flourished in the Rift Valley. And if indeed it is the declaration of Mwai Kibaki as president that is the offending spark, then why are non-Gikuyu under attack?

Further, if this violence is about the pressure or scarcity of land, these issues would not wait to crop up in every election year. Does it take one five years to realize that they have a neighbour whose presence prevents them from tilling a larger piece of land or using that land to pursue some other profitable business? Given the vast state machinery that former President Moi had at his disposal from the end of 1978 he would long have righted purported land injustices against the Kalenjin. That he only picked up 'the land question' at the onset of multi-party politics in 1991 proves that his motivation was never simply the restitution of land to the Kalenjin. Rather, the clashes were instigated for political expediency.

The third reason why these aggressions are not about the scarcity of land is that the huge tracts of highly productive agricultural land in the hands of elite Kalenjins, a select caucus of the political class across the ethnic divide, non-Kenyan multinationals and Kenyan white and Indian farmers have never been the target of land invasion and redistribution. Genuine pressure for land would not be so selective in choosing the enemy. Indeed, pressure for land would not lead a Kalenjin man to drive out his Gikuyu wife as has happened in the current crisis.

Fourthly, in the on-going crisis the Gikuyus, Kisiis and Luhyas (on the Kapsabet-Vihiga border) who have been targeted for eviction have been given no notice to vacate. Were it simply about land, one would have expected the matter to stop upon their expulsion. That the Kalenjin warriors have designed an elaborate mechanism for vetting and exterminating fleeing residents at roadblocks signals that their goal is not the simple take-over of land. Further, the aggressors have gone so far as to follow victims who have already deserted the land and taken refuge in churches. The burning of these sacred sites and the inhuman killing of those who had taken refuge therein raises urgent questions about the moral ethos driving the Kalenjin community.

Claims such as Kipchumba Some's in the Daily Nation of 9 February 2008 that the Kalenjin have reacted to their neighbours with so much aggression because they have been impoverished after selling their land to these 'outsiders' are ludicrous. For in the sale transactions that have taken place over the years, the Kalenjin were never robbed of their land, they always got market value for it. In 2001 EATEC was prevailed upon by Moi to reduce the sale prices and they did. Many Kalenjins who later sold what they had acquired from EATEC made profits of well over

600% within a space of six years. If their investments from these profits have not paid off, they can not now forcefully reacquire what they freely and voluntarily sold. It is akin to the original owners of Runda, Gigiri, Loresho, Nyari, Kitisuru and Rosslyn citing growing poverty and therefore coming to reclaim their 'lost' lands by burning the residences that diverse people have invested in.

It is clear that the passions and goals that have repeatedly driven the Kalenjin community in these intermittent spates of violence emanate from somewhere else. In each instance, they have targeted as the enemy communities whose industry has transformed the landscape of the Rift Valley economy. What drives them to attack these peoples and the means by which they have been galvanized for the onslaughts ought to be the subject of thorough investigation. A solution that looks to the restitution of 'Kalenjin land' will not be sufficient to address their imagined exclusion from profitable enterprise. The much-needed process of unearthing the driving impetus of the pre-planned evictions and murders, of finding lasting solutions and restoring harmony, is the rightful work of a Truth, Justice and Reconciliation Commission.

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