

DYNAMICS IMPACTING THE LAND QUESTION IN LAIKIPIA COUNTY 1850-2022

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ABSTRACT

A multitude of factors contributed to the escalation of the land question in Laikipia County. This research article therefore sought to establish why these factors continued to impact the land question despite of numerous interventions. It was qualitative and used a historical research design that enabled thematic analysis of the derived data. It applied interpretivism philosophy. The research article also corroborated instrumentalism and articulation modes of production theories. Thematic analysis also permitted

interpretation of data to achieve reliability and validity. It concluded that changes in land use and land tenure during the colonial and post-colonial era, geo-politics, ethnocentrism and skewed resettlement programmes by post-colonial regimes contributed to the rise of the land question in Laikipia County. It recommended that fixing changes in land use and land tenure, geo-politics, negative ethnicity and skewed resettlement programmes will resolve the land question in Laikipia County.

Keywords: Dynamics, Impacting, Laikipia County, Land question.

INTRODUCTION

Land, its use and appropriation was a phenomenon that permeated the entire fabric of the political economy the world over. In most societies land was productive soil, a factor of production and reproduction. Further, land was a place of interment, a dwelling place of ancestors and gods. It was also interpreted to mean ethnic territories and home ground. Its appropriation led to the creation of social relations and formation of class systems globally. The land question was how land was utilised, its economic value, and migration and settlement patterns. It was also the inequalities created overtime and socio-economic milestones thereon (Ndege, 2012, pp. 2-7).

The land question was an age-old emotive issue world over across several generations. This question was exacerbated by skewed patterns of colonialism especially in third world countries, governments' inability to fix the historical issues, ethnocentrism fanned by outdated ethnic stereotypes, political machinations and more recently climate change.

In Southern America, Nascimento *et.al* held that Brazilian land issues became complex in the last fifteen years due to conflict over property rights resulting from friction among squatter peasants, multi-interest organisations and government (Nascimento *et.al*, 2007, p. 1). Conflicts in this unstable institutional environment impacted negatively on agricultural activity within public and private land. The absence of a decisive legal framework on property rights particularly on land aggravated the land question in Brazil.

Sri Lanka also endured a history of land related problems since the collapse of colonialism. Policy makers had considered that land settlement should be based on ethnic composition rather than district ratio. Thus, Tamil peasants were typically thrown out of the schemes in areas they perceived as their traditional homelands (Ranathilaka, 2014, p. 72). The resultant migration of

people from Sinhalese majority amounting to an alien encroachment into Tamil homeland cannot be justified with available historical evidence.

In Africa, Nasimiya asserts that the pre-colonial land tenure system in Africa espoused collective title and redistribution of land. Land matters were subject to clan system of patronage, thus, virtually the clan owned the land. The clan further subdivided the land to individual families, but, the kinsmen in the families subscribed to clan patronage regarding land crises and redistribution (Nasimiya, 1984, p.62). Accordingly, land during the pre-colonial period was a common property (Nasimiya, 1984, p.63). Therefore, land conflicts during the pre-colonial period were an ethnic responsibility.

Several studies were done on factors impacting the land question. Asamoah's work on Nkonya-Alavanyo asserted that ethnic aggressions were driven by cultural factors including symbols, myths and language. Asamoah further asserts that, ethnicity and age-old hatred were attributed to the Nkonya-Alavanyo ethnic land contests. These findings were very useful to the current study. Further, the study reiterated that the main cause of the Nkonya-Alavanyo conflicts in Volta region was land. (Asamoah, 2014, pp.54-56). However, this research article filled the lacuna on how cultural facets impacted the land question in Laikipia County.

Arowosegbe's study examined the problem of land in the area was traced back to the advent of colonialism in Southern Nigeria. Traditional African leaders donated the land in question to the Royal Niger Company ostensibly for company colonial utility. When the company rule ended, the land in question was handed over to the British colonial government. Upon attainment of independence, successive Nigerian governments have been unable to develop the land (Arowosegbe, 2017, p. 41). This has created a leeway for a protracted land contest between the Hausa and Fulani over the ownership of the land. However, this research article filled the lacuna on how colonialism impacted the land question in Laikipia County.

Kipkemoi's study probed assessed the level to which economic dynamics triggered inter-ethnic land contests in Kuresoi Sub-County. It further determined the level to which political factors like role of political actors and underlying issues have sparked land related inter-ethnic conflicts in Kuresoi North Sub County. Lastly, it investigated how socio-cultural issues

aggravated land –related inter-ethnic conflicts in Kuresoi North Sub County in Nakuru County (Kipkemoi, 2015, p.78). Kipkemoi’s findings were instrumental to this study; however this research article filled the lacuna on how these dynamics impacted the land question in Laikipia County.

In that perspective, this research article put into context how variables like changes in land use, land tenure, colonialism, and governments’ inability to fix the land problem, gender dimensions, political dynamics and ethnic identities led to the rise of the land question in Laikipia County 1850-2022. It further substantiated how the influence of elites and the economic materiality land in the instrumentalism and articulation of modes of production theories led to the rise of land question in Laikipia County 1850-2022. The view was not to re-invent but fill the knowledge lacuna that exit in Laikipia County.

Research Question

The research question of this research article was; which dynamics have impacting the land question in Laikipia County 1850-2022?

Research Design

This article applied was qualitative in its methodology in that regard it applied the historical research design to enact the dynamics impacting the land question in Laikipia county 1850-2022. It applied the historical research design to examine migration and settlement of the ethnic communities and its influence on the land question in Laikipia County 1850-2022. The selected research design suited this research article given the unique nature of historical evidence (Chakraborty, 2012, pp. 2-7).

Research Theories

This research article was hinged on the instrumentalism and articulation of modes of production theories (Imbuye, 2016, pp. 15-57; Banaji, 1990, p. 300).

RESEARCH PHILOSOPHY

This article was further justified on the interpretivism philosophy propounded by Marx Weber (Chakraborty, 2012, pp. 2-7).

Data Analysis

Thematic analysis was applied to analyse data on the basis of the research article question (Berg *et.al*, 2012, pp. 5-17).

Findings and Discussions

The land question was the land ethno territorial land contests among the Pokot, Tugen, Samburu, Ndorobo, Maasai, Kisii, Meru, Somali, Agikuyu and the Europeans peopling Laikipia County in Kenya. Which dynamics have impacting the land question in Laikipia County 1850-2022?

Negative ethnicity and cultural stereotypes in relation to the land question in Laikipia County

Ethnic groups were marked and categorised on the basis of their cultural set of norms, practices and structural entities which gives them a unique identity (Murugu *et.al*, 2002, p.239). The origin of negative ethnicity in Africa and particularly Laikipia County was traced to pre-colonial, colonial and post-colonial era (McWilliams, 2014, p. 270). This research article therefore held that colonialism and the struggle to control land as a factor of production in Laikipia County was aggravated by negative ethnicity in the mentioned epochs.

The ethnic nature and diversity of the native Africans in Kenya was a critical factor during the great days of decolonisation (Ogot *et.al*, 1995, p.113). Africans in Kenya and Laikipia County in particular had to unite irrespective of their cultural heterogeneity in order to achieve their independence. The colonial regime had exploited these existing diversities and autonomous organisations by widening the gaps between these ethnic groups or exacerbated these divisions by design through the divide and rule policy that assured them effective and efficient colonial occupation (Ogot *et.al*, 1995, p.126). Successively, through urbanisation, labour employment on settlers' farms, Christianity and political awareness campaigns by ex-soldiers, African solidarity became a reality albeit the then prevailing setbacks.

The Maasai, Ndorobo, Tugen, Samburu, Pokot and Turkana developed negative ethnicity against the Kikuyu, Meru and Kisii for settling in their supposed ancestral land. They blamed both the colonial and post-colonial governments for creating policies towards and after independence that enabled the Kikuyu, Kisii and Meru to settle in Laikipia instead of considering them (Warurii, 2015, pp.23-65). The contest to control land

was hotly contested because it was a factor of production among Maasai, Ndorobo, Tugen, Samburu, Pokot, Kisii, Meru, Agikuyu and Turkana.

Land use in relation to the land question in Laikipia County in Laikipia County

Land use in the pre-capitalist African societies was categorised into crop cultivation fields, salt licks and herding points. There were also bushes and forest areas some which served as sacred places. Bushes and forests were also sources of timber and herbal medicine (Ndege, 2012, p.7) (Kenyatta, 1938, p.13). This research article therefore reiterated that land use in Laikipia County from the pre-colonial, colonial and post-colonial era had both socio-cultural and economic significance as a factor of production. In the pre-colonial era, land use in Laikipia County was basically for grazing, salt licks, forests, herbal resources, abode of ancestors and gods (Mwenda, 2018, pp.12-67). This study, therefore, reinforced that during the pre-colonial land was a critical force of production for both the food gatherers and the herders who lived in Laikipia County. It is, as a result, the genesis of the rise of the land question between this groups based on ethnocentrism stand points. Ancestral land claims arose from their interaction during their migration and settlement in the area.

In the colonial period, three key groups of land use was found in Laikipia, European owned huge scale farming holding of eight per cent of the district and the zone of Mukogodo whose populations were cattle farmers. The colonial land use in Laikipia District also included forest reserve. This research article noted colonial land use in Laikipia County was a consequence of the colonial land legislation enacted during the colonial era in Kenya (Warurii, 2015, p. 37). From the previous information, therefore, this research article maintained that colonial decision to subdivide land in Laikipia County to create settler ranches created the land question in the area. The change of land use in the area from the previous grazing to ranching created discontent among the Maasai, Samburu, Pokot, Tugen, Ogiek and Ndorobo who insisted that they lost ancestral land in the process. The land question emanated from the land use for both European settlers and the African ethnic groups in Laikipia as a factor of production in their modes of production. Private ranches and conservancies consisted of up to seventy percent of the land mass in Laikipia County.

Post-colonial land resettlement policies in Kenya adopted by the Jomo Kenyatta soon after independence ushered in a new trajectory regarding land use in Laikipia County (Warurii, 2015, p. 37). Land in Laikipia became a resettlement zone for the landless Kenyans from majorly the Kikuyu ethnic group and other Bantu groups in Kenya. Further, large scale and community group ranching by the white settlers and the community thrived (Warurii, 2018, p.54). From the preceding observation, this study maintained that the biggest threat to pastoralism as a bedrock of livelihoods in the arid and semi-arid areas was a drastic paradigm shift in land use. The changes heralded by these phenomena led to massive loss of hitherto grazing areas to private and public developments. Urbanisation, residential settlement, floriculture and erection of conservancies were the notable threat factors to pastoralism as a socio-economic enterprise (Walter, 2023). Herders rallied along ethnic identities to protest the loss of their ancestral land during the colonial and post-colonial regimes. The contest to control land was hotly contested because it was a factor of production among Maasai, Ndorobo, Tugen, Samburu, Pokot, Kisii, Meru, Agikuyu and Turkana.

Land tenure in relation to the land question in Laikipia County

Land tenure system in the pre-colonial period was interpreted differently by various scholars. Meek was one of the proponents of the communal land tenure system in the pre-colonial period (Meek, 1946, p.26). This research article propounded that in the communal land tenure system the clan held land in trust for the rest of the members of that particular clan. However, in some instances communal land holding was not an exclusive case in the pre-colonial Africa. There were instances of private land holding in the pre-colonial Africa (Ndege, 2012, p.2). This research article espoused that while private landholding was not widely practiced in Laikipia County but this land tenure system pre-colonial African was prevalent in the pre-colonial Africa. The introduction of colonialism in Laikipia County led to a paradigm shift in land tenure in Laikipia County and the creation of the land question in Laikipia County. There was a paradigm shift in the land holding rights in Laikipia; the initial transition involved a shift from customary land tenure to leasehold tenure under crown and private land holding right during the colonial era (Mwenda, 2018, p. 37). This enabled the colonial regime to settle white settlers in Laikipia. Majority of these foreigners had a 999-year leasehold spanning from around 1919. This

research article established that this act of the colonial regime to change land tenure created the land question in Laikipia County because land was a critical force of production.

In this regard, this research article established that the post-colonial regimes also disregarded the pre-colonial land holding rights in Laikipia County in their land distribution and redistribution mechanism. This proposition contributed to the land question among the Maasai, Samburu, Ndorobo, Tugen and Ogiek who lost their ancestral land as a result of these shifts in land tenure. The contest to control land was hotly contested because it was a factor of production among Maasai, Ndorobo, Tugen, Samburu, Pokot, Kisii, Meru, Agikuyu and Turkana.

Geo-politics and its implication on the land question in Laikipia County

This research article affirmed that this was when the government adopted the land buy-out policy as a programme to resettle landless Kenyan peasants who had been unjustly dispossessed of their land at the outset of colonial regime in Kenya. Politician Dixon Kihika Kimani aided the ethnic Agikuyu acquire land in Laikipia County through the land buying companies contributed to the land question (Warurii, 2015, p.60). Other Bantu groups that bought land in Laikipia County through the land buying companies included Abagusii, Abaluhya and Ameru. Even so, the Agikuyu owned major shares in the companies that bought land in Laikipia County. Laikipia West Member of parliament Godfrey Gitahi Kariuki took advantage of the Jomo Kenyatta presidency to help the ethnic Gikuyu foothold in Laikipia West to the detriment of the ethnic Nilotic pastoralists in the County.

This research article affirmed that the contest to control land in Laikipia County during the post-colonial regime by both herders and crop farmers was informed by the usefulness of land as a factor of production. The land question was thereby created in form of ancestral land claims by ethnic Maasai, Samburu, Pokot, Tugen, Ndorobo, Ogiek and Turkana. The contest to control land was hotly contested because it was a factor of production among Maasai, Ndorobo, Tugen, Samburu, Pokot, Kisii, Meru, Agikuyu and Turkana.

Colonialism and its consequence on the land question in Laikipia County

Land was exploited in Kenya during the colonial era for white settlers' personal enterprise and production of raw materials for industrialisation in Britain (Warurii, 2006, p.22). This research article avowed that in this established global capitalism, Africans provided largely unskilled labour and were markets as the Europeans powers ripped off huge profits out of this value chains. Land was central in the creation of the agrarian economy characterised by massive dispossession of African peasants from their land. Based on this study the origin of the land question in Africa was not the introduction of colonialism but ancestral land claims originating from migration and settlement in the pre-colonial period. In this regard, colonialism only escalated pre-existing land issues among the Africans.

In Laikipia County, the colonial regime soon after began alienated Africans land in Laikipia to create room for European settlement. This research article established that the pre-colonial African settlement in Laikipia at the time colonialism was being introduced in the area was abruptly disrupted through land concessions and forceful movements of African ethnic groups in the area. This was a colonial wider scheme to exploit land resources as a factor of production. The movement of the Ogiek, Somali, Ndorobo, Samburu, Pokot and Maasai in Laikipia County escalated the land question. For the case of the Maasai, the land concessions between Maasai elders and European agents in 1904 and 1911 – otherwise called Anglo-Maasai agreement – led to the displacement of the Maasai from the Laikipia plateau. Laikipia area following these concessions Laikipia County became part of the designated colonial white highlands (Mwenda, 2018, p.53).

This research article avowed that African 'natives' who lived in Laikipia County during the colonial period after the movement of the Maasai in the area were either labourers squatting on settler farms on contract or illegal squatters living on unalienated or alienated crown land mostly forest reserves. It was against this background that this study reiterated that the land question arose from moving indigenous ethnic groups from Laikipia County and alienation of their land to set up European settler farms, schools, hospitals, forest reserves, roads and government installations during the colonial era. The contest to control land was hotly contested

because it was a factor of production among Maasai, Ndorobo, Tugen, Samburu, Pokot, Kisii, Meru, Agikuyu and Turkana.

Colonial land policies and their implication on the land question in Laikipia County

The enacted colonial land policies included the Foreign Jurisdiction Act 1896 gave the British colonial regime authority to control unoccupied land by any government in East Africa (Ndege, 2012, p.21). It empowered the British colonial regime to negotiate, buy or conquer land in East Africa. As an import of this provision, this study held that the British colonial imperialists made the Anglo-Maasai agreements of 1904 and 1911 which led to the disinheritance of the Maasai from land holding in Laikipia County. In furtherance of this Warurii's study established that in the 1904 Maasai-British agreement, the Laikipia reserve was created to settle the Maasai in Laikipia and Ngong (Warurii, 2015, p.60). The 1911 Maasai-British agreement heralded a radical shift in the Maasai occupation of Laikipia plateau. As per the agreement, all Maasai were moved and reunited to a more vast Ngong reserve in the southern Rift to co-exist. The 1911 Anglo-Maasai treaty was also necessitated by the increasing number of European settlers in Laikipia County (Tun, 2021). From the foregoing as a consequence of the Foreign Jurisdiction act the land question was created in Laikipia County by relocating the Maasai to create room for European settlement and farming. This was informed by the fact that land was a factor of production for settler farming during the colonial era.

In 1894 the Indian land acquisition act was promulgated that laid ground for the alienation of land for the construction of railway and public installations (Kakai, 2000, p.38). It was the position of this research article that the consequence of the ratification of this law was the alienation of land in Laikipia County for the construction of roads, schools, health centres and other government installations. This provision was ratified in the anticipation of an influx of European settlers to Kenya and by extension Laikipia County.

The colonial land surveys of 1904 in Central and Central Rift Valley including Laikipia led to land alienation, sub division of land to European settlers, land fragmentations and dispossession of the ethnic Gikuyu and Maasai peasants from their ancestral lands (Warurii, 2015, p.80). The Agikuyu woes escalated when the colonial authorities confined them into a

Nyeri reserve. From the foregoing arguments, therefore, this research article affirmed that the Agikuyu movement into Laikipia created the land question in the area. These were their earliest traceable settlements in the area; they would later benefit from the colonial and post-colonial land resettlements schemes in Laikipia County.

The East African Order in council of 1898 permitted the commissioner to sell and lease land to Europeans, as a consequence of this provision this study held that European settlers were leased land in Laikipia County from around 1919 (Kakai, 2000, p. 38). These colonial land policies systematically alienated land from the indigenous ethnic groups in Laikipia County. This created the land question because land was a factor of production for both European settlers and indigenous African ethnic groups.

In 1904, the British introduced a policy to settle African on 'native' reserves (Kakai, 2000, pp.99-104). This study established that these African reserves were formed on the basis of their ethnicity. They later became the administrative units known today as locations and districts. Moreover, the created the land question in Laikipia County. A Maasai reserve was created in Laikipia North but was later disbanded as a consequence of the 1911 Anglo-Maasai agreement. The Maasai were denied the opportunity by the colonial government to exploit land in Laikipia as a factor of production in their pastoralism modes of production. This move escalated the land question in Laikipia County among the Maasai as claims of dispossession of ancestral land in Laikipia gained ground.

In 1915, the Crown Land Ordinance was enacted. This study acknowledged that as the import of this colonial land policy African reserves were rendered as the integral part of the crown land. As an effect, all the indigenous ethnic groups in Laikipia became landless at the mercy of the crown. Later, this study further established that the promulgation of the Resident Native Squatter Ordinance of 1918 enabled the ethnic Agikuyu access to land holding in Laikipia County in exchange of their labour. This move disregarded the pre-colonial land holding rights in Laikipia County which are the basis of the land question in Laikipia County (Mwenda, 2000, p.53).

In 1954, the Sweynnerton Plan was conceived and adopted. The wider scheme was to include Africans in the socio-economic mainstream space in colonial Kenya after years of deliberate exclusion. As a ramification of the

policy, for the first time in the colonial Kenya, Africans were granted individual land ownership and green light to grow cash crops by the colonial regime (Warurii, 2015, p.58). This study admitted that the Sweynnerton Plan in 1950's became the initial window for the rise of native African farmers on private land holding tenure. It enabled the ethnic Agikuyu to access to land holding in Laikipia County at the expense of the ethnic Maasai, Turkana, Samburu, Turkana, Pokot, Ogiek and Ndorobo. They were registered as land holders in Laikipia County during the land registration programme under the Sweynnerton Plan. These colonial land policies in Kenya created a land question in Laikipia because land was a critical factor of production for both crop farmers and herders in Laikipia County.

Post-Independent governments' inability to fix the land question in Laikipia County

After suffering a series of land alienations and economic marginalisation during the colonial period, Kenyans were optimistic that the Kenyatta regime at independence would fix the issue of landlessness in Laikipia County (Adenauer, 2011, p.21). This research article held that the Kenyatta regime instead adopted a resettlement programme that legally or illegally denied African pre-colonial land rights and claims. The Kikuyu for example were resettled in Laikipia to the detriment of the Laikipian Maasai who suffered treacherous Anglo-Maasai land concessions that displaced them from the area. This led to the escalation of the land question as the Gikuyu claimed that they legally bought land in Laikipia County while the Ndorobo, Samburu, Pokot, Maasai, Turkana and Ogiek insisted that land in Laikipia County was their ancestral land (Warurii, 2015, p.80). This as was previously noted became a bone of contention with the indigenous Nilotic pastoralist who claimed that the move was meant to disinherit them their ancestral land which remained a thorny issue in the perennial inter-ethnic land conflicts in the County.

CONCLUSION

The preference of the ethnic Agikuyu on provision of colonial labour in settler farms in Laikipia created the land question in Laikipia County. These European settlers preference became the opportunity for the ethnic Agikuyu land holding in Laikipia County. Ethnic Maasai, Samburu, Tugen, Pokot, Turkana, Ogiek and Ndorobo rallied along ethnic identities to claim

Laikipia as their ancestrally their land. This created the land question from the ethnocentrism perspective. The change of land use in Laikipia from the traditional grazing fields to settler farms, ranching, conservancies, urbanization and plantation agriculture created the land question in Laikipia County. The colonial regime disregarded the pre-colonial land tenure system in Laikipia County. This policy mistake was inherited by the post-colonial regimes. As a consequence of this policy mistake, the Samburu, Maasai, Pokot, Ogiek, Ndorobo and Somali were disinherited from land holding in Laikipia County. Activities by political leaders created the land question in Laikipia County from the ethnocentrism perspective. Politicians influenced the ethnic Agikuyu to access land in Laikipia County because it was their important factor of production in their economic substructure. The colonial alienation of the land in Laikipia County to establish schools, settler farms, hospitals, forest reserves and other government installations created the land question Laikipia County. It led to the dispossession of the Maasai, Samburu, Ogiek, Tugen, Pokot, Ndorobo, Somali and Turkana from their ancestral land in Laikipia County. Colonial land policies also dispossessed Maasai from land holding in Laikipia County. The inability to fix the land question in Laikipia County through the federalism system after independence escalated the land question in Laikipia County. It was widely expected that the colonial regime would return back land to the Maasai, Samburu, Ogiek, Tugen, Pokot, Ndorobo, Somali and Turkana but instead land was commercialized. The contest to control land was hotly contested because it was a factor of production among Maasai, Ndorobo, Tugen, Samburu, Pokot, Kisii, Meru, Agikuyu and Turkana.

RECOMMENDATIONS

Ancestral land claims arising from the pre-colonial migration and settlement should be addressed conclusively. Ethnic groups that were disadvantaged by the colonial and post-colonial land resettlement schemes should be considered in the subsequent government land resettlements schemes. Cultural factors reinforcing ancestral land claims on the basis of ethnic identities should be addressed through the wider initiative aimed at achieving inter-ethnic tolerance and cohesion. Formation of ethnic based groups should be contained and censored by both the state and local community policing programmes to avert the resurrection of ethnic militia. Pre-colonial land tenure systems should be re-visited and embraced by the state particularly among the pastoralist communities. Weaponization of

land by the political class for political expediency should be controlled and censored by the electoral agency, the justice system and the state.

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