

An Analysis of the Social and Economic Effects of Land Tenure Practices among the Maasai Community in Ngong Division, Kajiado County, Kenya

Kinyenze Jonathan Mumo¹, Irungu Charity²

¹St. Paul's University

²St. Paul's University

Abstract

Kenya's population has increased more than fourfold since 1963, from 8.1 million to more than 43 million people. The majority of the population lives in the rural areas and depends mainly on land as a productive resource. This increase in population therefore has put a lot of pressure on land resulting in land tenure changes even amongst the pastoral communities in Kenya. This study sought to answer the research questions: How has land tenure changed over the last 50 years amongst the pastoral Maasai of Ngong, Kenya; and what are the socio-economic effects of the changes in land tenure among the Maasai of Ngong, Kenya. A descriptive survey using semi-structured questionnaires from 120 purposively selected respondents, as well focused group discussions and key informant interviews were done to generate data for the study. The results showed that communal land ownership is still being practiced although individual land ownership is increasingly replacing the latter. This trend is fuelled mainly by economic factors, population growth, government policies and climatic changes. These changes have overall negatively altered the livelihood and lifestyles of the community members.

Key words: Land Tenure, Population growth, Poverty, Pastoralism, Maasai, Kenya

Introduction

The Maasai Community

The Maasai belong to Maa-speaking groups who consist of the Maasai of southern Kenya, north-central Tanzania as well as the Samburu and Chamus in Central Kenya. The Maasai community is closely related to the Eastern Sudanic sub-family of the Nilo-Saharan phalanx such as the Bari and Lotuko of southern Sudan, Karamanjong and Teso of eastern Uganda, and Turkana of northwest Kenya. They are said to be the second biggest group of pastoralists in Kenya after the Somalis (Adhi, 2009).

The Maasai people are some of the most well-known societies in Africa. They are a semi-nomadic (herdsmen, who from time to time have to travel about in order to hunt for new grazing lands/fields) pastoralist group that has been living in southern Kenya and northern Tanzania within the Great Rift Valley for over 2500 years (Adhi,2009). Maasai live collectively and rely on their flocks for survival. Pastoralists, such as the Maasai, can be termed as, “societies who originate most of their revenue or sustenance from keeping domestic livestock in circumstances where most of the feed that their livestock eats is ordinary fodder rather than cultivated forages and fields”(Minority Rights Group,2008).

Land is one of the fundamental characteristic of the Maasai economy perceived in terms of communal territory accessible by all its members rather than for absolute use by individuals. Traditionally, land and land-based resources were managed through social and political conventions designed to reduce the risks associated with the unpredictable climate and environment. However, the advent of the colonial rule radically transformed the pattern of land tenure systems and consequently diminished Maasai land rights significantly (ibid). Debates, controversies and dilemmas surrounding the changing land tenures and customary practices have been the most critical concern in Kenya before and after independence. They remain as an unresolved question to date (Minority Rights Group, 2008). This issue is a heritage that spreads through the current land tenure systems in Kenya, and especially among the pastoral communities who have been on the side-line of the Kenyan state. Reforming the entrenched policy that relates to land tenure frameworks has posed the greatest challenge in Kenya since the early 1990s. Non-government Organizations (NGOs) and other civil society movements have

played a key role in pushing for legislative and policy reforms but the government has wasted many opportunities including constitutional reforms.

In the midst of this confusion, communities such as the Maasai continue to face social and economic instability as the scramble for land resources escalates. On many occasions, communities have used violence as they attempt to regain possession of land perceived as lost to other communities or secure access to other land resources. The Maasai are struggling to hold onto the remaining part of their rangeland resources as the government continues to alienate their land through bureaucratic land adjudication and registration processes. Only a handful of individual studies detail the socio-economic impacts among the Maasai (Gebre, 2009, Adhi, 2009, Lengoiboni, et al, 2011, Archambault, 2013).

Introduction of Group Ranches

In Maasai Communal land, group ranches were introduced in order to try and control environment degradation while at the same time increasing herd productivity (Kimani and Pickard, 1998). However, as early as 1950s, the colonial government had already recommended the sub-division of Maasai communal land into privately owned parcels (ibid). By recommending land subdivision, the colonial government believed that communal system provided inadequate motivations for groups or individuals to invest in protecting and conserving the land resource (Kimani and Pickard, 1998). The Colonial government believed privatization would create inducements that would lead individual people to adopt better resource management practice (ibid). However, the group ranches were not initially sub-divided for individual ownership, but maintained group held title deeds, according to the Maasai way of life (Kateiya, 2012). Upon gaining independence, successive governments in Kenya have continued to pursue the strategies that had been suggested by the colonial authorities (Msoffe, 2010). Many group ranches were sub-divided almost immediately after registration into individual units, with only a few remaining as group-owned parcels until the mid-1980s. There is evidence that mid 1980s saw the subdivision of group ranches into individual units hence doing away with the ranches for individual land ownership (Kimani and Pickard, 1998).

The result of dissolution of the group ranches, and subsequent privatisation, much of Maasai-land became a commodity for sale. This marked the beginning of a land tenure system where the land use policy changed from pastoralism to individual titles and hence introducing new ways of land use (Minority Rights Group, 2008).

This new system completely disrupted the socio-economic set up of the pastoral communities and brought competition for land and other land resources between the Maasai and other ethnic groups (ibid).

Communities in areas affected by changing land systems are usually not affected in a uniform way. Rather, the emerging evidence suggests that while some local people are well placed to benefit from new investments, others may carry the costs of land-use change and displacement (Hall, and Paradza, 2012). One set of outcomes that has been documented is the concentration of landholdings and capture of income streams by elites, and increased landlessness. However, there are various practices, and some better involving distribution of benefits among affected populations, and efforts to mitigate the effects on poorer and more vulnerable members of communities have been noted (ibid).

Socio-Economic Effects of land Tenure Changes in Pastoral Areas

Social Differentiation

The commercial pressures exerted on land may alter landholding structures in ways that influence people's relationships with the resource and shape class formations. Large-scale transactions in land have precipitated the conversion of customary land to private lands and in many cases corporate lands (Daley and Englert, 2010). Where communities were previously pursuing similar livelihood options, these changing circumstances lead to the emergence of differentiation. Differentiation refers to the development of increasingly complex structures within societies, in particular more elaborate divisions of labour. Through this process, the peasantry splits into different classes, namely capitalists, wage labourers and non-agricultural petty commodity producers. Second, differentiation may refer to a stratification process within the peasantry (Hall and Paradza, 2012).

Breakup of Pastoralists' Institutional set up and Internal Administrative reorganization

According to the Kenya National Land policy (2007), expropriation of land with a high potential for use outside the pastoral sector has created uncertainty about access, control and exploitation of land based resources by pastoralist. Moreover, formalization of property rights through cadastral processes has weakened traditional and established pastoralist norms and rules for regulating the use of pastures through opening up customary land to non-pastoral users who are not bound by pastoral customary norms (Mwangi and Dohrn, 2008).

Traditionally, Maasai local affairs were decided by groups or councils of elders based on consensus. Producers who disagreed with the majority were free to go to another village (*boma*), neighbourhood or locality.

In contrast, group ranches needed a management committee, which is democratically elected with the authority to impose their will on members, who are permanently tied to the ranch (ibid).

Effective bureaucratic organization requires the virtual absence of prior ties among individuals, while democratic decision-making can be effective only in the absence of serious factions or when conditions prevent a single faction from dominating. These conditions are not met by the Maasai with their complex ties and tradition of individual autonomy. As a result, group ranch committees tended not to meet. If they met, they dealt in non-controversial generalities or, if they addressed specifics, were unable to reach a conclusion. Even if the committee reached a conclusion it would not be able to enforce it (Dyson-Hudson, 1985).

In summary, the formation of group ranches introduced a new level of territorial and administrative organization and a new method of decision-making, aimed at radically changing Maasai production. In practice, however, they have incapacitated traditional leadership in many parts of Maasai land, without providing a workable substitute. Moreover, as noted above, the ranches were dissolved and the land subdivided for individual ownership as early as mid-1980s.

Conflicts

The increasing scarcity of land during the dry season is mainly compounded by increased pressures on its use, leading to conflicts. As pastoralists no longer hold rights to previously accessed grazing lands, many such conflicts are about resources and access to resources (Lengoiboni et al, 2011, p44). While the pastoral economy remains dependent on livestock and pastoralist mobility remains generally high, the associated complexities of perennially renegotiating temporary and flexible access to resources are made more problematic as land is continuously being adjudicated, surveyed and allocated for private purposes (Lengoiboni et al, 2011).

The mixed-use is changing yearly due to shifts in food-production systems and therefore negotiation between crops and livestock is constant. As allocated land is settled and farmed, the open space available for herding around the *boma* is decreased.

The increase in fields around the *boma* means not only is less land available for herding, but those herds still remaining near the *boma* are a threat to nearby crops, particularly when guarded by small children (Cooke 2007).

As conflict increases at the interface of protected areas and local livelihoods, it is critical to understand the dynamics of local land transformations in order to design realistic natural resource policies. In Tanzania, many of these interfaces also mark a cultivation frontier, as formerly mobile pastoralists integrate settled agriculture into their subsistence system (ibid). Observer's debate about the drivers of this transformation: is it a form of risk management as pastoralists become increasingly impoverished or is it a result of land tenure insecurities? (Lengoiboni et al, 2011). After examining the drivers for a Maasai village on the agricultural frontier on the Simanjiro, Plains, Cooke (2007) concluded that both poverty and land tenure insecurity are common factors in the village, interacting across temporal, spatial and social scales. Temporally, these include the long-term trends in population movements and land tenure insecurities based on historical experience, as well immediate moments of decision-making. Spatial scales span regional territories, local pastures and distances from the national park and corridor regions (Fratkin et al, (2005).

Maasai society itself is both spatial (sections versus sub-villages) and temporal (age-set dynamics). Individual decisions can be impacted by these different scales differently than village level decisions. The complexity arising from these interactions implies that resource management efforts failing to integrate both factors into their policy solutions will have limited success and possibly exacerbate, rather than alleviate, tensions over land-use (Cooke, 1997).

Changes in Livelihood Systems

Changes in land patterns and land tenure status affects land productivity, influence livelihood activities and leads to subdivision of the group ranches into individually owned parcels (Kateiya, 2012). Consequently, this leads to decreased reliance on livestock keeping as the sole source of livelihood, decrease household vulnerability to drought, increased the number of alternative livelihood activities, increased investment decisions on land improvement, increased technological transformation from simple tools to modern machinery and increased intensity and accelerate land degradation (Kateiya, 2012). Additionally, with the increasing land subdivision, land available for grazing continues to disappear and water resources become scarcer ultimately marginalizing families who rely on pastoralism as their primary livelihood strategy (Impink,2010).

Sedentarization

According to Ekaya (2005), sedentarization is defined as that manner of persons, families, or whole societies of strictly nomadic populations shifting into sedentary, non-mobile communities. Ordinarily, the aftermath or outcome is not a sharp disruption with pastoralism. Additionally, Ekaya (2005) clarifies that, it is a common occurrence today for previous mobile pastoralists involved in crop farming to possess livestock within the pastoral system. More so, as Kateiya (2012) says, sedentarization does not suggest a distinct kind of lifestyle, because, on the Marsabit Mountain of Kenya for instance, some societies such as the Ariaal are sedentary livestock attendants. They feed and water their livestock from permanent homes on the mountain, while at the same time taking advantage of markets and other facilities like schools in Marsabit town. In the lowlands, pastoralists such as the Gabra in Maikona and Rendille in Korr live with their animals near towns (Ekaya 2005).

Once sedentarization takes root, socio-cultural variations are unavoidable. Sedentarization carries with it changes in customs and interactions. These comprise an exit from communal and kin-based associations that symbolizes pastoral societies to personalized characteristics in towns and farms with ideas of secluded possessions and distinct achievement (Ekaya, 2005). For instance, as Ekaya (2005) continues to explain, among the agricultural established Rendille society, previous era and sex roles broke down, together with the communal power of male elders over younger men. Sedentarization has been a universal occurrence (ibid). A number of societies have developed it in answer to state-enforced procedures; others have developed in answer to fluctuating environment, while others have reacted to economic prospects (ibid).

According to Grandin, (1987) the barren lands of Eastern Africa have undergone the greatest contemporary change in the direction of crop-cattle husbandry amongst the itinerant livestock-keeping pastoral societies. This has existed as a product of harsh economic, administrative, demographic, and environmental variations. Lengthy periods of famine, population upsurge, augmented dependence on cultivation, and governmental uncertainties have all affected the capability of pastoralists to sustain their flocks, and therefore added enormously to sedentarization (ibid).

Ekaya (2005) further states that, it is vital to understand that cattle in the midst of the pastoralists are possessed by a distinct persons or a household. In contrast, any land for pasture, water resources, and minerals sites are typically held in common as a collective or societal reserve. Administrations have a habit of moving away from identifying shared/communal land tenure in favor of private land rights (Grandin, 1987). In Kenya for instance, the Government established group ranches in the 1960s. Subsequently, the government encouraged private and individual land titles in the 1980s. This led to a serious urgency for purchase and acquisition of land, which in essence was meant to be a pastoral grazing land. In addition, through the formation of game reserves such as the Amboseli, Maasai Mara, Tsavo, Ngorongoro, and Serengeti, pastoralists in Kenya and Tanzania lost their previous grazing lands (Ekaya 2005). Through this forfeiture of common-property possessions, actual pastoral freedom of movement was shortened. Forfeiture of commons has enormously added to the sedentarization of itinerant pastoralists (ibid).

Notwithstanding all factors, nonetheless, most of the pastoral families in Eastern Africa's arid lands stay devoted to nurturing cattle, even as they familiarize themselves to a sedentary way of life described by incorporated crop-livestock farming and urban habitation (Ekaya, 2005).

The Maasai Community has become more sedentary since especially with the change in land tenure systems. Neighbourhoods and *bomas* are beginning to break down as individual producers spread out across the landscape, establishing individual *bomas* and often establishing their own individual calf pastures (Grandin, 1987). According to the Maasai tradition, a man-made improvement (e.g. a well) gives the builder a special claim to the surrounding area (ibid). Although the Maasai see advantages to sedentarisation, particularly in terms of human comfort, it also brings socio-psychological problems. Pastoralists were used to walking away from any social problem, and thus have less well developed institutions to cope with disputes than settled farmers (Kateiya, 2012).

Poverty

Pastoral areas comprising many Maasai societies in both Kenya and Tanzania suffer comprehensive and profound levels of poverty with respect to international and national rural poverty thresholds (Boone et al. 2011). Poverty is compounded by hostile policy and by biophysical adversity. When herd sizes per person/capita and rangeland sections diminish, and right to entry and use together with movement between key resources becomes limiting, pastoralist options are more inhibited.

This causes people to gradually depend on non-livestock elements of their multi-stranded sources of revenue. Though diversification of both poor and well-to-do pastoralists may be into farming, crop farming in ASALS is commonly so risky and yields so low that only the poorest derive much of their living from farming. This means that wage labour, remittances and trade (from petty vending to full-fledged businesses) are often more salient sources of income (Homewood et al. 2009).

Research Methodology

The aim of the study was to investigate the socio-economic effects of the changing land tenure systems using a case study of the Maasai community of the former Ngong Division of Kajiado County. The choice of the case study was purposive due to its nearness to Nairobi County and hence the cosmopolitan influence and the lure to sell land was perceived as greater than other areas. The study design was descriptive.

According to the latest available census data (KNBS,2010), Ngong Division has household population of 8000 and out of these, 400 households were said to be most affected by the land tenure issues even though the problem was widespread all over the Division (KNBS,2010). The most affected administrative locations where these 400 households are located are Kibiko, Saigeri, Magadi, and parts of Ngong. According to a Government report (GOK, 2012), one of the reasons why these areas were most affected is that land is cheaper in those areas than in the rest of the areas in Ngong Division and therefore many people are flocking there to buy land. This has forced many indigenous people to become squatters in their own land especially in Kibiko and on the slopes of Ngong Hills and others have been forced to move away from the Division after selling their land.

Accordingly, 30% of the 400 households were sampled purposively yielding 120 respondents. Purposive sampling was used to select the 120 members of the Maasai community without any particular attributes other than fair spatial distribution since it was assumed all are homogenous as far as the issue is concerned. Table I below shows the respondents demographic characteristics.

Table 1: Demographic Characteristics of the Respondents (N=118)

Characteristics	Freq.	Percent
Gender		
Male	68	57.6
Female	50	42.4
Totals	118	100
Age(years)		
18-26	20	16.9
27-35	24	20.3
36-44	10	8.5
45 and above	51	43.2

Totals	118	100
Marital Status		0.0
Married	55	46.6
Single	54	45.8
Divorced	3	2.5
Widow/widowed	6	5.1
Totals	118	100

Source: Authors, 2014

The distribution of the respondents according to the member of the household who responded to the questionnaire was as follows: Household Head (43%), Spouse (32%) and Son or daughter (35%). A semi-structured questionnaire was used to generate data from the 120 respondents. Data was analysed using SPSS software.

The study also involved six Focus Group Discussions. The groups consisted of both male and female who were selected purposively. These were done in Kibiko, Oloishobor, Kimuka, Saigeri, Oloirien and Kisamis areas in Ngong Division which according to a government report are among the most affected areas in the Division (KNBS, 2012). The discussion groups were composed of between six to ten people. Men, women and youths participated in the groups. Each group discussion took about one hour.

Research Findings and Discussion

The study revealed that communal land tenure system is still the dominant land tenure situation (55%) in the study area. Private land ownership was at (39%) which is more than a third of the sample.

Table 2: Land Tenure Systems Among the Maasai Community, Ngong Division (N=118)

Land Tenure System	Freq.	Percent
Communal land ownership	55	46.6
Private	39	33.1
Government land	22	18.6
Others	2	1.7
Total	118	100.0

Source: Authors, 2014

The study is consistent with that of Kateiya (2012) who while analysing the effects of land tenure status on land productivity and sustainable livelihoods in the traditional pastoral areas in Narok District, observed that land tenure changed from the group ranch system and declined dependency on livestock keeping as the only livelihood to more individualized land ownership. Tracing the historical background of individualism, Gebre (2009) asserts that by 1984, more than three quarters (80%) of Maasai-land in most parts of Kajiado County was under group ranch system only to be replaced later by privatization. The author explains that this was the beginning of a land tenure system where the land use policy changed from pastoralism to individual titles and hence introducing new ways of land use followed by disruption of the socioeconomic makeup of the community. The following came out very well in one of the group discussions on land tenure changes, as can be seen in the box below:

Box 1: Land Tenure Changes in Maasai Land

“The way things are going nowadays, we are likely to find ourselves without identity, culture, land and cows. Things are happening fast and the truth of the matter is that the changes are overwhelming us. We will soon have no option but to accept that our communal system must change to a point where we will have to adopt the current individual system of land tenure. It is only a matter of time before all these changes are fully realized”. PersCom,2014

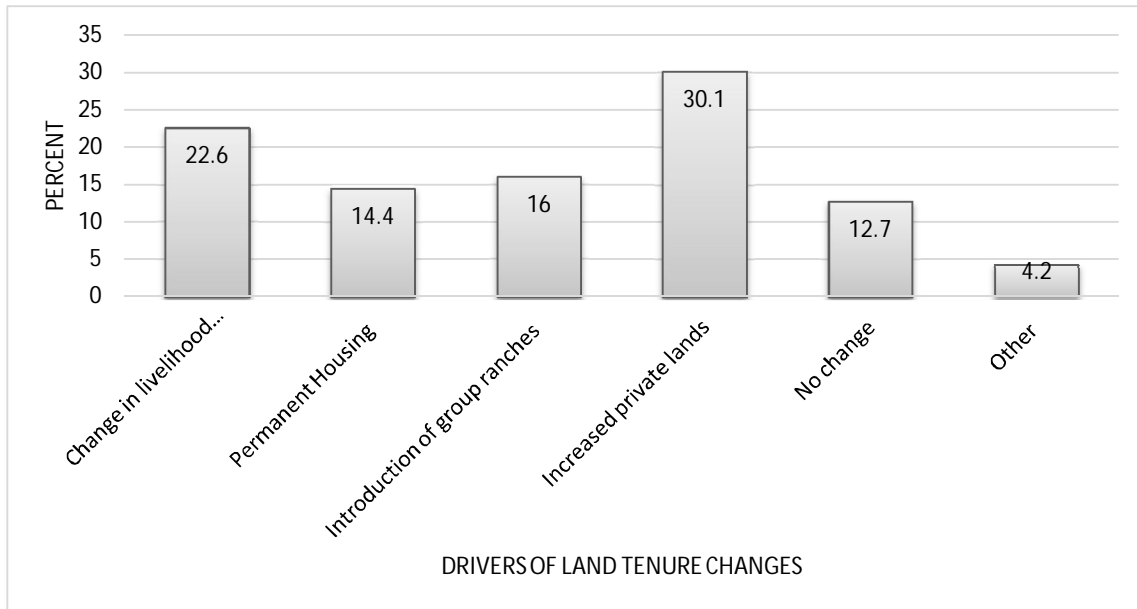
Source: Authors, 2014

Gebre,(2009) explains that, land tenure remains communal in pastoral land use areas, unlike in agro-pastoral land use where, land ownership is private, which may be used for ranching and crop enterprises. Access to widespread public land, offering a possibility for grazing and water resources is crucial in pastoral production system since it encourages pastoral movement. According to Bebe et al (2012), strategies not in line with pastoral movement escalate pastoral vulnerability to drought and loss of livestock resources, which pose danger to sustainability of pastoral based source of revenue. Confronted with such pressures, many pastoral societies have reacted with broadening or diversifying their livelihoods to agro-pastoralism.

This clearly explains why in this study around 22.6% of the respondents cited changes in livelihood systems and introduction of agriculture/crop production in Ngong Division as drivers of the change in Land tenure system (Figure 1). This shows that the Maasai community in Ngong

Division is diversifying to include crop production so as to mitigate the challenges of land tenure changes.

Figure 1: Drivers of Land Tenure Changes



Source: Authors, 2014

Further, the study revealed that the following factors were responsible for land tenure changes: Economic factors (53.3%), Positive population growth (28%), Environmental factors, mainly climate change (8.5%) Government Policies (6.8%) and other miscellaneous ones (3.4%). Over half of the respondents indicated that economic factors (42%) were the main reasons behind the current changes in land tenure system.

A probable explanation is because a high proportion of the population here is poor. About 49.2% indicated that they earned less than less than KShs. 5,000 per month, which is below the international poverty line of one US dollar per day per person since the total fertility rate in Kajiando county in 2014 was 4.5 (KNBS,2014). Additionally, from the study, the percentage of respondent households with over ten members was 34% while those with between five and ten members was 44%.

This low financial resource endowment was attributed to lack of either land, cows or both. Those who had land (35.6% of the respondents) opted to sell it in order to meet their immediate needs

such as food, school fees for children and clothing. According to Bamwerinde et al (2006), economical factors are the main factors influencing the land tenure changes accompanied by marketability of the type of land use. Since the Maasai have no other major economic activities to enhance their livelihoods, their dependency on livestock has made them to think of selling land so as to take care of their families and also restock without realizing that the land is diminishing and thus, restocking is a futile option at present (ibid). This issue is perfectly illustrated in the box below by a respondent in the study.

Box 2: Main Source of Income in Maasai Land

“Our only sources of livelihood are the cows”, said one of the respondents, “but the only challenge is that land is diminishing fast such that we have nowhere to graze our cows, and therefore we are faced with a serious problem of poverty if nothing is done fast”. Pers com, 2014

Source: Authors, 2014

The respondents were asked to give their opinion on the socio-economic effects of the land tenure practices in Ngong Division, and as indicated in the figure above, there was high consensus on the fact that there have been high incidences of conflicts over resources as can be seen from the 78% of the respondents interviewed. As indicated by the figure above, 51.1% of the respondents said that there is an alarming decline in land holding units while 52.5% of the respondents felt that land tenure changes had serious effects on the environment resulting to environmental degradation, which has caused a reduction in livestock holdings as reported by 45.8% of the respondents. These changes according to 36.4% of the respondents resulted to increased levels of poverty within the community coupled with the increased breakdown of social institutions as reported by 47.5% of the respondents.

Table 3: Socio- Economic Effects of the Changes in Land Tenure System

Socio-economic effects	Agree	Neutral	Disagree
Environmental degradation	68.6	8.5	22.9
Lack of access to education	63.6	6.8	29.6
Increased levels of poverty	55.9	22.9	21.2
Breakdown of social	76.3	12.7	11

institutions			
Reduced livestock production	65.3	17.8	17
Increased conflict over resources	92.5	4.0	3.5
Reduced land holdings	91.6	6.8	1.7

Source: Authors, 2014

On the issue of conflict over resources, the research found out that the young Maasai generation is very uncomfortable with the way their fathers sold land to other communities, which brought about the problem of land decline within the Maasai community. They feel that their land was sold cheaply and therefore, those communities may have taken advantage of their grandfathers and fathers, some of whom are already dead or too old. The box below gives a vivid illustration of the feelings of most of the members of the community, as was expressed in one of the focused group discussions that comprised of both old and young people.

Box 3: Reasons for Land Conflicts

“Conflicts arise because the new generation feels that their land was sold cheaply by their fathers and that the new comers are taking all our grazing land and converting it into towns and agricultural farms, hence the tribal conflicts to date. And therefore, according to us, the conflicts may not end soon unless something is done quickly to solve the prevailing problem”. Pers com. 2014

Source: Authors, 2014

The response above agrees with the study findings, which showed that 78% of the respondents felt that conflict because of resources was unavoidable. This therefore, means that the danger of having tribal conflicts is very real in Maasai-land because the general feeling seems to be that their land was taken away without their consent. And even if it was sold, it was not sold for the right value and so many of them feel deceived especially the young people who were either very young or not there when their land was being sold. However, as one respondent put it very clearly “the issue of land selling has always been willing seller willing buyer basis, and therefore, no one lost their land unfairly, and so there is no need for unnecessary tension”.

Those respondents who felt that land available for grazing was reducing at an alarming rate with the Maasai community (about 51.1%), gave some of the reasons for the decline as subdivision of land for the family members and also for selling of land, though selling of land was given as the main factor which was causing decline of land. As seen in the figure below, most respondents (around 70%) argued that the government policies had encouraged land subdivision in the region resulting to divisions up to the smallest units of measurement like one eighth of an acre, thus making the land cheaper and more accessible to many people. This has resulted to a great influx of people into the area and hence the decline in land holdings.

As earlier stated, the sale of land may be due to economic reasons, such that people maybe intending to sell land so as to have a better life and as such they think that the only way to do that is to sell land. What they are not realizing is that the money from selling land is not worthwhile since it is not invested back but just spent on luxuries. The study also revealed that available land in the community is declining due to an irregular and unplanned land sale. It was explained that there was a trend whereby many community members were selling land for pleasure without thinking of the future of their families.

In support of the above sentiments, (Hughes, 2013) says,

“As Galaty and others have noted, and I have personally and directly observed, there is quite an unfortunate pattern of Maasai men with drink problems selling land to get quick cash, aiming to take care of their families by paying school fees and also ensuring that other important matters of the family are also catered for. However, unfortunately the money never reaches the family, but is spent on alcohol or generally misused with women in the surrounding shopping centres or towns. Hence, the cry and plea from many Maasai women, during periods of public talks on the making of the Kenya’s new constitution during the constitutional review process from as early as the year 2000, for gender equality in matters of land so that they can prevent the squandering and misuse of family income and other family resources in such careless ways.”

One thing that was extra ordinary was the exchange of cars with land. Respondents explained how the members of their community were exchanging land for cars. Their sentiments were well expressed in the box below:

“Land is reducing fast and more people are becoming poor and desperate because they are not only selling their land for money to squander without investing, they are also exchanging land with vehicles whose value is not comparable with the land in question,

The land brokers require the landowner to identify the car of choice then the owner of the car is supposed to say the number of acres he/she requires then they enter into a negotiation. Once the deal is done, the land owner is given some little money for fuel and the land is gone,

We know of a man who exchanged his five acre piece of land for a Toyota Premio which is of much less value compared to the land,

It is very unfortunate that this trend is taking root very fast in our community”, they said. “As a result more and more people are getting into the trap of exchanging their land for vehicles, but our only worry is that these people have no knowledge on vehicle maintenance and therefore they are ending up with no land but only broken down vehicles to show for it”.Pers com,2014

Box 4: Exchange of Land with Cars in Maasai-Land

Source: Authors, 2014

The trend reported above of exchanging land for cars was noted in areas like Saigeri, Oloishobor, Kisames, and OLoirien. Many of the people living in these areas are illiterate and do not even know how to drive. In the case referred to in the box above, the new car owner had to use his son to help him around since he neither knew how to drive nor had a valid driving license. It was not clear why some community members had to exchange land for vehicles instead of land for money.

The issue of land exchange may be attributed to ignorance as well as the fact that most community members do not seem to understand the value of land and also that their land can diminish to a point where they will have no more land left. The box below shows how one respondent ignorantly expressed his view that land is there to stay:

Box 5: Land in Maasai Land is there to Stay

“Land cannot go anywhere, even if you use it; it still remains and cannot be finished. Land will always be there for us and for our children and so I don’t find a problem with the selling of land or exchanging it with vehicles”.(Pers.com, 2014)

Source: Author 2014

The study also found out that changes in land tenure have also resulted to other serious challenges like breakdown of social institutions. This is because 47.5% of the respondents had the view that social institutions like the family are slowly disintegrating. Thus, there was a general feeling that if the continued irregular sale of land is not quickly checked, there will be many broken families and the burden to the community will be unbearable. According to the findings of this research, majority of those who have sold their land have actually done it in such a way that they have ended up selling all what they own. They are currently considered in the community as landless and could either be staying with their relatives or are living as squatters in areas designated as government land. This was illustrated by some sentiments made by one of the respondents who had this to say in the following box:

Box 6: Sale of the Entire Piece of Land Someone Owns

“A number of people in our community have sold all their land leaving their families landless”, said one of the respondents. *“This issue is a big challenge to the community because some of these people have become a burden to their family members since they are now landless and must depend on their relatives for food and shelter, while many more others have ended up in Ngong town slums or are living as squatters especially in areas such as Kibiko holding ground and on the slopes of Ngong Forest because these are government lands”* Pers com, 2014

Source: Authors, 2014

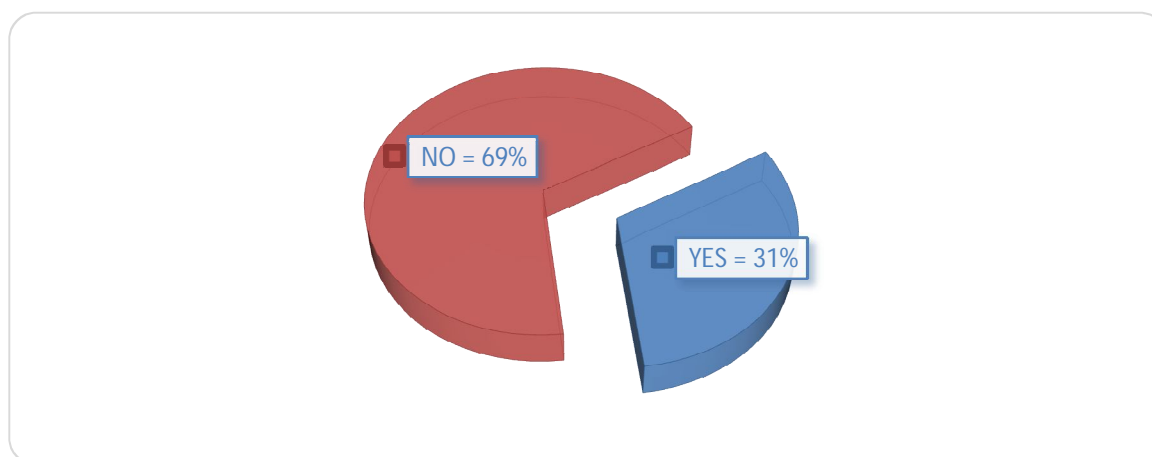
The future of the Maasai community members living in Kibiko holding ground and on the slopes of Ngong Hills is also causing worry to other community members. This is because, the areas they have occupied have been designated as government land and so no one is allowed to stay

there. Since these people sold all what they own. It is not clear what will happen to them when the government decides to drive them away from the land so as to make use of it.

Also about 24.6% of the respondents felt that the changes in land tenure were also causing poverty. This, as the research found out was as a result of what has already been discussed above about exchanging land for cars or selling all the land and remaining with nothing only to become a bother to the community by living with their relatives or becoming squatters. This clearly indicated a serious challenge to the Maasai community in Ngong Division.

The study also sought to find out what the government was doing to address the socio economic effects of the land tenure changes. The figure below shows the perception of the respondents in relation to measures put in place by the government to address the socio-economic effects.

Figure 2: Whether the Government is Committed in Solving Problems of Land Tenure Systems



Source: Authors, 2014

A high proportion of respondents (69%) felt that the government was not committed in controlling or addressing the various negative effects of land tenure systems in Ngong Division.

Only about a third (31%) of respondents believed that the government was committed to solving problems brought about by the changes in land tenure system. Those who believed that the government was indeed committed in solving problems of land tenure system cited examples such as offering loans, introduction of other sources of income, teaching on good land

management such as reduction on the number of livestock and controlling soil erosion as well as planting of trees.

Conclusion

From the study, it is clear that changes in land tenure from communal to individual ownership has affected the community adversely. This is probably because large sections of the community in the study area do not understand the whole concept of individual land ownership. With part of their land now under private ownership, the community is increasingly becoming impoverished since they can longer move along with their cattle as they did in the past. The idea of promoting individual land ownership was aimed at increasing production, improving the living conditions of the Maasai community as well as protecting the environment, but the community has ended up being affected very negatively and this trend needs to be urgently addressed. For those who have already lost their land by way of selling, there need for the government to cushion by providing alternative places to live in and secondly to stop the trend through capacity building and legislature. If this is not done large groups of people will be rendered squatters in their own ancestral land, and this is likely to escalate the already existing ethnic animosity in the region. Though agricultural diversification cannot be avoided anymore, it needs to be done with full community participation.

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