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THE SOCIAL, LEGAL AND ECONOMIC IMPLICATIONS OF THE  
ESTABLISHMENT OF SETTLEMENT SCHEMES IN KENYA WITH  
SPECIAL REFERENCE TO TAMU LOW DENSITY SETTLEMENT  
SCHEME.

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P R E F A C E :

This paper sets out to examine the contributions of settlement schemes to the solution of colonial 'inequities' especially as regards land allocation and distribution in Kenya with particular reference to a case study of Tana Low Density settlement scheme. The issue of land distribution has been a very touchy one since the colonial era and was one of the major contributories towards the clamour for independence. It is of the essence that as a fixed and scarce resource land should be equitably distributed among the populace and should be utilised in such a way as to enable the populace to realise the good life they aspire to lead. The paper thus attempts to examine to what extent the inequities established by the colonial rule as regards access to land and ownership rights have been eradicated by the establishment of settlement schemes. The paper argues that 'Independence' and the establishment of settlement schemes did not alter much as regards these inequities and proceeds to advance reasons as to why the position is as such and the possible remedies which might be available to rectify it. The paper will also attempt to analyse the social and political implications of the lack of machinery for controlling the amount of land a particular individual may own in the country.

There are many authoritative documents which have been written by eminent authors on settlement schemes, but very few have focused their attention on a particular scheme and analysed the sociological, economic and political factors which affect the development of the scheme, with a conclusion as to whether a particular scheme has 'succeeded' in its objectives and purpose. The narrow focus of the discussion will, it is hoped, illuminate the main objectives of establishing settlement schemes, whether the same have been realised, and if not, the reasons why, and finally what remedies might be available to rectify the situation.

For a meaningful discussion of this topic it is pertinent that we should be conversant with the colonial land policy, the underlying assumptions inherent in that policy and the social, economic, political and legal consequences of such policy on the structure of access to land and property rights in Kenya. These are discussed in chapter one of the paper. Chapter two proceeds to examine the impact of the colonial land policy on the post-independence land policies and the consequences resulting therefrom. The third chapter analyses how these policies are



reflected in the establishment and development of Tamu Low Density settlement scheme and their implications on the social and economic life of the scheme as such. Tenural relationships are examined<sup>2</sup> and the impact of the scheme on the political sub-system of Tamu. The concluding chapter argues that the inherent and underlying objective of establishing settlement schemes, among others, namely the equitable distribution of land as a scarce and fixed resource; and the realisation of social justice as a result of this (which was the major theme of the struggle for independence), has not actually succeeded to the extent expected by the masses and as a result a new criteria for the allocation and access to land rights is advocated so that the same might be realised.

It is impossible to acknowledge adequately the debt which one owes to others. Frequently the greatest debts are not consciously realised ~~by~~ by the writer. The writing of this paper has not been an easy task as considerable field research had to be done, and in this respect I would like to thank my friend Mr. John Ocharo who was responsible for the interviews. I should like to express my gratitude to Mr. E.E. Okwach, the Deputy Director of Settlement, and Mr. J.P. Ongero, Field Superintendent Muhoroni Scheme, for their assistance and co-operation in availing me the requisite information as regards Tamu scheme. I must also confess my inner gratitude to my supervisor, Mr. Willy Mutunga for the patience, encouragement and dedication he exhibited in reading the script and making valuable comments as regards the same which helped me fill the gaps of my learning. Much is also owed to Dr. H.W.O. Okoth Ogeado who kindly assumed the extra burden of reading the manuscript and making some useful suggestions and comments. I am also appreciative of my sister's courtesy and interest she showed by her willingness to read through the typed manuscript and making alterations and corrections, Miss Pauline Ochieng. It is impossible to thank all these ~~ixkankingrirk~~ who helped in making this paper a success but my financier, Mr. Benjamin E. Ochieng, should never be forgotten.

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CHAPTER ONE :INTRODUCTION :A. THE COLONIAL HISTORY:

On 1<sup>st</sup> July 1895 the British declared a protectorate over what is now known as Kenya. This only conferred political jurisdiction on them and not sovereignty which according to their jurisprudence connoted radical title. Wolff states that initially the establishment of British rule in Kenya was purely motivated by strategic reasons (1896-1898).<sup>3</sup> The dominant political philosophy during this period was that of Britain which wanted to ensure that her interests in Egypt and the Far East were not jeopardised.<sup>4</sup> The railway from Mombasa to Lake Victoria was completed by 1901 and was built by loan funds provided from the British Treasury to provide strategic access to the head waters of the Nile. To repay the loan and terminate the annual grant-in-aid paid by the Treasury to meet the cost of administering British East Africa, land had to be made productive. In Kenya land could only be acquired through conquest, agreement, treaty or sale but no such steps had been taken except in the coastal strip which was under the Sultan of Zanzibar. Land could not be developed unless property rights had been acquired over it and therefore the first land laws were promulgated in 1897 for the peace and good order of the government. Legal arguments were brought into play to justify the expropriation and alienation of land for the incoming European settlers who were considered to be the only ones capable of bringing the land into production.<sup>5</sup>

It was necessary for the colonialist to make the acquisition legal because they had to make good their idea of civilisation by trying to appear civilised, acquisition by law ensured future protection against any claims that might arise and legality justified any social or economic injustices or atrocities they had or may commit. Colin Leys states at this juncture that:

" Kenya began to play the classic role of a country at the periphery of a capitalist system, exporting primary commodities and importing manufactures. It is obvious that no other role was at first possible. What matters is how the system of ownership and control adapted under colonial rule in Kenya operated to make this role self-perpetuating once it had ceased to be inescapable."<sup>6</sup>



From 1899 to 1959 the dominant political philosophy could be said to be that of the white settlers who wanted to create a whitemans' country. It was a kind of a country where the settlers could rule and the Africans would provide the labour necessary for their comfort.<sup>7</sup> The settlers had inadequate initial capital to develop the land and employ a labour force, therefore, the Africans had to be compelled to work, partly by force and partly by taxation, and partly by preventing them from having access to enough land or profitable crops to enable them to pay taxes without working for wages.<sup>8</sup> From 1915 the natives became tenants at will of the Crown in respect of the land they occupied and their land rights were no longer recognised.<sup>9</sup> Eventually, the African population in their homelands rose until it became less and less necessary to use force in order to obtain labour. From then onwards population pressure plus taxation ensured that Africans would be available to work on the modest portion of the alienated land which the European farmers actually endeavoured to make use of.

#### B. THE LARGE SCALE FARMS :

Land policies during this period were directed at improvement of land use in the European areas and maintenance of the large farmers economy which was considered as necessary to the country's economy. The world wide depression of the 1930's caused cash shortage, lack of markets, labour which resulted in a drop in wages and the small settlers started selling out. The depression disclosed two major weaknesses in the settler economy namely, the lack of capital especially by small settlers and the tendency of the large settlers to speculate in land. This threatened the survival of the settler economy as the small settlers were the most productive, though the economic ideology of the time lay stress on the economic importance of the large scale mixed farms. The State intervened by assuming powers of administration in the economy by setting up bodies for the supervision and provision of public credit through the Agriculture Ordinance No. 10 of 1930, and in 1931 a bank was set up through the Land and Agriculture Ordinance No. 3 of 1931. Control of land use and husbandry was assumed by the Land and Water Preservation Ordinance No. 4 of 1940. The Land Control Ordinance No. 22 of 1944 ensured that all transactions involving land obtained consent.



Thus in essence the colonial economy rested on monopolies which was in favour of European settlers and an attempt was made to create an enclave of the metropolitan society within the colony. Such policies reflected the political objectives of reinforcing the status quo and protecting the political and economic positions of the European community against African incursion.<sup>10</sup> The above measures saved the settler economy by keeping the settlers on the land.

### C. THE ROYAL COMMISSION 1955 :

What was the impact of all this history on the African land tenure? The impact of the structure of land administration, land use and development resulted in the creation, consolidation and guarantee of boundaries of the reserves which created rigid land holdings. Internally there could be no expansion in supply of land available and externally there were no inter-ethnic exchanges as freedom of movement was restricted. Internal rigidity disturbed the equilibrium between patterns of land use and land distribution and population increase resulted in pressure on land and rapid deterioration as a result of fragmentation, overstocking and erosion. There was deterioration in social institutions relating to land control in the African areas and emergence of individual land holdings which concentrated the <sup>rights</sup> ~~power~~ of user with power of administration and these exclusive holdings undercut the Authority of traditional institutions. The foregoing generated labour for the settlers and resulted in urban immigration and thus the most productive assets of the African areas were siphoned off. This increased the economic burdens of the women in the reserves and reduced economic productivity and thus there permanent food shortages and famine in the African areas.

The colonial reaction to the African economy collapsing was thus: they argued that this was a population and as such had to be relieved by the establishment of settlement and resettlement schemes as per Sessional Paper No. 8 of 1945. Many of the established schemes failed and the government argued that population pressure as such was not an adequate explanation. They embarked on measures which would foster reconditioning and preservation of land and these measures were extremely unpopular (compulsory terracing, destocking etc.). Agronomists and planistrators advanced an argument that population pressure was only evidence of



some serious disease and a causal solution could be found by an attack on the tenure system. They argued that African land tenure system encouraged fragmentation by allowing people to acquire rights in different areas; the tenure system was conducive to incessant disputes; plurality of inheritance encouraged subdivision of holdings which resulted in parcelation of land below economic units. These were said to be the agricultural disarray. The only effective remedy would be individualisation of land holdings which was to be achieved by adjudication (ascertaining exact rights to land), consolidation (bringing together scattered holdings) and registration would ensure easier identification of who owns what interest in what land. In 1952 the outbreak of political unrest gave the government the opportunity to implement the same.

The above political and economic problems led to the recommendation of the Royal Commission that the Highlands should be dismantled. The implementation of this recommendation fitted squarely into the scheme of settler interest in that by allowing the native to have freehold title to his land, the Europeans having known that their days were numbered in Kenya would be able to convert their 999 year leases into freeholds. This would ensure that their land was secure legally and would simultaneously increase the value of their land and therefore any settler who decided to leave before independence would be ensured of a comfortable life in England.

#### D. ORIGINS OF SETTLEMENT SCHEMES :

As seen above, the establishment of ~~settler~~ native reserves, the increase in population and the transformation of land tenure all led to an acute shortage of land available for cultivation in the African areas. This was as a result of their fixed boundaries and the consequence was widespread landlessness. This culminated in the formation of squatters in the European farms who cultivated and grazed on land which was relatively unoccupied, and in return they supplied the settler with cheap and dependable labour. The dominant motive of squatting was to obtain land which the squatter could not obtain in his homeland. They were thus an insecure, uprooted category of people who were extremely poor and exploited.



During the Emergency<sup>II</sup> they were stripped of whatever livestock they had- their only asset- and deported en masse back to Kikuyu country, without any prospects of finding land or employment. The problem of the landless can be seen as epitomizing the reasons why a major transfer of programme was embarked on and ~~was~~ seen as the key to any strategy for a transition to independence which would preserve the rest of the colonial economic structure fundamentally intact. During this period tenure reform programme was embarked on.<sup>I2</sup> One of the principal objectives was to strengthen and enlarge the corps of moderate middle-class Africans who would oppose militant African nationalism. Land use policies were employed unsuccessfully to change the focus and even counteract the development of African politics by posing economic development as an alternative to political insurgency.<sup>I3</sup>

The Swynnerton Plan was a direct response to the Emergency. It was clear that the policy of maintaining the reserves as supplier of subsistence foodstuffs for the-paid workers families had overreached itself and unless steps were taken to make the reserves produce more wealth for the bursting population the conditions which gave rise to the Emergency would become chronic. Thus the Emergency made it clear that the system of settler political control and large-scale mixed farming could only be maintained at an unacceptable cost. There would have to be an African government and the mixed farms in the Highlands would have to be transferred to Africans, beginning with some of the squatters and other unemployed landless people. But provided land transfers could be arranged quickly yet without a severe drop in production or political unrest, the rest of the political system need not be accepted as long as the incoming African leadership had an interest in preserving it.

The key problem was to find a formula for the land question as chaos would jeopardise the whole economic system. There would be severe unemployment and a drop in commercial activities. The transfer programmes were implemented mainly to canalise the rush for land into some sort of settlement schemes before it posed an irresistible threat to the whole white highland economy. The formula was that the incoming settlers would have to purchase the land with funds lent to them by the new Kenya Government, which would in turn be lent money by the British and if



possible also by the World Bank.<sup>14</sup> Oginga Odinga states in his book thus:

"... the settlers demanded land guarantees as a price for accepting African advance in the constitutional field..."<sup>15</sup>

The efforts of the European liberals to promote settlement initially in the 'sore thumb' areas (those areas off the Highlands in which there were longstanding African claims to land) was an attempt to buy off those tribes with less pressing demand for land among their people and ensure support for guarantees for remaining European landholdings. Thus the relationship between the land tenure reform and the land redistribution movement symbolised by the schemes can be seen as an attempt by the colonialists to maintain the status quo. Settlement schemes as they finally evolved can be seen in this light.<sup>16</sup>

#### E. ESTABLISHMENT OF THE SETTLEMENT SCHEMES : I7

After the agreement on an African majority government at the First Lancaster House Conference the farmer groups took the initiative on the land issue. They wanted a scheme to be established to underwrite the value of European owned land.<sup>18</sup> The Kenya Government responded by announcing a limited settlement scheme for the Highlands and denounced as 'compensation' the farmers' campaign for underwriting. The initial schemes were to cover some 180,000 acres and settle about 8,000 families ( 6,000 on peasant schemes with net income of £250 per annum) at a cost of £7.5 millions. They involved British and World Bank financing and were on multi-racial, on a willing buyer, willing seller basis rather than settlements. The schemes were an initial step in the incremental approach taken by the colonial government to land transfers. It was the first in a number of inadequate responses which gave way to the Million Acre Scheme of 1962; they were not designed only to diffuse the land question but also to gain information and confidence for larger programmes if they proved necessary.

After the 1961 elections and the formation of a minority government by KADU, pressure was exerted for the expansion of the schemes. One of the influences which led KADU to agree to form a government was the need for more financial aid for land transfers. They stressed the need for relief of landlessness, the unviability of the existing schemes and the desirability of undercutting a more radical stand on land by KANU. Soon afterwards a 'new scheme' was announced includin



including doubling of acreage of the previous schemes, a reduction of per capita income target set for each scheme plot and the inclusion of the 'sore thumb' areas. The scheme goal was not only to make a demonstrable attempt to satisfy African land hunger but also to maintain the European economy. The farmers were still demanding protection against expropriation, title guarantees and increased settlement schemes. They stressed however the distinction between underwriting European property value and settlement. The latter was viewed as a threat to the large farming system as well as a non-economical burden on the economy. The Liberals and the British government on the other hand were coming to see settlement as a means of killing two birds with one stone- it involved land purchase on a large scale, thereby maintaining the land values and raising European confidence, and at the same time dissipating African land hunger.

The establishment of the Million Acre Scheme was announced in July 1962 which was to effect the transference of European owned land to Africans. The scheme was to be carried out over a five year period and to cost more than £15 millions. The Europeans adopted the scheme as a means of realising their property value. The British government accepted this solution because she desired a cordial post Independence Kenya. Settlement would produce stability and the settlers hoped that the schemes could be continued and increased giving most of the mixed farmers who wished to leave an opportunity to sell their farms.

As at Independence land transfers may be said to have served two purposes it drained off rural discontent; the new leaders found an externally financed means of dealing with internal conflicts and land transfers were used as a temporary method of counter insurgency to stabilise the nationalist regime in these first years. The transfers also created conditions by which the African middle classes could gain control over the dominant means of production in the society- capitalist agriculture. The schemes provided a means of not only creating an African landed class, but also a way of intergrating the nascent class into the political economic system at the same time. The new settlers, through land titles, loan repayments and some gratitude to the new government were expected



to acquire a vested interest in opposing any radical agrarian transformation of society. His concern with the middle classes and preserving the economy is to be seen later in the 'Stamp' land purchasing programme which effectively halted the break up of the large farms and emphasized larger farm units for the African farmers. It should be noted that the types of schemes established and the purposes they were meant to serve are discussed in the next chapter.

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It was the desire to preserve the large-farm capital agricultural system by removing most of the large farmers. The contradiction was only as apparent as the need was to integrate and stabilise a European - established farming system into an African dominated polity. At the same time efforts were made to ensure the survival of the Highlands. Some farms were retained as essential to the economy and along with this retention went the consequent preservation of the agricultural infrastructure which favoured the problems and protests of the large farms.

Both the buy-out of the mixed farms and the preservation of capital agriculture were important to the multi-national commercial interests in Kenya which played a crucial though a subverted role in support of the programme. The diffusion of rural unrest was one of the initial goals of the Million Acre Scheme. Garry Wansleben correctly states that sequentially with this theme, and growing more central as the threat of insurgency subsided, was the trend towards promoting an African led middle-class in the settlement areas. This class having vested interests in private property rights, in the maintenance of the Highlands farming system, and in the validity of the transfer schemes themselves, was to act as a buffer against agitation by the rural masses. They were also to serve as moderate leaders of rural opinion and as to Africanise the Highlands rather than merely extending the boundaries of the former Native Reserves as the Million Acre Scheme tended to do.



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CHAPTER TWO

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POST - INDEPENDENCE ERA :

A. The Implementation of Settlement Schemes :

The implementation of the land schemes was designed to ensure the continued functioning of the colonial political economy under an altered authority structure. The major economic goals of the schemes was a curious & dilectic. It was the desire to preserve the large-farm capital agricultural system by removing most of the large farmers. The contradiction was only an apparent one as the need was to intergrate and stabilise a European - established farming system into an African dominated polity. At the same time efforts were made to ensure the continued functioning of the Highlands. Some farms were retained as essential to the economy and along with this retention went the consequent preservation of the agricultural infrastructure which favoured the problems and products of the large farms.

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One aspect of establishment of settlement was the solution of rural problems and it was viewed as one of the mechanisms for redistribution of agricultural resources and for reduction in unemployment. Fundamentally, the







smallholders of land bought from the large farmers but the basic idea was the injection of loans which would place the settlers in a position to develop their holdings fully in order to repay the development loan and two thirds of the purchase price.

### B. Institutions:

In June 1963, with the coming of internal self-government, the African Land Development and Settlement Board (Aldev) was replaced by the Central Land Board, a body corporate deriving its finances from the Government. Its functions were to select, value and purchase agricultural lands for settlement in the former Scheduled Areas and to convey titles to those Africans who became settlers. After the purchase the procedure was to hand over the land to the Department of Settlement within the Ministry of Lands and Settlement. Simultaneously within the constitution of the Central Land Board, a body of trustees, known as the Settlement Fund Trustees, consisting of the Ministers for Finance, for Agriculture and for Lands and Settlement, was created to operate an Agricultural Settlement Fund, for the financing and ~~approximate~~ management of approved schemes.

The Department of settlement within the Ministry of Lands and Settlement had to take over the farms and to execute the actual settlement and related operations. The schemes were planned into units of roughly 10,000 acres for High Density areas and 5,000 acres for IBRD/CDC or Low Density areas.

### C. Developments to the Present Day:

For the first two years the major thrust of settlement effort was to stabilise the new government. To the bureaucrats involved in the land schemes African land-hunger was both the great threat to land transfers and the motive force behind them. Prior to Independence, there was a great fear of land seizure and the government officials expected land grabs in the first six months after Independence. The Central Land Board in its final report referred to the African peoples demand for final accommodation and security for their numerous impoverished and landless people.<sup>25</sup>

Political stability can be considered the very pre-requisite for economic development and thus the explosive situation created by African land hunger had to be partially satisfied by the establishment of the schemes. The expectation among the landless was that they would receive or seize land free at



Independence. In order to avoid this a crash programme was initiated called the Jet-Schemes of late 1963. In retrospect the crash programme was viewed as an absolute political ~~ness~~ necessity for the new government, without which major land grabs would have occurred shortly after Independence. The Minister for Lands and Settlement was pessimistic and said: <sup>2627</sup>

"The qualification 'landless and unemployed' was introduced when it was thought that settlement schemes could make a large contribution to the problem of landlessness and unemployment. It is now known that there can be no solution to this problem, although they do, of course, help to resolve it, since the number of labour employed on European farms is high..."

This conflict arose from competing political pressures to settle as many Africans as possible and the expectation that the relatively large farms would be the only ones on which the settlers would make farming an economic proposition.

By 1964 with the perceived easing of pressure on the land from the Kikuyu masses, government officials sought to move settlement in a direction they had always preferred, namely the transfer of large scale plots.<sup>28</sup> There were a number of reasons for the move. Of primary importance was their view of greater economic gain derived from the preservation and Africanisation of the large-farm system than from its transformation. Settlement officials, despite the Swynnerton Plan, were still attuned to the needs and advantages of the European system and sought in the minimal alteration of it.

The African leadership used the large scale transfers not only to bolster the economy but also as a means of rewarding followers and loyal leaders. Having an indigenous gentry was seen as, in a rather muted way, a means of consolidating the rural populace around a moderate government and stabilising the society by giving important elements in it a vested interest in property rights and the economic infrastructure. The movement and creation of middle class Africans in the Highlands was, if not a conscious object of in the minds of the planners, a foreseeable consequence of their policies.

In 1965, the 'Stamp Mission' was sent to Kenya from Britain to advise on British aid for further programmes of land transfers. It was horrified by the financial position of the settlement schemes and firmly recommended that there



should be no more of them until the Kenya Government had undertaken economic surveys to 'reassess the economics of settlement and to initiate measures to avoid any possible catastrophe'.<sup>29</sup>

Their recommendations led to the Van Arkadie Mission in 1966 which saw perfectly well that settlement schemes had been a success, since without them the whole economic structure would very likely have been destroyed. On the other hand they also clearly saw the dilemma presented by the failure of the settlers to repay their loans. It also noted that if the settlers were generally allowed to default, the whole agrarian credit structure would collapse.<sup>29</sup><sup>30</sup>

Thus Wasserman asserts in his conclusion that by 1962 the major objective of land reform schemes in Kenya was neither the buying out of European farmers nor the maintenance of European agricultural standards in the Highlands though these were important and direct consequences of the programmes. Rather than meeting the threat of rural insurgency by 'taking the steam out of the kettle' became the preoccupation of the settlement planners.<sup>31</sup> With the easing of the threat of rural insurgency, settlement planners could by 1964 ensure more flexibly the continued vitality of the Highlands farming system. Although political arguments were used to induce continued British funding for the schemes stifling land hunger took a backseat to preserving capital agriculture in Kenya. The key word which underlay the whole transfer programme was 'continuity'. Taking its cue from the process of decolonisation itself, settlement sought to transfer and preserve the Kenyan political economy as intact as possible.

At first this meant a minimal alteration in European ownership in the Highlands hence settlement was to provide market support, cater for a small number of Africans throughout the highlands and assuage limited traditional claims to land (1960-1962). Later as the threat of land seizure grew, and European confidence sagged, settlement of some million acres was needed to preserve both the economic system and a cordial political regime (1962-1964). Finally with insurgence stifled, the benefits of large farms, and large farmers to the economy and polity could be emphasized in the schemes (1964-1970). Organised settlement while reduced to meet other economic needs have never quite been phased out so that the sense of gradual Africanisation would not be lost



on Kenyans.

Throughout, the thrust of settlement has been to intergrate and socialise segments of the African population into an on-going system. The Kenyan political economy was altered to cater for and facilitate its transition. The question of transformation of the colonial system was answered by never being posed. The value of continued dependence on large scale private agriculture, the merit of State owned Corporations buying up the Highlands, the alternative to an external development policy, the question of simply doing nothing in the Highlands, although the Europeans who wished to leave could do so, and rebuilding from there, these basic choices were simply outside the policy perspectives of the settlement planners.<sup>32</sup>

By the time the 1966-1970 Development Plan appeared it stated that 'the declared objectives of settlement' had been 'largely attained' and no more settlement was provided in it. The pressure of the landless had been partially relieved, of course; the landless of long standing, in particular, no longer presented an immediate political danger. But landlessness was inevitably growing all the time. To say that there would be no more settlement was politically unpopular and unrealistic. Settlement, therefore, had to be presented as expensive and conferring privileges on a few at the expense of the many.

By 1970 the pressure of landlessness made a further programme of settlement politically inescapable, and the Kenyan Government sought a fresh instalment of British loan aid for a new purchase programme. The British Government accepted this as inevitable and offered an outright grant of £ 2.5 million. From this nothing was more certain than that the new settlers would not be given their land free, even though the Kenya Government was to get a free grant to buy it with. Kenya's commitment to the international capitalist system was no longer in doubt and there was no reason for the British Government to go to elaborate trouble, or to incur any more odium with Kenya in order to secure it.<sup>32</sup>



CHAPTER THREE :TAMU LOW DENSITY SETTLEMENT SCHEME :

In this chapter the writer<sup>34</sup> will focus his attention on the above mentioned scheme and will attempt to evaluate both the social, political and economic developments it has achieved since its inception, the problems and drawbacks it has encountered and the possible solutions that may be available as redress. An attempt will be made to analyse how the establishment of the scheme has sociologically affected the inhabitants of the same.<sup>35</sup> If any valid lesson is to be learnt from the establishment of settlement schemes, it is pertinent that the schemes should be studied as wholes, including not only the developers and the developed but also land, climate, infrastructure, economic processes and socio-political environments in which they are found.<sup>36</sup> We shall thus attempt to determine the relationship between the settlers and the settlement agency, how the policies implemented by the latter affect or might affect the overall development of the scheme; the relationship of the settlers inter se; the forms of organisations which have developed in the scheme and the contractual obligations, if any, that exist between them and the settlers, and the tenure arrangement which persists in the scheme.

A. THE SETTLERS:

As noted in the previous chapter, settlement schemes were initiated to ensure stability, both political and social, and to maintain the status quo. One way of achieving this objective was by the creation of a landed rural petty-bourgeoisie (in the Low Density schemes) who would have identical interests as the metropolitan capitalists and ensure continuity of the colonial institutions. The low density schemes were meant to settle smallholders who had demonstrated agricultural ability and had some savings of their own. The first qualification did not apply squarely to Tamu settlement due to political reasons.<sup>37</sup> The insistence on a deposit of I,000/- as a prerequisite for the allocation of plots in the scheme ensured that only the then traders (who are about 50% of the settlers) and Civil Servants (about 30%) who had managed to save some money could be settled in the scheme.



The prospective settlers were to be recommended by their District Agricultural Officers and the deposit paid was to be used as legal fees, land deposit and working capital. Allocation was guaranteed so long as the deposit was tendered and this helps to explain why some settlers have more than one plot in the scheme.<sup>38</sup> This is in conformity with the general land policy in Kenya as there is no control or limit as to the amount of land an individual is permitted to hold. It was hoped that the establishment of such schemes would stabilise the potentially disruptive rural society.<sup>39</sup>

It should be noted that a few of the farmers in the scheme have divided interests, for example, a farm in the former reserves (about 60%), a shop in town or scheme (about 5%), or a position in the administration (about 3%) etc. which distract their attention from their plots considerably; while some have even more than one plot. Most of these settlers with divided interests lack enough capital to invest in their farms and this is one of the contributory factors which has resulted in a fall of production output. Some in this category consider their plot as a kind of land insurance policy for the family and thus little or no development is carried out. The syphonning of capital from the scheme to other sectors of the economy, the unrealistic overdeductions of the purchase price by the settlement agency, the heavy financial burdens of the farmers (family or otherwise) has resulted in failure to reinvest adequately in the land a consequent fall in production as shown in Table 5 below. Approximately 20% of the settlers do not actually reside on their plots ('telephone farmers') and as a result of this their farms are grossly mismanaged and in extreme cases the land is lying fallow.<sup>40</sup>

TABLE I

Overall production figures for the years 1973 to 1976 ending in July of each year:

Year ending July	No. of acres Harvested	Total tonnage realised	Tonnage per acre
1973	960	25,187.06	26.23
1974	342	6,182.21	18.07
1975	427	7,818.63	18.31
1976	1,874	36,033	19.22

source: Sugar Settlement Organisation Office, Mnarā.



It can thus be stated that care in selection of settlers is of immense importance as it determines the success of the scheme. <sup>40</sup> Recruitment determines the overall capacity of the scheme membership and its ability to evolve its own services and its own style of life within the modern world.

### B. THE SETTLEMENT OFFICIALS :

Many of the present shortcomings of settlement can be traced back to the speed with which they were implemented. Resettlement started rather late with the build up of political pressure in 1963 and 1964. In order to avoid chaotic land grabbing a 'crash programme' involving large purchase of land had to be carried out at extremely short notice. In fact many of the problems of settlement seem to stem from the crash programme basis of national efforts. Agricultural technicians were faced with immediate political demands which left little time for planning or preparation.

Failure in the schemes technical base and in recruitment are the most common reasons for poor scheme performance. Where schemes have a high value cash crop like sugar cane and where careful recruitment of staff and settlers has been followed, the other difficulties do not seem sufficient to halt the schemes' development. It should be noted that no amount of other assistance can overcome the absence of a viable production base and the willing farmers to make it pay. In launching Tamu Settlement Scheme there were very few qualified agricultural technicians provided by the Department of Settlement to implement it. The rest of the staff consisted of unqualified local personnel and as a result of this, major problems were encountered during its inception, for example they did not clearly understand the policy and programmes to be implemented and this caused a multiple of confusion.

The planners of the scheme had numerous problems in implementation in that the construction of the East African Sugar Industries Ltd was made conditional upon the plantation of a specified acreage of sugar cane. As a result of this the cane the cane already planted overmatured and there was no factory which they could be taken to. Thus the Agricultural technicians had to ask for special permission from the Minister for Lands and settlement to turn the cane into



jaggery. Production from farm operations were as follows from Tamu and Muhoroni schemes in 1963/64: <sup>4041</sup>

Sugar (for the years operation) 449 tons ;

Jaggery (for the years operation) 442 tons.

The infrastructure of the scheme was poor in that roads were impassable during the rainy season <sup>42</sup>~~41~~ and this hampered efficient transportation of cane to the factory.

The standards of the roads have comparatively improved and not great difficulties are encountered. It should be noted that the conditions imposed by the E.A.

Sugar Industries and accepted by the Kenya Government can be seen as the latter's

willingness to serve the multi-national commercial interest as the country had

already been absorbed into the periphery of the western capitalist system. The

financiers of the scheme also supported the idea of establishing a landed

peasantry with vested interests in the land by insisting that the settlers had

to be men of ability who could organise themselves and make the scheme an

economically viable entity and the criteria for selection had thus to be

determined by the financial capability of the applicant.

### C. POLICY IMPLEMENTATION AND CONTRACTUAL OBLIGATIONS :

Plot preparations were carried out by heavy agricultural machinery ~~provided~~ provided on contract. The Senior Settlement Officer directed machinery and organised the planting programmes using Tamu Co-Operative Society as an agent to provide the necessary labour. By the end of 1964 only 5 plots had been allocated. One farmer obtained a yield of 70 tons of seed cane per acre and the 2½ acres realised an overall profit margin of £ 242 or £97 per acre and this stimulated and catalysed the settlement programme. The settlement agency controlled all the operational aspects from field preparation, cane planting to harvesting and transportation. Gross inefficiency on their part led to the farmer on <sup>occasion</sup> ~~occasions~~ not receiving any income from the harvest and this led to very bitter complaints from the farmers. Planners had allowed outside agencies and political pressures to dictate completely unrealistic repayment schedules. The consequences of this were manifold as the settlement agency was revealed to be lacking totally in local information and were incapable of adjusting to its demands, the settlers felt



unjustly put upon and lost the incentive to further develop their land and they were forced to go further into debt to private sources.

When the settlers arrived they formed the Tamu Co-operative Society which undertook to employ casual labour for weeding and harvesting of cane and the issuing of small loans to the farmers. The Society had powers to enter any plot which was not weeded after notice, do the requisite work and recover their dues from the proceeds of the harvest. Field preparations and planting were executed by the settlement agency though the latter could be done by the individual farmer if he so wished. Independent contractors were employed in the field of transporting the cane to the factory (these contracts were made between the settlement agency and the third party on behalf of the settler). In 1973 the Muhoroni Sugar-Cane Farmers Co-operative Union Ltd. was formed with eight affiliate societies and it undertook to acquire transport machinery with a loan from the Co-operative Bank of Kenya. The affiliate societies agreed that the said Union would transport all the harvested cane within their jurisdiction to the Muhoroni factory though presently due to lack of enough transport facilities some independent contractors are still operating through agreement with the factory. The factory also through a contract with the Union has undertaken to accept all the cane transported by the same. All the abovementioned operations are paid for by the farmer after the harvest. The loans which facilitate the execution of the same are provided by the Government at an interest rate of 6½%.

#### D. LAND TENURE ARRANGEMENT :

It has been argued that a tenure system, whatever its nature, does not merely describe an isolated aspect of the economy of a society.<sup>44</sup> To the extent that it defines the amount of access which members of a society may have, it prescribes the degree of control that may be exercised over land resources and consequently, circumscribes the manner in which they may be used and the manner in which the benefits accruing therefrom may be distributed. It should be noted that a tenure system summarises the set of relations which emerge through the power process of society.

When the scheme was established the farmers were issued with temporary occupational licences pending the granting of the Letter of Allotment. This was so in order to give them time to make up their minds whether they wished to stay



or not. On issue of the Letter of Allotment the Settlement Fund Trustees granted to the farmer a conditional freehold title to the plot pending the completion of the land purchase price and the interest thereon. The farmer thus had the power to enter into and cultivate the land the only condition being that the 7½ acres had to be utilised solely for cane production, while the 2½ acres could be used for subsistence. He could dispose of the land through sale so long as the consent of the District Land Control Board had been obtained and the purchaser undertook to bear all the financial obligations of the vendor as at time of sale. The farmer did not have full control over the parcel of land as the settlement agency still retained supervisory powers to ensure that land use and management codes were rigorously enforced and failure to comply might result in eviction. The land in the scheme, after registration falls squarely within the purview of the Registered Land Act (Cap 300). In order to have access to land one must be a member of the settler's family and this produces reciprocal obligations. This shows that the traditional tenural system has been undercut and led to the emergence of a narrower system of access to land based on the family or individual. Transmission of land through succession is common though the land is held on trust by the widow for the deceased children.

Currently there is an attempt to introduce a new policy by the Department of Settlement called 'the Block System' whereby the farmers are to be grouped into blocks, the demarcation lines between the individual blocks are discarded, the Settlement Agency does all the requisite work (from field preparation to harvesting), deduct their expenses and distribute the residue equally among the members. This policy is being introduced by the Government as a result of pressure from the ~~multinational~~ multinational commercial interest (owners of the E.A. Sugar Industries Ltd. and investors in the scheme) who have not realised their estimate profit margins due to inadequate supplies of cane. The policy as explained to the farmers would in effect divest them of any control of activities carried on in their plots, their participation in development would be lacking and they are bitterly opposed to it as such. They contend that such a policy would only benefit the 'telephone farmer' and would be to the detriment of the hard working resident farmer whose plot is always fully developed. From past experience they are convinced that the Department of Settlement cannot execute effectively the



obligations they plan to undertake due to bureaucratic inefficiency which has greatly marred their history. They are also greatly opposed to the intimidations and authoritarian methods invoked in implementing the policy.

It should be noted that total institutions can be an efficient means of agricultural production but they are not likely to achieve other aims frequently given for land settlement, for example transferring leadership and some degree of control into settler hands, improving household welfare through raised incomes, demonstrating superior techniques to the surrounding farmers etc. It is therefore of urgent priority that more attention should be paid to discovering the dynamic factors responsible for the fall of production before embarking on such a policy and amendments made accordingly. Proper planning care in the planning stage ought to be able to anticipate the evolutionary trend in the scheme development. Undue centralisation can be prevented by assigning the functions of settlement to different organisations in the scheme and by taking precautions in the initial period of scheme adjustment. Thus it is submitted that such a policy is only justified as regards the mismanaged farms initially.

#### E. PRODUCTION :

The overall economic performance of the scheme as a production unit in relation to repayment of investments is plausible but this can be explained by the fact that all deductions are done by the settlement agency before the farmer receives his proceeds. If the payment of the basic capital investment is regarded as the sole criteria of determining the schemes' success, then Tamu settlement Scheme might be said to have achieved its objective though the Government still subsidizes the capital investment. It should be noted that the repayment expectations of the multi-national capitalist were completely unrealistic and demoralising to farmers. Table 2 shows the Muhoroni Co-operative Societies' turnover, though January to December 1971 to 1973 though only figures for Tamu Society are given :

TABLE 2

Year	Membership	Share Capital	Sugar Cane Ksh/ton	Total
1971	421	16,480	4,325,319	4,325,419
1972	422		2,357,396	2,357,396
1973	422		3,457,311	3,457,311

Source: Department of Settlement: Annual Reports 1971-72



Morris J.R.<sup>47</sup><sub>46</sub> contends that where a scheme is closely linked to some

supervisory agency, it is the scheme and not the agency we are concerned with.

Obviously there is a whole battery of techniques from from out of public administration which could and should be used in estimating agencies' success. The social-logical factors are of greatest consequence at the lowest level, where the agency is in direct contact with the farmer. It is only in this sense that we can talk about schemes performance as distinct from supporting institutions. Thus settlement schemes have an obvious association with the 'transformation approach' to farming development. The modernisation desired by this approach is fourfold: (i) It is a revolution in the farmer's practices launching him into modern ~~practices~~ farming; (ii) it carries with it the substitution of contractual obligations for reciprocal obligations and the farmer depends upon the national economy for his goods and services; (iii) it implies a permanent change in status; and (iv) once transformed the farmer will be committed entirely to the modern sector. All these can be said to be true to a greater extent as regards Tamu Scheme.<sup>48</sup>

If settlement is regarded as a means of rural transformation then specific rural goals should be viewed as paramount. One should look at the effectiveness of settlement as a mode of development in meeting specified targets usually stated in terms of rural welfare. There are no village communities in Tamu though agriculture is relatively stable. Most of the houses are either permanent or semi-permanent and there is one primary school serving the scheme though due to sectoral politics they have not built a secondary school. There is a dispensary and a water reticulation system for the I.B.R.D. schemes of Muhoroni, Tamu, and God Abuoro which provide watering points at half a mile intervals throughout the schemes. The piping was also designed to accommodate individual water tanks on the plots and over 90% of the farmers have water in their homes.

From the foregoing it can safely be said that an examination of the measures point away from the scheme and towards settlement administration as being the source of the current problems with settlement. In reality it is not the scheme which has failed as a form of development policy, it is rather the settlement agency themselves. In supervised forms of land settlement the determinant of the scheme performance lie ultimately with the agency and not with the scheme. For as long as the agency imposes upon schemes unrealistic demands, it will be



be very difficult to evaluate the potential of schemes as such.

F. LABOUR :

The agricultural sector plays a significant role in Kenya's <sup>economy</sup> by offering employment to the majority of the population, providing food for the country and providing surpluses for both export and local industries. In the ILO report the "the working poor" were defined to include the rural population with insufficient land to secure a reasonable level of income.<sup>49</sup> A large portion of this population is either landless or own small plots which are not commercialised to any significant degree and they are the portion of the population lacking the opportunity of earning a reasonable minimum income. The causes of unemployment are numerous but all can be linked to the pattern of economic development and income distribution. It should be noted that land transfer was to act as a solution to rural problems and as a prime mechanism for the promotion and development of agricultural resources and reducing unemployment.

The ownership and distribution of land involved some serious imbalances before Independence and in the post Independence era the degree of imbalances has been reduced but not completely eradicated. The people who were fortunate to obtain land as individual farmers got disproportionate shares of land and thus no equalisation was affected. The people with poor education or no education at all form the working poor in the schemes as the benefits of growth of the economy have tended to accrue to a small section of the population and hence the continuation of inherited inequalities. There is thus a constant supply of labour to work on the farm and these may be divided into two groups, namely, the cane-cutters and weeders and the farm labourers. The former are employed on a temporary basis by the Co-operative Society and their remuneration depends on their strength, and thus the strong ones may earn a maximum of 200/- per month while the weak or sick may earn 50/-. The average income of the farm labourers depends on their agreement with the settler and varies from 100/- to 150/- per month.

As regards the conditions of employment it is the writers' submission that the introduction of Frederick Engels to Karl Marx's article "Wage Labour and Capital" aptly summarises the position and is worth quoting in ex tensio:

"...We live today under the domination of capitalist production,



in which a large, ever-increasing class of population can live only if it works for the owner of the means of production- the tools, machines, raw materials, and means of subsistence- in return for wages. On the basis of this mode of production, the cost of production of the worker consists of that quality of the means of subsistence- or their price in money- which on the average is necessary to keep him capable of working, keep him capable of working, and replace him, after his departure by reason of old age, sickness or death, with a new worker- that is to say to propagate the working class in the necessary numbers..."

Thus the great mass of the society is turned into wage workers and precisely for that reason made incapable of appropriating for themselves the superfluity of products. The division of society into a small excessively rich class and a large propertyless class of wage workers results in a society suffering from its own superfluity, while the great majority of its members is scarcely, or even not at all, protected from extrem want. This state of affairs becomes daily more absurd and more unnecessary. Engels further states that such a state of affairs must be abolished and can be abolished. A new social order is possible in which the present class differences will have disappeared and in which- perhaps after a short transitional period involving some privation, but at any rate of great value morally- through the planned utilisation and the extension of the already existing enormous productive forces of all members of the society, and uniform obligation to work, the means of existence, for enjoying life, for the development and employment of all bodily and mental faculties will be available in an equal measure and in ever increasing fullness.

The writer wholly agrees with the penultimate paragraph and recommends that redistribution and growth should be the governments goal though this would involve drastic changes. Redistribution and land reform should be reconsidered in favour of the working poor and policies affecting investment and technology transfer should be evaluated with a view to creating more employment and technology and production more appropriate.



CHAPTER FOUR :CONCLUSION :

Throughout this paper the writer has sought to show that settlement schemes have not in the ultimate analysis fulfilled their declared objectives of, among others, redistributing land equitably among the populace. The political, social and economic reasons for failure have been fully discussed in the paper and only a short summary will suffice here.

During the colonial period land was expropriated from the Africans who were confined in the Reserves in order to leave room for the incoming European settlers. The main features of the colonial land policies were marked by large scale mixed farms, monopoly capitalism, exploitation of African labour etc. 'Independence' in Kenya only connoted political independence and not economic independence coupled with equitable redistribution of the scarce resources of the country. It marked a continuation of the colonial policies and value judgements and emphasized the maintainance of the status quo. The new agricultural system was purpose made, and exceptionally well backed by external funds and manpower and on the whole it worked well throughout the 1960's. The tensions and conflicts arising from a ~~sumfint~~ process of rapid economic change and social differentiation were mostly moderated and contained.

It should be noted that the land transfer programme did not take place in a historical vacuum. The hundreds of thousands of Africans who moved into the former European farms were part of a much larger social and economic transformation - the consumation of a switch from a variety of pre-colonial systems of production and exchange to 'peasant' production throughout Kenya. Thus to control and mould all these changes and to fit them into a wider framework of periphery capitalism, called for new policies and institutions. By the end of the 1960's the general outlines of these had become clear. The two central policies were the individualisation of land tenure and differential provision of credit. These were supplemented by a wide variety of institutional mechanisms designed to intergate peasant production into the established capitalist economic framework.



The land transfer programme mainly involved the movement of a mass of African 'peasant' farmers into the former White Highlands. But side by side with this a stratum of politicians, Civil Servants and traders aspired to take the place of European settlers as large scale capitalist farmers and some of them even infiltrated into the areas set aside for the 'landless and unemployed'. The mechanisms which had formerly secured the privileged position of the European mixed farmers had to be kept into operation in their interest as well as those of the remaining Europeans; and as a matter of fact the incoming African large scale farmer needed more protection than their white predecessors. Thus it can be said that settlement as a means of promoting an African gentry and stabilising the society has succeeded. If viewed as a means of diffusing rural unrest it has partially succeeded but as population is increasing at an alarming rate of 3.4% per year and employment opportunities are very scarce, the dangers posed by landlessness will in future reach greater proportions which may result into turbulent rural unrest and destroy the whole system.

In the longer run the contradictions of underdevelopment would express themselves in agriculture, as well as in the other sectors of the Kenyan society. But it should be noted that the policies pursued in the 1960's ensured that when this happened there would be a structure of agrarian interests and an institutional apparatus strong enough to resist pressure for radical change.

It can thus be stated that politically settlement has played a paramount role in stabilising the country by preventing chaos which could have been brought by rural land grabs. Socially it can be said to have perpetuated in some respects the dualistic character of the Kenyan society by allowing only the privileged few to control the major means of production in the country and denying the landless and unemployed an opportunity to share in its control by imposing capital as a criteria for selection. This as already stated might lead to some future social problems, though with the same breath it may be said to have relieved pressure in the reserves to some extent. Economically it may be said to have increased the total value per acre and succeeded in some respects in ensuring self sufficiency of the country as regards some products. Thus all in all the benefits accruing from settlement outweigh the cost of its inception.

In theory, planning will ensure that a country's resources are equitably



distributed. However, political forces within any particular country may influence distribution of that particular country's resource. Planning involves making decisions about the allocation of the scarce resources. It means choosing between many desirable activities and priorities because not everything can be done at once. Through planning a nation will be enabled, at least in theory, to allocate the resources it possesses in a manner which will bring the people as quickly as possible towards the goal they have set themselves. From the discussion in this paper it may safely be said that settlement has failed in its declared goals of equitable distribution of land, economic equality and social justice, though it has partially succeeded in increasing farm production.

The problems discussed in this paper can best be understood and solved in the context of the Marxian infrastructure superstructure dialectic. This approach begins from an analysis of the economic infrastructure of a given state. The economic infrastructure is made up of two conceptually distinct elements. These are, first, the processes of production, that is, the basic means of production at their existing level of technological development; and, secondly, the social relations which characterise this process at any particular time, that is class relations.

According to Marx, there arises from this economic infrastructure a superstructure, the varying complex of social, cultural, legal, political, intellectual, and religious institutions and values which is found in all societies. Although the superstructure is conceptualised as a response to a particular infrastructure, and is seen as having as one of its purposes the maintenance of existing social relations of production, nevertheless a dialectic is established between the two. The theory that as a necessary precondition for development we must do away with traditional institutions and equip ourselves with "modern" institutional superstructure, as a political programme neatly obscures the fundamental economic nature of underdevelopment. Underdevelopment is not caused by traditional institutions but by the intergration of our



economy into ~~our~~ the international imperialist system. The imperialist states through military conquest and more subtle measures have reduced our state to a position of dependency and are progressively underdeveloping us through the extraction of whatever surplus we produce. Development would thus consist of severing, through revolution if necessary all economic linkages with imperialism and reinvesting the national surplus for economic developmental purposes. Such an approach if it is flawed in that by concerning itself with infrastructural matters it neglects the dialectic of underdevelopment. While development is primarily an economic phenomena—raising the level of productive forces through the application of technology so that more wealth is produced, and transforming the social relations of production so that the wealth so produced is equitably distributed—it must be remembered that certain superstructural forms will inhibit economic transformation, by conducing to the maintenance of the existing infrastructure, while others will tend to encourage it. The study of development must thus address itself to the dialectic between infrastructure and superstructure and ~~in~~ the ways in which the contradictions between them can be resolved in the direction of further development.

*Journal of Modern African Studies*, 1971, mimeo.

(2) A survey of the land tenure literature is given by

J. Forde: "Ethnographic Survey of Africa" (International African Institute, London, 1946-8). See also

H. Gluckman: "Ideas in Barotse Jurisprudence", Manchester University Press, Manchester, 1963).

#### Introduction

(3) There was little interference with traditional land tenure and legislation which was passed was paternalistic. It was meant to prevent sophisticated foreigners from taking the land of the "simple minded" Africans.



(4) FOOTNOTES:Preface:

(I) The two major sources to date are the:

- (a) "Report of the Mission on Land Settlement in Kenya" (Nairobi, 1966, mimeo) (the Van Arkadie Report); and
- (b) H.W. Von Haugwitz, "Some Experiences with Smallholder Settlement in Kenya 1963/64 to 1966/67" Weltforum Verlag, Munich 1971, which contains a short bibliography.

See also:

- (c) W. Nyayo, "Some Socio-Economic Aspects of Land Settlement in Kenya" University Social Sciences Council Conference Papers (Kampala, Dec., 1964)
- (d) J.W. Harbeson, "Land Reform and Politics in Kenya 1954 - 70", Journal of Modern African Studies, Vol. 9, No. 2, August 1971 pp. 231-52.
- (e) C. Leo, "Neocolonialism and the Administration of Development" (Nairobi 1972, mimeo) and "The defence of European Interest at Independence: The Case of the Million-Acre Scheme" (Nairobi 1973, mimeo)
- (f) Ministry of Economic Planning and Development, Statistics Department, "Economic Survey of Settlement Schemes, Preliminary Results, Summary of Data from 1964-65 to 1966/67" (Nairobi 1971, mimeo).
- (2) A survey of the land tenure literature is given by in  
 D. Forde: "Ethnographic Survey of Africa" (International African Institute, London, 1946-8). See also  
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Introduction:

- (3) There was little interference with traditional land tenure and legislation which was passed was paternalistic. It was meant to prevent sophisticated foreigners from taking the lead of the "simple minded" Africans.



- (4) (1) John Flint: "The wider Background to Partition and Colonial Occupations: History of East Africa" edited by Ronald Liver and Gevres Mathew (O.U.P. 1963) pp.352-392.

(ii) She also wanted to expand her markets and get sources of raw material and cheap food: see

R.D. Wolff : "Britain and Kenya 1870 - 1930" (Transafrica Publishers,

Nairobi 1974). It should be noted that by the expression

'dominant political philosophy' we mean a political philosophy

of a group which has coercive power which can always be

summoned when needed, to give effect to it.

(5) See:

(i) G.K. Kemasu : "The Kenya Land Policy and the Land Control Act 1967"

(unpublished).

(ii) M.P.K. Sorrenson : "Origins of European Settlement in Kenya"

(O.U.P. 1967)

(iii) Y.P. Ghai and J.P.W.B. Mc Auslain : "Public Law and Political

Change in Kenya" (O.E.P. 1970).

(iv) H.W.O. Okoth-Ogendo : "Property theory and Land Use Analysis"

Journal of Eastern African Research and Development, Vol.5

No. 1, 1975.

It should be noted that the settlers would invest in capital produce crops; the railway would earn revenue by carrying them to the coast and by carrying imports inland; and the government would finance its activities by levying tariffs on these imports. In practice this programme or formula did not work so straight-forwardly. But the settlement programme was persevered with.

(6) Colin Leys : "Underdevelopment in Kenya: The Political Economy of Neocolonialism" (Heinemann 1975) pp.28-29.

(7) This was marked by alienation of land belonging to Africans to the settlers at the turn of the century, the Masai Treaties of 1904 and 1911, the practice of racial discrimination in the allocation of land in the Highlands, legislation of racial discrimination, the creation of African reserves, setting aside of African and European lands, control of land disposition in the Highlands and the land consolidation programme in the Central Province. These were all supposed to enable the whiteman to realise



what they conceived to be a good life in Kenya. xxx

See: G.K. Kamau: op. cit. p.10.

(8) This aspect is fully brought out and discussed by H.W.O. Okoth Ogendo: "African Land Tenure Reform" in "Agricultural Development in Kenya" edited by Judith Heyer, J.K. Maitha, and W.M. Senga. (O.U.P. 1976) pp. 152 - 185.

(9) Issaka Wainaina v. Murito (1921) 9 E.A.L.R. 102

(10) J.W. Haberson: "Nation Building in Kenya: Land Reform and Politics in Kenya- the Colonial Legacy 1954 - 1970" (1971, Vol 9 Journal of modern African Studies) pp.231

(11) For a brief discussion on causes and economic consequences of the Emergency 1952- 1955 : See Hans Ruthenberg: "African Agricultural Production Development Policy in Kenya 1952 - 1965". (Berlin, Springer, 1966)

(12) See: M.F.K. Sorrenson Op. Cit. ( Note 2 )

This reform was conducted not only to facilitate the introduction of development capital into rural areas but also to preserve the status quo by diverting African attention to their own rural areas and away from the "White Highlands".

(13) In Kenya, one of the chief objects of replacing the African Traditional land tenure with the English type of land tenure has been to make land a commodity. In A Plan to Intensify the Development of African Agriculture ( Government Printer, Nairobi 1955) which sets out the objectives of Land Consolidation, E.J.M. Swynnerton, the High priest of this reform made this point clear.

Para. 14 "-----In the past, Government policy has been to maintain the tribal past System of tenure so that all people have bits of land and to prevent the African from borrowing money against the security of his land. The result is that there is no agricultural indebtedness by the Africans to other races. In future if these recommendations are accepted, former government policy will be reversed and able to acquire more land from the bad or poor farmers, thus creating a landed and landless class."

As a result of this the process of economic development were to become suffused with political significance. Contributions by Africans to the economic development of Kenya were to become a synonymous with Political support for the status quo.

(14) See: Garry Wasserman: "The Independence Bargain: Kenya European and the Land Issue 1960 - 1962" July 1973 Journal of Commonwealth Political Studies Volume XI No. 2 pp. 74. He notes the anxiety to involve the World Bank in the transfer programme so as to reduce the risk of any subsequent effort of the independent government of Kenya to default.

It should also be observed that the programme satisfied the settlers sufficiently to keep them farming until their turn came to be bought out and accepted the acceptance of the formula meant that the new government would be responsible for repaying the loan funds used for the purchase. If the new African settler sought to escape from their debts for the purchase of the land by having the loan written off or rescheduled, or if they simply defaulted, the Kenya government would highly be unlikely to give in; since it could not escape its debts by renouncing



the entire International Credit System, on which it would be dependent for capital aid for development expenditure.

- (15) Oginga Odinga: "Not Yet Uhuru" (Heinemann, Nairobi 1967) at pp. 179.
- (16) It should be born in mind that with the opening up of the formerly European reserved Highlands, the farmers (Europeans) ensured that local boards dominated by European farmers would have to pass judgement on prospective African farmers and have that these boards had wide grounds for refusal. Similarly the Land Development and settlement board, set up to, oversee settlement in 1961, was heavily weighed to favour the European farmers and ensure that the European seller would be dealing this board on land valuation and subdivision.
- (17) For the discussion of objects of Settlement Schemes see:
- (i) John W. Harberson: "Land Resettlement and Development Strategy in Kenya" I.D.S., Discussion Paper No. 38, Jan. 1967.
  - (ii) Garry Wasserman: op.cit. (Note 13) pp. 98 - 120.
  - (iii) Michael Blundell: "So Rough a Wind" printed in Great Britain by C. Tilling and Co. Ltd. pp. 206.
  - (iv) Speeches of:
    - (a) Minister for Local Government and Lands, and
    - (b) Minister for Agriculture and Animal Husbandry,Kenya Legislative Council Debates 1960- 20th July,  
Vol. LXXXVI pp. 18-46.
- (18) They ask for a British financed, trustee-managed fund of around £25 million to provide market support for land values in the Highlands (essentially the buying would be from those who wanted to sell). They used economic and historical arguments and stressed that this was not a 'compensation' scheme and that such a fund would give the members security they needed to remain in an independent Kenya.

#### CHAPTER TWO:-

- (19) This group worried about the preservation of their assets including the Company-owned plantations and a political structure congenial to their survival.
- (20) Prior to 1962 this goal was to mean the settling of the 'sore thumb' areas of the non-Kikuyu tribes both to gain credit for KADU and to garner their support for the preservation of existing property rights in the Highlands. The Kikuyu land hunger was dealt with directly through the scheme in order to pre-empt any rural land grabs or threatened insurgency.
- (21) Garry Wasserman: "Continuity and Counter Insurgency: the Role of Land Reform in Decolonising Kenya 1962 - 1970."
- (22) The Political consequences of the schemes in promoting an African gentry was of less importance in motivation that were two other explanations. The first was simply to see that large plots as reward to the nationalist elite, and the origin of the "Z" plots can be seen as derived from this impulse. The second and more important imp motive lay in the economic criteria used to evaluate the schemes. It was perhaps a tentology, as Wasserman contends, that in a system based on large scale capital agriculture, in terms of immediate profits and costs, it was perceived as economically advantageous



to transfer land to relatively large scale-farmers. Although there was evidence of greater yields from more intensively farmed small plots, the greater costs of conversion and of development input, combined with greater consumption, at least in the short run made the transfer of larger units appear to be more economic proposition. This economic bias towards preserving the status quo conditioned the phasing out of settlements, the encouragement of private transfers and the holding of national farms by Agricultural Development Corporation for eventual transfer to large - scale African farmers.

- (23) (i) "The Development Plan 1966 - 1970" (Government Printer, Nairobi, 1966) pages 150 et seq.

(ii) See also Colin Leys: Supra at pp. 74 - 75 for a sequential discussion of the the establishment of the Settlement Schemes and their categorisation.

- (24) Annual Report, Department of Settlement, 1963/64 pp. 5.

- (25) Hanns Ruthenberg op. cit. (Note 10) at pp. 61 - 86.

He observes that the settlement was expected to combine almost impossible objectives, namely to increase productivity and production to such a degree that the new settler is (i) much better off than before and (ii) in a position to pay back (a) the development loan, and (b) two thirds of purchase price given to the outgoing British farmer including 6.5% interest charge.

Furthermore settlement was expected to increase the value of total production from £4 - 5 per acre to an overall budget target of £8, 3, per acre; to relieve land hunger in the former reserves by enabling farmers there to buy land from those who were going into settlement areas; to provide farms for those Africans who were tenants in the former Reserves and had become dispossessed by the process of land consolidation; to replace the racial dualism between African small holdings in the Reserve and large scale farms in the scheduled areas by the transfer of farms of widely different sizes to African owners; to introduce better methods into a large segment of the rural African Population by the supervision of production through the settlement staff; to assist in creating a reasonable market for land in Kenya in spite of the precarious Socio-Political situations for the White minority. Most European farmers were anxious to sell and this it claimed would inevitably lead to a disastrous drop in land prices and consequently chaos in the large farms economy if settlement had not appeared as a major buyer of land who did not intend to exploit the anxiety of the farmers. Thus one of the objectives of settlement was to stabilise the remaining large farm economy. The provision of substantial loans to the settlers was considered to be of key importance in obtaining these objectives.

- (26) Garry Wasserman: Supra (Note 21) contends that the reason for this pressure on land in the Central Central Region besides population increase (at around a rate of 3.2%) were (i) the consolidation programme which displaced many people including the recently released 60000 Mau Mau detainees; the regional pattern of Government which pressured the Kikuyu to return to their homelands, and (ii) the economic downturn which caused unemployment in the reserves. It should be noted that settlement was also aimed at diverting immigration of people from the rural to the urban areas, namely, that it was to divert the masses from the city to the fields.



(27) Republic of Kenya, Cabinet, Selection of Settlers on High Density Schemes, Memorandum by the Minister of Lands and Settlement, J.N. Angaine, June 1963 pp. 4.

(28) The original Kenya Government proposal had hoped for a Million Acre Scheme had hoped "... that after an initial attack on the problem through very high density schemes tension will have relaxed sufficiently to proceed with more productive schemes..." In the latter stages of the Million Acre Scheme the planners deliberately increased the acreages to obtain a better standard of farming.

Republic of Kenya, A Project to settle 50,000 to 70,000 African Farmers in the Scheduled Areas, Ministry of Lands and Settlement, 21/7/62, p. 6.

(29) See: Republic of Kenya, "Report of the Mission Appointed to Advise on the Proposals for a Further Transfer of European Farmers in Kenya" 1965, mimeo p. 38 et. seq.

The Stamp Mission noted that the African large scale farmers they met "naturally wished to see preserved the large farm structure which they considered as being more productive and offering greater employment opportunities than the small scale farms instituted under the settlement schemes". They also recommended that Britain should provide technical assistance to help to determine what adjustments in settlement planning and policy are necessary and what measures should be taken to ensure the existing loan programmes.

Garry Wasserman, supra (note 21) states that the failure of the Stamp Schemes reaches acreage goal can be attributed to the higher-than-expected costs, bureaucratic inefficiency and the Kenya Government's desire to de-emphasize land transfers and settlement. On the last point the Republic of Kenya, Development Plan 1970/74, (Government Printer, Nairobi

1970) pp. 192, 200, pointed out that in 1963/64 three quarters of all agricultural development money had gone into land transfers. By 1968/69, this had fallen to less than 50%, and within the projected plan period 1970-74 only about 22% of agricultural development monies would be used for transfer programmes. The reasons for this were similar to the Stamp Mission arguments four years earlier. Economic benefits were marginal as was the rise in employment. Transfers had an adverse effect on the balance of payments; there were better ways to use the money; and there was time needed to evaluate lessons learnt from the previous schemes.

(30) Supra (note 1) pp. 160-162.

There were many reasons for arrears, but the chief one was that the high density schemes were a dangerous compromise between what the Mission called 'development' schemes and social relief schemes. To get more people onto a given amount of land, the plots had to be made so small that even if all went as exactly planned, the settler who paid his debts on time would be left with a net cash income that was simply too small to meet his most essential family expenditure.

Faced with this dilemma, the Van Arkadie Mission made a number of related proposals. First the Kenya government debt to the British government the C.D.C., and the World Bank should be rescheduled to allow the probable actual payments by settlers to be accepted without strain by the Kenya government. Second the settlers should be made free of interest charges, so that their debts would in effect be rescheduled too. Third, each plot and each scheme should be reviewed to relate the terms of repayments, and if necessary the total level of debts, to what experience showed to be realistic targets of output and reasonable standards of family expenditure. Fourth, in the context of these changes, a much tougher attitude should be taken on evicting persistent defaulters.



- (31) Garzy Wasserman: supra (note 21). This interpretation differs from that of John Harbeson who, it can be argued consistently overestimates the influence of European farmers over the transfer schemes.  
See contra: John Harbeson: "Land reform and Politics in Kenya 1954 to 1970",

Journal of Modern African Studies, vol. 9 (2) of 1971, at pp. 231 - 251.

Wasserman argues that the Million Acre Scheme was not felt sufficient to meet the threat. It was speeded up and concentrated in threatening areas by the Accelerated Kikuyu Settlement of early 1963, and again in late June 1963 with the Jet Schemes for settlement of Kikuyus in Kinangop. European farmers wishes and economic productivity were secondary to the object of alleviating Kikuyu land hunger and stabilising the moderate nationalist government. He concludes by stating that one cannot fault a programme for failing to accomplish shamba transformation it was set up to prevent. In terms of economic preservation and counter insurgency, settlement deserves high marks. Whether a political legordamain, by which a fraction of the population received land on terms a majority of them have had difficulty and paying off, can effectively stifle rural unrest and further demands for land remains an open question. Settlement succeeded by presenting the nationalist regime with a functioning agricultural system, the structural and financial leverage to maintain it, and political task not essentially different from those of its predecessors.

- (32) It should be noted that the foregoing summary is largely derived from Garry Wasserman's article ibid.  
(33) Colin Leys: supra (note 6) pp. 84 et. seq.

### CHAPTER THREE :

- (34) The composition of this chapter is derived from the writers own experience as an inhabitant of the scheme since its inception, and to a large extent from research conducted by him by him both within the scheme itself and the office of the Department of Settlement.  
(35) J.R. Morris: "Evaluation of Settlement Scheme Performance: a Sociological Appraisal" (U.E.A. Social Sciences Conference, Dec. 1966).  
(36) Robert Chambers: "Settlement Schemes in Tropical Africa: A Study of Organisations and Developments" (London- Routledge and Kegan Paul,) p.19.  
(37) The leading Luo politicians had lead people to believe that the land would be distributed freely among the landless and therefore the people (those who could) were very reluctant to furnish the requisite deposit. The apparent contradiction of the settlement programme lay in the fact the landless and unemployed who needed the land most were required to raise a deposit of 1,000/- in order to settled. This helped to stress the point that as a matter of fact the intention was not to settle the landless in this scheme but to create a landed rural class who would ensure the survival of the system and the maintainance of the status quo.  
(38) This was possible because an applicant was not barred from applying in the name of his wife or child provided he could raise the prescribed deposit. The number is not great because a larger acreage of land could be obtained in the adjoining Songhor High Density scheme. This fact also helps to explain the relationship between the settlers and their insistence on being identified as a social unit by their place of origin.



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