

**THE CATHOLIC UNIVERSITY OF EASTERN AFRICA  
FACULTY OF ARTS AND SOCIAL SCIENCE  
DEPARTMENT OF SOCIAL SCIENCE AND DEVELOPMENT  
STUDIES**

**LAND TENURE SYSTEM AND PEACEFUL COEXISTENCE  
AMONG THE RESIDENTS OF KIBRA CONSTITUENCY, NAIROBI  
COUNTY, KENYA**

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**Thesis Submitted in Partial Fulfillment of the Requirements for the  
award of Master of Arts Degree in Project Planning and management,  
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**DECLARATION**

I, the undersigned, declare that this research project is my original work and that it has not been presented in any other university or institution for academic qualification.

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I confirm herewith that this thesis proposal was prepared under the auspice of the department of Social science and development studies and ready for defense

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## **DEDICATION**

I dedicate this work to all the residents of Kibra Sub County, Nairobi City, Kenya. Your resilience has enabled you overcome all the challenges that comes with land access, ownership and use in a society where the capitalists rule.

## **ACKNOWLEDGEMENT**

I would like to first and foremost express my deepest appreciation to God Almighty without whom attaining this Master of Arts Degree would have been a farfetched dream. Special gratitude goes to my supervisors Dr. John Nyabega and Mr. Elly Ndiao for their guidance, patience and invaluable positive critique. Further gratitude goes to the Kibra Sub County residents for responding to this study. To my classmates I appreciate the support, advice and encouragement you offered me throughout the process. Last but not least to my family, I am eternally grateful for your love, understanding, support and patience. You are the best. God bless you all.

## ABSTRACT

This study focused on the land tenure system and peaceful coexistence among the residents of Kibra constituency, Nairobi City County, Kenya. The study sought to investigate the influence of land tenure system on peaceful coexistence among the residents of Kibra constituency, Nairobi City County, Kenya. The specific objectives for the study were the following:-To determine the influence of land access on peaceful coexistence among the residents of Kibra Sub-County; To establish effect of land ownership on peaceful coexistence among the residents of Kibra Sub-County residents; To find out effects of land use and control on peaceful coexistence among the residents of Kibra-Sub-County and to determine effects of land transfer on peaceful coexistence among the residents of Kibra Sub – County. This study adopted the Demsertz theory of evolution of private property. Literature review was done thematically. The study adopted descriptive survey research design. 100 questionnaires were disseminated with a return rate of 80% which is the recommended return rate. 8 key informants were interviewed for the study. Quantitative data was analyzed using statistical techniques with the help of SPSS version 23.0 (IBM Product). Qualitative data was coded and presented in verbatim form. Using the likert scale, this study sought to rate the view of respondents in relation to land access after the 2007/2008 PEV. The general statement was “Some people can't access their land after the 2007/2008 PEV” 1.3% disagree, 2.5% neither agree nor disagree, 35.0% agree and 61.3% strongly agree. As earlier confirmed from one respondent, there is evidence that land ownership in Kibra Sub County has contributed to the unrest among the residents. With the majority strongly confirming the place of PEV and land grabbing, this shows that those whose land was grabbed are not happy at with the government and fellow residents who took their land. The researcher sought to know the kind of relationship existing among residents of Kibra in relation to land and peaceful coexistence. From a likert scale rating (There is Hostility among residents from different ethnic backgrounds living in Kibra Sub County), 35 % strongly agreed, 18.8 % agreed, 3.8 neither agreed nor disagreed, 16.3% disagreed, 12.5% strongly disagreed and 13.8 % don't know. It was concluded that the researched achieved the objectives of the study. This study therefore had the following recommendations:- ***On the Influence of land access on peaceful coexistence among the residents*** It was recommended that, the government should intervene in land access procedures and make sure that every land owner has the right to access and use their land Kibra Sub County. ***On the effect of land ownership on peaceful coexistence among the residents.*** The Kibra Sub County residents need to know that, everyone a right to own and use land anywhere in the country so long as they don't abuse their rights in the process. ***On Land use and control on peaceful coexistence among the residents.*** It is recommended that, Kibra residents need to give the government an opportunity to upgrade the slum for better habitation. The government of Kenya needs to involve the residents on the whole process of upgrading the slum. ***On Effects of land transfer on peaceful coexistence among the residents.*** The government needs to play a key role in ensuring non-interference with the processes of land transfer and ownership in Kibra Sub County.

## **ABBREVIATIONS/ACRONYMS**

AIDS – Acquired immune deficiency syndrome

FAO – Food and agriculture organization

GOK- Government of Kenya

HIV – Human Immunodeficiency virus

IBM - International Business Machines

NCC – Nairobi City County

SPSS - Statistical Package for the Social Sciences

USAID - United States Agency for International Development.

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## CHAPTER ONE: INTRODUCTION

### 1.1 Study Background

Land ownership is key to human survival and development as well as prosperity of a nation and is the source of basic needs such as food and shelter. Access and ownership of land is a central aspect of development and political change in any given country. It is estimated that half of the population of Asia will live in cities by 2020, and Africa will reach that proportion by 2035. At present, one billion people are living in informal settlements that lack basic services and 60 percent of urban dwellers are physically exposed to natural hazards and pollution. The urban slum population is projected to increase to 2 billion people by 2030 (UN 2003). One vital component of any strategy to improve living conditions for the urban poor involves improving the legal and regulatory environment related to housing and increasing the supply of affordable, legal shelter with tenure security and access to basic services and amenities.

Over the decades of intensive urbanisation, economic concentration and political centralisation, the two main processes through which the majority of people have had access to urban land have been the acquisition of plots in the widespread “irregular” and “clandestine” *loteamentos* and the formation of thousands of *favelas*. While the former are illegal land subdivisions developed mostly by informal by private companies in peripheral areas, the latter result from the invasion of both public and private land, originally in more central areas. Housing for low-income groups has largely been the result of precarious self-construction in such *loteamentos* and *favelas*. Whereas the production of affordable, technically adequate and serviced housing for the lower-income groups by state agencies has been greatly insufficient at all governmental levels, in some large cities such as Sao Paulo and Rio de Janeiro unregulated and informal rental practices have provided housing

opportunities to a significant number of urban poor. This has happened especially in cortices, the dilapidated private houses, usually in central areas, where thousands of families live in precarious and hazardous conditions. (Edesio, 2000a)

In one of Zimbabwean slum, majority of residents in Hopley slums have lease agreements that were signed with the then Ministry of Local Government and Urban Development. In terms of the lease agreements, the lessees are supposed to pay an annual fee amounting to US\$50,00. According to the residents, there is a substantial number of families whose tenure is yet to be resolved as they still finalize the issue of signing their leases. Such cases represent a majority of either the widows or orphans who due to the absence of the necessary legal paperwork are still struggling with tenure.

Still in Zimbabwe, the land on which Cassa Banana residents are residing is owned by the City of Harare. Although the City of Harare 'recognises' the existence of the settlement the tenure status of the residents remains informal. Therefore, the residents can be evicted anytime even though they have stayed in Cassa for the past 18 years. The only aspect that has promoted some semblance of security to the residents is the fact that they pay rates monthly for their stay in the settlement. However, notwithstanding these monthly rates, there is still deep-seated fear of what the future holds regarding the possibility of evictions. It is against this backdrop that some families (76) have joined the Federation as a way of raising prospects for secure accommodation. (Makachia, 2005) The Influence of the Tenure System to the Physical Environments in Nairobi's Human Settlements

Prior to 1978, Nigeria's system of customary land tenure provided families and individuals with use rights to rural land for agriculture and urban/town plots for housing that were heritable within families and lineages. In 1978, the Land Use Act (or Decree) was enacted. The objectives of the Land Use Act were to: make land accessible to all Nigerians; prevent speculative purchases of

communal land; streamline and simplify the management and ownership of land; make land available to governments at all levels for development; and to provide a system of government administration of rights that would improve tenure security. According to most observers, the Land Use Act achieved none of these objectives. The effort to replace the customary system made land less accessible to most people (USAID, 2010).

Allocation procedures are highly discretionary, allowing opportunities for corruption and self-dealing by state and local government officials and politicians. Individuals can obtain land use rights, but they have no foundation of communal land holdings and no presumption of inheritance within families or lineages. Registration of Certificates of Occupancy under the Land Use Act is costly, time-consuming, and places the land- certificate holder on the tax rolls. Customary law continues to govern land tenure for the majority of Nigerians, even though tenure security in urban areas (and as against the government and community outsiders in rural areas) is low. Land rights are transferred mostly in informal markets. The Land Use Act of 1978 is incorporated into the 1999 Constitution, making it difficult to revise or replace. An effort to introduce new land reform legislation was buried in committee in March 2010.

As per the case of Nairobi, as many as 90% of Nairobi's slum dwellers are tenants; half of these feel that tenure is reasonably secure, suggesting that the informal rental market is largely efficient. Innovative ways of ensuring security of tenure should be explored. Land records and land management in both formal and informal settlements are not computerized and are subject to corruption. This leads to poor and inequitable land management, resulting in lack of access to land for the poor and more generally to slum expansion. Market-based pricing bars the poor from formal land ownership, leaving them heavily dependent on the informal market. Securing formal rights to land is

subject to complex procedures which at times lack transparency. Evictions are less commonplace than they used to be; in 80% of the cases eviction is carried out by land “owners” and, in the remaining 20%, by the NCC, the Ministry of Lands and Housing or the Ministry of Public Works all in a poorly handled and not always transparent manner. Alternative land and housing are generally not provided to evictees, but if so, via non-transparent methods handled by chiefs, their agents or the NCC. Legal recourse against eviction is possible in theory, but in practice the poor do without any assistance (Nairobi Urban Sector Profile, 2006).

## **1.2 Problem statement**

Security of tenure is a fundamental requirement of progressive integration of the urban poor and basic component of the human right to access and utilize their land as they wish. All persons should possess a degree of security of tenure which guarantees legal protection against forced eviction, harassment and other threats. Security of tenure also provides further protection against the arbitrary deprivation of property.

Despite all the efforts taken to address the problem of squatters, this problem still exists because of several issues which include; ineffective or bad laws and inefficient constitutional provisions and especially in Kibra Sub-County. The new constitutional dispensation was supposed to be a cure to this problem yet it has not done so. Land issues have remained emotive and contentious since the colonial period and have been an obstacle to social cohesion and to some extent economic development. Kibra Sub County, a land given to the Nubians to settle as squatters has become a source of unrest and especially during and immediately after elections. Politicians and people in power have manipulated the local people on the use, transfer, ownership control and access of this land for long now. This state has caused evictions and loss of lives in 2007/2008 post-election

violence. The study sought to investigate the influence of land tenure system on peaceful co-existence among the residents of Kibra constituency, Nairobi County, Kenya.

### **1.3 Study Objectives**

#### **1.3.1 Main objective**

The study will seek to investigate the influence of land tenure system on peaceful coexistence among the residents of Kibra constituency, Nairobi County, Kenya

#### **1.3.2 Specific Objectives**

- (i) To determine the influence of land access on peaceful coexistence among the residents of Kibra Sub-County
- (ii) To establish effect of land ownership on peaceful coexistence among the residents of Kibra Sub-County residents
- (iii) To find out effects of land use and control on peaceful coexistence among the residents of Kibra-Sub-County
- (iv) To determine effects of land transfer on peaceful coexistence among the residents of Kibra Sub – County

### **1.4 Research questions**

- (i) What are the effects of land access on peaceful coexistence among the residents of Kibra Sub-County?
- (ii) What are the effects of land ownership on peaceful coexistence among the residents of Kibra Sub-County residents?
- (iii) What are effects of land use and control on peaceful coexistence among the residents of Kibra-Sub-County?
- (iv) What are the effects of land transfer on peaceful coexistence among the residents of Kibra Sub – County?

## **1.5 Assumptions**

The researcher made the assumption that the sample size drawn from the study were the true representative of the total population. Another assumption was that respondents were giving the right information the researcher is intending to get to establish the influence of land tenure system on peaceful coexistence of Kibra Sub County residents that is with honesty and meticulous attitude.

## **1.6 Justification of the study**

This study is justified by the lack of enough empirical studies on the influence of land tenure system on peaceful coexistence among the urban informal settlement residents in developing countries. There seems to be little information as far as this information is concerned. Specifically, little information is there in regard to land ownership, land access, land transfer and land use and control in urban informal settlement and how this influences peaceful coexistence.

## **1.7 Significance of the Study**

The study may be of significant to the various government institutions mandated to handle the land issues as well as conflict resolution on matters of land as it will attempt to give recommendations that will seek to address the urban land problem in Kenya associated. The study will also be of significance to the stakeholders in the community i.e. the landlords and tenants as it will give recommendations geared towards the improvement of modes of conflict resolution after having interrogated the potential causes of conflict. This study will also be of use to future researchers as the knowledge on the literature on land tenure systems will be availed.

## **1.8 Scope and limitation of the study**

This study only focused on Kibra constituency residents and not any other residents from other informal settlements in Nairobi County City. Some of the limitations of this study included hostility of some residents, language barrier, Insecurity, poor infrastructure like roads, suspicion from respondents.

## **1.9 Description of the location**

**Kibera** (Nubian: *Forest or Jungle*) is a division of Nairobi Area, Kenya, and neighborhood of the city of Nairobi, 5 kilometers from the city Centre. Kibera is the largest slum in Nairobi, and the largest urban slum in Africa. The neighborhood is divided into a number of villages, including Kianda, Soweto East, Gatwekera, Kisumu Ndogo, Lindi, Laini Saba, Siranga, Makina and Mashimoni. Conditions in Kibera are extremely poor, and most of its residents lack access to basic services, including electricity and running water.

## **1.10 Study Limitations**

Some of the limitations encountered during the study were uncooperative residents due to rampant ignorance among the people in the area of study.

## **1.11 Theoretical framework: Demsetz's theory of evolution to private property**

Demsetz's argue that, evolutionary theory on property is rooted in economic determinism. Property systems evolve from communal systems to private property on economic grounds because the costs of maintaining efficient, sustainable communal systems are significantly higher in communal systems than private property regimes. The essence is that communal systems may function well until there is pressure on the land. When there is competition for use of resources, self-interested actors will try to grab more than their fair share. If all of them do this, then the resource, or the commons, will be overexploited or even destroyed. The costs of negotiating systems that stop this destruction are far cheaper in private property regimes than communal ones. Therefore, there is a natural evolution to private property (Alexander & Peñalver, 2012).

Demsetz drew on the example of North American First Nations to illustrate his arguments. The central tenet of his thesis is that comparative costs and benefits drive change in a property system as external systems change. He says that in North American First Nations property systems, communal systems are likely to evolve into private property regimes as population pressure and market integration increases competition to use land. Communal systems are relatively inefficient and more costly to sustain than private property systems when there is pressure on the land. Evolution is

gradual and driven by externalities such as the market, new knowledge and new technology. These bring about change that is both beneficial and harmful to individuals in a particular society (Demsetz, 1967).

In the absence of controls, people will overhunt or overuse the land as these costs are borne by others. Controls have to be negotiated and policed, and both these processes are costly in communal systems. In contrast, if a person owns the land privately, he or she will manage it in way that future income streams are budgeted for. Private ownership reduces the costs of negotiation because there are fewer people involved. Consequently, land rights evolve towards individualization, and landholders then press for formalized private property rights (Platteau, 1996). Demsetz further argues that communal systems are inferior to private property in planning for future generations. The private landholder will look into supply and demand factors that may exist after their death, whereas the communal landholder's land use strategies are focused on the present alone. If a person owns the land, they can maximize their wealth by brokering how well depleting it now will affect future income streams. In communal land there is no such broker and an unequal weight will be assigned to present income streams. Future generations are left to speak for themselves. Evolutionary theory as it has been applied in Africa holds that customary land rights are dynamic and, under the impulse of market forces, will evolve in a beneficial, autonomous direction.

### **Critique of evolutionary theories**

Demsetz's theory has greatly influenced policy makers. They are attractive as they appear to offer a simple development solution. Internationally, there has been a strong drive to privatize property based on these theories and similar ones that preceded them. In his influential work, de Soto (2000) expressed the economic determinism argument in a way that is an attractive simple causal process recipe for urban poverty relief. If the enabling conditions exist for these theories to hold, then the benefits are likely to materialize. These include landholders who want private property; they find the administrative instruments such as land titles and cadastral survey to be useful, and the administration system is accessible and easy to use. The evolutionary models overlook inequity in the system. They are overly simplistic. Many countries have a wide range of property ideologies and legal and other institutions that give effect to land rights. These may owe their legitimacy to inter alia local or traditional law, state-based systems, religion and international

law. The four universal categories for describing and analyzing land tenure systems that are integral to these evolutionary theories - i.e. open access, communal, state and private - amalgamate a number of complex relationships into simple categories. In reality, there is a range of important relationships that cut across these categories.

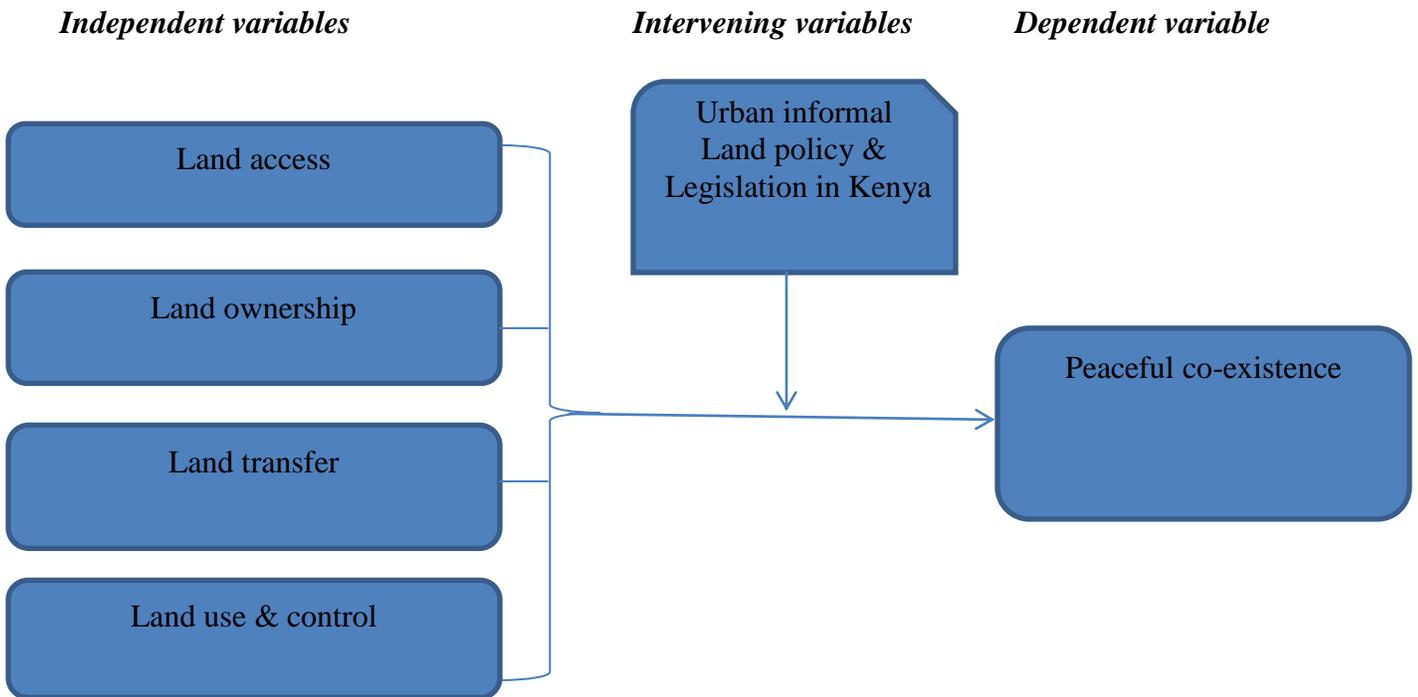
### **Relevance of the theory to security tenure systems**

The continuum of land rights is a form of evolutionist thinking, but it is not grounded in economic determinism and modernization theory that is associated with the evolutionary theories of property. In a changing situation, tenure may evolve to a stable and secure state somewhere along the continuum in a form that is generally acceptable to landholders and external agencies, including the state. For example, in peri-urban areas, actual tenure practices may draw on customary tenure practices and state-based administration procedures, and they may be the best model for people living in those areas at a particular time. One view is that these are hybrids of customary and state-based tenure systems. Alternatively, they may be considered an evolution or change of a customary system in response to external forces).

Personhood perspectives can be found in a number of policy initiatives, such as the Land Governance Assessment Framework (LGAF), where different forms of rights, documented or undocumented rights, statutory and non-statutory are recognized. LGAF specifically recognizes that rights may exist on a continuum of land rights (Deininger *et al*, 2012). The move to prevent eviction from legitimate occupation may be seen as partially rooted in the personhood perspective as opposed to the notion of property as a commodity.

## 1.12 Conceptual framework

Figure 1



The above diagram (Figure 1) demonstrates variables interaction in this study. The independent variables:- land use, land transfer , land access and control and land ownership influence the peaceful coexistence of Kibra Sub County residents due to weak urban informal land policies and legislation in the area of study.

### **1.13 Operational definition of terms**

**Land tenure system** – in this context, these are rules that define how access is granted to rights to use, control, and transfer land, as well as associated responsibilities and restraints.

**Land use and control** - Land use involves the management and modification of natural environment or wilderness into built environment such as settlements and semi-natural habitats such as arable fields, pastures, and managed woods

**Land transfer** - means an act by which a person conveys land to one or more persons, or himself and one or more other persons

**Land access** - The study adopts a broad definition of land access, as the processes by which people, individually or collectively, gain rights and opportunities to occupy and use land (primarily for productive purposes but also other economic and social purposes), whether on a temporary or permanent basis.

**Land ownership** – Here this means landowner - a holder or proprietor of land.

**Peaceful co-existence** – In this study, this means living together in peace rather than in constant hostility

## CHAPTER TWO: LITERATURE REVIEW

This chapter reviews literature thematically from empirical research done in relation to land tenure system and conflict, and then summarizes exposing the existing gaps in the literature reviewed.

### 2.1 Effects of land access on peaceful coexistence

According to FAO 2005, armed conflict and access to land are linked in two main ways. Control over land and natural resources may constitute a key factor underlying conflict; conversely, armed conflict may severely affect land tenure or access. Where rapid demographic growth is not accompanied by increases in productivity or by new opportunities to acquire income from non-agricultural activities, competition over land increases, and may be manipulated by elites to gain or maintain power. Thus, competition over scarce land, together with lack of off-farm opportunities, frustration and lack of hope for the youth, may create a context of instability where other trigger factors such as politically manipulated class or ethnic tension can subsequently lead to violent conflict.

In Rwanda, for instance, unequal access to land was one of the structural causes of poverty which was exploited by the organizers of the genocide, during which violence was directed not just at Tutsi, but also at Hutu involved in land disputes (Huggins *et al.* 2005). Deininger, 2003 argues that, issues of access to land may also feed conflict in countries with a history of very unequal land distribution. In Guatemala, a lengthy civil war erupted in 1954, after previous attempts to redistribute land were reversed. Similarly, in Colombia, conflicts over land are among the root causes of the violence that affected the country in the second half of the 20th century. In many cases, land disputes – while not the primary source of conflict – are among the many factors that lead to an escalation of violence. In Eastern DRC (Democratic Republic of Congo, formerly Zaire), for instance, conflict has numerous sources. Among these, access to land is an important factor. Here, the deep causes of conflict include massive in migration by different ethnic groups seeking land; the dispossession of increasing numbers of small farmers as a result of land sales by chiefs; uncertainty and confusion over whether migrants would be given the status of citizens of the DRC; and political manipulation by rival parties and personalities (Mathieu *et al.* 1998).

Armed conflicts in their turn have major implications for land tenure systems. First, the chaos generated by wars may weaken the customary or local institutions managing and administering land rights, thereby generating widespread tenure insecurity, fostering land disputes, and enabling elites to grab land. Secondly, wars leave a legacy of landmines preventing productive use of substantial areas of land for many years after the end of hostilities. In many countries, protracted conflict has significantly reduced the performance of the agricultural sector and of the economy as a whole (Deininger 2003).

Armed conflicts create large numbers of refugees and displaced persons, with little or no access to land in the areas to which they flee. After the end of the armed conflict, competing land claims by returnees and by new occupants may generate further disputes. Addressing access to land issues is a key step towards the consolidation of peace (e.g. on Afghanistan, Alden Wily 2003). This may include the regularization of existing land occupation and use – one of the key concerns that led to the adoption of Mozambique’s Land Act 1997 and of Cambodia’s land legislation. It may also include securing access to land for demobilized soldiers and for displaced populations, adjudicating amongst overlapping land claims of different groups, and re-establishing effective land institutions and land information systems. In Burundi, the 2000 peace accords guarantee returnees access to their property or adequate compensation (Huggins *et al.* 2005). Similarly, the Dayton Peace Agreement signed in 1995 for Bosnia and Herzegovina provides for the return of refugees and for the restitution of property (FAO 2005). On the other hand, the peace accords agreed upon for Rwanda in 1993 state that only those who had been out of the country for less than ten years could claim land (Alden 2003).

In Côte d’Ivoire, the 2003 Marcoussis Peace Agreement contains provisions on land relations, reaffirming the central role of the 1998 Land Law while calling for amendments better to protect the land rights of non-nationals (who constitute some 30% of the population and who are excluded from land ownership under the Land Law). Tensions may arise between restitution of property and achieving peace. Returnees may find that their land is occupied by others and recovering their property may entail displacing the existing occupants (FAO 2005). This may slow the pace of return, as evidenced by the experience of the former Yugoslavia. There, competing claims on

residential property have made their way to international human rights institutions (e.g. the case *Blecic v. Croatia*, decided by the European Court of Human Rights).

Addressing the underlying land-access factors that contributed to conflict is essential if long-term peace is to be achieved. In Guatemala, the peace accords require land distribution as a critical element of the post-conflict strategy, though progress with implementation has been limited. Special attention must be paid to the needs of female-headed households, widows and orphans – particularly vulnerable groups that can be very numerous in post-conflict situations (Huggins *et al.* 2005)

International Land Coalition input to the UNDESA/UNW/ESCAP preparatory workshop for CSD17, 28 – 30 January 2009, Bangkok claims that, Legal systems for the defense of rights are often expensive, slow and difficult for poor people to access. Low-cost, local options that allow vulnerable people to defend their land rights should be developed. Governments and local organizations can also improve equitable access of poor rights-holders to the court system through provision of free legal services, or by training local leaders as paralegals. In addition, governments can recognize customary mechanisms for dispute resolution.

## **2.2 Effects of land ownership on peaceful coexistence**

Babette Wehrmann 2008, in practical guide to dealing with land disputes claims that, there are three types of land ownership conflicts. Ownership conflicts due to legal pluralism; Ownership conflicts due to lack of land registration; Ownership conflicts between state and private/common/collective owners. Ownership conflicts linked to inheritance are majorly Inheritance conflicts within a family and Inheritance conflicts within a clan. In Ownership conflicts due to legal pluralism, Overlapping/contradictory rights due to legal pluralism (customary/indigenous rights vs. statutory law) exists. In Ownership conflicts due to lack of land registration, Several people claim the same property because a) no land registration exists, b) it is in bad conditions or c) it has been destroyed also, distribution of intermediate tenure instruments which cannot be registered or due to unequal knowledge and financial means only the well-off register land – even that of others. Ownership conflicts between state and private, common or collective owners. A good example of this is when there is unclear and non-transparent demarcation of state land by armchair decision resulting in unintended expropriation of individuals and groups.

Grievances over land distribution have been a key source of conflict in Kenya. The local population groups lost their rights to traditional lands during colonization when the British privatized land holdings and the situation was further aggravated when Kenya's first post-colonial president, Jomo Kenyatta, pushed for the redistribution of land, with his ethnic group ostensibly benefiting disproportionately (Moore, 2010). Even more recently, the violence that ensued after the 2007 election was partly a result of continued discontent and frustration with decades of government land policy that favored certain ethnic groups. (Oucho, 2010).

In the Democratic Republic of Congo, land disputes in the eastern provinces have been at heart of violent conflict between different population groups. There have been longstanding disputes and grievances over land use and land rights between farmers and herders, with the situation aggravated by the widespread displacement and movement of the local population through North and South *Kivu* and *Ituri*. Currently, tensions are also running high because of the return of Congolese refugees from Rwanda. In Rwanda itself, the 1994 genocide also had links to agricultural land scarcity in one of Africa's most densely populated countries. Distribution and access to land lie at the heart of these disputes and conflicts, and in order to prevent further and future conflicts, these grievances need to be understood and addressed (Guardian 2010).

### **2.3 Effects of land use and control on peaceful coexistence**

Land is increasingly becoming a source of conflicts in Sub-Saharan Africa, where land access had traditionally been characterized as relatively egalitarian. It has been shown that local land conflicts can erupt into large-scale civil strife and political movements (Daudelin, 2002). Some underlying factors, such as population pressure, agricultural commercialization, and urbanization, have contributed to the increasing number of land conflicts, and the current land tenure systems in Africa may not be well-equipped to resolve such conflicts (Cotula, Toulmin, and Hesse, 2004). In many African countries, formal institutions for land administration were often simply superimposed on traditional structures without a clear delineation of responsibilities and competencies, implying that they lack both outreach and social legitimacy.

Despite the increasing incidences of land conflicts, previous studies on this topic have been limited to some specific incidences that are related to large-scale civil strife or politically motivated conflicts. A recent study in Uganda, however, shows that rural households experience small-scale land conflicts with relatives, neighbors, landlords, or local governments, and that such small-scale conflicts may have significant impacts on their agricultural productivity. Unlike Western Province, the average land size in Rift Valley Province is large at 2.6 hectare per household, the largest across the provinces. Yet, households are still worried about future conflicts and have pending conflicts. This could be partly due to the high land productivity and partly to the mix of ethnic groups in Rift Valley Province. In Rift Valley Province, people from different ethnic groups have purchased land from white farmers since independence (Deininger and Castagnini, 2005).

According to Louis 2003, there are many factors that determine the emergence, persistence, and even management of conflicts. The understanding of these factors is essential in developing policies that effectively limit and manage conflict. The factors range from internal to relational and contextual factors. It has rightly been observed that in the majority of cases of resource conflicts, one or more of the following drivers are usually at play: conflict over resource ownership; conflict over resource access; conflict over decision making associated with resource management; and conflict over distribution of resource revenues as well as other benefits and burdens. These conflict drivers have contributed to most of the natural resource conflicts in Kenya and should therefore be adequately addressed in managing the conflicts (Campbell, 2010)

The structure of relations between parties to the conflict and the way parties interpret the same may affect the course of the conflict and its management. The relation factors include differences in sizes (group conflicts), economic endowment (resources), coerciveness between the parties, and cultural patterns of conduct. They also include the nature and degree of integration between adversaries in economic, social, and cultural domains. So that a conflict between groups that depend on each other's produce will be easy to manage because each party is feeling the strain of the conflict resulting from scarcity of the produce from the other party (Aylinga and Kelly 1997) However, abundance of resources, just like scarcity, can also cause conflicts. The African continent is awash with examples of countries that have suffered from "curse of natural resources" – where countries with great natural resource wealth tend to grow more slowly than resource-poor countries (Sachs & Warner 2001).

It has been argued that conflicts associated with natural resources are often due to different perceptions regarding who should benefit from the conflicts, and are an indicator of resource availability, evolution of tenure rights and systems, accessibility and control over the resource. They are believed to result from an imbalance in the power structure, where these power imbalances can exhibit themselves through unequal distribution of natural resource use and tenure rights. Further, it is asserted that conflicts show transition within societies, which can be positive if it expresses need for change or the ability of institutions to adapt to social, economic and/or environmental conditions. On the other hand, conflicts can have a negative impact if the changes that result from them cause further marginalisation of certain groups of society, such as the poor, women and minorities. Where conflict cannot be contained in a functional way, it can erupt in violence, war, and destruction, loss of life, displacements, long-term injuries, psychological effects as a result of trauma suffered especially in case of violent conflicts, and deep fear, distrust, depression, and sense of hopelessness. (Traore 1997)

Conflict also often produces significant environmental degradation (Ballet 2007). It is difficult to justify environmental protection when other more immediate concerns exist as a result of the conflict. Therefore, environmental damage from accelerated resource extraction may be severe. Scholars have stressed that human needs are among the major causes of conflicts. It is argued that deep-rooted conflicts are caused by the absence of the fundamental needs of security, identity, respect, safety, and control which many find non-negotiable (Burton 1990). As such, if they are absent, the resulting conflict will remain intractable until the structure of society is changed to provide such needs to all. For instance, the need for identity has been described as a fundamental driver of intractable conflict. (Rothman 1997). Threats to identities often invite very negative responses from people who see the same as a way of protecting their essence (Buckles & Rusnak 2005)

According to Adamu & Ben (2015) the clash of interests can take many forms. For instance, it could be over resources such as land, food, territory, water, energy sources, and natural resources. Such conflicts range from, to whom the resources should be distributed to, to whether the resources should be distributed and how the distribution should be undertaken. Conflict could also arise over power and control of the resources. There are also conflicts over identity. These concern the cultural, social and political communities to which people feel tied. Conflicts over status may arise and have to

do with whether people believe they are treated with respect and dignity and whether their traditions and social position are respected. In addition, the conflicts could be caused by differences of values, particularly those embodied in systems of government, religion, or ideology. Further, conflicts have been associated with the changing norms, values, and world views about property rights within formerly subsistence-based (or pastoralist) communities.

Indeed, the above scenario is not new to Kenya, where recently, there was witnessed violence in areas around Kajiado town with Maasai community seeking to ‘evict foreigners’ in the area.<sup>55</sup> The alleged foreigners are people who have bought land for residential homes and commercial purposes, through real estate land developers. They felt that their land was being taken away. Such incidences require collaborative conflict management techniques considering that there are deep-rooted issues and harbored feelings of alienation and discrimination that need to be adequately addressed. There is need to strike a balance between community interests and national interests on development. Otherwise, without such a balance erupting conflicts subsequently affect the course of development in the country (Sayagie, 2015)

There is also a school of thought that believes that public policy can also lead to natural resource conflicts. It is argued that specific policies, government programs, and their implementation have, in some areas, generated or aggravated conflicts, even when the intention was to reduce the conflict. A good example of such policies would be those touching on property ownership, especially land, and where there is need to balance conservation and access to the resources by communities. A government policy to relocate people forcefully may degenerate into conflicts as witnessed in Mau forest eviction in Rift Valley Kenya. There may be accusations of discriminatory relocation by the Government where some communities feel alienated. Indeed, such views may not be alien to the Kenyan scenario. For instance, according to the Business and Human Rights Resource Centre, an independent international human rights organization, when Kenya discovered oil, there were fears that the legal regime was inadequate to regulate the industry and ensure that it does not fuel conflict within Kenya. However, with the enactment of the current Constitution 2010, it was expected that this would change as it makes provisions for natural resource management and calls for community participation in the management of natural resources (Haysom Kane 2009).

## **2.4 Effects of land transfer on peaceful coexistence**

According to Ojienda in 2007, the question of land in Kenya, especially as it relates to its distribution, division, transfer and generally to its administration and management still remains highly contentious. Land disputes are constituted by assertion of conflicting claims on land ownership, land use rights, land laws, or a combination of them. In Kenya, land disputes have led to violent confrontation leading to loss of lives and property. For instance, during the week of October 15, 1993 violence erupted in Narok District. Maasai morans, or warriors attacked immigrant Kikuyu settlers and massacred at least 17 of them in the first 3 days of the conflict. Some leaders took advantage of the new politics of ethnicity to unflinchingly defend their perceived interests in land. It was claimed that the Kikuyu's had acquired land by dubious means, cheating the illiterate Maasai out of their ancestral property (Dietz, 1997).

To mitigate the negative consequences that follow land disputes, formal means of court systems or the customary mechanism that involves mediation, arbitration and negotiation or a combination of both have been adopted in land dispute resolution. Alternative dispute resolution mechanisms' successes in resolving disputes have made the mechanisms' to be formally recognized by various countries' constitutions (USAID Rwanda 2008). The mechanism has been hailed for its role in dispute resolution and dispensing justice cheaply, being accessible, transparent and for discharging its functions expeditiously. This is unlike the judicial dispute resolution system which is expensive and not easily accessible. The National Land Policy (2004) has acknowledged the role of the alternative mechanisms in resolving land conflict provided they do not go against the provision of the constitution (Constitution of Kenya, 2010).

In analyzing Kenya's land policy and its administration Syagga argues, that post independence government did not reverse the dispossession of land as the colonial government had done. Landless people as a result of colonialism were not settled by the subsequent government with the adopted policy of willing seller (departing Europeans) and willing buyer (African with means to buy land). Landless from central Kenya found their way in Rift Valley courtesy of land buying companies which were heavily assisted by the state. This marked the genesis of land inequality and disputes which has persisted and even worsened over time. Syagga, contends lack of an appropriate land policy have exacerbated the land question in Kenya. Disputes over land have equally been

occasioned by politically instigated violence especially since the introduction of multi-party politics in Kenya. (Syagga, 2011).

## **2.5 Summary**

After reviewing different literatures on land tenure system and their influence on peaceful co-existence, it was evident that land access, ownership, use and control and transfer of land have influence on peaceful coexistence of people in certain localities. However, most of these studies have been done in rural areas. From the literature reviewed, none of the research has empirical evidence on how these conflicts happen in the urban informal settlements. This research will reveal how land access, ownership, use and control and transfer of land influence the peaceful coexistence of Kibra Sub-County residents. This research will also unveil how land tenure is affected by different ethnic affiliation of Kibra Sub-County residents.

## **CHAPTER THREE: RESEARCH METHODOLOGY**

### **3.1 Introduction**

This chapter describes the research methodology to be used in this study. It covers the description of the research design to be used. This will be followed by a description of the target population and the sample size and techniques that will be used in the selection of that sample. It will also discuss the data collection methods and instruments, data analysis techniques and the ethical considerations of that the study will be obliged to take into consideration.

### **3.2 Study Design**

Ngechu (2011) defines a research design as structure of the research. It is the “glue” that holds all elements in a research project together. The study employed a survey research design which involves both quantitative and qualitative approaches. The descriptive survey study is a suitable design that allows many variables to be studied at the same time with ease. A case study design was also selected since; it was an efficient way of collecting information from a large number of respondents that this study targets. Secondly, case studies are flexible in the sense that a wide range of information (such as attitudes, perceptions, values, beliefs and past behaviour) can be collected.

### **3.3 Target Population**

The study was conducted in Kibra Constituency, Nairobi County. There are approximately 2.5 million slum dwellers in about 200 settlements in Nairobi representing 60% of the Nairobi population and occupying just 6.0 % of the land. Kibera houses about 250,000 of these people. Kibera is the biggest slum in Africa and one of the biggest in the world ([www.kibera.org](http://www.kibera.org)). According to Map

Kibera Project team the estimated population of Kibera slum has an estimated population of between 235,000 to a maximum of 270,000 (Marras, 2012). Annabel, Erulkar and Matheka (2012) opine that the main ethnic groups inhabiting Kibera in order of representation are Luo (36.5%), Kisii (11.5%), Luhya (11.0%), Kamba (7.1%), Gikuyu (4.1%) and other tribes (29.8%). The study main focus will mainly be in Kibera slums, Nairobi County. Kibera slums has the following sub sections: Kianda, Soweto East, Gatwekera, Kisumu Ndogo, Lindi, Laini Saba, Siranga, Makina and Mashimoni. This area will greatly contribute to my study since the population is informally settled with majority of the residents being squatters. The target population in the study is squatters, settlement officers and land registrars.

### **3.4 Sampling Techniques and sample size determination.**

The average household size in Kibra Constituency in 2005 was estimated to be 5 persons (Research International, 2005). However, a survey done by Desgropes and Taupin (2011) revealed that the average was 3.2 persons per household. Marras (2012) on the contrary argues that the average population distribution in Kibra per household is 2.5 persons per household. The study will therefore seek to target the household heads since they are basically in charge of handing the tenancy as well as land ownership issues on behalf of the household. The target population is shown in table 1 below.

**Table 1: Target Population of households in Kibra Constituency**

<b>Ward</b>	<b>Area (km<sup>2</sup>)</b>	<b>Population</b>	<b>No. of Households</b>
Sarang'ombe	0.4	28,182	11, 273
Woodley/Kenyatta Golf Course	9.5	35,355	14, 142
Makina	0.7	25,242	10, 097
Laini Saba	0.4	28,182	11, 272
Lindi	0.5	35,158	14, 063
<b>Total</b>	<b>12.1</b>	<b>178,284</b>	<b>60, 847</b>

The sample size that was selected for the study was 100 residents of Kibra Constituency who were picked through the stratified random sampling method. For the purposes of data triangulation and for the collection of qualitative data, a number of key informants were selected through convince sampling. They included two chiefs, two land lords, and two village elders and two government officials in the lands office. The sample size was arrived at based on the sample size determination table by Glenn (1992).

**Table 2. Sample Size for  $\pm 5\%$  and  $\pm 10\%$  Precision Levels where Confidence Level is 95% and  $P=0.5$ .**

Size of Population	Sample Size (n) for precision (e)	
	$\pm 5\%$	$\pm 10\%$
500	222	83
1,000	286	91
2,000	333	95
3,000	353	97
4,000	364	98
5,000	370	98
7,000	378	99
9,000	383	99
10,000	385	99
15,000	390	99
20,000	392	100
25,000	394	100
50,000	397	100
100,000	398	100
>100,000	400	100

**Table: 3 Sample size calculation per ward**

No. of Household Heads	Sample Size calculation per ward	Sample size per ward
11, 273	$11, 273 / 60, 847 * 100$	19
14, 142	$14, 142 / 60, 847 * 100$	23

10,097	$10,097/60,847 * 100$	17
11,272	$11,272/60,847 * 100$	19
14,063	$14,063/60,847 * 100$	23
<b>60,847</b>		<b>101</b>

### **3.5 Methods and Instruments of Data Collection**

The researcher will use questionnaires and key informant interviews to collect the data. Questionnaires are economical, ensure anonymity, permit the use of standardized questions, have uniform procedures, provided time for the respondents to think and were easy to score (Ogula, 2005). Another advantage is that they can reach a big group and also give the respondents freedom to express their views and make suggestions (Achola (2011)).

#### **3.5.1 Questionnaires**

The study will use the questionnaires designed for the study in consultation with the university supervisor to collect information from 100 households. It sought the respondents' age, gender, religion, marital status, education level, type of employment and level of income. The aim was to establish the influence of land tenure system on peaceful coexistence among the residents of Kibra constituency, Nairobi County,

#### **3.5.2 Key Informant Interviews**

The researcher used key informant interviews to collect information from land lords and government officials in the constituency. These data will also be collected from the area chiefs as well as the village elders.

### **3.6 Data Analysis Procedures**

Once data was obtained from the field it was coded and analysed using a statistical software IBM SPSS (Statistical Package for Social Sciences) Version 23. 0 for statistical data as well as descriptive data analysis methodologies. After data collection using questionnaires and key informant interviews, the obtained information was arranged and grouped according to the relevant research questions. Data was then be summarized using distribution tables, bar graphs and pie charts for all items.

After data collection using questionnaires the obtained information was arranged and grouped according to the relevant research questions. The data was then organized, tabulated and analysed in frequency table; ratios and percentages with the help of the statistical package for social sciences (SPSS) software. According to Piel (1995), in data analysis percentages have a considerable advantage over more complex statistics.

### **3.7 Reliability and Validity**

Reliability is defined as a measure of the degree to which a research instrument yields consistent results or data after repeated trials (Mugenda and Mugenda 1999). Orodho (2009) further notes that reliability of an instrument is the consistency in producing a reliable result. Piloting enabled the researcher to test the reliability of the instruments and also to familiarize herself and the research assistants with administration of the instrument. Split-half technique of reliability testing was employed, where the test items were divided in to two halves, each half was scored independently of the other with items of the two halves matched on content and difficulty.

Validity shows whether the items measure what they are designed to measure (Borg and Gall, 1989). According to Wilkinson (1991), a pilot study helps to identify those items that could be misunderstood, and such items were modified accordingly thus increasing face validity. Expert opinions, literature searches and pretesting of open ended questions help to establish content validity. The researcher prepared the instruments in close consultation with her supervisor whose expert judgement helped improve content validity.

### **3.8 Ethical Clearance and Informed Consent**

Ethical clearance was sought from NACOSTI as well as the department of Social Sciences and Development Studies to allow the researcher to carry out the study in Kibra Sub-County. An informed consent was sought from each participant. No respondent's name was written on the data collection tool to ensure maximum confidentiality and privacy of the information given. All the participants were treated with respect, dignity and confidentiality during and after the research. The participants were allowed, for any of their own reason or violation, to withdraw from the study without any explanation. After the study, the findings were presented to the university department as copies will be availed to the various administration offices to enable the participants' access the findings.

## CHAPTER FOUR: DATA ANALYSIS, PRESENTATION AND INTERPRETATION

### *Questionnaire respond rate*

The sample size for this study was 101 house hold leaders. Questionnaires we administered through face – to face techniques. There was a response rate of 80 %. (80 in number). According to Monkey (2009), an acceptable response rate in face to face survey should be between 80-85% of the total data collection tools disseminated. Data were presented in tables following the study themes: influence of land access on peaceful coexistence among the residents; effect of land ownership on peaceful coexistence among the residents; effects of land use and control on peaceful coexistence among the residents and effects of land transfer on peaceful coexistence among the residents of Kibra Sub County. Initially, Sociodemographic data were presented.

### **4.1 Sociodemographic data of the Respondents (N=80)**

#### **4.1.1 Gender of the respondents in Kibra Sub County (N=80)**

Gender of the respondents

Gender of the respondent		Statistic	Bootstrap <sup>a</sup>			
			Bias	Std. Error	95% Confidence Interval	
					Lower	Upper
Male	Mean	2.03	.00	.08	1.87	2.19
	N	33	0	4	25	41
	Std. Deviation	.467	-.008	.075	.292	.600
	Variance	.218	-.002	.067	.085	.360
	% of Total N	41.3%				
Female	Mean	1.66	.00	.09	1.48	1.84
	N	47	0	4	39	55
	Std. Deviation	.635	-.008	.051	.526	.720
	Variance	.403	-.007	.064	.276	.518
	% of Total N	58.8%				

Total	Mean	1.81	.00	.06	1.69	1.94
	N	80	0	0	80	80
	Std. Deviation	.597	-.003	.041	.513	.675
	Variance	.357	-.002	.049	.263	.455
	% of Total N	100.0%				

a. Unless otherwise noted, bootstrap results are based on 1000 stratified bootstrap samples

**Table 4: Gender of the respondents in Kibra Sub County (N=80)**

The study sought to understand the gender the respondents in Kibra Sub County. 58.8% were females and 41.3 % were men. Majority of house hold respondents were therefore women. Its clear that, men were probably working for this study was carried out during the day.

#### 4.1.2 Residence of the respondent in Kibra ward

**Ward of residence in Kibra Sub County**

		Frequency	Percent	Valid Percent	Cumulative Percent	Bootstrap for Percent <sup>a</sup>			
						Bias	Std. Error	95% Confidence Interval	
								Lower	Upper
Valid	Sarang'ombe	18	22.5	22.5	22.5	.0	4.6	13.8	31.3
	Woodley/Kenya tta Golf Course	22	27.5	27.5	50.0	-.1	4.8	18.8	36.3
	Makina	15	18.8	18.8	68.8	.2	4.2	11.3	27.5
	Line Saba	16	20.0	20.0	88.8	-.1	4.3	11.3	28.8
	Lindi	9	11.3	11.3	100.0	.0	3.5	5.0	18.8
	Total	80	100.0	100.0		.0	.0	100.0	100.0

a. Unless otherwise noted, bootstrap results are based on 1000 stratified bootstrap samples

**Table 5: Ward of the respondent**

The study sought to understand the ward of residence of the respondents. Five wards were covered by the study. Sarangombe ward, 22.5%, Woodley 27.5%, Makina 18.8 % Line Saba 20.0 %

and Lindi 11.3%. Woodley had the highest representation where as Lindi ward had the least. This distribution varied due to the different levels of willingness to participate in the study.

### 4.1.3 Marital status of the respondent

Marital status of the respondent

Marital status of the respondent		Statistic	Bootstrap <sup>a</sup>			
			Bias	Std. Error	95% Confidence Interval	
		Lower			Upper	
Single	Mean	3.20	.01	.39	2.38	4.00
	N	10	0	3	5	16
	Variance	1.511	-.157	.589	.333	2.667
	% of Total N	12.5%				
Married	Mean	3.14	.00	.19	2.78	3.51
	N	49	0	4	40	57
	Variance	1.750	-.046	.233	1.245	2.140
	% of Total N	61.3%				
Divorced	Mean	3.00	-.01	.19	2.60	3.40
	N	8	0	3	3	13
	Variance	.286	-.036 <sup>b</sup>	.174 <sup>b</sup>	.000 <sup>b</sup>	.667 <sup>b</sup>
	% of Total N	10.0%				
Widowed	Mean	3.31	.01	.35	2.62	4.00
	N	13	0	3	7	20
	Variance	1.564	-.117	.469	.564	2.397
	% of Total N	16.3%				
Total	Mean	3.16	.00	.14	2.89	3.43
	N	80	0	0	80	80
	Variance	1.505	-.023	.182	1.142	1.834
	% of Total N	100.0%				

a. Unless otherwise noted, bootstrap results are based on 1000 bootstrap samples

b. Based on 999 samples

**Table 6: Marital status of the respondent**

The study sought to understand the marital status of the respondents. Single (never married) were 12.5 %, Married (monogamous or polygamous or even generally in which ever kind of union) were 61.3%, those divorced were 10.0%, and those whose partners died were 16.3%. Its normal to have the majority (61.3%) respond to have a certain type of union that defines them as married (formal or informal). Those whose partners have died (16.3%) are a significant number due to many predisposing factors including HIV&AIDS, PEV, or other diseases and accidents.

#### 4.1.4 Status of land ownership of Household residents of Kibra Sub County

Status of land ownership of House hold residents of Kibra Sub County

Status of ownership	Statistic	Bootstrap <sup>a</sup>				
		Bias	Std. Error	95% Confidence Interval		
				Lower	Upper	
Land owner	Mean	2.30	-.01	.16	2.00	2.63
	N	23	0	4	15	31
	Variance	.676	-.034	.210	.235	1.060
	% of Total N	28.8%				
Tenant	Mean	2.39	.00	.13	2.13	2.67
	N	49	0	4	40	57
	Variance	.909	-.017	.144	.596	1.166
	% of Total N	61.3%				
Others	Mean	1.75	.00	.17	1.38	2.00
	N	8	0	3	3	14
	Variance	.214	-.025 <sup>b</sup>	.095 <sup>b</sup>	.000 <sup>b</sup>	.333 <sup>b</sup>
	% of Total N	10.0%				
Total	Mean	2.30	.00	.10	2.13	2.50
	N	80	0	0	80	80
	Variance	.795	-.010	.116	.556	1.015
	% of Total N	100.0%				

a. Unless otherwise noted, bootstrap results are based on 1000 bootstrap samples

b. Based on 998 samples

**Table 7: Status of land ownership of Household residents of Kibra Sub County**

In an effort to understand the status of land ownership of the residents, the study found out that, 28.8% were land owners, tenants (the majority) were 61.3% and others responded to have “other” (10.0%) means of ownership. The “other” means that either land is owned by someone else and the residents stays there free of charge, it also means that the resident has been invited to stay in someone’s house and this has resulted to staying there indefinitely and the time this study was carried out the real owner of the house wasn’t there but the respondent. This variable explains that, more than half of the residents live on hired houses in Kibra Sub County. The 28.8% who own this land have done so through legitimate or illegitimate means. One respondent (land owner) who sought anonymity said *“majority of people evicted from their houses during 2007/2008 PEV never returned to their houses.....we were lucky to occupy this house with my family now and don’t have to pay house rent”*

## 4.2 Influence of land access on peaceful coexistence among the residents

### 4.2.1 Some people can't access their land after the 2007/2008 PEV

Some people can't access their land after the 2007/2008 PEV

		Statistic	Bootstrap <sup>a</sup>				
			Bias	Std. Error	95% Confidence Interval		
					Lower	Upper	
Some people can't access their land after the 2007/2008 PEV	Strongly agree	Mean	2.06	.00	.15	1.79	2.37
		N	49	0	.4	40	57
		Std. Deviation	1.008	-.018	.130	.725	1.238
		Variance	1.017	-.019	.257	.526	1.532
		% of Total N	61.3%				
Agree		Mean	2.50	.00	.26	2.00	3.04
		N	28	0	.4	20	37
		Std. Deviation	1.374	-.031	.146	1.031	1.599
		Variance	1.889	-.063	.383	1.064	2.555
		% of Total N	35.0%				
Neither agree nor disagree		Mean	2.50	.01 <sup>b</sup>	.37 <sup>b</sup>	2.00 <sup>b</sup>	3.00 <sup>b</sup>
		N	2	0 <sup>b</sup>	1 <sup>b</sup>	1 <sup>b</sup>	5 <sup>b</sup>
		Std. Deviation	.707	-.286 <sup>d</sup>	.288 <sup>d</sup>	.000 <sup>d</sup>	.707 <sup>d</sup>
		Variance	.500	-.239 <sup>d</sup>	.191 <sup>d</sup>	.000 <sup>d</sup>	.500 <sup>d</sup>
		% of Total N	2.5%				
Disagree		Mean	2.00	.00 <sup>c</sup>	.00 <sup>c</sup>	2.00 <sup>c</sup>	2.00 <sup>c</sup>
		N	1	1 <sup>c</sup>	1 <sup>c</sup>	1 <sup>c</sup>	3 <sup>c</sup>
		Std. Deviation	.	1.798E+308 <sup>e</sup>	.000 <sup>e</sup>	.000 <sup>e</sup>	.000 <sup>e</sup>
		Variance	.				
		% of Total N	1.3%				
Total		Mean	2.22	.01	.13	1.98	2.48
		N	80	0	.0	80	80
		Std. Deviation	1.147	-.009	.097	.946	1.318
		Variance	1.316	-.011	.219	.896	1.737
		% of Total N	100.0%				

a. Unless otherwise noted, bootstrap results are based on 1000 stratified bootstrap samples

b. Based on 880 samples

c. Based on 658 samples

d. Based on 612 samples

e. Based on 265 samples

**Table 8: Some people can't access their land after the 2007/2008 PEV**

Using the likert scale, this study sought to rate the view of respondents in relation to land access after the 2007/2008 PEV. The general statement was “Some people can't access their land after the 2007/2008 PEV” 1.3% disagree, 2.5% neither agree nor disagree, 35.0% agree and 61.3% strongly agree. As earlier confirmed from one respondent, there is evidence that land ownership in Kibra Sub County has contributed to the unrest among the residents. With the majority strongly confirming the place of PEV and land grabbing, this shows that those whose land was grabbed are not

happy at with the government and fellow residents who took their land. One of the respondents through interview guide said

*“I don’t like discussing the events that unfolded during the 2007/2008 PEV. I lost all my property that I had accumulated for many years including my elder son. The site of my house was grabbed by someone ...I can still take you there and show you who grabbed it. It is someone who very well knew me and my family. We are sure that no justice will ever be done!”*

#### 4.2.2: There is political or administrative influence in land access

There is political or administrative influence in land access

There is political or administrative influence in land access		Statistic	Bootstrap <sup>a</sup>			
			Bias	Std. Error	95% Confidence Interval	
					Lower	Upper
Strongly agree	Mean	2.43	.00	.19	2.08	2.83
	N	30	0	4	21	39
	Variance	1.082	-.033	.199	.641	1.415
	% of Total N	37.5%				
Agree	Mean	2.25	.00	.13	2.03	2.52
	N	28	0	4	19	37
	Variance	.491	-.020	.156	.200	.778
	% of Total N	35.0%				
Neither agree nor disagree	Mean	2.40	-.02 <sup>b</sup>	.40 <sup>b</sup>	2.00 <sup>b</sup>	3.33 <sup>b</sup>
	N	5	0 <sup>b</sup>	2 <sup>b</sup>	1 <sup>b</sup>	10 <sup>b</sup>
	Variance	.800	-.197 <sup>d</sup>	.541 <sup>d</sup>	.000 <sup>d</sup>	1.333 <sup>d</sup>
	% of Total N	6.3%				
Disagree	Mean	2.25	.02 <sup>c</sup>	.36 <sup>c</sup>	1.57 <sup>c</sup>	3.00 <sup>c</sup>
	N	8	0 <sup>c</sup>	3 <sup>c</sup>	3 <sup>c</sup>	14 <sup>c</sup>
	Variance	1.071	-.132 <sup>b</sup>	.428 <sup>b</sup>	.250 <sup>b</sup>	1.957 <sup>b</sup>
	% of Total N	10.0%				
Strongly disagree	Mean	2.00	.02	.30	1.50	2.67
	N	9	0	3	4	15
	Variance	.750	-.054 <sup>c</sup>	.478 <sup>c</sup>	.000 <sup>c</sup>	1.700 <sup>c</sup>
	% of Total N	11.3%				
Total	Mean	2.30	.00	.10	2.12	2.50
	N	80	0	0	80	80
	Variance	.795	-.011	.120	.541	1.005
	% of Total N	100.0%				

a. Unless otherwise noted, bootstrap results are based on 1000 bootstrap samples

b. Based on 998 samples

c. Based on 999 samples

d. Based on 972 samples

**Table 9: There is political or administrative influence in land access in Kibra Sub County**

This study sought to unveil the influence of politicians and administrators in access of land as a primary source of production. The reason for this analysis was that, when people are not treated

fairly in accessing primary sources of production; this might result to envy and hatred when opportunities and choices are not presented fairly. The statement rated was “There is political or administrative influence in land access in Kibra Sub County”. 37.5% strongly agree, 35% agree, 6.3% neither agree nor disagree, 10% disagree and 11.3% strongly disagree.

#### 4.2.3: Law and Policy on land access and use not clear in Kibra Sub County

Law and Policy on land access and use not clear in Kibra Sub County		Statistic	Bootstrap <sup>a</sup>			
			Bias	Std. Error	95% Confidence Interval	
					Lower	Upper
Strongly agree	Mean	1.66	.00	.07	1.51	1.79
	N	44	0	4	35	53
	Variance	.230	-.004	.024	.167	.256
	% of Total N	55.0%				
Agree	Mean	1.64	.00	.10	1.42	1.83
	N	22	0	4	14	30
	Variance	.242	-.012	.032	.145	.264
	% of Total N	27.5%				
Neither agree nor disagree	Mean	1.00	.00 <sup>b</sup>	.00 <sup>b</sup>	1.00 <sup>b</sup>	1.00 <sup>b</sup>
	N	1	1 <sup>b</sup>	1 <sup>b</sup>	1 <sup>b</sup>	4 <sup>b</sup>
	Variance	.				
	% of Total N	1.3%				
Disagree	Mean	1.50	.00 <sup>c</sup>	.38 <sup>c</sup>	1.00 <sup>c</sup>	2.00 <sup>c</sup>
	N	2	0 <sup>c</sup>	1 <sup>c</sup>	1 <sup>c</sup>	5 <sup>c</sup>
	Variance	.500	-.245 <sup>f</sup>	.188 <sup>f</sup>	.000 <sup>f</sup>	.500 <sup>f</sup>
	% of Total N	2.5%				
Strongly disagree	Mean	1.60	.00 <sup>d</sup>	.25 <sup>d</sup>	1.00 <sup>d</sup>	2.00 <sup>d</sup>
	N	5	0 <sup>d</sup>	2 <sup>d</sup>	2 <sup>d</sup>	10 <sup>d</sup>
	Variance	.300	-.060 <sup>g</sup>	.121 <sup>g</sup>	.000 <sup>g</sup>	.500 <sup>g</sup>
	% of Total N	6.3%				
Don't know	Mean	1.00	.00 <sup>e</sup>	.00 <sup>e</sup>	1.00 <sup>e</sup>	1.00 <sup>e</sup>
	N	6	0 <sup>e</sup>	2 <sup>e</sup>	2 <sup>e</sup>	11 <sup>e</sup>
	Variance	.000	.000 <sup>h</sup>	.000 <sup>h</sup>	.000 <sup>h</sup>	.000 <sup>h</sup>
	% of Total N	7.5%				
Total	Mean	1.59	.00	.05	1.49	1.69
	N	80	0	0	80	80
	Variance	.245	-.003	.011	.218	.253
	% of Total N	100.0%				

a. Unless otherwise noted, bootstrap results are based on 1000 bootstrap samples

b. Based on 638 samples

c. Based on 885 samples

d. Based on 993 samples

e. Based on 998 samples

f. Based on 610 samples

- g. Based on 974 samples
- h. Based on 986 samples

**Table 10: Law and Policy on land access and use not clear in Kibra Sub County**

The study sought to find out the understanding of the respondents in relation to policy and laws clarity of land access and use in Kibra Su County. More than half of them (55%) strongly agreed, 27.5% agreed, 1.3% neither agreed nor disagreed , 2.5% disagreed, 6.3 strongly disagreed and 7.5% don't know. Residents agreed that this was the biggest cause to their land problems in Kibra. The land in Kibra belongs to the government and therefore those serving in the government have more "rights" to access and use the land as compared to those not in the system

**4.2.4 Hostility among residents from different ethnic backgrounds**

**There is hostility among the residents**

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	Strongly agree	28	35.0	35.0	35.0
	Agree	15	18.8	18.8	53.8
	Neither agree nor disagree	3	3.8	3.8	57.5
	Disagree	13	16.3	16.3	73.8
	Strongly disagree	10	12.5	12.5	86.3
	Don't know	11	13.8	13.8	100.0
	Total	80	100.0	100.0	

**Table 11 : There is Hostility among residents from different ethnic backgrounds living in Kibra Sub County**

The researcher sought to know the kind of relationship existing among residents of Kibra in relation to land and peaceful coexistence. From a likert scale rating (There is Hostility among residents from different ethnic backgrounds living in Kibra Sub County), 35 % strongly agreed, 18.8 % agreed, 3.8 neither agreed nor disagreed, 16.3% disagreed, 12.5% strongly disagreed and 13.8 % don't know.

**4.2.5 The above hostility is motivated by the current political wave of the involved communities**

The above hostility is motivated by the current political wave and inclination

The above hostility is motivated by the current political wave and inclination	Mean	N	Std. Deviation	Variance	% of Total N	Skewness
Strongly agree	2.22	18	.878	.771	22.5%	.690
Agree	2.09	22	.750	.563	27.5%	.591
Neither agree nor disagree	2.00	12	.739	.545	15.0%	1.625
Disagree	2.79	14	.975	.951	17.5%	.492
Strongly disagree	2.57	7	.976	.952	8.8%	1.230
Don't know	2.43	7	1.134	1.286	8.8%	.725
Total	2.30	80	.892	.795	100.0%	.794

**Table 12 : Hostility motivation among the residents of Kibra Sub County**

From the Likert scale statement “The above hostility is motivated by the current political wave and inclination” , 22.5% strongly agreed, 27.5% agreed, 15.0% neither agreed or disagreed, 17.5% disagreed, 8.8% strongly disagreed and 8.8% didn’t know. From these findings, its clear that a higher percentage believe that there is a relationship between politics and ethnic membership in Kibra Sub County. Many people who were involved in the PEV of 2007/2008 belong to the either PNU or ODM that is Kikuyus and The Luo communities respectively.

#### 4.2.6 Lack of Equality and equity has contributed to lack of peaceful coexistence among the residents of Kibra Sub County

##### Lack of Equality and equity has contributed to lack of peaceful coexistence among the residents of Kibra Sub County

Lack of equity and equality in Land access has contributed to unrest		Statistic	Bootstrap <sup>a</sup>			
			Bias	Std. Error	95% Confidence Interval	
					Lower	Upper
Strongly agree	Mean	2.60	.00	.23	2.17	3.07
	N	30	0	0	30	30
	Std. Deviation	1.276	-.027	.114	1.015	1.461
	Variance	1.628	-.056	.284	1.030	2.133
	% of Total N	37.5%				
Agree	Mean	2.77	-.02	.31	2.18	3.36
	N	22	0	0	22	22
	Std. Deviation	1.510	-.040	.130	1.192	1.708
	Variance	2.279	-.104	.379	1.420	2.917
	% of Total N	27.5%				
Neither agree nor disagree	Mean	2.71	.02	.49	1.71	3.57
	N	7	0	0	7	7
	Std. Deviation	1.380	-.125	.232	.756	1.604
	Variance	1.905	-.276	.528	.571	2.571
	% of Total N	8.8%				
Disagree	Mean	2.57	.00	.33	1.93	3.29
	N	14	0	0	14	14
	Std. Deviation	1.284	-.072	.237	.730	1.639
	Variance	1.648	-.123	.565	.533	2.687
	% of Total N	17.5%				
Strongly disagree	Mean	3.00	-.02	.47	2.00	4.00
	N	3	0	0	3	3
	Std. Deviation	1.000	-.250	.353	.000	1.155
	Variance	1.000	-.313	.476	.000	1.333
	% of Total N	3.8%				
Don't know	Mean	3.25	-.07	.65	2.00	4.50
	N	4	0	0	4	4
	Std. Deviation	1.500	-.306	.458	.000	1.732
	Variance	2.250	-.614	.840	.000	3.000
	% of Total N	5.0%				
Total	Mean	2.70	-.01	.15	2.41	2.98
	N	80	0	0	80	80
	Std. Deviation	1.326	-.013	.070	1.176	1.445
	Variance	1.757	-.030	.183	1.382	2.089
	% of Total N	100.0%				

a. Unless otherwise noted, bootstrap results are based on 1000 stratified bootstrap samples

**Table 13: Lack of Equality and equity has contributed to lack of peaceful coexistence among the residents of Kibra Sub County**

From the above results, 37.5% strongly agreed, 27.5% agreed, 8.8% neither agreed nor disagreed, 17.5% disagreed, 3.8% strongly disagreed and 5.0% didn't know that lack of equity and equality in land use and access contributed to lack of peaceful coexistence among the residents of Kibra Sub County.

## 4.2.7 The government has resolved all land disputes after PEV

The government has resolved all land disputes after PEV

The government has resolved all land disputes after PEV		Statistic	Bootstrap <sup>a</sup>			
			Bias	Std. Error	95% Confidence Interval	
					Lower	Upper
Strongly agree	Mean	2.57	.01	.53	1.57	3.67
	N	7	0	2	3	11
	Std. Deviation	1.397	-.151 <sup>b</sup>	.379 <sup>b</sup>	.447 <sup>b</sup>	1.967 <sup>b</sup>
	Variance	1.952	-.254 <sup>b</sup>	.929 <sup>b</sup>	.200 <sup>b</sup>	3.868 <sup>b</sup>
	% of Total N	8.8%				
Agree	Mean	2.44	.00	.45	1.60	3.42
	N	9	0	3	4	15
	Std. Deviation	1.333	-.117	.314	.577	1.788
	Variance	1.778	-.200	.769	.333	3.199
	% of Total N	11.3%				
Neither agree nor disagree	Mean	2.14	.00	.14	2.00	2.50
	N	7	0	2	3	13
	Std. Deviation	.378	-.107 <sup>c</sup>	.213 <sup>c</sup>	.000 <sup>c</sup>	.550 <sup>c</sup>
	Variance	.143	-.024 <sup>c</sup>	.104 <sup>c</sup>	.000 <sup>c</sup>	.302 <sup>c</sup>
	% of Total N	8.8%				
Disagree	Mean	1.94	.00	.21	1.60	2.40
	N	16	0	3	10	23
	Std. Deviation	.854	-.034	.169	.492	1.128
	Variance	.729	-.029	.276	.242	1.273
	% of Total N	20.0%				
Strongly disagree	Mean	2.33	.00	.24	1.88	2.81
	N	30	0	4	22	38
	Std. Deviation	1.422	-.032	.151	1.038	1.644
	Variance	2.023	-.066	.411	1.077	2.703
	% of Total N	37.5%				
Don't know	Mean	2.00	-.01	.18	1.64	2.36
	N	11	0	3	5	17
	Std. Deviation	.632	-.041	.147	.302	.835
	Variance	.400	-.028	.160	.091	.697
	% of Total N	13.8%				
Total	Mean	2.22	.00	.12	1.99	2.46
	N	80	0	0	80	80
	Std. Deviation	1.147	-.010	.097	.933	1.321
	Variance	1.316	-.013	.219	.871	1.746
	% of Total N	100.0%				

a. Unless otherwise noted, bootstrap results are based on 1000 stratified bootstrap samples

b. Based on 997 samples

c. Based on 996 samples

**Table 14: The government has resolved all land disputes after PEV**

Residents were asked whether the government of Kenya resolved all the land related disputes of PEV. From the results of likert scale, 8.8 % strongly agreed, 11.3 % agreed, 8.8% neither agreed nor disagreed, 20.0% disagreed, 37.5% strongly disagreed and 13.8% didn't know.

#### 4.2.8 You can own and use land anywhere in Kibra Sub County

You can own and use land anywhere in Kibra Sub County		Report				
		Statistic	Bootstrap <sup>a</sup>			
			Bias	Std. Error	95% Confidence Interval	
				Lower	Upper	
Strongly agree	Mean	2.00	.00	.24	1.50	2.50
	N	8	0	3	3	13
	Std. Deviation	.756	-.048 <sup>b</sup>	.168 <sup>b</sup>	.378 <sup>b</sup>	1.000 <sup>b</sup>
	Variance	.571	-.042 <sup>b</sup>	.224 <sup>b</sup>	.143 <sup>b</sup>	1.000 <sup>b</sup>
	% of Total N	10.0%				
Agree	Mean	3.10	.00	.33	2.38	3.69
	N	10	0	2	6	14
	Std. Deviation	1.101	-.080	.215	.516	1.389
	Variance	1.211	-.123	.414	.267	1.929
	% of Total N	12.5%				
Neither agree nor disagree	Mean	3.50	.05 <sup>b</sup>	.72 <sup>b</sup>	2.00 <sup>b</sup>	5.00 <sup>b</sup>
	N	6	0 <sup>b</sup>	2 <sup>b</sup>	2 <sup>b</sup>	11 <sup>b</sup>
	Std. Deviation	1.761	-.233 <sup>c</sup>	.492 <sup>c</sup>	.000 <sup>c</sup>	2.309 <sup>c</sup>
	Variance	3.100	-.524 <sup>c</sup>	1.245 <sup>c</sup>	.000 <sup>c</sup>	5.333 <sup>c</sup>
	% of Total N	7.5%				
Disagree	Mean	3.33	-.01	.27	2.74	3.82
	N	21	0	4	14	28
	Std. Deviation	1.197	-.036	.150	.838	1.421
	Variance	1.433	-.062	.340	.702	2.020
	% of Total N	26.3%				
Strongly disagree	Mean	3.07	.00	.20	2.67	3.47
	N	27	0	4	20	34
	Std. Deviation	1.072	-.029	.144	.734	1.306
	Variance	1.148	-.040	.294	.538	1.706
	% of Total N	33.8%				
Don't know	Mean	4.00	-.02	.43	3.00	4.75
	N	8	0	2	4	13
	Std. Deviation	1.309	-.120	.319	.463	1.643
	Variance	1.714	-.199	.647	.214	2.700
	% of Total N	10.0%				
Total	Mean	3.16	-.01	.13	2.88	3.43
	N	80	0	0	80	80
	Std. Deviation	1.227	-.010	.068	1.088	1.354

Variance	1.505	-.019	.165	1.184	1.833
% of Total N	100.0%				

- a. Unless otherwise noted, bootstrap results are based on 1000 stratified bootstrap samples  
b. Based on 998 samples  
c. Based on 986 samples

**Table 15: You can own and use land anywhere in Kibra Sub County**

Residents were asked to respond to the Likert scale question “You can own and use land anywhere in Kibra Sub County” 10.0% strongly agreed, 12.5 % agreed, 7.5 % neither agreed nor disagreed, 26.3 agreed, 33.8 strongly disagreed and 10 % didn’t know.

#### 4.2.9 There are restrictions on whom to sell land to in Kibra Sub County

There are restrictions on whom to sell land to in Kibra SubCounty

There are restrictions on whom to sell land	Statistic	Bootstrap <sup>a</sup>				
		Bias	Std. Error	95% Confidence Interval		
				Lower	Upper	
Strongly agree	Mean	4.00	.01	.40	3.22	4.77
	N	11	0	3	6	17
	Variance	1.800	-.163	.529	.195	2.423
	% of Total N	13.8%				
Agree	Mean	3.27	.01 <sup>b</sup>	.37 <sup>b</sup>	2.56 <sup>b</sup>	4.00 <sup>b</sup>
	N	11	0 <sup>b</sup>	3 <sup>b</sup>	6 <sup>b</sup>	17 <sup>b</sup>
	Variance	1.618	-.148 <sup>b</sup>	.545 <sup>b</sup>	.500 <sup>b</sup>	2.619 <sup>b</sup>
	% of Total N	13.8%				
Neither agree nor disagree	Mean	3.83	.01	.60	2.50	4.75
	N	6	0	2	2	11
	Variance	2.167	-.382 <sup>c</sup>	1.432 <sup>c</sup>	.000 <sup>c</sup>	4.333 <sup>c</sup>
	% of Total N	7.5%				
Disagree	Mean	2.72	.00	.29	2.15	3.26
	N	18	0	4	11	25
	Variance	1.624	-.082	.237	1.040	1.983
	% of Total N	22.5%				
Strongly disagree	Mean	2.96	-.01	.17	2.63	3.29
	N	28	0	3	21	35
	Variance	.851	-.020	.222	.406	1.275
	% of Total N	35.0%				
Don't know	Mean	3.00	-.01 <sup>b</sup>	.52 <sup>b</sup>	2.00 <sup>b</sup>	4.00 <sup>b</sup>
	N	6	0 <sup>b</sup>	2 <sup>b</sup>	2 <sup>b</sup>	10 <sup>b</sup>
	Variance	1.600	-.284 <sup>c</sup>	.656 <sup>c</sup>	.000 <sup>c</sup>	2.400 <sup>c</sup>
	% of Total N	7.5%				
Total	Mean	3.16	.00	.13	2.91	3.44
	N	80	0	0	80	80
	Variance	1.505	-.014	.170	1.151	1.822
	% of Total N	100.0%				

- a. Unless otherwise noted, bootstrap results are based on 1000 stratified bootstrap samples
- b. Based on 999 samples
- c. Based on 991 samples

**Table 16: There are restrictions on whom to sell land in Kibra Sub County**

“There are restrictions on whom to sell land to in Kibra Sub County” respondents gave the following answers in likert scale. 13.8% Strongly agree, 13.8% agreed, 7.5% neither agreed nor disagreed, 22.5% disagreed, 35.0% strongly disagree and 7.5% didn’t know.

**4.2.10 Land use and control by the government and organizations leads to loss of income**

Land use and control by the government and organizations leads to loss of income

Land use and control by the government and organizations leads to loss of income		Statistic	Bootstrap <sup>a</sup>			
			Bias	Std. Error	95% Confidence Interval	
					Lower	Upper
Strongly agree	Mean	3.30	.00	.17	2.95	3.62
	N	23	0	4	15	32
	Variance	.676	-.034	.230	.260	1.115
	% of Total N	28.8%				
Agree	Mean	2.71	.00	.34	2.00	3.36
	N	14	0	3	8	21
	Variance	1.758	-.089	.463	.764	2.618
	% of Total N	17.5%				
Neither agree nor disagree	Mean	2.92	.00	.41	2.13	3.78
	N	12	0	3	6	19
	Variance	2.083	-.138	.546	.889	3.110
	% of Total N	15.0%				
Disagree	Mean	3.40	.01	.28	2.85	4.00
	N	15	0	3	9	22
	Variance	1.257	-.119	.415	.401	2.067
	% of Total N	18.8%				
Strongly disagree	Mean	3.07	-.01	.39	2.29	3.78
	N	14	0	3	8	21
	Variance	2.225	-.144	.468	1.187	2.966
	% of Total N	17.5%				
Don't know	Mean	5.00	.00 <sup>b</sup>	.00 <sup>b</sup>	5.00 <sup>b</sup>	5.00 <sup>b</sup>
	N	2	0 <sup>b</sup>	1 <sup>b</sup>	1 <sup>b</sup>	5 <sup>b</sup>
	Variance	.000	.000 <sup>c</sup>	.000 <sup>c</sup>	.000 <sup>c</sup>	.000 <sup>c</sup>
	% of Total N	2.5%				
Total	Mean	3.16	.00	.14	2.88	3.41
	N	80	0	0	80	80
	Variance	1.505	-.014	.176	1.129	1.832
	% of Total N	100.0%				

- a. Unless otherwise noted, bootstrap results are based on 1000 bootstrap samples
- b. Based on 868 samples
- c. Based on 587 samples

**Table17: Land use and control by the government and organizations leads to loss of income**

Respondents were asked in the likert scale the question whether control of land by the government or other organizations for slum development affected their income. 28.8% strongly agreed, 17.5% agreed, 15.0% neither agreed nor disagreed, 18.8 % disagreed, 17.5% strongly disagreed and 2.5 % didn't know. From the response, quite a good number feels that their economic activities and base is altered when the slum is upgraded. From the interview, one respondent who is a business man said “*We are not lucky because the government will begin taxing us heavily. For now, we don't pay taxes. The rich will also displace us because we can not afford these houses that are going for 5000 ksh. This place will be left for the rich only*”

**4.2.11 Lack of proper documentation prevents ownership and use of land**

Lack of proper documentation prevents ownership and use of land

Lack of proper documentation prevents ownership and use of land		Statistic	Bootstrap <sup>a</sup>			
			Bias	Std. Error	95% Confidence Interval	
					Lower	Upper
Strongly agree	Mean	2.00	.01	.34	1.43	2.70
	N	9	0	3	4	15
	Variance	1.000	-.108	.471	.200	1.899
	% of Total N	11.3%				
Agree	Mean	2.23	.00	.31	1.67	2.86
	N	22	0	4	14	30
	Variance	2.089	-.087	.532	.866	2.962
	% of Total N	27.5%				
Neither agree nor disagree	Mean	1.85	.00	.11	1.62	2.00
	N	13	0	3	7	20
	Variance	.141	-.011	.075	.000	.265
	% of Total N	16.3%				
Disagree	Mean	2.46	.00	.22	2.05	2.91
	N	24	0	4	16	32
	Variance	1.216	-.056	.365	.520	1.926
	% of Total N	30.0%				
Strongly disagree	Mean	2.83	.00 <sup>b</sup>	.66 <sup>b</sup>	1.50 <sup>b</sup>	4.14 <sup>b</sup>

	N	6	0 <sup>b</sup>	2 <sup>b</sup>	2 <sup>b</sup>	11 <sup>b</sup>
	Variance	2.567	-.465 <sup>c</sup>	1.056 <sup>c</sup>	.108 <sup>c</sup>	4.250 <sup>c</sup>
	% of Total N	7.5%				
Don't know	Mean	1.83	-.01 <sup>b</sup>	.31 <sup>b</sup>	1.20 <sup>b</sup>	2.40 <sup>b</sup>
	N	6	0 <sup>b</sup>	2 <sup>b</sup>	2 <sup>b</sup>	11 <sup>b</sup>
	Variance	.567	-.105 <sup>d</sup>	.282 <sup>d</sup>	.000 <sup>d</sup>	1.000 <sup>d</sup>
	% of Total N	7.5%				
Total	Mean	2.22	.00	.13	1.97	2.50
	N	80	0	0	80	80
	Variance	1.316	-.016	.222	.872	1.740
	% of Total N	100.0%				

a. Unless otherwise noted, bootstrap results are based on 1000 bootstrap samples

b. Based on 998 samples

c. Based on 989 samples

d. Based on 976 samples

### **Table 18: Lack of proper documentation prevents ownership and use of land**

Respondents were asked to respond on the statement “Lack of proper documentation prevents ownership and use of land” 11.3% strongly agreed, 27.5% agreed, 16.3 % neither agreed nor disagreed, 30.0% disagreed, 7.5 % strongly disagreed and 7.5% didn’t know about it. A number of the respondents disagreed that lack of documentation prevents ownership. This is because residents in Kibra, and especially majority of them know very well that the land is owned by the state.

## CHAPTER FIVE: SUMMARY, CONCLUSIONS AND RECOMMENDATIONS

### Conclusion

After collecting and analyzing data on the research topic: “Land tenure system and peaceful coexistence among the residents of Kibra Constituency, Nairobi County, Kenya, it was concluded that, issues of land have a related cause to the unrest witnessed sometimes back in Kibra Sub County. The main objective for the study was:- The study will seek to investigate the influence of land tenure system on peaceful coexistence among the residents of Kibra constituency, Nairobi County, Kenya. The specific objectives for the study were the following:-To determine the influence of land access on peaceful coexistence among the residents of Kibra Sub-County; To establish effect of land ownership on peaceful coexistence among the residents of Kibra Sub-County residents; To find out effects of land use and control on peaceful coexistence among the residents of Kibra-Sub-County and to determine effects of land transfer on peaceful coexistence among the residents of Kibra Sub – County. From the results, these objectives were achieved by this study. The following are some important results related to the study.

Using the likert scale, this study sought to rate the view of respondents in relation to land access after the 2007/2008 PEV. The general statement was “Some people can't access their land after the 2007/2008 PEV” 1.3% disagree, 2.5% neither agree nor disagree, 35.0% agree and 61.3% strongly agree. As earlier confirmed from one respondent, there is evidence that land ownership in Kibra Sub County has contributed to the unrest among the residents. With the majority strongly confirming the place of PEV and land grabbing, this shows that those whose land was grabbed are not happy at with the government and fellow residents who took their land. One of the respondents through interview guide said

*“I don't like discussing the events that unfolded during the 2007/2008 PEV. I lost all my property that I had accumulated for many years including my elder son. The site of my house was grabbed by someone ...I can still take you there and show you who grabbed it. It is someone who very well knew me and my family. We are sure that no justice will ever be done!”*

The study sought to find out the understanding of the respondents in relation to policy and laws clarity of land access and use in Kibra Su County. More than half of them (55%) strongly agreed, 27.5% agreed, 1.3% neither agreed nor disagreed , 2.5% disagreed, 6.3 strongly disagreed and

7.5% don't know. Residents agreed that this was the biggest cause to their land problems in Kibra. The land in Kibra belongs to the government and therefore those serving in the government have more "rights" to access and use the land as compared to those not in the system

The researcher sought to know the kind of relationship existing among residents of Kibra in relation to land and peaceful coexistence. From a likert scale rating (There is Hostility among residents from different ethnic backgrounds living in Kibra Sub County), 35 % strongly agreed, 18.8 % agreed, 3.8 neither agreed nor disagreed, 16.3% disagreed, 12.5% strongly disagreed and 13.8 % don't know.

From the Likert scale statement "The above hostility is motivated by the current political wave and inclination" , 22.5% strongly agreed, 27.5% agreed, 15.0% neither agreed or disagreed, 17.5% disagreed, 8.8% strongly disagreed and 8.8% didn't know. From these findings, its clear that a higher percentage believe that there is a relationship between politics and ethnic membership in Kibra Sub County. Many people who were involved in the PEV of 2007/2008 belong to the either PNU or ODM that is Kikuyus and The Luo communities respectively.

Respondents were asked in the likert scale the question whether control of land by the government or other organizations for slam development affected their income. 28.8% strongly agreed, 17.5% agreed, 15.0% neither agreed nor disagreed, 18.8 % disagreed, 17.5% strongly disagreed and 2.5 % didn't know. From the response, quite a good number feels that their economic activities and base is altered when the slum is upgraded. From the interview, one respondent who is a business man said "*We are not lucky because the government will begin taxing us heavily. For now, we don't pay taxes. The rich will also displace us because we can not afford these houses that are going for 5000 ksh. This place will be left for the rich only*"

## **Recommendations**

### ***a) On the Influence of land access on peaceful coexistence among the residents***

It was recommended that, the government should intervene in land access procedures and make sure that every land owner has the right to access and use their land Kibra Sub County.

### ***b) On the effect of land ownership on peaceful coexistence among the residents***

The Kibra Sub County residents need to know that, everyone a right to own and use land anywhere in the country so long as they don't abuse their rights in the process.

### ***c) Land use and control on peaceful coexistence among the residents***

It is recommended that, Kibra residents need to give the government an opportunity to upgrade the slum for better habitation. The government of Kenya needs to involve the residents on the whole process of upgrading the slum

### ***d) Effects of land transfer on peaceful coexistence among the residents***

The government needs to play a key role in ensuring non-interference with the processes of land transfer and ownership in Kibra Sub County

## **Areas for further studies**

After undertaking the above research, the researcher is proposing the following areas for further study:-

- a) Effects of Kibra slum upgrading on socio-economic activities of Kibra Sub County Residents
- b) Informal settlements and security of land tenure in Nairobi City County
- c) Security in Kenyan informal settlements, case of Kibra Sub County

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## Appendix 1 - Questionnaire

I am MA Student from the Catholic University of Eastern Africa. As a requirement to finish my studies, I am expected to carry out this research on land tenure and peaceful co-existence in Kibra sub-county. I would like to request you to respond to the following questionnaire. Your information shall be treated with utmost confidentiality. Your assistance and cooperation shall be highly appreciated.

### 1. Age

18-24 [ ] 25-30 [ ] 31-35 [ ] 36-40 [ ] 41 and above [ ]

### 2. Gender

Male [ ] Female [ ]

### 3. Level of education

Primary [ ] Secondary [ ] Tertiary [ ] None [ ] Others.....

### 4. Marital status

Single [ ] Married [ ] Divorced [ ] Widowed [ ]

### 5. How long have you lived in Kibra constituency?

Less than a year [ ] 2- 4 years [ ] 5 – 7years [ ] years 8 – 10 years [ ] above 11 years [ ]

### 6. Which is your ward?

Sarang'ombe [ ]  
Woodley/Kenyatta Golf Course [ ]  
Makina [ ]  
Laini Saba [ ]  
Lindi [ ]

7. Status in land tenure (tick appropriately please) Land owner [ ] Tenant [ ] Others [ ], please explain briefly.....

## Themes

8. Rate the following scale on the contribution of land access to the peaceful co-existence of Kibra Sub County residents

Statements	Response Scale					
	Strongly agree	Agree	Neither agree nor disagree	Disagree	Strongly disagree	Don't know
a) Land access in Kibra Sub County depends on “whom you know” in the system						
b) There is political and administrative negative influence on land access						
c) The Law and policy on land access is not clear						
d) Lack of equality/equity in land access has contributed to unrest						
e) After 2007/2008 post election violence, some land owners can not even access land even today						
f) The government has resolved all land disputed in relation to land access and use since 2007/2008 PEV						
g) The original inhabitants of Kibra Sub						

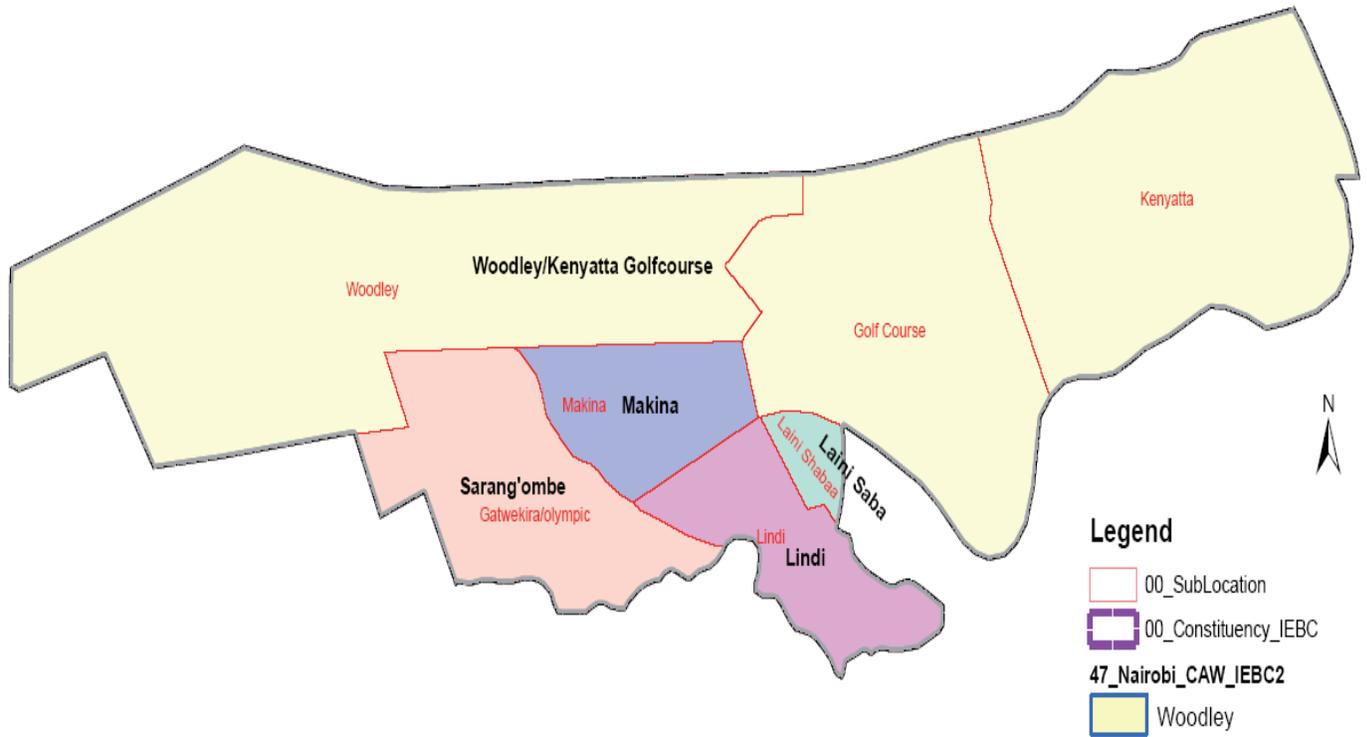
County are often discriminated in accessing land for use						
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### 9. Land use, control, transfer ownership and peaceful coexistence

Statements	Response Scale					
	Strongly agree	Agree	Neither agree nor disagree	Disagree	Strongly disagree	Don't know
a) Land use and control in Kibra Sub County is not complicated						
b) You can own and use land anywhere in Kibra Sub County						
c) The powerful and politically connected lot of say as far as land use and control are concerned in Kibra Sub County						
d) There is no discrimination in land use and control in Kibra Sub County						
e) Lack of proper documentation prevents residents from accessing and using land in Kibra Sub County						
f) There are restrictions on whom to sell land to in Kibra Sub County						
g) Informal restriction on free land transfer and ownership interferes with peaceful coexistence in Kibra Sub County						
h) Land control and use by the government and parastatals or organizations will						

diminish affordable housing for the disadvantaged people						
i) Land control and use by some organizations restricts our income generating activities						
j) Land use and control in Kibra Sub County has led to relocation of residents						
k) Evicted residents have been properly compensated or relocated						
l) There is hostility among different people settled in the same location in Kibra Sub County						
m) The above hostility is motivated by the current political wave and inclination						
n) It is not possible to solve land related problems in Kibra Sub County						

**Appendix 2- Map of Kibra Sub County**



**Source: GOK (2011) Independent Electoral Boundaries Commission, Nairobi City County Boundaries**