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“They’re plotting against us”: Public narratives utilised by Kenyan Community-Based Organisations advocating for land rights

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Community-Based Organisations (CBOs) narratives are significant for linguistic analysis as they provide natural data in highly emotional public discourses. Any topic or discourse on land injustice in Kenya is highly emotive. In the same vein, public narratives are relevant to provide evidence for evaluations of language choice, power, and authority, as well as the linguistic communication of emotion. In this respect, emotion-provoking narratives are critical phenomena that are hardly ever absent in the public discourse of CBOs advocating for land rights. Within the framing rhetoric of social movements, this article explores how these groups frame land injustices within emotion-provoking narratives in public discourse. The methodology in this study involved audio-recorded data collected from two CBOs representing land injustices due to government and/or company-propelled projects in Kenya: Tugen Hills Forests Right Holders and Kerio Valley Professionals Association based in Kabarnet town in Baringo county. Significantly, Kerio Valley Professionals Association advocates for land rights for communities along the border of Baringo county and Elgeyo-Marakwet county. The analysis reveals the following frames within narratives in the discourse of Kenyan CBOs addressing land injustices: Victim, Good vs Evil, Bad Governance, and Insecurity of Tenure as strategic negotiation characters that constitute a prerequisite for legitimisation and proper enactment of land laws. At the same time, these narrative frames are laden with emotions such as anger, frustration, despair, and fear. Therefore, this research sheds light on how CBOs navigate for land rights by using frames within narratives, particularly in public discourse, to sanction their emotional expressions as positive for the movements to bring about resistance and change for the benefit of the community.

Keywords: Public discourse; land injustice; CBOs; framing; emotion-provoking narrative

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1 Introduction

Narratives are pertinent resources in the discourse on land dispute, particularly because land is a socio-dynamic aspect that generally dominates the everyday life of African societies, and the Republic of Kenya is no exception. Land disputes have complexities that are integrated within the arrays of social relations, political organisations, cultural traditions, and belief systems (Tarimo, 2014), more so in Kenya, where land is strongly contested as a focus of intensive interactions between several actors such as individuals, households, associations, groups, municipalities, government, state, local and international investors among others. In such circumstances where disputes arise, social movements often emerge and provide spaces for peaceful mediation between these actors. The features within Johnston and colleagues (1994) definition of new social movements accommodate the structural realities of community-based organisations (henceforth CBOs) that encompass the focus of this article, which reveals how CBOs navigate for land rights by the use of emotion-provoking narratives in public discourse. Narratives are a topic of pivotal

importance as they facilitate the comprehension of how CBOs in the process of advocacy for land rights (a) elicit public interest, (b) deal with setbacks, (c) recruit and enlist support, (d) possibly convert opponents, and (e) subtly point to a broader approach to culture. During colonial times and long after Kenya's independence in 1963, land issues regarding appropriation, displacement, and compensation due to company and/or government-propelled projects in some parts of the country continue to be long-standing concerns for the communities. Thus, CBOs, particularly at the grassroots level, have put forward different attempts to address these problems, especially through public discourse. A more concise understanding of how CBOs navigate these concerns through public narratives is warranted. Given these, the research questions here are: (a) Which frames are evident in public narratives of Kenyan CBOs advocating for land rights? (b) To what extent do these narratives reveal a linguistic communication of emotion?

Worth noting, most of the literature in the field of advocacy is extensive but is primarily concerned with operations within and around social movements and pays little or no attention to an integral part of advocacy - language use. Language, which is the vehicle of power, is a contributing factor to why attempts at "good" advocacy strategies and legitimacy may fail. This research provides insights into how narratives, also referred to as stories by Polletta (2009), are used as a linguistic strategy in advocacy to achieve or support the legitimacy of CBOs working on land rights. Legitimation is a complex concept involving a linguistic enactment of the speaker's right to be obeyed (Chilton 2004), and of course, CBOs do more than just tell stories. They also storm barricades, negotiate with allies and the government, plan demonstrations and attend related meetings to achieve legitimacy. Worth mentioning, in Kenya, civil society organisations "often take the shape of community based organisations" (Matelski et.al (2018: 48). Much of the discussions in this article anchor on the Framing Theory (Snow 2004), which is a relatively new theory that has been applied in state politics, health, environment, and technology; other theories applicable to the frames are also mentioned, whilst noting debates that are relevant to the sociology of social movements. In essence, this study speaks to these theories vis-à-vis narratives, follows a multidisciplinary approach, and marries the fields of sociology with linguistics. Adopting Polletta and Chen (2009), this work treats narratives or stories as (a) identifiable chunks of discourse comprised of standard features that can be isolated in discursive texts and (b) background accounts in terms of which messages, whether they are narrative or stories in form or not, are understood. For the general progression of ideas, this article starts with the fundamentals of the background situation of the CBOs under investigation, followed by literature on the narrative concept, emotions, and frames within social movements. The details of data collection, coding, and content analysis are expounded on in the next section, after which the findings are outlined and discussed before concluding remarks are made.

2 Situation background and fieldwork

This section briefly highlights the background information related to land disputes in the selected regions where fieldwork was conducted to address the crux of this work. The 'land question' in Kenya continues to remain a political battle to date and leads all political parties to prioritise it at the centre of their manifestos, and CBOs are within the centre of these discussions (detailed in Matelski et al. 2018). Focusing on the research questions of this study, the data was collected from two Kenyan CBOs: Tugen Hills Forests Right Holders and Kerio Valley Professionals Association. The first, Tugen Hills Forests Right Holders (henceforth THFRH), encompasses persons who were displaced from Tugen Hills (also known as *Saimo*) Forests in Baringo county by

the government for forest and wildlife conservation. Four central forests make up the Tugen Hills Forests: Katimok, Tarambas, Kipng’ochoch, and Kinyo. The THFRH documented 2,578 (at the time of this research) evictees who were formerly pastoralists and are currently dispersed across Baringo North, Baringo Central, and Baringo South. The THFRH beckons redress for rights to land and its natural resources. The second, Kerio Valley Professionals Association (henceforth KVPA), was formed by persons fearing displacement and those questioning the rights to land ownership and benefits of oil exploration by Tullow Oil Company in “Block 12A” that covers the border of Baringo county and Elgeyo-Marakwet county (see Figure 1). The group has 2,578 (and counting) documented forest evictees.

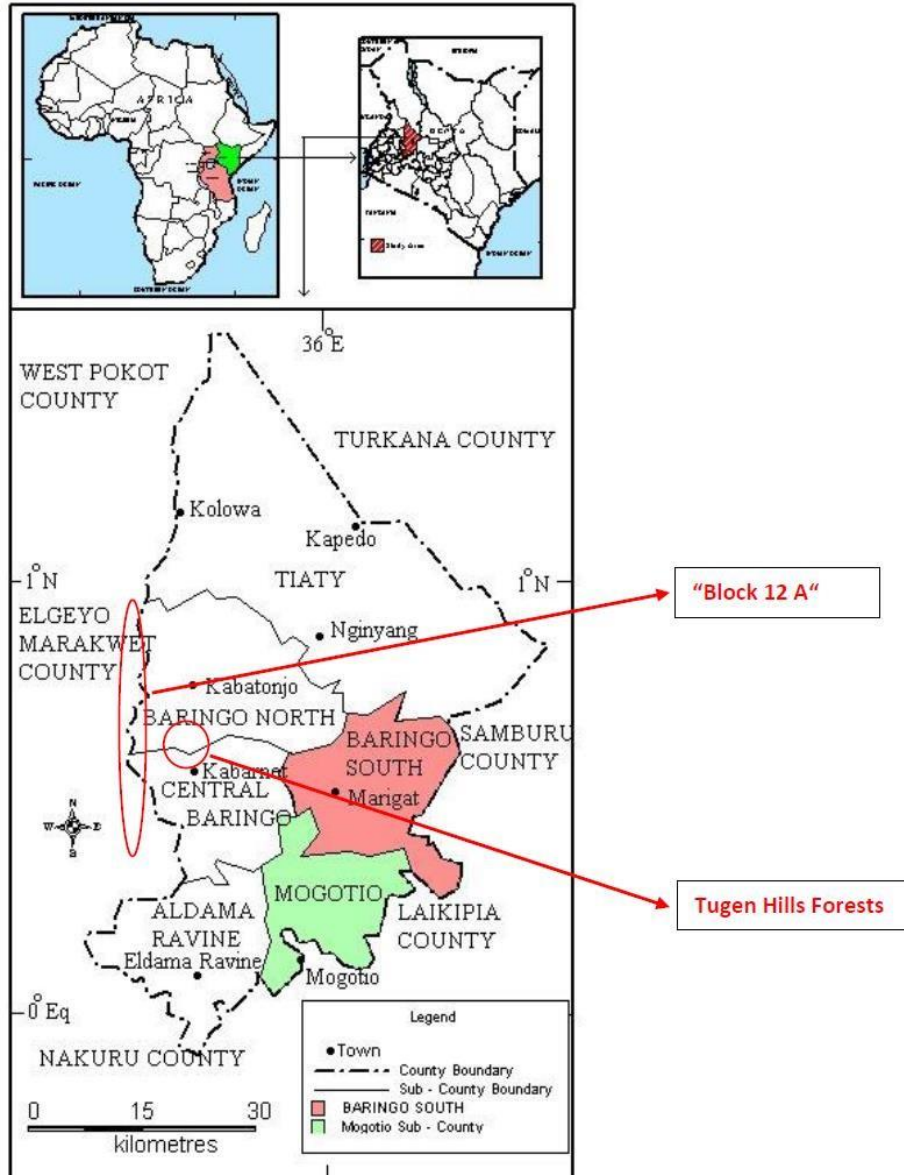


Figure 1: Map of Baringo county adapted from Ezenwa and colleagues (2018), study regions highlighted here by authors

The two CBOs are situated in counties classified under arid and semi-arid regions of Kenya, with minimal access owing to the nature of the landscape, including the hostile environments ranging

from natural hazards to border conflicts. An attempt to decipher the notion of land ownership per the Constitution of Kenya (2010) for the Tugen and Marakwet people, who occupy these regions, proves futile because these communities view land ownership as the endogenous form of accessing land. The form of appropriation which differs from the form of ownership and property as institutionalised by the colonial and post-colonial states. The communities believe that land in specific territories of Baringo and Elgeyo-Marakwet Counties is ancestral land. However, the notion of territory is hardly debated by historians or geographers, despite the antiquity of the term and its use. For the sake of this research, the term territory is used loosely to mean those spaces that were termed “homes” of a particular community as opposed to the political territory and its expression, the national territory, which are often considered imported elements. Indeed, Kenya’s new Community Land Act (2016) lays a foundation for majority rural land security, as it affects communities that hold, use, and transact land under their own, usually customary norms and whose land remains untitled. This poses challenges because in the context of a new national policy and supreme law (the Constitution 2010), which signals a dramatic new policy direction; abandonment of the strategy pursued since the 1950s that security of rural tenure lies in the extinction of customary rights and their replacement with freehold or leasehold entitlements issued to individuals or corporate entities. This was the only means through which property was legally acknowledged. Nor, while tolerated, was community-based jurisdiction as practised over customary lands lawfully supported. This is a point of contention between the government and the community represented by the CBOs. The conflicts within land matters in Kenya remain a challenge beyond the scope of this article. Although succinct, the information provided in this section suffices for the general appreciation of the situation under which data for the investigation at hand was collected, given that further details are not directly related to this study, and their exclusion here does not render this work incomplete. The following section presents an overview of prior literature that supports the analysis of frames in emotion-provoking narratives by the said CBOs.

3 Social movements: narratives, frames and emotions

The last two decades have seen social movement scholars veer into narrative as a resource for bridging abstract gaps in the literature of social movement framing, discourse analysis, identity construction, and public narrative (Ganz 2010). Intensive literature exists on the role of emotion, historical memory in social movements, and meaning-making (Büthe 2002; Davis 2002; Fine 2002; Katzenstein 1998; Mayer 2014; Polletta 2008; Stone 1989). In the same breath, the concept of collective action framing has soared in discussions on social movements (Snow 2004); and frames have been defined as sets of beliefs that:

assign meaning to and interpret relevant events and conditions in ways that are intended to mobilize potential adherents and constituents, to garner bystander support, and to demobilize antagonists (Snow and Benford 1992: 198).

This study reveals how CBOs, like other social movements, use the same beliefs within their narratives in the process of land rights advocacy. Furthermore, narratives are significant because their general purpose is to explain and connect identity and agency (Patterson and Monroe 1998: 325; Young 2000: 73); and to attribute “cause, blame, and responsibility” (Stone 1989: 282). Moreover, “stories do not just configure the past in light of the present and future, they also create experiences for and request certain responses from their audience” (Davis 2002: 12). This means that multiple narratives can generate from similar events and even within the same social

movement. Whereas scholars of narratives have also identified the absence of events, information and interpretations as including those that are considered “commonplace” or “unremarkable” (Patterson and Monroe 1998: 329) and are, thus, equally important, and potentially revealing, such aspects are beyond the scope of this research. Again, the construction of narratives is a social process that “engages people in a communicative relationship” (Davis 2002: 19), and narratives construct and reinforce the audience’s collective identity and collective reassurance and invoke historical memory in social movements (Beckwith 2013). Multiple speakers can produce narratives: social movement leaders, activists, campaign participants, and mass media for various audiences (*ibid.*). Of equal pertinence is the use of narratives for linguistic communication of emotion since emotion shares with the narrative the basic temporal structure constructed by social perspectives (Habermas 2019). Rimé (2009) indicates that people narrate emotional experiences in the hope that they will help them cope with the event and the emotions it elicits. He further suggests that negative emotional experiences are more likely to stimulate narration, similar to a violation of expectations (Rimé 2009). In keeping more closely with the spirit of the cited works in this section, this article reveals how Kenyan CBOs advocating for land rights frame emotion-provoking narratives in the course of advocacy. Considering these, the next section shows how the data for this research was collected.

4 Method

4.1 Data Collection

The data was collected through audio-recording of focus group interactions with members of the CBOs and audio-recording at CBO public meetings (also called *barazaas*) followed by transcribed verbatim. It so happens that during the collection of data, leaders of these movements were often the source of the narratives for the CBOs. Rothenberg (2002) indicates that individual participants may also construct a narrative about their own lives and relationships with a social movement. Given the skewness of leadership and active participants within these CBOs, the narrators were all male and varied in age between 34 -71 years, most of whom could express themselves in English and/or Kiswahili, while a few could only communicate in Tugen or Marakwet sub-ethnic dialects of the Kalenjin speakers. This prompted the need for an interpreter. Seven relevant narratives from each CBO were selected for analysis for this study. The varied narratives, which ranged between 48 and 96 minutes, complement one another in that they addressed the same issue of land injustice. On the one hand, narratives of those fearing displacement and, on the other hand, narratives of already displaced persons. The common denominator here is that these persons do not legally own the land.

4.2 Coding and content analysis

For content analysis in this study, the methods of frame analysis conducted by Matthes and Kohring (2008) were utilised. The two operationalised Entman’s (1993) definition of framing, which refers to the process by which some aspects of an issue are made more salient, thus including a specific “problem definition, causal interpretation, moral evaluation, and/or treatment recommendation” (*ibid.*: 52). Thus, the frame elements for this research were manually listed for each narrative highlighting processes of (a) problem definition and sources; (b) causal interpretation; (c) moral evaluation; and (d) treatment recommendation and promoting preferred

policies. In this respect, problem definition refers to the central topic of the story as well as the main actor (Matthes and Kohring 2008). This frame element foregrounds the content of the narrative and defines its central concern. The causal interpretation was coded based on attributing risks or benefits related to the issue, like the actor(s) deemed responsible for the risks or benefits emanating from land injustice. The moral evaluation was based on assessing risks or benefits concerning land injustices. Treatment recommendation was coded based on existing land policies, including flaws within the policies, as a response to the problem. In detail, within the fourteen narratives, specific search terms were obtained from the frame descriptions, for example, “eviction”, “poverty”, “hunger”, “displacement”, “suffering”, “homeless”, and “landless” and “compensation” among others.

More than generating stories that problematised land injustice, the research also generated stories that focused on the lack of compensation and resettlement and the government's flawed enactment of relevant land laws. Notably, a list with interpretive questions was used to highlight the frame elements within the narratives. For instance, “Does the narrative depict poor living conditions and hardships propelled by land injustices of the person(s)?” Served as an identifier for the *Victim Frame*. The question “Does the narrative denote that government officials or leaders handling land injustices abuse their power?” Served as an identifier of the *Bad Governance Frame*. Another example is, “Does the story reveal eviction from land or imminent threat to eviction from land?” To refer to an identifier of the *Tenure Insecurity Frame*. The aim was to identify the key frames within the narratives to explain land injustices and their impact on livelihoods in the affected communities. Subsequently, for each narrative, all possible search terms within the elements of the stated frame could be listed, including the number of occurrences of the same frame. This was followed by exposing the linguistic communication of emotions through a general analysis of evaluative devices such as adverbs, intensifiers, figurative language, and other rhetorical means like repetition and ellipsis within the narratives.

5 Narratives of CBOs: The frames and emotions

As explained in the preceding section, frames were identified based on the most salient features of each element and evidenced by the frequency value (n) included in the analysis. Figure 2 shows the mean values (\bar{x}) of injustice frames in public narratives by the two CBOs: THFRH and KVPA. This study reported on four predominant frames identified in the narratives: Victim, Bad Governance, Insecurity of Tenure, and Good vs Evil.

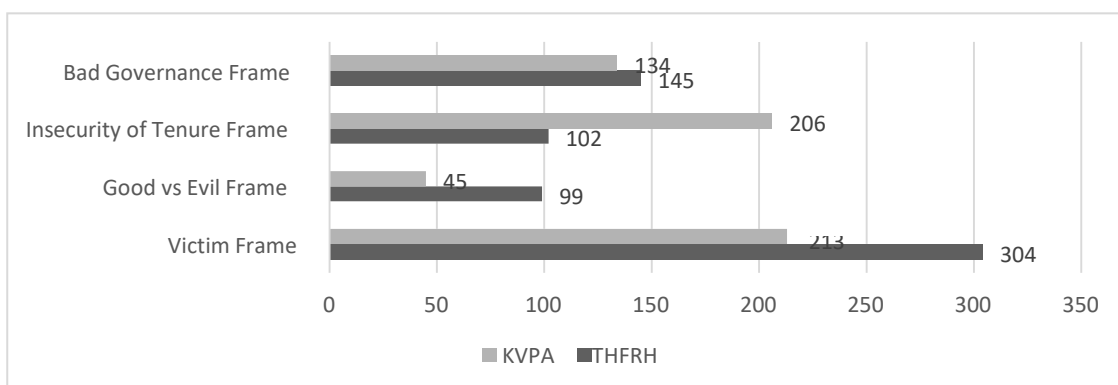


Figure 2: Injustice Frames per CBO

Elements and characteristics of each frame are explained alongside excerpts from the narratives. The analysis indicated the largest injustice frame of THFRH and KVPA, at $\bar{x} = 304$ and $\bar{x} = 213$, respectively, of the narratives focused predominantly on the *Victim Frame*. In this frame, violent eviction, homeless, and landless were the most prevalent elements. More than half of the stories for these search terms primarily addressed the violent evictions, suffering, deaths, and hunger due to displacement and landlessness. Overwhelming elements in this frame also focused on continuing efforts to resist eviction through a fight against government-propelled projects. In the framework of converting the forest into a conservancy, by orders of the national government, the county government of Baringo evacuated inhabitants of Tugen Hills Forests (THF) between the late 1930s and 1988 and, in the process, destroyed their homes and property as illustrated by one of the evictees during the focused group interactions:

People were forced out of the forest with no specific destination. Myself, for example, I found myself on a foreign land near Lake Baringo...a very arid area and nothing grows. By this time, I did not know what was happening because I was still young... and as I grew older, I began to understand what had happened...and then I was taken by some elders and shown my ancestral land...where my parents were living in the forest. This is when I became very pained and wondered why I was suffering in the strange arid area, yet I belong to a very rich and fertile area.

Consequently, after the government ordered the eviction from THF by convening a public meeting (locally known as *barazaa*), some residents moved out, particularly those with livestock. One narrator stated:

In July 1988, my family was given an eviction notice. On that evening, I arrived home to find three land rovers with Administration Police. They instructed us to get our property and leave. They threw our stuff out of the house when we resisted. They burnt our homes so we fled ...

Another member of Tugen Hills Forest Right Holders (THFRH) narrated:

We just pray that the government can resettle us from the stones... our people have been bitten by snakes as they suffer in hunger.

The second frame which consisted of $\bar{x} = 206$ for KVPA and $\bar{x} = 102$ for THFRH was the *Insecurity of Tenure Frame*. According to the UN-Habitat (2008), security of tenure is “a feeling of safety in holding a piece of land”; the citizens of Baringo do not feel secure. Security of tenure ought to be about the perceptions held by landholders concerning their land (Broegaard 2013). In 2014, the British-owned Tullow Oil Company, with whom the government entered into a petroleum agreement, carried out seismic surveys around the Baringo-Elgeyo Marakwet border in the Kerio Valley belt; “Block 12 A”. The upstream segments of oil and gas activities in Kenya are governed by the Petroleum (Exploration and Production Act 2019). This Act is the primary legislation governing oil and gas exploration, development, and production. The citizens living in “Block 12A”, which covers more than 7,000 km², resisted this venture because of fear of losing their customary land; supporting Chileshe’s (2005) notion that reforms from customary to statutory tenure implant fear in people and make them believe that their customary land can be confiscated by the government and allocated to private investors at any time. Worth noting, the land in this area is owned communally and this ownership is still contested. The KVPA member stated:

We have written to them that we want a clear policy on how we will benefit from this exploration. People’s farms have already been destroyed. We are living side by side with the machines... You wake up in the

morning and they are digging your land. The government has not compensated us nor is there any resettlement plan. This oil is political.

Hence, the people of “Block 12A” have become increasingly impatient, agitated, and frustrated. Even though the Community Land Act (2016) is already in force, it will not be fully applied until Regulations under the law are formally promulgated, as was anticipated in early 2018. *Bad Governance Frame* was yet another frame, with $\bar{x} = 134$ for KVPA and $\bar{x} = 145$ for THFRH. Without resettlement or compensation, members of THFRH were forcefully evicted by the government, which took over the forests and is now under the management of the county council of Baringo and protected by the Kenya Forestry Service. One village elder mentioned:

... in 1983, the government promised that each evicted married man would get eight acres of land, and an unmarried man would get five acres of land.

Almost three decades later, this is yet to materialise. During the Moi regime, the government ordered all the community members who had been issued with the 1949 Blueprint - a document that indicated the evictee’s plot number and the resettlement destination - to give the BP back to the government as the first step of addressing the compensation and resettlement as promised. According to the narrator, the government went quiet on the issue as soon as this legal document was handed in. The people realised they had been “manipulated and tricked” and left landless. In his words, one THFRH member stated:

In 1994, we were summoned by the District Commissioner to bring our documents and go to Kapropita High school, where the then President Moi would be attending church that Sunday. So, we got our documents ready. There were bright old men back then; when documents were issued, they kept them well. There were even some old men who were given permits to live in the forest as others were evicted. Only that, later, the government would recall those documents with a promise of allocating them newfound land. The old men relinquished those documents...and that was the problem with the Tugen...they were too loyal to the government. Little did they know that they would be evicted. That is why there is only one surviving 1949 Blueprint of land allocation, which is like a title deed and is what we are using now as evidence. Indeed, on that Sunday in 1994, the President Moi indicated that he would give 104 plots to divide 5 acres for each family. By that time there were just 217 forest evictee families, yet only 8 were resettled. We were distressed and visited the then Cabinet Secretary, who wrote a letter to our DC to assist us get resettled. This changed nothing.

The displaced persons incriminate the county government of Baringo of having infringed on their rights despite the availed documented resettlement scheme, the certified true copy of the 1949 Blueprint indicating the evictees’ plot numbers, and the resettlement destination. The resistance of the expropriated persons to the formation of a conservancy by the county government of Baringo is legitimised on the backbone that the forests harbour a range of medicinal plants, wild animals, and seventeen documented fossil sites.¹ The forced eviction from the forests initially affected about 81 low-income households, as was pointed out by one of THFRH members. The number of households has proliferated since the last eviction in 1989. One THFRH member stated:

¹ Excavation in Tugen Hills conducted by Richard Leakey and others have yielded a complete skeleton of a 1.5-million-year-old elephant (1967), a new species of monkey (1969) and fossil remains of hominids from 1 to 2 million years ago. Additionally, 6-million-year-old hominid fossils were discovered in 2000 by Brigitte Senut and Martin Pickford and they named the species *Orrorin tugenensis* after the location. This was the oldest hominid ever discovered in Kenya, and the second oldest in the world after *Sahelanthropus tchadensis*.

... the white settlers had warned the government ... and it even documented in 1961 that if resettlement was not done as soon as possible, it would create a bigger problem [of numbers] in future.

Decades down the line, advocacy measures by the forest evictees proved futile until 2008, after the 2007/2008 post-election skirmishes in Kenya, the group formed a coalition with the national internally displaced persons (NIDP) Network. By 28th February 2008, when Mwai Kibaki (the then President) and Raila Odinga (at that time the opposition leader) signed the Principles of Partnership after successful mediation by Kofi Annan (by then the UN Secretary), over 1300 Kenyans had lost their lives, and 650,000 more had been displaced from their homes and their properties destroyed. A total of 310,000 of the displaced persons integrated among communities while the other 350,000 sought refuge in 118 internally displaced persons (IDPs) camps across the country (Muluka 2010: 53). At the time, it seemed like a foolproof plan for the forest evictees to join the NIDP network to penetrate the government agenda. The NIDP network nominated two members (male and female) to champion the concerns of evictees of Tugen Hills Forest. According to the THFRH members, this is how events unfolded:

The government gave priority to the 2007/2008 post-election violence IDPs; and the forest evictees who were living in tents; were compensated for destruction and eviction. After this, the government decided to close down the NIDP offices, putting the resettlement and compensation of other persons forest.

It is crucial to note that the compensation of internally displaced persons presented itself two-fold, land or money. According to the THFRH members, the monetary compensation ranged between Ksh. 460,000 and Ksh. 10,000. Tugen Hills Forests evictees felt that the government had sidelined them without a reason. One THFRH member wondered:

...why the government cannot purchase some of the large ATC [Agricultural Training Centre] farms and resettle us.

Despite the fact that the CBOs have in other fonts “joined hands” with a few political leaders, they do not hesitate to mention that:

The government has slippery hands ...and they are politicians ...they cannot be trusted. You can't rely on them.

Although the petition to resettle THF evictees has been approved by the local government, it is yet to be tabled at parliament. One of the members stated:

We have tried to talk directly to our Senator in vain ... you know, there are government officials who benefited from this thing so ... behind the scenes ... this issue is not important.

Members of both CBOs unanimously mentioned that government officials sometimes sabotage their public *barazaas* through threats. For instance, they threaten the chiefs and ward administrators by allowing people to convene a *barazaa*. Alongside this political interference, some members of the county assembly (MCAs) would, interestingly, boycott such *barazaas* when invited. In April 2018, Tugen Hills Forests evictees and evictees from other forests within ten other counties in the Republic peacefully protested in Nairobi while holding placards at the President's and Deputy President's offices. They demanded that the closed NIDP offices be reopened to address their concerns. After the 2007/2008 post-election violence, the government set up two

NIDP offices, one in Nakuru and another in Nairobi. This protest yielded positive results because the two offices were reopened, and the forest evictees were instructed to prepare and present a new portfolio for their concerns. Notwithstanding, land offices are more publicly still singled out as among the most corrupt in Kenya (Transparency International Kenya 2015). In a bid to “fight” for the resettlement and compensation as enshrined in the Evictions and Resettlement Procedures Bill (2012) under the pre-eviction procedures No.6 section 1(d) that categorically states that “there should be put in place adequate resettlement action plans” which the government failed to deliver despite countless involvement of legal entities to this quest:

We have pleaded with the government...and if it had half the heart, these people would be given some land. Many of them die on those hills.

The fourth, the *Good vs Evil Frame*, constituted of $\bar{x} = 99$ and $\bar{x} = 45$ for THFRH and KVPA, respectively. Borrowing from the Proximization Theory constructed by Cap (2013), the government/companies are viewed as the ‘external threat’, negative ‘alien’, ‘foreign’, ‘antagonistic’ entities that represent the “evil” (see Figure 3).

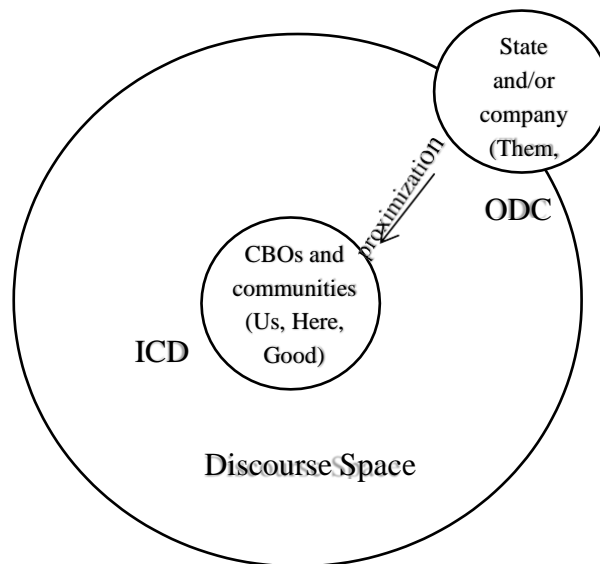


Figure 3: Discourse space (adapted from Cap 2013) for CBE-state/company

The CBOs/communities that have been evicted, displaced, and those fearing eviction and displacement represent the “good”. Proximization Theory follows the original concept defined as a forced construal operation meant to evoke closeness of the external threat, to solicit legitimisation of preventive measures. The threat comes from discourse space (DS) - peripheral entities, referred to as outside-deictic-centre (ODCs) entities, which are conceptualised to be crossing the space to invade the inside-deictic-centre (IDC) entities, the speaker, and the addressee (see Figure 3). This concept projects distant “evil” entities as gradually encroaching upon the speaker-addressee territory - both physically and ideologically. Thus, the speaker seeks legitimisation of actions and/or policies (s)he proposes to neutralise the growing impact of “evil” entities. A case in point is the frustration of the forest evictees, which prompted them to issue verbal threats to the government as a way of counterattacking the “evil”:

...we will cut down and burn the forest...and even if the government comes with rifles, we will not be afraid... what difference does it make when we die of hunger out there or the government kills us? We'll still be dead. The people have decided to make this history. It will be us or them.

In the interest of this research, the *Good vs Evil Frame* is evidenced in the narratives of THFRH and KVPA by the increasing focus on the use of spatial proximization strategies. The theory makes it possible to extract quantifiable linguistic evidence from discourse, which is narratives for this study. Table 1 indicates spatial proximization framework (SPF) adapted from Cap (2013).

Category	Key items
1. (Noun phrases (NPs) construed as elements of the deictic centre of the DS (IDCs))	["Baringo county", "Baringo"]; ["people of Baringo", "people of Block 12A", "our clan/clansmen/relatives/ ancestors/people/community/ county"]; ["resettle people/the community/villagers"]; ["protect people/the community/villagers"]; ["loyal people/Tugens/Marakwet/elders"]
2. (NPs construed as elements outside the deictic centre of the DS (ODCs))	["government", "governor", "senator", "county"]; ["the company/ Tullow/Delonex" ["owners/grabbers"]; ["foreigners/Chinese/foreign company"]
3. (Verb phrases (VPs) of motion and directionality construed as markers of movement of ODCs towards the deictic centre)	["are determined/intend to take/acquire our land"]; ["might/may/could/can take our land from our IDCs"]; ["use bribe/force/police/guns/military/army against an IDC"]; ["have started/are displacing/are chasing/forced/are forcing/have set their course towards confrontation with an IDC"]
4. (VPs of action construed as markers of impact of ODCs upon IDCs)	["displace/chase/evict/force out/push out an IDC"]; ["set fire/torched/ burned/burned down an IDC or IDC homes/villages/property/crops"]; ["killed/harmed/maimed/wounded an IDC or IDC animals/livestock/ goats/cows"]
5. (NPs denoting abstract concepts construed as anticipations of impact of ODCs upon IDCs)	["threat"]; ["danger"]; ["risk"]; ["hunger"]; ["death"]; ["homeless"]; ["landless"]; ["squatters"]; ["displaced"]; ["poor"]
6. (NPs denoting abstract concepts construed as effects of impact of ODCs upon ODCs)	["catastrophe"]; ["tragedy"]

Table 1: Spatial proximization framework (adapted from Cap 2013: 109) and its items lexico-grammatical for THFRH and KVPA

The six categories depicted to the left of Table 1 are stable elements of SPF, while the key items provided in the right-hand column were extracted from the actual narratives. These were the most frequent elements of spatial proximization. Cap (2017) notes that the framework and its 6 categories capture not only the initial arrangement of the DS but also (and crucially) the shift leading to the ODC-IDC clash (3, 4) and the (anticipated) effects of the conflict (5, 6). According to Cap (*ibid.*), the third category, central to the framework's design, sets 'traditional' deictic expressions such as personal pronouns to work pragmatically with the other elements of the superordinate VP. As a result, the VP acquires a deictic status. On top of conventionally denoting static DS entities (marked by pronominals), it also helps index a more challenging element of context, their movement, which establishes the target perspective construed by the speaker. Subsequently, these results depict apparent *Good vs Evil Frame*. An example:

State officials are plotting against us... to take our land.

This illustrates the “we” - those to whom the injustice is done - and an obvious “they” who are responsible for the injustice (Gamson 1992), thereby creating a good vs evil divide. Effective frames are “empirically credible,” consonant with what their audiences know to be true (Benford and Snow 2000). Therefore, those who articulate the frame should also be credible (*ibid.*).

6 Discussion

Based on the analysis of the narratives, it is argued here that the framing of land injustice by the two CBOs did not vary substantially, and the following predominant four frames were found throughout the sampled narratives: *Victim*, *Insecurity of Tenure*, *Good vs Evil*, and *Bad Governance*. In both CBOs, the major elements within the frames in the narratives included forced eviction, efforts to resist eviction, suffering, bad governance, impending threat, and the negative consequences of forced eviction and displacement. Notably, change in land laws was rarely evident within the narratives. However, some differences between the two CBOs emerged. For instance, the *Insecurity of Tenure Frame* comprised the KVPA group majorly, while THFRH dominated the *Victim Frame* and the *Good vs Evil Frame*. However, the *Bad Governance Frame* received an almost equal status for both CBOs, perhaps due to similar experiences with the shared government leaders and administrative structures. The results demonstrate that emotion-provoking narratives remained relatively homogeneous for both CBOs, with land injustice frames frequently narrated in contexts of forced eviction, displacement, lack of compensation, poverty, tenure insecurity, and flawed enactment of laws. There is a general linguistic communication of emotions such as anger, frustration, despair, desperateness, resentment, and fear-laden in the narratives of both CBOs. The common positioning of particular frames of injustice underscores CBOs’ attitudes, opinions, and habitual frameworks for advocating for land rights. The similarity of framing by the two CBOs indicates hegemonic ideologies and practices for advocacy and legitimisation. The frame analysis illustrates that the most salient features of land injustice stories by both CBOs include the *Victim Frame*, *Good vs Evil Frame*, *Tenure Insecurity Frame*, and *Bad Governance Frame*.

In contrast, the land policy in Kenya remains partially applied, particularly concerning community land. These findings have relevant implications for Kenya’s Community Land Act (2016) and related laws in the attempt to solve land injustice. Moreover, narrations of residents of the two regions signal that they are highly determined to hold on to their claim of ownership over the land until their rights are reinstated. By contrast, members of both national and county governments recognise neither the allegations nor struggles of these CBOs. Since these citizens do not have title deeds to the claimed land, which is considered by the land legislation of Kenya as incontestable evidence of land ownership, the citizens cling to outdated documents (if any) to support their cause. Notably, the Kenya Constitution (2010), promulgated on 27th August 2010, directs that “unregistered community land shall be held in trust by county governments on behalf of the communities for which it is held”. However, nowhere in the Act are the powers of county governments as trustees of the land specified. Further, narratives of these citizens echo customary tenure, which refers to the holding of land based on customs/traditions, where there are no formal or state title deeds as with statutory tenure (Van-Asperen and Mulolwa 2008). Land ownership in this category relates to the communal possession of land rights. As evidenced, CBOs have been established in these regions to advocate for statutory land tenure as one voice, given the conflicting customary-statutory tenure that is the leading cause of tenure insecurity in Kenya. The residents of the two regions prefer CBOs as opposed to most cases where a single person in the group

administers on behalf of the entire group (see Payne and Durand-Lasserve 2012). Access to land is regulated by the notion of appropriation, which is a concern through protest of the common. Given Locke (1960 [1988]), appropriation is legitimate only if “enough and as good” is left in common for others. Thus, a person(s) who discovered and claimed ownership of, for instance, minerals and fossils in the said regions do not automatically command full ownership of these resources if it disadvantages others. In welfare terms, no one should be made worse off in some sense by the appropriation of the affected citizens. Thus, the reasons for CBOs’ resilience in this study are: (a) The “mysterious” 1949 Blueprint; (b) the Land Act 2012; (c) Ndung’u Report (2006); (d) Njonjo Report (1989); (e) Truth Justice and Reconciliation Commission (2008); and (f) Presidential promises brought to the entities and/or their citizen(s) by influential government officials across decades.

The centrality of land [...] in people’s livelihoods has also meant that such resources [land] have enjoyed the keen attention of the state – whether colonial or independent, central or local. Right to land [...] not only determines control over economic sources of livelihood but, for states and governments have also meant political control over African populations” (Benjaminsen and Lund 2003: 1).

This situation leads to multifaceted findings and an array of speculations regarding the ownership and management of land (including its resources) in the regions in question. The efforts to secure resettlement and compensation by displaced persons and those that foresee displacement leave imprints on anthropology and development research in Africa, especially in Kenya.

7 Conclusion

The results from this study support the conclusion that access to land and its resources is still a significant concern of communities in Africa. Here, the public narratives sampled from the two CBOs reveal four predominant frames: *Victim*, *Insecurity of Tenure*, *Good vs Evil*, and *Bad Governance*. Within these frames, emotions such as fear, anger, frustration, despair, desperation, and resentment were evident. These findings support earlier works on narratives/stories in social movements (Ganz 2010; Patterson and Monroe 1998; Young 2000; Stone 1989; Davis 2002) and studies on the linguistic communication of emotion (Habermas 2019; Rimé 2009) as increasingly essential to illuminate the struggles of the society, and for this particular study, the efforts of CBOs amid the flawed implementation of customary and statutory land tenure systems in Kenya and how they directly affect the ordinary person. Suffice it to say, the government has not been keen to scrutinise the predicament of the affected persons and communities. To wind up, the results of this research exemplify that there is a need for a great deal of empirical research, particularly on grassroots narratives, to be conducted on the state and society to capture the everyday intertwinement of government projects, groups or individuals, and the state per se, which is permanently “at work” (Bierschenk and Olivier de Sardan 2013). While the state claims to be the guarantor, enforcer, and owner of natural resources and related land, populations are continuously being expropriated and displaced by state services for “development” reasons. Without overstating the situation, the emotion-provoking injustice narratives in this study propose that such CBOs utilise grievances and concerns that transcend locality and social groups in advocacy. The government’s forceful hand in collaboration with local and international land developers and prospectors of minerals and oil has created enormous material, physical, mental and socio-economic damages for the displaced persons and those living on unadjudicated land, as reflected through the frames within the narratives. The frames and the linguistic communication

of emotions within the narratives of this study have highlighted the extent of state power as well as promoted questions about the functioning of formal institutions and the state's capacity to handle land issues and related injustices in the Republic of Kenya.

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References

- Beckwith, Karen. 2013. "Narratives of defeat: Explaining the effects of loss in social movements." *Paper Presented at the Annual Meetings of the Midwest Political Science Association, April 11-14*. Chicago, IL.
- Benford, Robert D. & Snow, David. 2000. "Framing processes and social movements: An overview and assessment." *Annual Review of Sociology* 26(1): 611-639.
- Benjaminsen, Tor Arve & Lund, Christian. 2003. *Securing Land Rights in Africa*. London, Portland, OR: Frank Cass (in association with EADI, Europe).
- Bierschenk, Thomas & Jean-Pierre, Olivier de Sardan. 2013. *States at Work: Dynamics of African Bureaucracies*. Leiden/Boston: Brill.
- Broegaard, Rikki B. 2013. "Biting the barefoot: Land titles and tenure security in the context of inequality." *DISS Report 2013* (32). Copenhagen.
- Büthe, Tim. 2002. "Taking temporality seriously: Modeling history and the use of narratives as evidence." *American Political Science Review* 96 (3): 481-493.
- Cap, Piotr. 2013. *Proximization: The Pragmatics of Symbolic Distance Crossing*. Amsterdam: John Benjamins.
- Cap, Piotr. 2017. *The Language of Fear: Communicating Threat in Public Discourse*. Basingstoke: Palgrave Macmillan.
- Chileshe, Roy Alexander. 2005. *Land Tenure and Rural Livelihood in Zambia: Case Studies of Kamena and St Joseph (Unpublished doctoral dissertation)*. University of Western Cape.
- Chilton, Paul. 2004. *Analysing Political Discourse: Theory and Practice*. London: Routledge.
- Davis, Joseph E. 2002. "Narrative and social movements: The power of stories." In Joseph E. Davis (ed.), *Stories of Change: Narrative and Social Movements*, 3-29. Albany: State University of New York Press.
- Entman, Robert. 1993. "Framing: Towards clarification of a fractured paradigm." *Journal of Communication* 43: 51-58.
- Ezenwa, Li, Omondi Pa, Nwagbara Mo, Gbadebo Am, & Bada Bs. 2018. "Climate variability and its effects on gender and coping strategies in Baringo County, Kenya." *Journal of Applied Science & Environment Management* 2 (5): 699-706. doi: 10.4314/jasem.v22i5.14.
- Fine, Alan Gary. 2002. "The storied group: Social movements as 'hundles of narratives'." In Joseph E. Davis (ed.), *Stories of Change: Narrative and Social Movements* (229-245). Albany: State University of New York Press.

- Gamson, William A. 1992. *Talking Politics*. Cambridge: Cambridge University Press.
- Ganz, Marshall. 2010. "Leading change: Leadership, organization and social movements." In Nitin Nohria, & Karesh Khurana, *Handbook of Leadership Theory and Practice*, 527-561. Boston: Harvard Business Press.
- Habermas, Tilmann. 2019. *Emotion and Narrative: Perspectives in Autobiographical Story Telling*. Cambridge, United Kingdom: Cambridge University Press.
- Katzenstein, Mary Fainsod. 1998. *Faithful and Fearless: Moving Feminist Protest inside the Church and Military*. Princeton, NJ: Princeton University Press.
- Locke, John. 1690 [1988]. *Two Treatises*. Peter Laslett (ed.). Cambridge: Cambridge University.
- Matelski, Maaïke, Billian Otundo, Selma Zijlstra, Marleen Dekker, Anne Nangulu, Luuk Van Kempen & Marja Spierenburg. 2018. *Civil Society Engagement with Land Rights Advocacy in Kenya: What Roles to Play? Literature Review*. Leiden; Nijmegen: African Studies Centre Leiden (ASCL): Radboud University.
- Matthes, Jörg & Matthias Kohring. (2008). "The content analysis of media frames: Toward improving reliability." *Journal of Communication* 58: 258-279.
- Mayer, Frederick. 2014. *Narrative Politics*. New York: Oxford University Press.
- Muluka, Barrack. 2010. *Internally Displaced Persons and the Dilemma of the Right of Return: A Case Study of Vumilia Eldoret, Jikaze and Fumilia Narok IDPs in Maai Mahiu in Kenya's Rift Valley Province, 2007-2010*. Unpublished M.A. dissertation, University of Nairobi.
- Ögdül, Hürriyet G. 2010. "Urban and rural definitions in regional context: A case study on Turkey." *European Planning Studies* 18(9): 1519-1541.
- Patterson, Molly & Kristen Renwick Monroe. 1998. "Narrative in political science." *Annual Review of Political Science* 1: 315-331.
- Payne, Geoffrey & Alain Durand-Lasserve. 2012. "Holding on: Security of tenure- types, policies, practices and challenges." Paper prepared for an expert group meeting on security of tenure convened by the special rapporteur on 22-23 October, 2012.
- Polletta, Francesca. 2008. "Culture and movements." *The ANNALS of the American Academy of Political and Social Science* 619(1): 78-96.
- Polletta, Francesca. 2009. "Storytelling in social movements." In Hank Johnston (ed.), *Culture, Social Movements and Protest*, 33-54. Surrey, UK and Burlington, VT: Ashgate Publishing.
- Polletta, Francesca & Chen, Pang Ching Bobby. 2009. "Narratives and social movements." In Jeffrey C. Alexander, Ronald Jacobs, & Philip Smith (eds.), *The Oxford Handbook of Cultural Sociology*. Oxford: Oxford University Press.
- Republic of Kenya. 2016. *The Community Land Act (2016) (No 27 of 2016)*. Retrieved from http://kenyalaw.org/kl/fileadmin/pdfdownloads/Acts/CommunityLandAct_27of2016.pdf
- Republic of Kenya. 2010. *The Constitution of Kenya*. Retrieved from <https://www.wipo.int/edocs/lexdocs/laws/en/ke/ke019en.pdf>.
- Republic of Kenya. 2012. *The Evictions and Resettlement Bill, 2012*, Pub. L. No. Bills No. 44. Retrieved from: <http://kenyalaw.org/kl/fileadmin/pdfdownloads/bills/2012/EvictionsandResettleBill2012pdf>.
- Republic of Kenya. 2014. *The Mining Bill, 2014*, No. 28 Kenya Gazette Supplement. Retrieved from: <http://kenyalaw.org/kl/fileadmin/pdfdownloads/bills/2014/MiningBill2014.pdf>.
- Republic of Kenya. 2014. *The Natural Resources (Benefit Sharing) Bill 2014*, Pub. L. No. 34. Retrieved from:

- http://kenyalaw.org/kl/fileadmin/pdfdownloads/bills/2014/NaturalResources_Benefit_Sharing_Bill__2014.pdf.
- Republic of Kenya. 201. *Lands Laws (Amendment) Bill* (2015b, August 18).. Bill, Nairobi, Kenya. Retrieved from:
[http://www.isk.or.ke/userfiles/LandsLaws%20\(Amendment\)%20Bill%202015.pdf](http://www.isk.or.ke/userfiles/LandsLaws%20(Amendment)%20Bill%202015.pdf)
- Republic of Kenya. 2019. *The Petroleum Act* (2019). Retrieved from:
<https://www.epra.go.ke/download/the-petroleum-act-2019/>.
- Rimé, Bernard. 2009. "Emotion elicits the social sharing of emotion: Theory and empirical review." *Emotion Review* 1: 60-85.
- Senut, Brigitte, Martin Pickford, Dominique Gommery, Pierre Mein, Kiptalam Cheboi & Yves Coppens. 2001. "First hominid from the Miocene (Lukeino Formation, Kenya)." *Comptes Rendus de l'Académie des Sciences*. 332 (2): 140.
[https://doi.org/10.1016/S1251-8050\(01\)01529-4](https://doi.org/10.1016/S1251-8050(01)01529-4)
- Snow, David A. (2004). "Framing processes, ideology, and discursive fields." In David A. Snow, Sarah A. Soule, and Hanspeter Kriesi (eds.), *The Blackwell Companion to Social Movements*, 380-412. Malden: Blackwell.
- Snow, David A. & Robert D. Benford. 1992. "Master frames and cycles of protest." In Aldon D. Morris, & Carol McClurg Mueller. *Frontiers of Social Movement Theory*, 133-135. New Haven, CT: Yale University Press.
- Stone, Deborah A. 1989. "Causal stories and the formation of policy agendas." *Political Science Quarterly* 104(2): 281-300.
- Tarimo, Aquiline S. J. 2014. *African Land Rights Systems*. Cameroon: African Books Collective, Langaa RPCIG.
- TJRC. 2013. *Report of the Truth, Justice and Reconciliation Commission: Volume IIA* (782). Nairobi. Retrieved from
http://nisisikenya.com/wp-content/uploads/2013/06/TJRC_report_Volume_2A1.pdf
- Transparency International Kenya. 2015. *Corruption and Land Governance in Kenya*. Adili Issue 152, June/July 2015. Available online:
"<https://tikenya.org/wp-content/uploads/2017/06/adili->" <https://tikenya.org/wp-content/uploads/2017/06/adili-issue-152-corruption-andland-governance-in-kenya.pdf> (accessed on 1 November 2019).
- Van-Asperen, Paul & Augustine Mulolwa. 2008. "Customary land in Zambia. Improvement of customary tenure security as pro-poor tool for land development - A Zambia case study." *Promoting Land Administration and Good Governance. 5th FIG Regional Conference*. Accra: FIG.
- Van-Loenen, Bastiaan. 1999. *Land Tenure in Zambia*. Maine: University of Maine.
- Young, Iris Marion. 2000. *Inclusion and Democracy*. Oxford: Oxford University Press.

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