

## The Effect of Cultural Factors on Indigenous Community Land Rights on Conflict Transformation Among the Maasai Community in Laikipia County, Kenya

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### Abstract

The purpose of this article is to investigate the effect of specific cultural factors on indigenous land rights and their subsequent influence on conflict transformation among the Maasai. The purpose of this article is to examine the intersection of cultural factors, indigenous land rights, and conflict transformation in Laikipia County, Kenya, where the Maasai community faces protracted disputes arising from the clash between communal tenure systems and external pressures of privatisation and conservation. Adopting an exploratory qualitative research design, the study engaged 102 participants, including community elders, women, youth, and local stakeholders, through key informant interviews and focus group discussions to gather in-depth insights. Participants were selected using purposive and snowball sampling techniques based on their knowledge, experience, and involvement in indigenous land issues and conflict dynamics within the Maasai community. The findings reveal that the erosion of communal land tenure is a primary driver of conflict, exacerbated by a generational divide in which elders view land as sacred, inalienable heritage, while youth increasingly seek individual titles for economic empowerment. Furthermore, the data indicate that cultural practices such as pastoral mobility and traditional governance clash with modern legal frameworks, intensifying disputes when customary systems are marginalised, and elder authority is undermined. The study concludes that sustainable conflict transformation cannot rely solely on statutory or market-based solutions; instead, it requires innovative hybrid governance models that integrate indigenous values and communal stewardship with modern economic realities to address the root causes of land-based violence.

**Key terms:** Communal land tenure, conflict transformation, cultural factors, indigenous land right, Maasai community.

## INTRODUCTION

The interplay between cultural factors, indigenous community land rights, and conflict transformation constitutes a complex nexus where historical marginalisation, legal ambiguity, and evolving socio-economic dynamics converge. At the heart of this intersection is the concept of land control, which serves as the primary determinant not only of resource access but also of the cultural survival of indigenous populations. Contemporary scholarly discourse recognises that land control extends far beyond the physical occupation of territory; it is a continuous process of claiming, defining, and enforcing authority over resources and people. Within this paradigm, new frontiers of land control are constantly forged through political and social mechanisms driven by the anticipation of future value. State and private actors frequently enclose indigenous landscapes not for their current utility, but for their speculative worth, systematically undermining existing communal tenure systems.

This dynamic vividly illustrates the plight of indigenous communities such as the Maasai, whose cultural reliance on communal grazing lands is directly threatened by external assertions of control. These encroachments are frequently legitimised by state power and formal legal frameworks that inherently delegitimise customary usage. Consequently, effective conflict transformation in these contexts cannot be reduced to the mere resolution of physical boundary disputes. Instead, it must confront the underlying power asymmetries that dictate who possess the authority to control land and whose claims are rendered illegal. When formal systems fail to recognise indigenous sovereignty, conflict ceases to be an anomaly; it becomes a structural inevitability born of competing authorities.

Building on the structural dynamics of land control, the vulnerability of indigenous land rights is deeply rooted in the legal architectures that govern tenure systems. Wily (2011) provides a scathing critique of these legal frameworks in Sub-Saharan Africa, arguing that the law itself is the primary instrument for undermining common property rights. Her central argument is that despite the existence of progressive international statutes and constitutional protections, domestic laws in African nations often retain a distinct

bias towards privatisation and state ownership, leaving communal lands legally naked and vulnerable to expropriation. Wily (2011) asserts that the failure of the law to formally recognise customary tenure as a form of private property rights creates a paradox where the majority of landholders, in this case, indigenous communities, lack the legal title necessary to defend their territories against encroachment. This legal vulnerability acts as a catalyst for conflict by removing the peaceful dispute-resolution mechanisms that secure property rights. When indigenous communities cannot appeal to a recognised legal right to their land, disputes often escalate from legal wrangling to physical confrontation.

Furthermore, Wily (2011) suggests that this legal marginalisation is not accidental but is often a vestige of colonial land policies designed to keep land “available” for the state. Consequently, any attempt at conflict transformation that focuses solely on mediation without addressing these foundational legal inequities is likely to fail, as the root cause, the lack of secure legal title, remains unresolved, leaving the community perpetually insecure and prone to conflict.

The consequences of this legal and structural vulnerability are vividly illustrated in the specific transformation of property rights within Kenya’s Maasailand. Mwangi (2007) explores the political and social intricacies of land subdivision, a process that fundamentally alters the Maasai people’s cultural fabric. The core idea presented by Mwangi (2007) is that the subdivision of communal lands into individual private plots, often touted by development agencies and the state as a pathway to modernisation and economic security, actually disempowers the community by eroding the traditional safety nets embedded in communal land management. She argues that the shift from communal to private tenure is not merely a change in land use but a profound transformation of social relations and cultural identity. This subdivision creates internal fragmentation, leading to conflicts between those seeking to sell land and those seeking to preserve it for pastoral use.

Mwangi (2007) highlights that, rather than resolving conflict, privatisation often intensifies it by commodifying land, pitting community members against one another, and making it easier for external

elites to acquire land. Therefore, the cultural factor here is the tension between traditional communal values, which prioritise shared stewardship and mobility and the imposed Western legal concept of individual title. Conflict transformation in Laikipia must therefore grapple with the reality that land privatisation, while legally sanctioned, culturally destabilises the community, creating new internal conflict frontiers that mirror the external pressures described by Peluso and Lund (2011).

This fragmentation and cultural erosion contribute significantly to the escalation of violence, a phenomenon analysed by Greiner (2013) in the context of Northern Kenya. Greiner's (2013) study shifts the focus to the instrumentalisation of cultural practices, specifically cattle raiding, within the broader political economy of land and elections. His central argument is that what are often portrayed as traditional ethnic or cultural conflicts are actually modern political manoeuvres driven by competition for land and state power. Greiner (2013) posits that violence in these regions is not a spontaneous eruption of cultural animosities but a calculated tool used by elites to manipulate land boundaries and disenfranchise political opponents. In this framework, cultural identities become weaponised; the Maasai and their neighbours are pitted against one another not merely out of historical rivalry, but because violence serves as a method of land control.

This perspective is crucial for conflict transformation because it challenges the narrative of ancient hatreds and demands a political solution to what is often misdiagnosed as a purely cultural or resource-based problem. By linking guns, land, and votes, Greiner (2013) demonstrates that conflict transformation requires dismantling the political incentives that reward violence, rather than simply attempting to mediate between warring cultural groups. The cultural factor here is the manipulation of ethnicity, where land rights become the prize in a high-stakes political game, rendering traditional conflict resolution mechanisms obsolete.

The politicisation of ethnicity and land control is further complicated by the intersection of conservation efforts and indigenous rights, a paradox that Dawson et al. (2021) explores. While conservation

is often viewed as a neutral environmental good, Dawson et al. (2021) argues that, in Latin America and, arguably, in conservation contexts in East Africa, it frequently functions as a form of "green colonialism" that undermines indigenous sovereignty. Her central idea, "the indigenous paradox," refers to the contradictory situation where indigenous communities are celebrated as stewards of the environment in global discourse, yet are systematically displaced from their ancestral lands in the name of conservation. Dawson et al. (2021) contends that by prioritising the protection of biodiversity over the rights of human communities, states and conservation organisations create a regime where indigenous land rights are suspended in favour of state-controlled protected areas.

This dynamic is particularly relevant to Laikipia, where the creation of private conservancies and wildlife sanctuaries has often restricted Maasai access to traditional grazing lands. The cultural factor here is the clash between global environmental values and local indigenous livelihoods; the Maasai are excluded from lands they have historically managed based on a narrative that they are harmful to the very ecosystems they have sustained for centuries. Conflict transformation in this arena requires reconciling the paradox of recognising indigenous land rights while simultaneously pursuing environmental goals, suggesting that true conservation cannot be achieved without securing indigenous sovereignty.

The marginalisation discussed by Dawson et al. (2021) and Mwangi (2007) creates an environment where corruption and the abuse of power can thrive, exacerbating conflicts between indigenous pastoralists and other land users. Benjaminsen and Ba (2009), writing about the Inland Niger Delta but offering insights applicable to the Kenyan context, argue that farmer-herder conflicts are often driven less by environmental scarcity or cultural incompatibility and more by the marginalisation of pastoralists and the corrupt practices of local elites. Their central thesis challenges the Malthusian narrative that climate change and resource scarcity inevitably lead to conflict. Instead, Benjaminsen and Ba (2009) provide a political ecology analysis, demonstrating that conflicts are often manufactured by local officials who use the legal system to favour

farmers or politically connected groups, thereby criminalising pastoralism and displacing herders. They argue that corruption, bias, and incompetence in the local judiciary and administration are the primary drivers of violence, as these institutions fail to uphold the rights of minorities like the Maasai. In the context of Laikipia, this suggests that the cultural perception of pastoralists as backward or destructive is institutionalised through corrupt administrative practices that deny them justice. Conflict transformation, therefore, must address the governance deficit; it is not enough to change cultural attitudes if the institutions enforcing land laws remain biased and corrupt. The cultural stigma against pastoralism becomes a tool for political exclusion, necessitating a transformation of the institutional landscape rather than just the interpersonal relationships between conflicting groups.

Synthesising these perspectives, Gilbert (2017) offers a reflective analysis of how indigenous rights are framed and imagined within Kenya's specific context, providing a bridge between global theory and local reality. Gilbert (2017) employs the concept of the comparative imagination to explore how Kenyan indigenous activists make their case for land rights, often by navigating between universalising human rights discourses and deeply specific local histories. Her central argument is that the success of indigenous land claims depends on effectively translating local cultural grievances into a language that resonates with national and international legal frameworks, without losing the distinctiveness of the cultural identity that grounds the claim.

Gilbert (2017) observes that in Kenya, the “making of the case” for Maasai land rights involves a complex performance of indigeneity that must satisfy the expectations of state bureaucrats, NGOs, and international donors. This process is fraught with tension, as it requires indigenous communities to present themselves as both distinctively traditional to prove authenticity and modern to prove capability. For conflict transformation, this implies that the recognition of land rights is not a straightforward legal event but a negotiation of identity. The cultural factors that drive the conflict, such as the Maasai's transhumance practices, must be reframed not as obstacles to development, but as valid land-use

systems protected by law. Gilbert (2017) ultimately suggests that the comparative imagination allows for the reconfiguration of the relationship between the state and indigenous peoples, but only if the state is willing to move beyond a rigid, monolithic understanding of land ownership.

## Statement of the Problem

The Maasai community in Laikipia County continues to experience protracted conflicts over land rights, driven primarily by the clash between indigenous communal tenure systems and external pressures of privatisation, commercial agriculture, and wildlife conservation (Kameri-Mbote, 2013). Although previous studies have largely focused on the legal and political frameworks surrounding these disputes, there remains a significant gap in understanding how intrinsic cultural factors such as traditional authority, spiritual attachment to land, and customary conflict resolution rituals interact with formal land rights to influence the outcomes of conflict transformation (Lenaola, 2016). This oversight is problematic because interventions that ignore the cultural dynamics of the Maasai often fail to achieve sustainable peace, leading to recurring displacements and resource-based violence (Mutunga, 2019). Therefore, the problem addressed by this study is the lack of empirical evidence regarding the specific role of these cultural factors in shaping land rights and facilitating effective conflict transformation among the Maasai in Laikipia County. Consequently, the study specifically examined how traditional cultural practices and indigenous land tenure systems influence conflict transformation processes and sustainable peacebuilding within the Maasai community.

## LITERATURE REVIEW

According to a 2010 research paper by Holden and Remy Sietchiping persistent and often violent conflicts at the family, ethnic, tribal, national, and regional levels frequently stem from disputes over land and its natural resources. Holden and Remy Sietchiping (2010) thoroughly examines the intricate interplay of cultural factors leading to land-based conflicts. The research contends that, beyond mere property rights, achieving enduring peace requires ensuring equitable access to land rights for all individuals and acknowledging the cultural nuances at play. Advocating for a 'continuum of land rights' approach, Holden and Remy Sietchiping

underscores the significance of recognising the diverse array of legitimate land access mechanisms and practices rooted in different cultures.

By delving into power dynamics and the political economy of property rights, particularly regarding land access, use, and transfer, the paper sheds light on how cultural influences shape conflicts over natural resources across Sub-Saharan Africa. Holden and Remy Sietchiping emphasises that understanding and managing these cultural power dynamics are pivotal for effectively preventing and resolving land conflicts. Moreover, the paper underscores the challenges of concurrent tenure systems in many countries, where customary practices often clash with formal arrangements, exacerbating cultural tensions. Holden and Remy Sietchiping argue that demographic shifts, urbanisation, and the breakdown of traditional authority structures exacerbate these conflicts. It shows that it is necessary to recognise the role of cultural factors when navigating land-based conflicts, which are dominant in Sub-Saharan Africa and are fuelled by political rhetoric and resource-related issues such as drought and famine.

le Polain de Waroux et al. (2021) investigated the role of culture in land system science in a study conducted in Canada. The study, which employed a comprehensive literature review, found that land system science (LSS) is strongly influenced by culture. First, cultural norms, traditions, and values shape how communities interact with and utilise land. Different cultures have distinct practices regarding agriculture, grazing, settlement patterns, and resource management. For example, indigenous cultures often have traditional land management techniques closely tied to their cultural beliefs and practices, which could serve as a foundation for conflict transformation by integrating traditional ecological knowledge and customary practices into conflict-resolution mechanisms. Secondly, cultural norms determine the distribution of land rights and ownership within societies. These norms influence land tenure systems, including inheritance practices, communal ownership, and customary land rights, underscoring the importance of acknowledging and respecting diverse cultural perspectives in conflict-resolution processes.

The conflict between Tiv farmers and Fulani pastoralists in central Nigeria until 2014 exemplifies how cultural factors intertwine with socio-economic, geo-political and environmental dynamics to fuel land-based disputes. Genyi's (2017) research highlights the historical backdrop of this conflict, noting the once-peaceful coexistence between the two groups. However, escalating tensions from the 1990s, primarily over land access and grazing areas, erupted into armed conflicts by the mid-2000s. The conflict centres on the economic production differences between sedentary Tiv farmers and nomadic Fulani pastoralists. Tiv farmers face challenges such as population growth and soil degradation, while Fulani pastoralists face modernisation pressures and environmental degradation.

Immediate triggers include encroachments onto farmlands by Fulani herds, crop destruction, and water disputes exacerbated by cattle contamination. Sexual harassment and extortion by vigilante groups add further complexity. Genyi (2017) also highlights the marginalisation of the Fulani by Nigerian governments, exacerbating grievances and resistance to modernisation efforts. Key stakeholders, including Pilakya Moses and the Miyetti Allah Cattle Breeders Association, have proposed solutions such as creating cattle ranches and grazing reserves. Achieving lasting resolution requires addressing socio-economic disparities, environmental challenges, and effective conflict resolution mechanisms. Additionally, the contestation for land resources involves ethnic and religious dimensions, adding political complexity that must be addressed for conflict transformation.

In Ifakara, Morogoro, Tanzania, Kavishe (2022) investigated the influence of sociocultural influences on women's land ownership rights. To identify the six socio-cultural factors impeding women's land ownership rights, the study used cross-sectional data, quantitative analysis, and content analysis. These factors included property ownership norms, polygamy practices, traditional gender roles, male dominance, male migration patterns, and property inheritance customs. Statistical analysis revealed significant correlations between these factors and the obstruction of women's land ownership rights. Gender is an essential aspect of cultural interactions, and according to the study, addressing these socio-cultural

barriers is vital in promoting gender-inclusive conflict transformation processes that empower women to assert their land rights and participate in decision-making.

Another study conducted by (Migowe et al., 2024) explores the intricate world of land conflict at the local community level. It examines the scope, causes, and effects of the conflict, as well as the gender dynamics surrounding women's roles in landholding, transactions, and inheritance. It also identifies vulnerable groups affected by these conflicts. The study assesses how land disputes affect the social well-being of men and women, the larger community, and agricultural productivity. The results show an alarming increase in land conflict at the local level, impacting both genders and especially vulnerable populations like widows, unmarried women, orphans, and children born outside of marriage. These conflicts stem from many factors, including cultural inheritance systems, material greed, and resource scarcity, and are driven by political sentiments from leaders. While women's rights to landholding and inheritance gradually improved, their power over land transactions remained limited. Children often lose their land rights due to cultural norms inhibiting them from challenging elders, leading to instances of land grabbing. In divorce cases, women typically fare worse, but when conflicts involve land grabbing, they tend to prevail. These two studies show that gender is a vital cultural aspect behind many land-based conflicts.

Njoka et al. (2022) examined sociocultural and historical factors contributing to land conflict in Laikipia County in a separate study. Using a cross-sectional survey, information was collected from a random sample of 90 people drawn from a target population of 300. Schedules for interviews, focus groups, and observation checklists were used to gather data. The findings highlighted the deep-seated injustices stemming from post-independence land redistribution policies, the destabilising impact of the breakdown of the traditional governance system, and the exacerbating effects of communal land subdivision and sale. Notably, cattle rustling emerged as a prominent socio-cultural factor contributing to conflict, alongside communal land ownership and cultural attachment to cattle. The study revealed that

understanding the socio-cultural dynamics driving conflict is crucial to developing context-specific interventions to address underlying grievances and promote sustainable peacebuilding.

Aiyabei (2021) conducted an intriguing study in Kenya to examine the connection between conflict dynamics in the Kerio Valley Delta and socio-cultural elements. The project, which was conducted in Turkana, West Pokot, Elgeyo Marakwet, and Baringo Counties, uses cross-cultural and correlational research designs. Data was gathered from community elders, Morans households, and government officials using purposive, random, snowballing, and census approaches. There were 384 participants, and qualitative data were analysed thematically, while quantitative data were analysed both descriptively and inferentially. The findings showed that in the Kerio Valley Delta, sustaining status, ethnic identity, cultural belief systems, livelihood possibilities, and conflict dynamism are strongly positively correlated.

Consequently, it showed that in order to create conflict transformation programs that address underlying issues and foster transformation initiatives that address root causes and promote reconciliation and social cohesion within diverse communities. In the northern expanse of Tanzania, the plight of thousands of Maasai individuals resided within the Ngorongoro and Loliondo regions epitomises the contemporary struggle against forced displacement, orchestrated to clear the path for burgeoning tourist attractions and expansive wildlife sanctuaries. These geographical territories hold profound significance for the Maasai populace, who have historically cohabited harmoniously with wildlife, proximate to protected zones where fauna flourishes. The contemporary scenario bears a striking resemblance to the historical injustices endured by the Maasai, evoking narratives chronicled in scholarly treatises such as "Moving the Maasai: A Colonial Misadventure." The annals of British colonialism in East Africa are replete with instances of coerced relocations, motivated by imperatives ranging from facilitating white settler colonialism to instituting mechanisms for the taxation and regulation of indigenous communities (Hughes, 2022).

Like the Maasai, the Ogiek, indigenous to Kenya, faced encroachment on their ancestral lands in the Mau Forest, leading to forced evictions and the allocation of land to non-Ogiek individuals. This sparked significant conflict as the Ogiek fought to protect their land rights. In response, Ogiek members filed a case in 1997, hence asserting their constitutional rights and challenging the forest's gazettement (Barume, 2010). Despite initial legal victories, subsequent government actions, including the reduction of disputed lands in 2001, undermined their efforts and escalated tensions. The Ogiek sought legal recourse to halt further evictions and land allocations, emphasising their cultural and historical ties to the forest. However, judicial decisions failed to adequately protect their rights, and forced evictions perpetuated the conflict over land rights and exacerbated social unrest (Barume, 2010).

According to Hughes (2022), the Maasai communities are still enthralled in land rights movements and continue to suffer the consequences of the ensuing conflicts. In 2022, for instance, images of distressed Maasai community members being forcibly relocated from their dwellings, subjected to coercion by law enforcement entities, circulated on social media platforms and triggered considerable consternation within the public sphere. Activist circles have vociferously expressed their indignation at infringements on land and human rights, spotlighting a protracted conflict dynamic between the Maasai community and governmental authorities. This historical discord has its origins in the colonial and post-colonial eras, in which the crux revolves around land parcels coveted by governing bodies for diverse purposes, notably wildlife conservation. A prevailing misconception holds that human habitation and wildlife preservation are inherently incompatible, thereby prompting governments to prioritise tourism and wildlife preservation over indigenous communities' rights and interests (Hughes, 2022).

Similarly, the Sengwer people, estimated at 33,000 people, are among Kenya's most marginalised communities (KNBS, 2019). The government's conservation efforts in the Embobut forest have resulted in the relocation and eviction of the Sengwer people, an indigenous group living in the Cherangany hills of Kenya. In the Embobut forest, on April 29, 2024,

more than 150 Kenya Forest Service guards stormed Sengwer dwellings in Kapkok glade and set them on fire, burning all of their possessions and leaving residents vulnerable and penniless during a period of heavy rain. Over 2,800 households have been impacted by the more than 800 burning houses (Minority Rights Group, 2024). These conflicts illustrate the complex and often contentious nature of land rights issues arising from competing interests in land use, resource extraction, conservation, and indigenous rights.

The existing literature on land-based conflicts highlights several research gaps that warrant further exploration. Despite extensive analysis of cultural factors influencing land disputes, there is limited empirical evidence on how specific cultural practices impact conflict dynamics among particular communities, such as the Maasai in Kenya. While Holden and Remy Sietchiping (2010) emphasises the importance of equitable land rights and the 'continuum of land rights' approach, there is a need for detailed studies on how these principles can be effectively implemented in culturally diverse regions. Additionally, the role of gender, as discussed by Kavishe (2022) and (Migowe et al., 2024), remains underexplored, particularly in understanding how socio-cultural norms in conflict-prone areas shape women's land ownership and rights. The studies by le Polain de Waroux et al. (2021) and Genyi (2017) suggest that cultural norms significantly influence land use and ownership. Yet more research is needed to integrate traditional ecological knowledge into modern conflict-resolution strategies. Furthermore, Njoka et al. (2022) and Aiyabei (2021) identify historical injustices and socio-cultural factors as critical contributors to land conflicts. Still, more targeted research is needed to examine these issues within the Maasai community.

## METHODOLOGY

This study adopted an exploratory research design. The decision to choose an exploratory research design was supported by the fact that it does not emphasise structure, which gave the researcher greater leeway and freedom to determine how the research process unfolded. According to Kothari (2014), an exploratory research design was used when the researcher was unsure whether the study population would exhibit the study's features or characteristics. Furthermore,

because exploratory research revealed facts and raised new questions, it fulfilled the researcher's interest and deepened the researcher's understanding of a contagious topic (Kothari, 2014).

Laikipia County, one of Kenya's 47 counties, is situated in the nation's centre. The county's population was heterogeneous, comprising members of several ethnic groups, including the Maasai, Samburu, Kikuyu, Turkana, and others. A total of 518,560 people were projected to live in the county in 2019 (Kenya National Bureau of Statistics, 2019). Laikipia County's primary economic activity was agriculture, which included both crop growing and animal rearing. Large-scale ranches and conservancies in the area were well-known for their important roles in both tourism and wildlife protection. Horticulture, especially floriculture, was another industry that was expanding in the county. Farmers, ranchers, and pastoralists made up the

northern, eastern, and western constituencies of the Laikipia region.

The target population referred to the particular population or entities that the study intended to study or collect data from (Creswell & Creswell, 2022). The Maasai community in Laikipia County was among the study's target groups. According to the Kenya National Bureau of Statistics (2019), the Maasai community in Kenya, one of the most well-known ethnic groupings in the nation, was home to about 1.2 million people. However, the Minority Rights Group (2023) stated that the precise number was unknown, because a significant portion of the Maasai people refused to participate in the census or deliberately provided false information, believing that the official count was a tool for discrimination against pastoralist tribes.

**Table 1. Target Population Categories**

Category	Specific Sub-Groups
1. The Indigenous Maasai Community (Internal Stakeholders)	<ul style="list-style-type: none"> <li>• Community Elders and Traditional Leaders</li> <li>• Women</li> <li>• Youth (including Morans/Warriors)</li> <li>• Members of Community Land Management Committees</li> </ul>
2. Adjoining Land Users and External Economic Actors	<ul style="list-style-type: none"> <li>• Large-Scale Ranch Owners (Private Farmers)</li> <li>• Wildlife Conservancy Managers</li> <li>• Representatives of Private Investors and Tourism Companies</li> </ul>
3. Governance and Institutional Actors	<ul style="list-style-type: none"> <li>• Laikipia County Government Officials (Lands, Security, Natural Resources)</li> <li>• National Government Representatives (National Land Commission, Judiciary)</li> <li>• Local Administration Chiefs and Assistant Chiefs</li> </ul>
4. Civil Society and Support Organizations	<ul style="list-style-type: none"> <li>• National and International NGO Staff (Land Rights, Human Rights, Pastoralist Development)</li> <li>• Local Community-Based Organizations (CBOs)</li> <li>• Legal Advocates and Human Rights Lawyers</li> </ul>

This category was the central focus of the research, as the Maasai were the primary rights-holders whose historical, cultural, and economic existence was intrinsically tied to the land. Engaging with this community was fundamental to understanding the indigenous perspective on dispossession, the lived experiences of conflict, and their aspirations for justice. However, the community was not a monolith; segmenting it into elders, women, youth, and committee members was crucial for capturing the

diverse internal dynamics, power relations, and varying perspectives on both the conflict and potential solutions.

This group represented the other side of the land-use equation in Laikipia and was essential for a balanced analysis of the conflict's root causes. Large-scale ranch owners, conservancy managers, and private investors embodied competing land tenure systems and economic imperatives such as commercial agriculture,

wildlife tourism, and resource extraction that often clashed with Maasai pastoralism. Understanding their perspectives on property rights, security, and economic viability was critical for diagnosing the power asymmetries and competing logics that fueled disputes.

This category provided the structural and legal framework within which the conflict unfolded, making it a critical focus for understanding systemic drivers of both tension and resolution. County and national government officials, including those from the lands, security, and judiciary sectors, were responsible for implementing policies, enforcing laws, and adjudicating disputes. Their actions, biases, and inactions could either perpetuate historical injustices or provide pathways for securing legal rights.

Civil society organisations (CSOs) served as vital intermediaries, facilitators, and advocates, bridging the gap between communities, the state, and private actors. These groups, including NGOs, CBOs, and legal advocates, provided essential services, such as legal literacy, human rights monitoring, and capacity-building, empowering the Maasai community to claim their rights. They were also often the primary architects of on-the-ground peacebuilding initiatives, fostering dialogue and trust between conflicting parties.

Purposeful sampling was a deliberate and strategic approach to select participants with first-hand knowledge or experience relevant to the research objectives. This sampling technique enabled the identification of information-rich cases within the Maasai community, ensuring that the collected data was pertinent, meaningful, and representative of the broader population. By intentionally selecting participants based on their expertise, involvement, or direct experience with land rights conflicts, purposeful sampling enhanced the study's depth and validity, facilitating an important understanding of the complex issues.

In this study, purposeful sampling targeted individuals with in-depth knowledge, experiences, and perspectives pertinent to land rights conflicts among indigenous communities in Laikipia County. Moreover, purposeful sampling enabled the inclusion of

participants from diverse demographics, including gender, age, socioeconomic status, and educational background, thereby promoting diversity and inclusivity in the research process.

This qualitative study targeted approximately 14,000 community members and stakeholders in the selected areas of Laikipia County, from whom participants with relevant knowledge and experience were identified. The study adopted a sample size of 102 participants, justified on the basis of data saturation, using purposive and snowball sampling strategies that emphasised information power and the saturation point rather than statistical representativeness. The sample was further considered adequate to ensure broad coverage of diverse perspectives and experiences related to indigenous land rights and conflict transformation. This study selected a sample rich in relevant experience from its target population, aiming for diversity in demographics, duration of residence in Kenya and involvement in indigenous land rights matters in Laikipia, as guided by Malterud (2016), who noted that the information power framework prioritises sample quality over quantity for robust thematic depth in small-to-moderate populations.

Hence, this study proceeded to sampling, during which no new insights emerged after 50 interviews were conducted, and was scaled to 102 participants after 5 focus groups containing 8 participants each were incorporated. According to Wutich (2024), qualitative research should include 20-40 interviews to achieve metatheme saturation, with the possibility of scaling through focus groups to capture in-depth narratives. This is to ensure transferability without exhausting resources for a large population (Creswell & Poth, 2018).

In this qualitative study, the data collection instruments included an interview guide, a Focused Group Discussion (FGD) guide, and a document review checklist. Key informant interviews were invaluable tools for accessing in-depth insights from individuals with specialised knowledge and expertise, particularly pertinent in understanding the socio-political dynamics of indigenous communities. The key informant interview guides were meticulously designed to elicit comprehensive perspectives on the underlying factors

contributing to land rights conflicts, the effectiveness of existing conflict management strategies, and the impact of legislative frameworks on indigenous communities (Kumar, 2019). By engaging key stakeholders at various levels of governance, this approach ensured a holistic understanding of conflict dynamics and facilitated the identification of culturally appropriate, context-specific solutions.

Pilot testing was a crucial initial phase of the research process, involving trialling and refining data collection tools before their full-scale implementation. In the scope of this study, pilot testing aimed to ensure the reliability, validity, and cultural appropriateness of the Focus Group Discussion Guide and key informant interview guides.

To be more precise, a pre-test was administered to identify and reword any questions that were unclear, misread, or misinterpreted. The research instruments were pre-tested in Narok South Sub-County, Narok County, where the Maasai people lived and had experienced land-based conflicts.

The validity of a research instrument was crucial for accurately measuring its intended purpose (Mukherjee, 2020). Ensuring the validity and reliability of the collected data was paramount, especially when studying complex issues such as land rights conflicts among indigenous communities in Laikipia County. Content validity was achieved through expert review. Methodological triangulation enhanced data validity and reliability by using diverse methods such as semi-structured interviews, focus group discussions, and document analysis. Pilot testing refined data collection instruments. Member checking engaged participants in verifying preliminary findings, and participant feedback validated data accuracy and relevance.

The data analysis for this qualitative study employed a rigorous approach to uncovering patterns, meanings, themes, and insights within the complex data collected. The analysis prioritised depth and context, illuminating the lived experiences of the Maasai community. Thematic analysis served as the overarching framework for analysing qualitative data (Braun & Clarke, 2021). The process began with familiarisation with the data, followed by coding, where meaningful data units were systematically labelled and categorised (Saldana, 2021).

Before initiating data collection, the researcher adhered to ethical guidelines and obtained the necessary approvals and permits. Authorisation letters were obtained from Kenyatta University, and a research permit was obtained from NACOSTI.

## FINDINGS AND DISCUSSION

### **The Effect of Cultural Factors on Indigenous Community Land Rights on Conflict Transformation Among the Maasai Community in Laikipia County.**

#### **The Erosion of Communal Land Tenure**

A central finding that directly addresses the research objective is the profound erosion of communal land tenure and the concurrent rise of individualisation among the Maasai of Laikipia. Traditionally, Maasai land ownership is deeply communal, a cultural ethos managed through group ranches and revered cultural institutions, where land is viewed not as a commodity but as an inalienable heritage (enkang) held in trust by the living for ancestors and future generations. This theme explores the palpable tension between this deeply ingrained cultural norm and the modern, often externally-influenced, push for individual land titling. The data reveals that this shift is not merely an economic transaction but a fundamental cultural disruption, emerging as a primary driver of intra-community conflict and a catalyst for profound socio-cultural change, directly impacting the community's collective claim to their ancestral territory.

The analysis of the primary data collected through interviews and focus groups uncovers a stark generational and ideological divide at the heart of this transformation. On the one hand, community elders consistently articulate a worldview in which land is a sacred, collective legacy. They speak of its stewardship in spiritual terms, warning that its subdivision severs the community's connection to their past and undermines their cultural identity. On the other side, a growing contingent of educated youth and some community leaders champion individual land titles as a pragmatic pathway to economic empowerment. They argue that in a modern economy, communal land is an asset asleep, and that holding an individual title deed provides the crucial collateral needed to secure loans for business, education, and agriculture, thereby breaking the cycle of poverty. This clash between land as heritage and land as an economic asset is the central conflict narrative that defines this theme and

illustrates the complex effect of evolving cultural values on indigenous land rights.

*“This land is not mine; it belongs to all of us, the living, the dead, and those yet to be born. These title deeds are like a knife cutting our skin into pieces. How can I start a business if my father's land is owned by 500 people? A title deed in my name is my only chance to get a loan and build a future for my family.” (KII Polei October 2025).*

The data from Laikipia County reveal a deep-seated tension that presents a critical arena for conflict transformation. This conflict is not merely about land, but about the very meanings of identity, progress, and governance for the Maasai people. The first statement, reflecting the indigenous worldview of land as a collective, intergenerational resource, highlights the cultural bedrock upon which communal land tenure is built. Here, land is the lifeblood of social cohesion, binding the living, ancestors, and future generations. The visceral metaphor of title deeds as a knife cutting our skin into pieces powerfully illustrates how formal individual ownership is perceived not as an economic tool, but as an act of violence that fragments communal bonds and severs shared custodianship. The implications for conflict transformation are profound: any approach that imposes individual titling without addressing this deep-seated cultural symbolism will likely be perceived as an attack on Maasai identity, thereby sparking resistance and entrenching conflict rather than resolving it.

Conversely, the second statement exposes the economic and social pressures that make the status quo untenable for many. The desire to access credit, build businesses, and secure a family's future demonstrates the practical limitations of communal ownership within a market-oriented economy. This creates a painful dilemma where individuals must choose between cultural continuity and economic survival. For conflict transformation, this highlights a crucial insight: cultural values, while a source of resilience, can also constrain economic agency, creating a fault line that generates intra-community strife. Therefore, sustainable transformation cannot simply champion communalism. It must create space for economic empowerment. The challenge is to forge

innovative, hybrid governance models that reconcile cultural identity with individual economic needs, transforming the zero-sum choice between heritage and progress into a positive-sum synthesis.

This internal conflict is strongly substantiated by secondary research, which further illuminates the transformative challenges. John G. Galaty's (2013) analysis of land politics in Laikipia demonstrates that the imposition of private tenure, framed as modernisation, systematically dismantles communal fabric and creates new intra-community conflicts. This underscores a key principle of conflict transformation: externally imposed solutions that ignore local power dynamics and cultural norms often generate new, more complex conflicts. Complementing this, Esther Mwangi's (2006) work validates the speaker's profound dilemma, showing how the clash between collective inheritance and the need for individual credit forces a painful choice. The implication for transformation is that it must address this systemic paradox. It requires creating new financial mechanisms or legal structures that allow individuals to leverage their collective assets without dissolving them, thereby turning the title deed from a knife into a more versatile tool.

The Naibunga Conservancy serves as a potent, real-world case study of both successful and ongoing conflict transformation. Initially, Naibunga was a remarkable act of transformation. By consolidating nine group ranches, the Maasai proactively transformed an external threat (land grabbing) into an internal opportunity for cohesion. They forged a new collective identity that enabled them to engage in conservation and eco-tourism on their own terms, securing their territory and generating communal income. This demonstrates a core tenet of conflict transformation: empowering a community to redefine its relationship with external actors and build a shared, prosperous future.

However, Naibunga now illustrates the next, more complex phase of conflict transformation: managing the internal tensions that arise from success. The initial unity against an external threat is now being tested by internal pressures for subdivision and individual profit. The conflict has shifted from an us-versus-them struggle to an us-versus-us debate over the meaning

of that newfound prosperity. The critical question for conflict transformation is no longer how to defend the commons, but how to evolve it. Can the community develop internal mechanisms, such as land trusts with specific-use rights, transparent revenue-sharing models, or community-backed microfinance, that allow for individual economic aspirations without destroying the collective asset? The future of Naibunga, and similar communities, depends on transforming this internal conflict from a source of division into a catalyst for creating a more resilient and adaptive form of communal governance.

A participant argued that, *“Before, land belonged to all of us, and elders decided where people could graze and when. Now everyone is fencing their own piece, and outsiders have taken large areas. When drought comes, we fight among ourselves and with our neighbours because there is no common land and no one to listen to the elders anymore.”* (FGD, Laikipia County, October 2025).

This illustrates how the erosion of communal land tenure has disrupted long-standing Maasai cultural systems of collective land management and the authority of elders. The move toward individualised land ownership and external land appropriation has weakened traditional governance structures that historically regulated resource use and mediated disputes. As communal grazing spaces shrink, environmental stressors such as drought intensify competition, leading to frequent and unresolved conflicts within the community and with neighbouring groups.

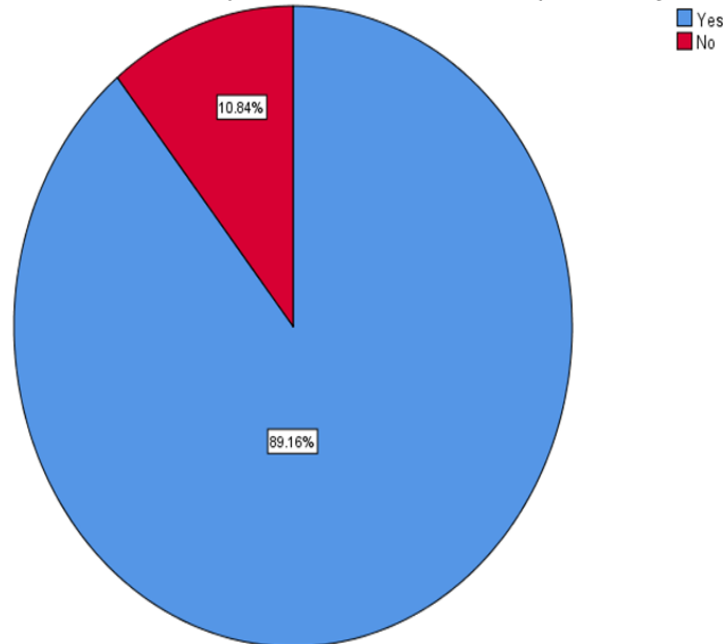
The participant’s account suggests that conflict in Laikipia is not merely about land scarcity, but about

the breakdown of culturally embedded institutions that once enabled peaceful coexistence. Rebuilding or integrating communal land tenure principles and elder-led mediation into contemporary land governance could therefore serve as a conflict-transformation strategy, shifting disputes away from violence toward dialogue, collective problem-solving, and a more sustainable peace grounded in indigenous cultural values.

## **Influence of Cultural Belief in Land Ownership**

Cultural beliefs greatly influence land ownership in Laikipia County, particularly among the Maasai community. Where land is regarded as a sacred heritage passed down from ancestors rather than a commodity for sale or individual possession. This belief underpins the communal system of land use, in which land is collectively managed for grazing and settlement, thereby reinforcing strong social cohesion and identity. However, these traditional perceptions often conflict with modern land tenure systems that promote individual ownership and registration, leading to disputes over boundaries and access rights. The cultural emphasis on patriarchal inheritance further limits women and youth from owning or making decisions about land, perpetuating social inequalities and exclusion. In agreement with Gartzke and Gleditsch (2006), consequently, cultural beliefs not only shape the community’s attachment to land but also influence patterns of conflict, negotiation, and resistance to formal land reforms in Laikipia County, underscoring the need for culturally sensitive land policies that integrate indigenous values with contemporary governance systems.

Do cultural beliefs and practices influence land ownership and use in your community?



**Figure 4.6 Effect of Cultural Factors on Indigenous Community Land  
Source Field Data 2025**

The findings indicate that cultural beliefs and practices significantly influence land ownership and use within the Maasai community in Laikipia County. As shown in the chart, an overwhelming majority of respondents (89.16%) affirmed that cultural traditions shape land relations, while only (10.84%) disagreed. This suggests that land among the Maasai is deeply intertwined with cultural identity, heritage, and social organisation. Traditional norms govern land inheritance, allocation, and use, often emphasising communal ownership and patriarchal control, with men dominating land-related decisions. Such cultural frameworks may hinder the adoption of modern land registration systems and equitable distribution, leading to recurring disputes and marginalisation of women and youth. The dominance of cultural influence underscores the need to integrate indigenous values into land policy and conflict-resolution strategies to ensure interventions are culturally sensitive and sustainable in addressing land-based conflicts within the community. In an interview, an informant stated;

*From my perspective, cultural beliefs play a major role in shaping how land ownership is understood and practised in Laikipia County. I have observed that many communities still view land as a communal asset passed*

*down through generations rather than as an individual possession. This belief system often clashes with modern legal frameworks that promote private ownership, leading to misunderstandings and conflicts. Personally, I believe that land carries not just economic value but also deep spiritual and ancestral significance, making it a source of identity and belonging. Therefore, these cultural beliefs greatly influence people's attitudes toward land use, inheritance, and disputes, reinforcing the need for culturally sensitive land management approaches (KII: Local Ranch Owner El Karama October 2025).*

The perspective of the local ranch owner at El Karama provides a direct, insightful analysis that aligns perfectly with the research theme. The informant explicitly identifies cultural beliefs as the primary driver shaping land conceptions in Laikipia, contrasting the Indigenous view of land as a communal asset passed down through generations with the modern legal frameworks that promote private ownership. This statement underscores that the conflict is not merely economic or legal but is rooted in a fundamental clash of worldviews. The owner's observation that land holds deep spiritual and ancestral significance and is a source of identity and

belonging moves the analysis beyond simple possession, framing land as a living entity intertwined with a community's past, present, and future. This interpretation highlights that for the Maasai and other local communities, land ownership is an expression of collective memory and spiritual stewardship, a belief system that directly challenges and is challenged by the commodified, individualistic nature of statutory title deeds.

The informant's assertion that the clash between communal beliefs and private property laws leads to misunderstandings and conflicts directly addresses the objective. It suggests that conflicts over land in Laikipia are often intractable because they are not just disputes over resources, but battles over identity and meaning. When one party views land through a lens of ancestral legacy and the other through a lens of economic investment and legal title, their positions are fundamentally irreconcilable without a mediating framework. The owner's concluding calls for culturally sensitive land management approaches offer a critical insight into conflict transformation: it implies that solutions imposed solely through the dominant legal system will fail. Effective transformation requires creating a hybrid space where the spiritual and communal value of land is acknowledged and integrated into formal governance structures, thereby bridging the gap between statutory land rights and the deeply held cultural beliefs that define them for the Indigenous community.

As the informant stated, the perspective that cultural beliefs strongly influence land ownership in Laikipia County aligns closely with Abdullah's findings. (2023), who emphasise that customary laws, cultural norms, and local wisdom play a fundamental role in shaping land relations and resolving disputes in Indonesia. Similar to Laikipia, the study highlights how traditional communities perceive land not merely as an economic resource but as a symbol of heritage, identity, and continuity across generations. Abdullah (2023) further asserts that any effective land conflict resolution strategy must incorporate these cultural and customary dimensions to ensure fairness and sustainability. This corroborates the observation that cultural beliefs in Laikipia significantly determine land tenure systems and ownership patterns, often influencing the effectiveness of modern legal

interventions. Therefore, both contexts illustrate that acknowledging cultural and customary frameworks is crucial for mitigating land-based conflicts and promoting social harmony. The study also discussed whether respondents observed any cultural traditions or customs contributing to land-based conflicts in Laikipia County.

*FDG Participant indicated that, "We say this land is our mother. She feeds us, she holds our ancestors' bones, and she will hold our children's children. A mother cannot be divided into plots and given a price. When a young man takes a title deed, he is not just taking a paper; he is saying he is an orphan, that he has no mother. This sickness of wanting to own a piece of the sky, a piece of the earth, is what is turning our sons against their fathers. It is a new kind of conflict; one we have never had to fight before, a fight against our own blood who have forgotten who their mother is." (FDG Laikipia October 2025).*

This quote from a Maasai elder articulates a profound cosmological belief where land is personified as a matriarchal figure, establishing a framework of relational and sacred stewardship rather than proprietary ownership. The analysis reveals that this belief system operates on three interconnected levels: it defines land as the ultimate source of life and identity (our mother), it embeds the community within a continuum of time by linking the living to ancestors and future generations, and it establishes a powerful social taboo against commodification. The act of acquiring an individual title deed is therefore not seen as a simple economic transaction but as a profound act of social and spiritual severance, equivalent to declaring oneself an orphan. This cultural lens directly reframes the source of the conflict, identifying it not as a rational economic choice but as a sickness, a moral and cultural failing that corrupts relationships and creates an unprecedented internal struggle between generations.

The interpretation of this belief reveals that any conflict transformation initiative focusing solely on legal or economic solutions is destined to fail, as it fundamentally misdiagnoses the conflict as material rather than existential. The primary implication is that successful transformation requires a culturally-grounded narrative reframing. Instead of presenting

individual title deeds as progress, mediators and community leaders must facilitate dialogue that re-examines what it means to nurture the mother in a modern economy. This could involve exploring hybrid models in which the land remains legally and spiritually whole and unsellable (perhaps through a Community Land Trust), while individuals are granted secure, inheritable use rights recognised by financial institutions. Such a model transforms the conflict from a zero-sum battle between tradition and modernity into a collaborative effort to find a third way. It honours the elder's worldview by preserving the mother while providing the economic agency the younger generation needs, thereby turning the source of division into a shared project of cultural adaptation and resilience.

## **Cultural Traditions or Customs Contributing to Land-Based Conflicts**

As Njeru (2022) stated, cultural traditions and customs among the Maasai community in Laikipia County play a crucial role in shaping land ownership, use, and conflict dynamics. Traditionally, land is viewed as a communal asset inherited from ancestors, intended for the collective benefit of clans and families rather than individual ownership. This communal outlook often clashes with modern land tenure systems introduced by the government, which emphasise private ownership and legal documentation. The shift from communal to individualised ownership has caused disputes among clans and families, as traditional boundaries are difficult to formalise and enforce. (Mwangi, 2007). Additionally, the Maasai's strong cultural attachment to pastoralism leads to competition over grazing land, especially during droughts, when herders move across boundaries in search of pasture and water. These cultural practices, deeply rooted in their way of life, have intensified conflicts not only within the community but also between the Maasai and neighbouring groups, as land becomes increasingly scarce and contested. In an interview, an informant opined,

*From my observation, cultural traditions and customs have greatly influenced land-based conflicts in Laikipia County. Many communities, including my own, still value land as a communal resource tied to ancestry and heritage, making individual ownership difficult to accept. These deeply rooted beliefs often lead to*

*disputes when modern land tenure systems seek to replace traditional communal stewardship practices. Additionally, cultural norms surrounding inheritance and gender roles sometimes exclude women or younger generations from land ownership, fueling tension and inequality. I believe that while our traditions are important for identity and continuity, they must evolve to accommodate fair and inclusive systems that prevent recurring land-based conflicts (KII: Maasai Elder Rumuruti, November 2025).*

The primary data highlight how deeply embedded cultural traditions and customs act as both a foundation of identity and a source of land-based conflict among the Maasai community in Laikipia County. The respondent's emphasis on land as a communal, ancestral resource reflects a worldview in which land ownership is inseparable from heritage, lineage, and collective memory. This cultural understanding often clashes with modern land tenure systems that prioritise individual ownership, registration, and legal documentation. Such incompatibility generates disputes when state-driven or market-oriented land reforms are introduced without sufficient regard for customary practices. In relation to the research theme, the findings demonstrate that land-based conflicts are not merely legal or economic in nature but are deeply rooted in cultural values that resist abrupt transformation, thereby intensifying contestations over land rights and authority.

In addressing the research objective, the data further reveal how cultural norms around inheritance and gender roles contribute to inequality and conflict within the community. The exclusion of women and younger generations from land ownership under certain customary practices reinforces power imbalances and fuels intergenerational and gender-based tensions. While these traditions provide social order and continuity, the respondent acknowledges the need for cultural evolution to ensure fairness and inclusivity. This recognition points to the potential for conflict transformation through culturally sensitive reforms that respect indigenous values while promoting equitable land access. Integrating traditional authority with inclusive land governance mechanisms can therefore strengthen indigenous

community land rights and reduce recurring land-based conflicts among the Maasai in Laikipia County.

As the informant above stated, the view that cultural traditions play a major role in land-based conflicts in Laikipia County is consistent with the arguments of (van der Muur, 2019), who found that unresolved land disputes often arise from clashes between traditional land tenure systems and formal legal frameworks. In their study of conflicts between villagers and oil palm plantations, they note that communities perceive land as ancestral property, which creates tension when modern land ownership laws are introduced. Likewise, in Laikipia, the communal perception of land as shared heritage contributes to disputes over individual ownership and usage. Both cases highlight how cultural values, when unaligned with contemporary land policies, can intensify and prolong conflicts. Thus, harmonising customary practices with modern legal approaches is essential for achieving lasting solutions to land-based disputes.

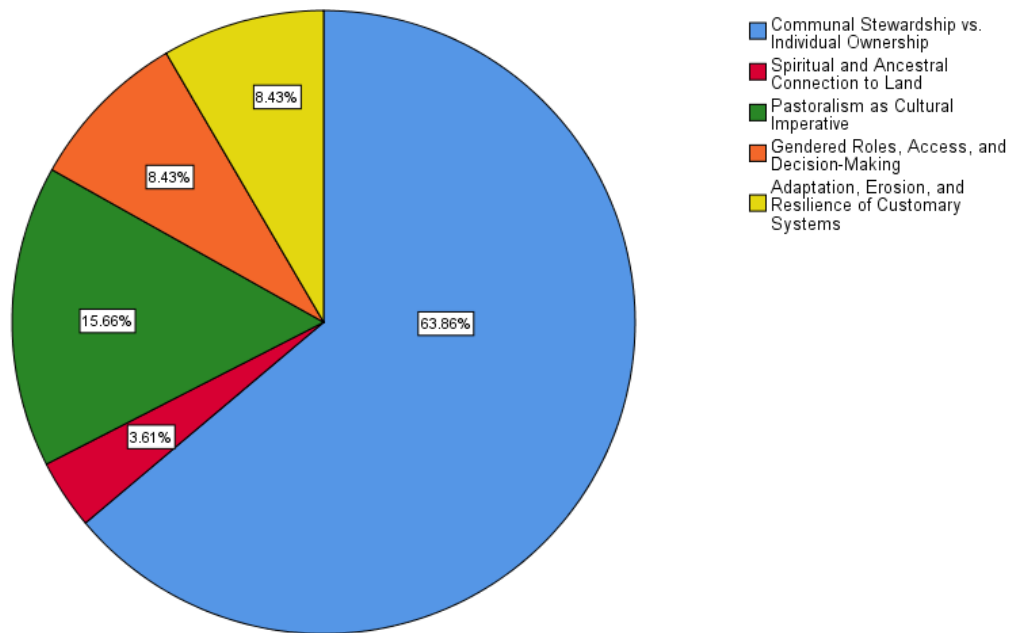
Furthermore, patriarchal customs that restrict land ownership to male members of the community contribute to internal tensions and inequality. Women and youth are often excluded from land inheritance and decision-making processes, resulting in grievances that can escalate into social conflicts. Elders, who hold traditional authority over land matters, may resist changes brought about by legal reforms or external development interventions, perceiving them as threats to cultural identity and traditional governance. Such resistance impedes the implementation of modern land management frameworks and perpetuates disputes over ownership and access. Therefore, understanding and addressing these

cultural dimensions is essential for sustainable conflict transformation in Laikipia County, as any solution that disregards cultural traditions risks further alienating the community and exacerbating land-based conflicts.

An FDG participant stated, *“Our traditions taught us to move freely with our cattle across the land, but today those same customs bring conflict because some areas are fenced or claimed by others. When young men follow the old ways without agreement from landowners or authorities, it leads to clashes, yet elders are rarely involved to calm the situation.”* (FGD participant, Laikipia County, October 2025).

This quote highlights the tension between Maasai cultural traditions, particularly pastoral mobility and open grazing and contemporary land tenure systems characterised by privatisation and restricted access. While these customs are central to Maasai identity and survival, their practice in a changed legal and social context has contributed to land-based conflicts. The marginalisation of elders in decision-making further weakens culturally grounded conflict-resolution mechanisms, allowing disputes to escalate rather than be resolved through dialogue.

The participant’s reflection suggests that conflict transformation requires not the abandonment of cultural traditions, but their adaptation to current land governance realities. Integrating customary practices with formal land rights frameworks and revitalising elders’ roles in mediation could transform land-based conflicts into opportunities for negotiated coexistence, mutual recognition of rights, and sustainable peace anchored in both indigenous culture and contemporary legal structures.



**Figure 4.7 Cultural Traditions or Customs Contributing to Land-Based Conflicts**  
Source Field Data 2025

The findings indicate that communal stewardship versus individual ownership is the dominant cultural factor influencing land ownership and use in Laikipia County, as reported by 63.86 per cent of the respondents. This reflects the Maasai community's deep-rooted belief in collective land management, in which land is viewed as a shared resource for grazing, settlement, and social identity rather than as personal property. Such a communal perspective often leads to conflicts when modern systems of private land registration and individual titling are introduced, as they contradict traditional norms and threaten the unity of clan-based ownership. Additionally, 15.66 per cent of the respondents highlighted pastoralism as a cultural imperative, emphasising how livestock keeping and mobility define their connection to land. This lifestyle often leads to disputes over grazing routes and water access, especially during periods of scarcity, underscoring the importance of land as both an economic and cultural asset.

Other cultural aspects, such as gendered roles, access, and decision-making (8.43%) and the adaptation, erosion, and resilience of customary systems (8.43%), also contribute to land-based tensions. The patriarchal nature of traditional Maasai society often excludes women and youth from land ownership and decision-making, fostering internal inequalities and grievances

that may escalate into disputes. Moreover, 3.61 per cent of the respondents cited spiritual and ancestral connections to land, underscoring that land is not only an economic resource but also a sacred heritage that must be preserved for future generations. The persistence of these cultural beliefs and practices, while central to the community's identity, creates friction with statutory laws and modern governance systems. Therefore, understanding these cultural dynamics is essential for designing effective conflict-transformation strategies that respect indigenous values while promoting equitable and sustainable land management in Laikipia County.

In an article by Dida (2012), cultural traditions and customs, such as nomadic pastoralism, cattle rustling, cultural identity, and inter-tribal relations, play a significant role in contributing to land-based conflicts, particularly among indigenous communities like the Maasai in Laikipia County. Nomadic pastoralism, which involves herders moving seasonally in search of pasture and water, often leads to disputes over grazing rights and boundaries, especially in areas with limited resources. Similarly, cattle rustling, a long-standing cultural practice linked to prestige, wealth, and masculinity, has evolved into a source of violent confrontations between neighbouring communities competing for livestock and land. Cultural identity

further deepens these conflicts, as land is seen not only as an economic asset but as a symbol of heritage and belonging, intensifying resistance to external control or redistribution. Inter-tribal relations, shaped by historical grievances and competition over land resources, also exacerbate tensions as groups assert territorial claims based on ancestral or cultural ties. Understanding these customs is therefore crucial in addressing land conflicts, as they reveal the deep cultural roots that must be acknowledged in any sustainable conflict transformation strategy.

## CONCLUSION AND RECOMMENDATIONS

**Conclusion:** The study concludes that cultural factors play a central role in shaping indigenous community land rights and influencing conflict transformation among the Maasai community in Laikipia County. The gradual decline of communal land tenure systems, coupled with the expansion of individual land ownership, has disrupted traditional governance institutions that historically regulated land use and mediated disputes peacefully. The research further concludes that the Maasai community's spiritual, ancestral, and communal attachment to land remains a critical determinant of how land conflicts are understood and addressed. While modernisation and formal land registration systems aim to enhance economic empowerment and legal security, they often conflict with indigenous cultural values, leading to intergenerational tensions, social fragmentation, and recurring disputes. The study also establishes that sustainable conflict transformation cannot be achieved through legal or economic interventions alone, but through integrating indigenous cultural practices, customary governance systems, and

inclusive land management mechanisms into formal land governance structures. Therefore, balancing cultural preservation with modern development needs is essential for promoting peaceful coexistence, equitable land access, and long-term conflict transformation in Laikipia County.

**Recommendations:** The study recommends that the government, local authorities, and community stakeholders should develop and implement culturally sensitive land governance frameworks by formally recognising Maasai customary land tenure systems within county and national land administration processes. This can be achieved through the inclusion of community elders and traditional institutions in land adjudication and dispute-resolution mechanisms, the protection of communal grazing lands through legally recognised community land titles, and the incorporation of customary conflict-resolution practices, such as mediation and consensus-building, into formal justice systems. In addition, public participation forums should be strengthened to ensure that Maasai cultural values and indigenous knowledge are considered in land-related policy decisions, conservation initiatives, and development projects. The integration of these culturally grounded approaches with formal legal structures would enhance trust between communities and state institutions, reduce land-related grievances, minimise recurring disputes over access and ownership, and ultimately promote sustainable conflict transformation and long-term peace within the Maasai community in Laikipia County.

## REFERENCES

- Abdullah, A. (2023). Customary law, local wisdom, and land conflict resolution in indigenous communities. *Journal of Social and Legal Studies*, 12(2), 45–59. <https://doi.org/10.55908/sdgs.v11i1.1559>
- Aiyabei, S. (2021). Socio-cultural factors and conflict dynamics in the Kerio Valley Delta, Kenya. *African Journal of Peace and Conflict Studies*, 9(2), 66–84.
- Barume, A. K. (2010). *Land rights of indigenous peoples in Africa: With special focus on Central, Eastern and Southern Africa*. International Work Group For Indigenous Peoples.
- Benjaminsen, T. A., & Ba, B. (2009). Farmer-herder conflicts, pastoral marginalisation and corruption: A case study from the Inland Niger Delta of Mali. *The Geographical Journal*, 175(1), 71–81. <https://doi.org/10.1111/j.1475-4959.2008.00312.x>
- Boone, C. (2007). Property and constitutional order: Land tenure reform and the future of the African state. *African Affairs*, 106(425), 557–586. <https://doi.org/10.1093/afraf/adm053>

- Braun, V., & Clarke, V. (2006). Using thematic analysis in psychology. *Qualitative Research in Psychology*, 3(2), 77–101. <https://doi.org/10.1191/1478088706qp0630a>
- Braun, V., & Clarke, V. (2021). *Thematic analysis: A practical guide*. Sage.
- Carter, N., Bryant-Lukosius, D., DiCenso, A., Blythe, J., & Neville, A. J. (2014). The use of triangulation in qualitative research. *Oncology Nursing Forum*, 41(5), 545–547. <https://doi.org/10.1188/14.ONF.545-547>
- Creswell, J. W., & Creswell, J. D. (2022). *Research design: Qualitative, quantitative, and mixed methods approaches* (6th ed.). Sage Publications.
- Creswell, J. W., & Poth, C. N. (2018). *Qualitative inquiry and research design: Choosing among five approaches* (4th ed.). Sage Publications.
- Dawson, N. M., Coolsaet, B., Sterling, E. J., Loveridge, R., Gross-Camp, N. D., Wongbusarakum, S., Sangha, K. K., Scherl, L. M., Phan, H. P., Zafra-Calvo, N., Lavey, W. G., Byakagaba, P., Idrobo, C. J., Chenet, A., Bennett, N. J., Mansourian, S., & Rosado-May, F. J. (2021). The role of Indigenous Peoples and Local Communities in effective and equitable conservation. *Ecology and Society*, 26(3). <https://doi.org/10.5751/es-12625-260319>
- Galaty, J. G. (2013). Land grabbing in the Eastern African rangelands. In C. Catley, J. Lind, & I. Scoones (Eds.), *Pastoralism and development in Africa: Dynamic change at the margins* (pp. 143–153). Routledge. <https://doi.org/10.4324/9780203105979-15>
- Gartzke, E., & Gleditsch, K. S. (2006). Identity and conflict: Ties that bind and differences that divide. *European Journal of International Relations*, 12(1), 53–87.
- Genyi, U. O. U. (2017). Ethnic and religious identities shaping contestation for land based resources: The Tiv-Fulani relations in central Nigeria until 2014. *Journal of Living Together*, 4–5(1), 1–11. <https://shorturl.at/fzZoK>
- Gilbert, J. (2017). Litigating indigenous peoples' rights in Africa: Potentials, challenges and limitations. *International and Comparative Law Quarterly*, 66(3), 657–686. <https://doi.org/10.1017/S0020589317000203>
- Greiner, M. (2013). Guns, land, and votes: Cattle rustling and the politics of boundary (re)making in Northern Kenya. *African Affairs*, 112(447), 216–237. <https://doi.org/10.1093/afraf/ads070>
- Guthiga, P., Mburu, J., & Holm-Müller, K. (2008). Land tenure and conflict in Kenya: A case study of the Laikipia Plateau. *African Journal of Agricultural and Resource Economics*, 2(2), 146–161. <https://www.jstor.org/stable/26393240>
- Holden, S. T., & Remy Sietchiping. (2010, January 1). *Land, environment and climate change: Challenges, responses and tools*. Research Gate. [https://www.researchgate.net/publication/306013298\\_Land\\_Environment\\_and\\_Climate\\_Change\\_Challenges\\_Responses\\_and\\_Tools](https://www.researchgate.net/publication/306013298_Land_Environment_and_Climate_Change_Challenges_Responses_and_Tools)
- Hughes, L. (2022). *Moving the Maasai: A colonial misadventure*. Palgrave Macmillan. <https://doi.org/10.1057/9780230246638>
- Kameri-Mbote, M. K. (2013). Land tenure, land use, and sustainability in Kenya: Towards innovative use of property rights in wildlife management. *Law, Environment and Development Journal*, 9(1), 1–12.
- KAVISHE, W. M. (2022). Role of socio-cultural factors on women's right to land ownership: A case of Ifakara Morogoro, Tanzania. *African Journal on Land Policy and Geospatial Sciences*, 5(5), 1066–1083. <https://doi.org/10.48346/IMIST.PRSM/ajlp-gs.v5i5.34115>
- Kenya National Bureau of Statistics. (2019). *2019 Kenya population and housing census volume I: Population by county and sub-county*. Government Printer. <https://www.knbs.or.ke/2019-kenya-population-and-housing-census-results/>
- Kothari, C. R. (2014). *Research methodology: Methods and techniques* (3rd ed.). New Age International Publishers.
- Kumar, R. (2019). *Research methodology: A step-by-step guide for beginners* (5th ed.). Sage Publications.

- le Polain de Waroux, Y., Garrett, R. D., Chapman, M., Friis, C., Hoelle, J., Hodel, L., Hopping, K., & Zaehring, J. G. (2021). The role of culture in land system science. *Journal of Land Use Science*, 16(4), 32–38. <https://doi.org/10.1080/1747423x.2021.1950229>
- Lenaola, I. (2016). The jurisprudence of the Supreme Court of Kenya on land disputes. In P. Mbote & O. Owiso (Eds.), *Land and governance in Kenya* (pp. 101–120). Strathmore University Press. <https://supremecourt.judiciary.go.ke/wp-content/plugins/download-attachments/includes/download.php?id=4947>
- Lentz, C. (2013). Land, mobility, and belonging in West Africa: Natives and strangers. *African Studies Review*, 56(3), 185–207. <https://doi.org/10.1017/asr.2013.76>
- Lete, M. K. (2020). The dilemma of land reforms and pastoral conflicts in Kenya. *African Journal on Conflict Resolution*, 20(2), 97–118. <https://doi.org/10.4314/ajcr.v20i2.5>
- Malterud, K., Siersma, V. D., & Guassora, A. D. (2016). Sample size in qualitative interview studies: Guided by information power. *Qualitative Health Research*, 26(13), 1753–1760. <https://doi.org/10.1177/1049732315617444>
- Migowe, L. O., Maroko, G. C. O., & Nyandoro, K. (2024). Influence of socio-economic factors on conflicts in Nyakach Sub-County, Kisumu County. *IJRIS*, 4(10), 571–583. <https://rsisinternational.org/journals/ijriss/Digital-Library/volume-4-issue-10/571-583.pdf>
- Minority Rights Group International. (2023). *World directory of minorities and indigenous peoples: Maasai*. Minority Rights Group International.
- Minority Rights Group International. (2024). *Sengwer community evictions in Embobut forest, Kenya*. Minority Rights Group International.
- Mukherjee, S. P. (2020). *A guide to research methodology*. <https://doi.org/10.1201/9780429289095>
- Mutunga, W. (2019). *Constitution-making from the middle: Civil society and transition politics in Kenya, 1992–1997*. Sareat Publishers.
- Mwangi, E. (2006). *The transformation of property rights in Kenya's Maasailand: Triggers and motivations* (CAPRI Working Paper No. 35). International Food Policy Research Institute. <https://hdl.handle.net/10568/160743>
- Mwangi, E. (2007). Subdividing the commons: Distributional conflict in the transition from collective to individual property rights in Kenya's Maasailand. *World Development*, 35(5), 815–834. <https://doi.org/10.1016/j.worlddev.2006.09.012>
- Mwangi, E. (2007). Subdividing the commons: The politics of land tenure transformation in Laikipia, Kenya. *Land Use Policy*, 24(4), 943–953. <https://doi.org/10.1016/j.landusepol.2006.10.003>
- Njoka, J. M., Ongoto, S. P., & Njeru, G. N. (2022). Sociocultural and historical factors contributing to land conflict in Laikipia County, Kenya. *International Journal of Research and Innovation in Social Science (IJRIS)*, 6(5), 123–131. <https://journals.unesco.go.ke/index.php/jknatcom/article/view/16/15>
- Peluso, N. L., & Lund, C. (2011). New frontiers of land control: Introduction. *Journal of Peasant Studies*, 38(4), 667–681. <https://doi.org/10.4324/9780203720455>
- Peluso, N. L., & Vandergeest, P. (2001). Genealogies of the political forest and customary rights in Indonesia, Malaysia, and Thailand. *The Journal of Asian Studies*, 60(3), 761–812. <https://doi.org/10.2307/2700107>
- Saldaña, J. (2021). *The coding manual for qualitative researchers* (4th ed.). Sage Publications.
- Schilling, J., Opiyo, F., & Scheffran, J. (2012). Raiding pastoral livelihoods: Motives and effects of violent conflict in north-western Kenya. *Pastoralism: Research, Policy and Practice*, 2(1), 1–18. <https://doi.org/10.1186/2041-7136-2-25>
- van der Muur, W. E. (2019). *Land rights and the forces of adat in democratizing Indonesia: Continuous conflict between plantations, farmers, and forests in South Sulawesi*. Scholarly Publications Leiden University.
- Whitehead, A., & Tsikata, D. (2003). Policy discourses on women's land rights in sub-Saharan Africa: The implications of the (re)turn to the customary. *Journal of Agrarian Change*, 3(1–2), 67–112. <https://doi.org/10.1111/1471-0366.00049>

- Wily, L. A. (2011). *The tragedy of public lands: The fate of the commons under global commercial pressure* (pp. 1–42). International Land Coalition. <https://www.iccaconsortium.org/wp-content/uploads/2015/08/legal-example-the-tragedy-of-public-lands-2011.pdf>
- Wutich, A., Beresford, M., & Bernard, H. R. (2024). Sample sizes for 10 types of qualitative data analysis: An integrative review. *International Journal of Qualitative Methods*, 23. <https://doi.org/10.1177/16094069241296206>