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# Relationship between Governance Structures, Political Authority and Land Access within the Lugari Scheme, 1963–2025

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**Abstract**
This study examined how changing institutional arrangements and political authority shaped land access within the Lugari Settlement Scheme between 1963 and 2025. The relationship between governance structures, political authority and land access has remained central to the history of land redistribution and property relations in postcolonial Kenya. The study adopted a qualitative historical research design, drawing on historical scholarship, government reports, land legislation, constitutional provisions, relevant archival materials and court records concerning land ownership and succession. Chronological analysis, historical source criticism and documentary triangulation guided the examination. The Lugari-specific evidence established that the scheme emerged from the late colonial and early independence settlement programme, with state institutions directing settlement planning, beneficiary selection and the formal recognition of land rights. Court records further showed how inheritance, subdivision, land transactions, and succession disputes later shaped property relations. The study concludes that land access evolved from state-directed allocation into an ongoing process involving registration, inheritance, private transactions, and legal contestation. It demonstrates that constitutional and legislative reforms introduced after 2010 transformed the formal framework of land governance, although their practical outcomes require further local investigation. The study recommends digitising and verifying land records, improving transparency in land transactions, educating the public on succession procedures, and strengthening mechanisms for resolving land disputes. It contributes to Kenyan land historiography by connecting the historical administration of settlement schemes with the subsequent exercise and contestation of property rights.

**Key terms:** Governance structures, land access, land redistribution, land transactions, political authority.

## INTRODUCTION

This study examined how changing institutional arrangements and political authority shaped access to land within the Lugari Settlement Scheme between 1963 and 2025. It traces the colonial landholding arrangements that informed the scheme's establishment, examines the institutional structures and administrative procedures through which land was allocated and managed, interrogates the influence of political authority on land access and ownership, and analyses the transformation of land administration and property rights over the study period. The study argues that land access within the Lugari Scheme was not a single event completed through the initial distribution of settlement plots but an evolving historical process shaped by colonial institutional legacies, post-independence governance arrangements, political interests and changing legal frameworks. By connecting the colonial foundations of landholding to subsequent postcolonial administration, the article contributes to a broader understanding of how historical institutional arrangements and political authority shaped the distribution, exercise and security of land rights in Kenya.

Land has been central to Kenya's political and socio-economic history because it is a source of livelihood, wealth, social identity, and political authority. During colonial rule, the establishment of European settler agriculture fundamentally transformed African landholding arrangements through the appropriation of agriculturally productive land, the restriction of African access to land and the creation of racially differentiated systems of land ownership and occupation. These arrangements undermined existing patterns of African land use and intensified land scarcity, particularly in areas where African populations were concentrated in restricted reserves. Consequently, land became a major political and economic question in the struggle for independence. The attainment of self-government in 1963 therefore involved not only the transfer of political authority from colonial administrators to African leaders but also the challenge of addressing the inequalities inherited from the colonial landholding system. The restructuring of land ownership, settlement and agricultural production became an important component of postcolonial state-building (Leo, 1981; Van Arkadie, 2016).

The colonial legacy influenced post-independence land redistribution by determining the geographical location, ownership patterns and institutional conditions under which formerly European-owned agricultural land could be transferred to African smallholders. However, the transition did not automatically restore land to communities that had experienced dispossession. Instead, the independent Kenyan government pursued land redistribution through settlement programmes that operated within legal, administrative, and financial arrangements inherited partly from the colonial period and modified to accommodate new national development objectives. These programmes were intended to address landlessness, relieve population pressure in densely settled rural areas and establish African smallholder farming communities in former European settlement areas.

Nevertheless, settlement was not simply a technical exercise in redistributing land. It involved decisions concerning beneficiary eligibility, land allocation, financing, agricultural suitability, administrative boundaries and the legal recognition of ownership. These processes placed the state at the centre of land redistribution and connected access to property to the exercise of political and administrative authority. Research on Kenya's official settlement schemes between 1962 and 2016 demonstrates that these programmes pursued rural development objectives while also reflecting political competition, territorial administration and demands for state recognition of land rights (Boone et al., 2021).

In this study, governance structures refer to the institutions, administrative arrangements and legal frameworks through which land was allocated, registered, managed, transferred and disputed. Political authority denotes the capacity of state officials, elected representatives and other influential actors to shape decisions and processes affecting land ownership and access. Land access encompasses the acquisition, occupation, cultivation, inheritance, purchase, transfer and practical exercise of rights over land. These concepts are interconnected because governance structures establish the formal and

informal rules governing land access; political authority influences how these rules are interpreted and implemented; and the resulting decisions shape the distribution and security of property rights. Their historical relationship is particularly important for examining settlement schemes because the transfer of land from colonial to postcolonial ownership did not necessarily eliminate the institutional practices, administrative hierarchies, and inequalities that characterised the preceding landholding system.

The Lugari Settlement Scheme provides an important historical setting for examining the relationship between colonial landholding arrangements and post-independence land redistribution. The scheme emerged in the final years of colonial rule, when the government was developing mechanisms to transfer agricultural land previously occupied by European settlers to African smallholders. Planning for Lugari began in May 1962 under the Ministry of Land Settlement and Water Development. It was conceived as a high-density smallholder settlement project intended to provide land to landless and unemployed Kenyans, particularly households from Maragoli and Bunyore in western Kenya. The planned holdings generally ranged between 10 and 20 acres, depending on soil quality (Saeteurn, 2020). Its establishment was therefore closely connected to the wider political and economic transition from racially differentiated colonial landholding towards African smallholder ownership. Rather than representing an entirely new approach to land administration, the scheme involved transferring and reorganising land within an institutional framework that had developed under colonial rule but was increasingly directed towards the objectives of the independent Kenyan government.

The colonial legacy also shaped the subsequent administration of the Lugari Settlement Scheme. Transferring former settler land required administrative procedures to identify available holdings, determine settlement categories, establish eligibility requirements, select beneficiaries, and formalise ownership. These processes reflected the continuing importance of state institutions in determining who could access land and under what conditions. Although the scheme was intended to address landlessness, qualification requirements placed considerable emphasis on agricultural knowledge and productive capability. Saeteurn (2020) demonstrates that these requirements complicated the objective of relieving landlessness among the populations for whom the scheme was intended. This illustrates an important historical distinction between the redistributive objectives of settlement programmes and their practical implementation. The administration of Lugari consequently needs to be understood not only in terms of the initial transfer of land but also through the institutional procedures and political considerations that influenced beneficiary selection, ownership recognition and the subsequent management of property rights.

The period 1963–2025 captures important transformations in the governance and administration of land within the Lugari Settlement Scheme. At independence, the government inherited a land administration system shaped by colonial property arrangements and settlement practices. Subsequent decades witnessed changes in land administration, political competition, property transactions and the institutional management of ownership and tenure. The relationship between the state and landholders consequently extended beyond initial allocation to include registration, succession, inheritance, transfer and dispute resolution. The promulgation of the Constitution of Kenya (2010) introduced a framework emphasising equitable access to land, security of tenure, transparent administration and gender equality. Subsequently, the Land Act and Land Registration Act of 2012 established additional statutory arrangements governing land administration, ownership and registration. These developments provide an important basis for examining how the institutional foundations inherited from colonial rule were maintained, modified or transformed within the scheme under successive post-independence land-governance arrangements.

Despite the broader scholarship on colonial land alienation, post-independence settlement schemes and Kenya's changing land-tenure arrangements, there remains a need for a historically grounded examination of how colonial landholding arrangements influenced both the establishment and subsequent administration of individual settlement schemes. Existing research, including Boone et al. (2021) and Saeteurn (2020), provides important

insights into the political economy of settlement programmes, beneficiary selection, and the implementation of land redistribution. However, there is scope to connect these dimensions more explicitly by examining how the institutional arrangements inherited from colonial rule shaped the establishment of the Lugari Settlement Scheme and how governance structures and political authority subsequently influenced access to and control over land between independence and 2025. In particular, the longer-term relationship between the original settlement arrangements, administrative practices, political influence and changing land rights requires further historical investigation. Addressing this gap makes it possible to understand land access as a continuing historical process rather than an outcome determined exclusively by the initial redistribution of former settler land.

## LITERATURE REVIEW

### Governance Structures and the Historical Organisation of Land Access

The historical organisation of land access in Kenya was shaped by the transition from colonial land administration to post-independence settlement and property ownership. Colonial rule established differentiated landholding systems that privileged European settlers while restricting African access to productive agricultural land. Harbeson (1971) provides an important historical foundation for understanding land reform during the late colonial and early independence periods, particularly its political significance. Similarly, Leo (1981) demonstrates that the distribution of benefits under Kenya's settlement programmes was influenced by class and socioeconomic differentiation. Although these studies establish the historical and political foundations of land redistribution, they provide a broader understanding of national settlement arrangements rather than a sustained examination of how institutional structures shaped land access within individual schemes. This study builds on their contributions by examining how colonial administrative legacies influenced the establishment and subsequent governance of the Lugari Settlement Scheme.

Specifically, Saeteurn (2020) examines the establishment of the Lugari Scheme and demonstrates how beneficiary-selection requirements, particularly agricultural knowledge and productive capability, complicated the objective of addressing landlessness among intended beneficiaries. The study is valuable because it provides scheme-specific historical evidence and exposes the tension between redistributive objectives and administrative eligibility requirements. However, the relationship between these initial arrangements and subsequent institutional changes in land administration requires further examination. Boone et al. (2021), through their examination of 533 official settlement schemes, demonstrate that settlement programmes were connected to rural development, political mobilisation, and state-building. Their broad comparative approach establishes the importance of institutional and political factors but does not, by itself, explain how these processes evolved within Lugari over time. The present study addresses this gap by investigating institutional responsibilities, administrative procedures and changes in land governance within the scheme between 1963 and 2025.

### Political Authority and the Distribution of Land Rights

Political authority has been central to understanding post-independence land relations because the state controlled important aspects of settlement planning, allocation and ownership recognition. Angelo (2019) situates land negotiations during decolonisation within the broader consolidation of presidential authority, while Van Arkadie (2016) demonstrates that independence created opportunities for African property ownership without resolving the wider problem of land hunger. These contributions establish that land redistribution was simultaneously an economic, political and state-building process. However, their broader interpretations leave room to examine how political authority operated through specific administrative institutions and shaped land access within individual settlement schemes. This study extends these arguments by examining the interaction between political decision-making and institutional authority in the administration of Lugari.

Boone et al. (2021) and Dyzenhaus (2021) further demonstrate that land redistribution and property-rights formalisation could involve both policy objectives and political patronage. Their contributions challenge simplistic interpretations that regard land

allocation as either an entirely administrative process or exclusively an exercise in political favouritism. Nevertheless, national-level explanations cannot automatically establish the extent to which political influence shaped particular allocation decisions within Lugari. Moreover, the existence of administrative discretion does not, by itself, demonstrate political interference. This study addresses these limitations by distinguishing formal institutional responsibilities from political influence and examining how state authority, elected leadership and administrative procedures interacted in determining access to land within the scheme.

**Land Access, Property Rights and Socioeconomic Differentiation**

Land access extends beyond initial allocation to include registration, inheritance, subdivision, purchase, transfer and dispute resolution. Boone et al. (2021) demonstrate the importance of state involvement in settlement administration and the formal recognition of property rights. Their findings provide a useful foundation for understanding the institutional dimensions of land ownership. However, formal allocation and registration alone cannot sufficiently explain the subsequent exercise and security of property rights. This distinction matters because individuals may hold recognised ownership documents while others may exercise land claims through inheritance, occupation, or other arrangements without equivalent documentary protection.

In examining these relationships, the historical experience of Lugari requires attention to changes in ownership across generations, including inheritance, subdivision and property transfers. Such processes may influence the size of individual holdings, household livelihoods and the distribution of landholding opportunities. However, the broader literature does not sufficiently establish how these processes interacted within Lugari across successive generations. This study addresses this gap by examining the relationship between initial settlement arrangements and subsequent changes in land ownership, inheritance, and property rights.

Gender and household relations provide another important dimension of land access. The Constitution of Kenya (2010) recognises equality in land-related rights and prohibits discrimination, including through customary practices. Nevertheless, formal legal recognition does not necessarily establish equality in the actual control, inheritance or exercise of property rights. This distinction highlights the importance of investigating both legal entitlements and their practical implications. The present study incorporates these considerations into its examination of property rights and changing land-access arrangements within Lugari.

**Constitutional Reform and the Transformation of Land Governance**

The Constitution of Kenya (2010) introduced significant changes to the formal principles governing land administration. Article 60 establishes principles including equitable access, security of land rights, transparent administration and the elimination of gender discrimination. Article 67 establishes the National Land Commission and its responsibilities for land administration and historical land injustices. The Land Act and Land Registration Act of 2012 subsequently established additional statutory arrangements governing land administration and registration. These legal instruments provide an important framework for understanding the transformation of land governance in Kenya.

However, examining constitutional and legislative reforms solely through their formal provisions provides an incomplete understanding of institutional transformation. The existence of new legal protections does not necessarily demonstrate their effective implementation or the elimination of historical inequalities. Furthermore, the distribution of responsibilities among national government institutions, county governments, the National Land Commission, land registries and courts complicates the administration of land rights. The principal limitation of a purely legal interpretation is therefore its inability to establish how statutory changes translated into actual administrative practices and landholder experiences. This study addresses this gap by examining the implications of constitutional and legislative reforms for land administration, ownership recognition and security of tenure within the Lugari Scheme between 2010 and 2025.

**Historiographical Gap and Contribution of the Study**

The reviewed literature establishes that Kenya's settlement schemes were instruments of land redistribution, agricultural development and postcolonial state-building. Harbeson (1971), Leo (1981), Van Arkadie (2016), and Boone et al. (2021) provide important explanations of the political, institutional, and socioeconomic dimensions of land redistribution. Saeteurn (2020) offers scheme-specific insights into Lugari's establishment and beneficiary-selection requirements. Similarly, Angelo (2019) contributes to understanding the relationship between land negotiations and political authority during decolonisation. Collectively, these studies provide a foundation for examining the historical organisation of land ownership in Kenya.

Nevertheless, three related issues require further historical investigation. First, the relationship between colonial landholding arrangements and the subsequent institutional administration of Lugari requires closer examination. Second, the interaction between political authority and administrative procedures in determining access to and control over land remains insufficiently established at scheme level. Third, the relationship between initial land allocation, subsequent changes in property rights and constitutional reforms requires a longer historical perspective. Existing studies offer important insights into individual aspects of these issues but do not bring them together in a single historical examination of Lugari covering 1963–2025.

This study addresses these gaps by examining governance structures, political authority and land access as interconnected dimensions of historical change. It moves beyond the initial redistribution of settlement plots to investigate how institutional arrangements, political decisions, administrative procedures and changing legal frameworks influenced the acquisition, transfer and security of land rights. Its contribution lies in explaining how colonial institutional legacies and post-independence transformations shaped land access within the Lugari Settlement Scheme over six decades.

## METHODOLOGY

The study adopted a qualitative historical research design to examine the relationship between governance structures, political authority and land access within the Lugari Settlement Scheme between 1963 and 2025. Historical research was appropriate because it facilitated the reconstruction of institutional developments, political decisions and changes in property rights over time, rather than focusing exclusively on contemporary experiences as a conventional qualitative case study might. The study relied on documentary and historiographical sources, including scholarly books, journal articles, government reports, constitutional documents and land legislation. Documentary sources were identified through Google Scholar, JSTOR, African Journals Online (AJOL), Kenya Law and relevant government repositories. Searches used terms such as Lugari Settlement Scheme, colonial land alienation, land allocation, land governance, political authority, property rights and land reforms in Kenya. The search covered publications and records from 1963 to 2025, alongside relevant colonial documents. Sources were selected based on authenticity, credibility, historical relevance and contribution to the research objectives. Unverified and unrelated materials were excluded.

Themes were developed deductively from the research objectives and inductively from recurring issues in the documentary evidence. Five analytical categories guided the analysis: governance structures, political authority, land allocation procedures, property rights, and constitutional and legislative reforms. Chronologically, the study examined four phases: 1963–1978 (early independence and settlement administration); 1979–2002 (changing political and administrative arrangements); 2003–2010 (land-policy and constitutional reforms); and 2011–2025 (implementation of constitutional and legislative changes). Documentary triangulation and historical source criticism facilitated the identification of institutional continuities, transformations and political influences on land access.

## FINDINGS AND DISCUSSION

### Establishment of the Scheme and the Institutional Foundations of Land Access

The Lugari Settlement Scheme emerged from late colonial and early independence efforts to redistribute former European-owned agricultural land to African smallholders under Kenya's Million Acre Scheme. Planning commenced in May 1962 under the Ministry

of Land Settlement and Water Development, during the KANU–KADU coalition government. The scheme was designed as a high-density smallholder settlement targeting landless and unemployed households, particularly from Maragoli and Bunyore locations in the former North Nyanza District. The intended holdings ranged between 10 and 20 acres, depending on soil quality and agricultural suitability (Saeteurn, 2020).

The establishment process involved several institutional and administrative actors. The Ministry of Land Settlement and Water Development provided the central planning framework, while the Settlement Department helped implement the settlement programme. Local administrators, particularly District Officers, and political leaders helped mobilise prospective settlers and communicate the opportunities associated with relocation. Wandere and Egesah (2015) document a public meeting held in Emuhaya around 1962, where the District Officer and political leaders encouraged Abanyole households to relocate to settlement areas, including Lugari. Their account demonstrates that access was influenced not only by government planning but also by local administrative endorsement and political mobilisation.

Beneficiary selection emphasised landlessness, unemployment and agricultural capability. However, Saeteurn (2020) observes that agricultural knowledge and productive capacity featured prominently in qualification requirements, creating tension between addressing landlessness and selecting commercially viable farmers. Following selection, land was surveyed, subdivided and assigned to settlers. On 5th December 1963, Nathan Molenje occupied a fifteen-acre plot in Checkalini and received a freehold title after paying the required legal fees and stamp duty (Saeteurn, 2020). The establishment of Lugari therefore reflected a state-directed redistribution process involving central planning, local mobilisation, beneficiary vetting, land subdivision and formalisation of ownership. However, the emphasis on agricultural productivity meant that the scheme's redistributive objectives were not necessarily realised equally among the intended beneficiaries.

**Governance Structures and the Exercise of Administrative Authority**

The second finding concerns the central role of state institutions in organising access to land. The scheme's historical development required administrative decisions on eligibility, settlement planning, the allocation of holdings, and the recognition of ownership. These functions made public authority a fundamental part of the process through which land rights were established. The wider Kenyan experience confirms that settlement administration had significance beyond agricultural production. Boone et al. (2021) demonstrate that settlement schemes were connected to state-building, territorial administration, and political mobilisation. Their findings establish that land allocation was embedded within broader relationships between governments and populations seeking recognition of land rights.

For Lugari, this wider context indicates that the operation of administrative structures should be interpreted as part of the history of political authority. The state's control over allocation procedures gave public institutions substantial influence over the conditions under which land could be acquired. However, the documentary evidence considered here does not establish the frequency or scale of political interference in individual Lugari allocations. The defensible finding is that administrative authority structured access, while the extent to which particular political actors influenced specific decisions remains unquantified.

This distinction is important because the historical operation of authority may take different forms. Administrative decisions may implement formal policy, respond to competing claims or involve discretionary judgments. A rigorous historical explanation must identify the particular process at issue rather than treating every administrative outcome as evidence of political favouritism.

**Political Authority and the Wider Politics of Land Distribution**

The relationship between political authority and land distribution in Lugari extended beyond initial settlement to the subsequent administration, transfer and inheritance of property. Court records demonstrate how landholding changed through family

succession, subdivision, sales and competing ownership claims. In *In re Estate of Musa Rengo Nabiswa* (2023), the High Court at Kakamega examined the distribution of parcels Kakamega/Lugari/1721 and 1722 following the deceased's death in 1999. The succession proceedings resulted in the distribution of land among family members. Subsequently, parcel 1721 was sold to Lugari Township Primary School through an agreement dated 7th November 2016. The transaction generated a succession dispute in which one beneficiary challenged the disposal of the property. The court examined the succession records and ordered the cancellation of an incorrect registration in favour of Joseph K. Rengo and registration in the name of Tom Wanjala in accordance with the confirmed grant. This case demonstrates how inheritance, land sales and administrative registration influenced changing property relations in Lugari.

Further evidence appears in *In re Estate of George Kulati Lilechi* (2023), which concerned disputed transactions involving parcels Kakamega/Lugari/883 and 880. The proceedings revealed claims that parcel 49 had been subdivided following the sale of five acres to one purchaser and two acres to another. The two-acre portion was registered as parcel 883, although the purchaser's family disputed the failure to complete the transfer. Another claimant asserted beneficial ownership of parcel 880 following a separate purchase. These competing claims illustrate how subdivision, private land transactions and incomplete transfers complicated succession and ownership recognition. The court observed that the underlying ownership and sale disputes fell within the Environment and Land Court's jurisdiction.

The persistence of land-related conflicts is also reflected in a Kenya News Agency report of 13th December 2024. Lugari Sub-County security officials identified unresolved land transactions and ownership disputes as significant sources of conflict, including reported cases of violence. The Deputy County Commissioner consequently urged residents to use formal land-registration procedures and the Land Control Board when undertaking transactions. These cases demonstrate that property relations in Lugari changed through inheritance, subdivision, land purchases, sales and succession disputes. They also reveal the continuing importance of administrative institutions and legal authority in determining ownership and resolving competing claims. Thus, land access evolved beyond the original settlement allocations, with subsequent transactions and succession processes reshaping ownership and control.

**Changing Property Relations after Initial Settlement**

The fourth finding is that the history of land access cannot be confined to the initial allocation of plots. Land rights are reproduced and modified through registration, inheritance, subdivision, purchase, sale and the resolution of disputes. These processes can change the relationship between household ownership, agricultural production and the size of individual holdings. Research on Kenyan settlement schemes establishes that the administration of land rights remained important beyond the original settlement period (Boone et al., 2021). This finding provides a basis for interpreting Lugari's subsequent history as a process in which initial allocation was followed by changing forms of property management and transfer.

The historical implications are significant. Original settlers and their descendants may encounter different institutional requirements when exercising land rights. Initial beneficiaries may depend on allocation documents, while their descendants may rely on succession procedures and registration. Subsequent purchasers may depend on the validity of transfers and the accuracy of land records. These differences illustrate how access is shaped by the changing institutional requirements associated with property ownership. However, the documentary evidence used in this study does not provide a verified longitudinal measure of subdivision, inheritance disputes or changes in landholding size within Lugari through 2025. The finding is therefore that later property relations constitute a necessary dimension of the scheme's history, rather than that any particular rate of fragmentation or pattern of exclusion has been conclusively established.

**Constitutional Reform and the Formal Recognition of Land Rights**

The fifth finding concerns the transformation of Kenya's formal land-governance framework after 2010. The Constitution established principles of equitable

access, security of land rights, transparent administration and gender equality. The Land Act and Land Registration Act of 2012 introduced additional statutory arrangements, while the National Land Commission assumed constitutional functions related to public land and historical land injustices (Constitution of Kenya, 2010). These changes altered the formal standards under which land administration could be evaluated. They also introduced a clearer constitutional basis for questioning discriminatory practices and demanding transparent procedures. The reforms therefore represented an important institutional development in the history of land governance.

Nevertheless, the documentary analysis does not establish that these changes automatically produced equal access or resolved historical disputes within Lugari. The distinction between formal reform and practical implementation remains essential. Constitutional principles establish obligations and standards, but the actual protection of land rights depends on the exercise of institutional responsibilities and the accessibility of procedures to affected individuals. The historical significance of the post-2010 period consequently lies in the redefinition of the legal and institutional framework within which land claims could be made and assessed. Whether these changes transformed particular patterns of access in Lugari must be evaluated against evidence of implementation.

**Synthesis of the Findings**

The findings reveal both continuities and changes in the relationship between governance structures, political authority and land access in Lugari Settlement Scheme between 1963 and 2025. A major continuity was the central role of formal institutions in determining how land rights were recognised, administered and protected. From the scheme's establishment, state agencies retained authority over settlement planning, allocation, and registration. Although the institutional framework evolved, access to legally recognised land rights continued to depend substantially on administrative procedures and official documentation. Political authority also remained significant, particularly where decisions concerning land administration intersected with local leadership, competing interests and demands for redistribution. However, the mechanisms through which land access was exercised changed over time. During the early settlement period, access was primarily shaped by state-directed allocation and the selection of beneficiaries. In subsequent decades, the emphasis increasingly extended beyond initial allocation to include registration, inheritance, subdivision, land sales and purchases, and succession proceedings. These developments transformed land access from a predominantly state-administered settlement process into a more complex system involving families, individual landholders, administrative agencies and legal institutions. Consequently, the meaning of land access shifted from obtaining an initial holding to securing, transferring and defending property rights across generations.

The constitutional and legislative reforms introduced after 2010 marked another significant change by establishing stronger principles of equity, accountability and transparent land governance. Nevertheless, these reforms did not automatically eliminate administrative challenges, competing claims, or disputes over ownership and succession. Overall, the history of Lugari demonstrates continuity in the importance of institutional and political authority, alongside a transformation in the processes through which land rights were acquired, transferred and contested. The distinction between initial land allocation and long-term tenure security is therefore central to understanding the historical relationship between governance structures, political authority and land access in the scheme.

**Discussion**

**State-Led Settlement and the Historical Foundations of Land Access**

The establishment of Lugari Settlement Scheme demonstrates that postcolonial land redistribution was not simply a transfer of formerly European-owned land to African households; it was also a process through which the new state established authority over land allocation and settlement. This interpretation is consistent with Boone et al. (2021), who locate settlement schemes within broader processes of state-building, territorial administration, and political mobilisation. The Lugari experience provides a local historical illustration of this relationship, showing how central government

planning, administrative mobilisation, and beneficiary selection shaped access to land from the scheme's inception.

The findings also support Saeteurn's (2020) observation that settlement eligibility involved considerations of agricultural knowledge and productive capacity. However, this requirement raises an important question about the programme's redistributive character. Although the scheme targeted landless and unemployed households, the emphasis on agricultural capability introduced an economic consideration into the selection process. Land access was therefore shaped by two potentially competing objectives: addressing landlessness and establishing commercially productive smallholder agriculture. This suggests that settlement policy was not an entirely neutral redistribution exercise, since the criteria for determining eligible beneficiaries influenced who could benefit from the programme.

Wandere and Egesah's (2015) account of political and administrative mobilisation among Abanyole households further demonstrates that settlement was mediated through local authority structures rather than being exclusively a central government undertaking. The historical implication is that the foundations of land access in Lugari were established through the interaction of state policy, administrative institutions and local political mobilisation. This complicates interpretations that treat settlement schemes merely as agricultural development initiatives.

**Administrative Governance and the Exercise of Political Authority**

The findings reinforce the argument that governance structures are central to understanding the distribution and recognition of land rights. Harbeson (1971) and Leo (1981) examined the relationship between land, political authority and the organisation of postcolonial Kenyan society. Their contributions demonstrate that land administration cannot be separated from the institutional and political arrangements through which the state exercises authority. The Lugari findings extend this understanding by illustrating the importance of administrative procedures in determining eligibility, allocation and formal recognition of ownership.

However, the findings require a distinction between the exercise of administrative authority and direct political interference. Although Boone et al. (2021) demonstrate the broader political significance of settlement schemes, the documentary evidence examined in this study does not establish the frequency or extent of political interference in individual Lugari allocations. It would therefore be misleading to interpret every administrative decision as evidence of patronage or political favouritism. Rather, the findings suggest that political authority operated within an institutional framework in which public agencies had considerable influence over access to land.

This distinction is historically significant because it shifts the discussion from general claims about political manipulation to the specific ways in which authority was exercised through administrative structures. It also suggests that the relationship between governance and land access should be examined through both formal institutional mandates and the practical decisions made by those responsible for implementing them. In Lugari, the central issue was not simply who possessed political influence, but how institutional authority shaped the acquisition and recognition of land rights.

**Political Authority, Land Transactions and the Transformation of Property Relations**

The subsequent history of landholding in Lugari demonstrates that political and administrative authority remained relevant beyond the initial settlement period. This finding broadens the understanding of land distribution by showing that property relations continued to be shaped through inheritance, sales, subdivision, registration and succession proceedings. It is consistent with Van Arkadie's (2016) broader analysis of the institutional and political dimensions of land reform in Kenya, while also illustrating the importance of examining how land rights are exercised after their initial allocation.

The succession proceedings involving the Nabiswa and Lilechi estates are particularly important in this regard. They show that recognition of land ownership can become contested when family inheritance arrangements interact with private transactions and official registration. These cases reveal that

possession, beneficial claims, completed transfers and registered ownership did not necessarily operate as identical or uncontested categories. Consequently, the exercise of property rights depended not only on the original allocation of land but also on subsequent legal and administrative processes.

This evidence also qualifies interpretations that associate land-related political authority primarily with state allocation and elite competition. In Lugari's later history, authority was exercised through institutions responsible for succession, land registration, and the resolution of ownership disputes. The Kenya News Agency report of December 2024 further indicates that unresolved transactions and ownership disputes remained a concern in the wider Lugari Sub-County. However, this report should be interpreted as evidence of the broader local land-governance environment rather than proof that every reported conflict occurred within the boundaries of the settlement scheme.

Historically, these developments demonstrate a shift from the original question of who qualified to receive land towards the more complex question of how land rights were maintained, transferred and defended. Political authority therefore extended into the regulation of property relations across generations.

**Changing Property Relations and the Limits of Initial Land Allocation**

The findings support the argument that the history of settlement schemes cannot be adequately understood by examining initial land distribution alone. Although the original allocation established the foundation of individual and household landholding, subsequent inheritance, subdivision, sales and registration processes introduced new dimensions to land access. Boone et al. (2021) provide a broader framework for understanding the continuing importance of institutional arrangements in settlement schemes. The Lugari evidence adds a historical perspective by showing how the exercise of property rights continued to depend on administrative and legal procedures long after the original settlement process.

Nevertheless, the findings do not establish the overall rate of land subdivision, the extent of changes in average holding sizes or the distributional consequences of inheritance across Lugari. This limitation is important because the existence of succession cases and disputed transactions does not, by itself, demonstrate widespread land fragmentation or systematic exclusion. Rather, the cases illustrate particular mechanisms through which property relations changed, and ownership became contested.

The historical implication is that land access should be understood as an ongoing process rather than a single event tied to the allocation of a plot. Initial beneficiaries, their descendants and subsequent purchasers encountered different requirements when establishing or defending their claims. This observation contributes to the wider scholarship by highlighting the need to distinguish between the original distribution of land and the subsequent reproduction of property rights. It also demonstrates why the long-term history of settlement schemes requires attention to family succession, private transactions and the administration of land records.

**Constitutional Reform and the Continuity of Land-Governance Challenges**

The post-2010 constitutional and legislative reforms represented a significant institutional transformation in Kenya's land-governance framework. The Constitution of Kenya (2010), the Land Act (2012), and the Land Registration Act (2012) established clearer principles and procedures for equitable access, security of tenure, transparency, and the administration of land rights. These developments reflect the broader concerns raised by Angelo (2019) regarding the historical and institutional challenges associated with land governance and reform in Kenya.

The Lugari findings, however, indicate the importance of distinguishing between changes in the legal framework and changes in actual landholding practices. The introduction of constitutional principles and new statutory institutions altered the formal basis upon which land administration could be evaluated. Nevertheless, the documentary evidence does not establish that these reforms automatically resolved existing ownership disputes, improved access for all households or eliminated administrative challenges within the scheme. The persistence of disputes over transactions and succession illustrates why legal

reform should not be treated as conclusive evidence of transformed property relations.

This finding qualifies approaches that assess land reform primarily through the introduction of new laws and institutions. Although legal changes are important indicators of institutional transformation, their historical significance ultimately depends on how they affect the recognition, protection and transfer of land rights. In Lugari, the post-2010 period is therefore best understood as a transformation in the formal standards of land governance, alongside the continuing importance of administrative practice and legal processes. The distinction between institutional reform and its practical implementation remains essential to evaluating the historical outcomes of Kenya's land reforms.

**Historical Significance**

Taken together, the findings demonstrate that the history of the Lugari Settlement Scheme was characterised by both institutional continuity and changing forms of land access. The state's central role in establishing and recognising land rights remained an important feature throughout the period. However, the processes through which people acquired, transferred and defended those rights became more complex as inheritance, subdivision, private transactions, succession proceedings and constitutional reforms shaped subsequent property relations.

The study therefore extends existing scholarship by connecting the history of state-directed settlement to the later administration and contestation of property rights within a specific settlement scheme. It demonstrates that land redistribution at independence did not conclude the historical question of access. Instead, it established a framework within which subsequent generations continued to negotiate ownership, inheritance and tenure security. The historical experience of Lugari consequently illustrates that the relationship between governance structures, political authority and land access must be understood as an evolving process shaped by institutional arrangements, political authority and changing property relations between 1963 and 2025.

**Limitations of the Study**

This study relied primarily on documentary and historiographical sources to reconstruct the relationship between governance structures, political authority and land access within Lugari Settlement Scheme between 1963 and 2025. Consequently, its findings were limited by the availability, completeness and accessibility of historical records, particularly those relating to individual land allocations, subsequent transfers, inheritance and administrative decisions. Some land disputes were examined through court records, which provide evidence of specific contested cases but cannot establish the prevalence of similar disputes across the entire scheme. Furthermore, the study did not quantitatively establish changes in landholding sizes, the extent of land fragmentation or the distributional effects of inheritance across generations. Its findings should therefore be interpreted as a historical analysis of documented institutional developments and property relations rather than a comprehensive measurement of all land-access experiences in Lugari. These limitations provide opportunities for further archival, quantitative and community-based research.

**CONCLUSION AND RECOMMENDATIONS**

**Conclusion:** The study concludes that land access within Lugari Settlement Scheme was not a single event completed through the initial allocation of plots after independence, but a historically evolving process shaped by institutional authority, political relations and changing property arrangements. Although state institutions provided the original framework for settlement and the formal recognition of land rights, subsequent inheritance, subdivision, sales, purchases and succession proceedings introduced additional processes through which ownership was acquired, transferred and contested. The study further establishes that constitutional and legislative reforms after 2010 transformed the formal standards of land governance. However, their existence alone does not demonstrate the resolution of longstanding challenges in the practical administration of land rights.

The central contribution of this study is its historical connection between the establishment of a state-directed settlement scheme and the subsequent evolution of property relations within it. By examining

the period 1963–2025, the study extends scholarship on Kenyan land governance beyond the initial redistribution of land to consider the continuing institutional and legal processes through which tenure is maintained and contested. It demonstrates that understanding land access requires attention to both the historical foundations of settlement and the later experiences of beneficiaries, their descendants and subsequent land purchasers. The study consequently contributes to the history of land governance by showing how institutional continuity can coexist with changes in the mechanisms through which property rights are exercised.

The findings also have implications for land administration and policy. Secure land access requires more than issuing title documents; it depends on accurate land records, transparent transactions, accessible succession procedures, and effective mechanisms for resolving competing claims. Stakeholders responsible for land governance must therefore strengthen the administration and protection of property rights while ensuring that constitutional principles of equity, accountability and transparency are reflected in practice.

Nevertheless, the study's documentary evidence does not establish the overall extent of land fragmentation, the distributional effects of inheritance or the scale of political influence over individual allocation decisions. Further research is necessary to investigate changes in landholding sizes across generations, the experiences of women and other groups in inheritance and succession, the implementation of post-2010 land reforms, and the relationship between land transactions, tenure security and agricultural livelihoods. Such investigations would provide a more comprehensive understanding of the long-term consequences of settlement and land governance in Lugari.

**Recommendations:** The study recommends that the Ministry of Lands and relevant land administration institutions strengthen land records through digitisation, regular updating and verification of ownership documents. Land registries and Land Control Boards should promote compliance with legal procedures governing land sales, transfers and subdivisions to minimise disputes. Community leaders and legal aid organisations should sensitise residents on inheritance and succession procedures, particularly to protect the rights of women and other beneficiaries. Relevant institutions should improve coordination in resolving land disputes while ensuring access to appropriate legal mechanisms. The National Land Commission should monitor the implementation of constitutional land reforms within settlement schemes. Finally, universities and research institutions should investigate intergenerational landholding changes, inheritance practices, land fragmentation and the experiences of different groups in accessing and securing land rights in Lugari.

**REFERENCES**

Angelo, A. (2019). Kenyatta, land, and decolonization (1961–1963). In *Power and the presidency in Kenya: The Jomo Kenyatta years* (pp. 95–114). Cambridge University Press. https://doi.org/10.1017/9781108625166.004

Boone, C., Lukalo, F., & Joireman, S. F. (2021). Promised land: Settlement schemes in Kenya, 1962 to 2016. *Political Geography, 89*, Article 102393. https://doi.org/10.1016/j.polgeo.2021.102393

Constitution of Kenya, 2010. (2010). Kenya Law. https://www.kenyalaw.org/lex/actview.xql?actid=Const2010

Dyzenhaus, A. (2021). Patronage or policy? The politics of property rights formalization in Kenya. *World Development, 146*, Article 105580. https://doi.org/10.1016/j.worlddev.2021.105580

Harbeson, J. W. (1971). Land reforms and politics in Kenya, 1954–70. *The Journal of Modern African Studies, 9*(2), 231–251. https://doi.org/10.1017/S0022278X00024807

Kenya Law. (2023, October 6). *In re estate of Musa Rengo Nabiswa (deceased) (Succession Cause 3 of 2023) 2023 KEHC 23449 (KLR)*. https://new.kenyalaw.org/akn/ke/judgment/kehc/2023/23449/

Kenya Law. (2023, September 29). *In re estate of George Kulati Lilechi (deceased) (Succession Cause 903 of 2015) 2023 KEHC 23451 (KLR)*. https://kenyalaw.org/akn/ke/judgment/kehc/2023/23451/eng@2023-09-29

Leo, C. (1981). Who benefited from the Million-Acre Scheme? Toward a class analysis of Kenya's transition to independence. *Canadian Journal of African Studies / Revue canadienne des études africaines, 15*(2), 201–222. https://www.jstor.org/stable/484409

Saeteurn, M. C. (2020). *Cultivating their own: Agriculture in Western Kenya during the "development" era*. University of Rochester Press. https://doi.org/10.1017/9781787448650

The National Council for Law Reporting. (2012). *The Land Act, 2012, No. 6 of 2012*. Parliament of Kenya. https://www.parliament.go.ke/sites/default/files/2017-05/LandAct2012.pdf

The National Council for Law Reporting. (2022, December 31). *Land Registration Act*. Kenya Law. https://kenyalaw.org/akn/ke/act/2012/3/eng@2022-12-31

Van Arkadie, B. (2016). Reflections on land policy and the independence settlement in Kenya. *Review of African Political Economy, 43*(S1), 60–68. https://doi.org/10.1080/03056244.2016.1217837

Wandere, D. O., & Egesah, O. B. (2015). Environmental adaptations and the challenges on a diaspora group: Abanyole emigrants in Lugari, Western Kenya. *Sociology and Anthropology, 3*(6), 295–300. https://doi.org/10.13189/sa.2015.030602