

**INFLUENCE OF RESTITUTION PROGRAM ON THE LIVELIHOOD OF
VICTIMS OF POST-ELECTION VIOLENCE: A CASE OF KAMARA
WARD, NAKURU COUNTY, KENYA**

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DECLARATION

This research project is my original work and has never been presented to this or any other institution.

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This research project has been presented for examination with my approval as the university supervisor.

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DEDICATION

I dedicate this project to my wife Dorcas Kibet and our lovely children Gideon, Collins, Yvonne and Ryan. Their valuable encouragement and support were instrumental in the project's completion.

I also dedicate this work to my parents Mr and Mrs Thomas Tanui Teituk for their wisdom and inspiration which has been my tower in search for knowledge.

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ABBREVIATIONS AND ACRONYMS

ADB	African Development Bank
DRC	Danish Refugee Council
FBO	Faith Based Organization
GoK	Government of Kenya
HLP	Housing, Land and Property
IDP	Internally Displaced Persons
IIDP	Integrated Internally Displaced Persons
IOM	International Organization for Migration
KDHS	Kenya Demographic and Health Survey
KRP	Kamara Restitution Project
MDG	Millennium Development Goals
MoD&P	Ministry of Devolution and Planning
NGO	Non Governmental Organizations
UN	United Nations
UoN	University of Nairobi
PEV	Post-Election Violence
SPSS	Statistical Package for Social Sciences software
NLC	National Lands Commission
NRC	Norwegian Refugee Council
RFIRLP	Restoration of Farm Infrastructure and Rural Livelihood Project
TJRC	Truth, Justice and Reconciliation Commission
TRC	Truth and Reconciliation Commissions

ABSTRACT

This study examined the relationship between restitution program and the livelihood of victims of 2008 PEV in Kamara Ward, Kuresoi North Constituency in Nakuru County in the period 2007-2014. The Ward is multiethnic with majority being the Kikuyu, the Kalenjin and the Kisii. The restitution can only be made effective if it serves to mitigate the challenges faced by the victims of PEV and the lessons learnt be brought to the attention of policy makers at the line ministries and the Parliament. The general objective of this research study was to find out the influence of Government restitution on the PEV victims' livelihood with specific objectives being; to establish how land restitution influences the PEV victims' livelihood; to explore how provision of financial restitution influences the PEV victims' livelihood; to examine the influence of legal justice on the PEV victims' livelihood and the influence of security on the PEV victims' livelihood of Kamara Ward. The study adopted descriptive survey design. The field survey tool for data collection was questionnaires. Purposive sampling was used to select Kamara Ward since it is cosmopolitan and a major casualty of PEV. Systematic Simple random sampling was also used to select a total of 394 respondents. The data was processed and analyzed using descriptive statistics while multiple regression analysis was used to establish any relationships between the restitution (KRP) and PEV victims' livelihood performance. The study established that majority of the respondents were land owners with land ranging from half an acre to 50 acres. The study found out that majority of the respondents were not compensated after the events of the 2008 PEV, that majority of PEV victims' lands were not occupied illegally and the Government had no supporting laws to compensate all those affected by PEV which, to a greater extent, affected the compensation of the victims of PEV in Kenya and that the respondents felt safer after the Government enhanced security. The study therefore concluded that majority of the residents in Kamara ward owned land ranging from half an acre to fifty acres (50 acres) and majority were peasant farmers and most were not compensated financially and those compensated received a financial restitution of less than Ksh 50,000. In addition, the study concluded that their land was not occupied after the 2008 PEV and that the aggressors were compelled to return whatever he/she took from 2008 PEV victims.

The study therefore recommends that the Government should initiate a framework that will ensure that all the PEV victims are compensated with land, should implement the financial restitution programme to ensure that all the PEV victims are financially compensated and use laws and policies through relevant authorities to reclaim and ensure safe return of PEV victims to their homes that have been illegally occupied. In addition, the study recommends that government, non-Governmental Organizations (NGOs), churches and even individuals should help PEV victims to access basic needs such as food, shelter, security, health, education and sources of livelihood once they return to their farms.

CHAPTER ONE

INTRODUCTION

This chapter presents background information, location of the study, statement of the problem and the purpose of the study. It indicates what necessitated the researcher to carry out the study. The chapter also contains the objectives of the study, the significance of the research study, the scope of the study, limitations and assumptions made during the study.

1.1 Background of the Study

Restitution is an act of restoring something that has been taken away to the rightful owner (TJRC Act, 2008). It is the process by which land and other property that was forcibly or arbitrarily removed from its owners is restored or compensation of equivalent value provided as envisioned in UN Pinheiro Principles on Housing and Property Restitution for Refugees and Displaced Persons (The UN Pinheiro Principles, 2005).

In Africa the struggle for land has been a major factor in decolonization and post-independence development. The fight for land between tribes and nations and between settlers and indigenous population represents a significant chapter in Africa's recent history (Hendricks & Ntsebeza, 2000). Land became a resource whose value was determined by the sacrifices made through bloodshed in order to take or protect it. The current land patterns in Africa were shaped by land possession initiated by colonialism and large-scale immigration by European settlers into Africa, consequently determining the economic position of Africans.

Bracewell-Milnes (1982) stated that ownership represents potential consumption, and that the power to consume has value as well as its exercise. This links with the most pressing concerns for indigenous communities around the world that revolves around use of land and the occupation thereof. To them the relationship to land was not merely a question of possession and production but also a material and spiritual element that must be fully preserved for future generations.

This led to imbalances of land ownership in Africa that dates back to the Berlin Conference of 1885, when European powers partitioned Africa into spheres of

influence. DeWaal (1990) stated that during the Berlin Conference an agreement was that Europe would recognize the sacred duty of preserving the aboriginal races of Africa of watching over their interests and of cultivating their moral and material advancement for development.

The reality in Africa was that Blacks were dispossessed of their ancestral land and prohibited from participating in commercial production except as laborers. By the end of the First World War, Europe had colonized up to 85% of the world. Since then 'the land question' became a major cause of liberation struggle in Africa. Land reform was a recurrent historical event and not merely the invention of idealistic reformers. Years after most countries have regained their independence these imbalances still remain, as in the case of Kenya (DeWaal, 1990). The quest for land ownership was pivotal in the political evolution of these countries. Today, perhaps more than ever, people in developing countries are living in need of land.

1.2 Statement of the problem

The victims of the 2008 Post Election Violence (PEV) faced a host of challenges caused by limitation of resources and limited engagement with stakeholders by the Government in setting up objectives aimed at alleviating their suffering (Jack R. M. & Samuel, J. M. J., 2012). Historical background study of PEV and the analysis of the consequent compensation of the victims by Governments and NGOs show little on influence of restitution on people's livelihood at the international, regional and national levels despite restitution being one of the reconciliation methods (Barkan & Elazar, 2000).

As it stands, Kenya's 16.7 percent land area has high agricultural potential (Syagga, 2012) where over 80 percent of Kenyans derive their livelihood and its production contributes to approximately 25% GDP (KDHS, 2005). The bulk of the population is concentrated in the 25 percent of high potential land area in the South-Western part of the country (KNBS, 2009). Beside the high density, 28.9 percent of Kenyans are landless. In addition 32 percent of the population lives on less than 1 hectare per household and only 5.3 percent owns more than 5 hectares of land (KDHS, 2007). According to El Ghonemy (1990), this contributes to 0.77 Gini coefficient of land concentration in Kenya and the PEV scenario worsened the livelihood for the IDPs.

There is much literature to show concern for the challenges facing IDPs internationally and the need for specific victims' restitution framework. According to Miller Z. (2008), restitution focuses on civil and political violations of human rights but fails to include economic and social aspects of livelihood (Hillenbrand, 1990).

There seems to be little study on the influence of land restitution, financial restitution, legal justice and security on the livelihood of PEV victims. In addition, no specific studies have been found to address Nakuru County and specifically Kamara Ward which this study intended to do. All stakeholders must address critical issues affecting the livelihood of the PEV victims (Kanyinga, 2000). It is equally important for GoK policy makers to critically assess these interventions given the role restitution plays in either improving or reverting back the livelihood of the PEV victims and whether KRP under RFIRLP restitution program satisfied a truly restorative transitional model of legal justice (Oakes and Rossi, 2003). Therefore, the research study sought to find out the influence of land, financial, legal and security restitutions on the livelihood of 2008 PEV victims in Kenya.

1.3 Purpose of the Study

The purpose of this study was to evaluate the influence of restitution programme on the livelihood of PEV victims in Kamara Ward, Nakuru County, Kenya.

1.4 Objectives of the study

The study is guided by four objectives:

1. To establish the influence of Government land restitution on the livelihood of PEV victims in Kamara Ward
2. To explore the influence of Government financial restitution on the livelihood of PEV victims in Kamara Ward
3. To examine the influence of legal justice on the livelihood of PEV victims in Kamara Ward.
4. To establish the influence of Government security on the livelihood of PEV victims in Kamara Ward

1.5 Research questions

1. What is the influence of Government land restitution on the livelihood of PEV victims in Kamara Ward?
2. How does provision of Government financial restitution influences the PEV victims' livelihood in Kamara Ward?
3. What is the influence of legal justice on the PEV victims' livelihood in Kamara Ward?
4. What is the impact of Government security after restitution, on the PEV victims' livelihood in Kamara Ward?

1.6 Significance of the Study

It is hoped that this study would benefit the Government especially the Ministry of devolution and planning to review policies on Mitigation & Resettlement under the National Humanitarian Fund for Mitigating the Effects of PEV and Resettlement as stated in the GoK overview of RFIRLP project, 2014 in the Legal Notice No 11 of 30th January, 2008 (Anderson, 1975).

Studies have shown that 80 percent of the World population depends on agriculture and as a result, land cushions 70 percent to 90 percent persons from abject poverty (Curtis, 2003). As such, the GoK would learn to equitably distribute this resource by utilizing this study on the influence of restitution on livelihood of the PEV victims through alignment of development with other world policies such as The Johannesburg World Summit for sustainable Development, 2002 (WSFSD).

According to a survey done in Nakuru County, 2008 PEV violence contributed to the country's negative economic growth from 6.8 percent to 2.4 percent which echoes Curtis, 2003 observation (KNBS, 2008). Therefore an effective KRP would ensure that the health and wealth of the PEV victims and their children would improve as envisaged in the Alma-Ata primary Health care Declaration (WHO, 1978). The study aimed to tackle future challenges in conflict resolution and management experienced by the PEV victims, NGOs and FBOs through proper targeting of beneficiaries of restorative justice (John Braithwaite, 2004). The IIDPs and IDPs would greatly benefit

if restitution is tailored to suit them and not as viewed by the government and other stakeholders of KRP (New York State, 2000).

Based on the findings, this study would seek to find out if the gains have contributed to realization of the Kenya Vision 2030 through restitution as a Medium Term Plan I (MTP I) emergency intervention (GoK, 2013). In future, the MoD&P and the Ministry of Interior and Coordination of National Government would have proper allocation and equitable sharing of human and financial resources to programmes in order to achieve meaningful development as articulated by Compendium Art. 328, 2008 that goods even when are legitimately owned always have a universal destination and any type of improper accumulation is immoral, because it openly contradicts the universal destination assigned to all goods by the creator (Compendium, 2008). In addition, The GoK as well as other stakeholders would be more satisfied if the intervention eventually translates to healthy and effective workforce to foster the country's economic growth (WHO, 2000). For these reasons, the study on influence of restitution programs on PEV victims' livelihood is important in developing effective poverty alleviation strategies (Zeller and Sharma, 2000).

1.7 Scope of the Study

This study covered the perceptions of the beneficiary communities on influence of restitution program to the society's livelihood after compensation. Also in the literature review, relevant literature covering Africa, Europe, United State of America and parts of Asia guided this project study to identify if there is any influence of restitution programme on the livelihood of 2008 PEV victims in Kenya.

1.8 Delimitations of the Study

The study was delimited to villages in Kamara Ward since it is cosmopolitan and a hybrid of rural and urban mix. It was the bedrock of intermittent PEV in Nakuru County, hence a representative choice for the County and the whole country that can depict an inter-linkage between restitution program and the livelihood of the victims.

The respondents were GoK officials and the residents of eight villages. This is because the GoK officials have special role in conflict management at the unit level and are custodians of useful data that was relevant for this study such as beneficiaries

of restitution and observed changes to the wellbeing of victims of PEV. All the residents were victims of PEV in one way or another and some were the primary beneficiaries of KRP which was under RFIRLP.

1.9 Limitations of the Study

The study was limited to KRP though there are other factors that influence the livelihood of the residents. Therefore, using only one factor of KRP to conclude that residents who were restituted had their livelihood improved as compared to those who were not can easily be criticized. External factors affecting the civil servants and other stakeholders who helped to facilitate KRP may have affected restitution and livelihood.

The study was hindered by time and financial constraints. The MoD&P assisted to deal with financial challenge. The Speed of data collection was also slowed by bad roads and scattered population settlement within the villages. The researcher made arrangements on good means of transport to overcome this problem in good time.

1.10 Basic Assumptions of the Study

The study is grounded on five fundamental assumptions; it assumed that the violence adversely affected the socio-cultural and economic aspects of the victims of 2008 PEV by destroying their livelihood and societal fabric; secondly, that ethnic violence in the area has always been politically motivated; thirdly, restitution project was implemented without bias to everyone in Kamara Ward with assumption that they were all affected by 2008 PEV and KRP being a means of restorative justice at the village level gave them equal chance to benefit from KRP as all other factors that influence their livelihood are assumed to be constant. Another key assumption of the study was that the GoK officials, village elders and all other respondents will participate by giving accurate information and that the findings of this study will be useful to policy makers such as the Ministry of Devolution and Planning, line ministries and other stakeholders in formulating policies for future use in similar situations.

1.11 Definition of Significant Terms used in the Study

Land Restitution: An act of restoring to the rightful owner land or property that has been taken away, lost or surrendered.

Financial restitution: It is the process of compensating the victims of PEV with cash in order to regain their original status.

Legal justice: Justice that focuses on the needs of the victims, the offenders and the affected community, instead of that which satisfies abstract legal principle of just punishing the offender.

Government Policy: These are rules and regulations governing the state. It helps every person in any institution or within any state to behave in a given manner.

1.12 Organization of the Study

This research project is organized into five chapters. Chapter one covers introduction to the study which highlights the background of the study by looking at the historical situation of restitution globally, regionally and locally. It also contains statement of the problem, purpose of the study, research objectives and research questions as well as the limitations of the study. It also includes significance, delimitations and limitations of the study, the assumptions and definitions of terms and the organization of the study. The second chapter contains theoretical and empirical literature review which highlights how the restitution programme has affected the livelihood of the IDPs and IIDPs together with a conceptual framework indicating relationships and variables that influence the livelihood and brief summary of literature review. Chapter three describes the research methodology used to carry out the study including the research design, target population, sampling methodology, sample size, data collection methods, reliability and validity of research instruments, data collection procedures as well as data processing, analysis techniques and presentation. Chapter four presents research findings, analysis of the data and interpretation of the data collected from the respondents. Chapter five presents the summary of findings, the discussion and conclusion drawn from the analyzed data. In addition it presents the recommendations of the study and suggestions for further study. There is also the reference and appendices in the annex.

CHAPTER TWO

LITERATURE REVIEW

2.0 Introduction

This chapter provided a review of relevant literature from local and foreign books, publications, research journals and reports from different authors conceptualized under the objectives of the study. The chapter also provided theoretical, empirical description and conceptual frameworks upon which this study is based. A summary of the review was provided identifying knowledge gaps that need to be filled where applicable. The summary mainly focused on the following livelihood thematic areas: land restitution and PEV victims' livelihood performance, Government financial restitution and PEV victims' livelihood performance, Legal justice and PEV victims' livelihood performance and lastly Government provision of Security on and after land repossession and PEV victims' livelihood performance.

2.1 Livelihood

Livelihood perspective starts with how different people in different places live. Chambers (1995) defines it as a means of gaining a living or a combination of the resources used and the activities undertaken in order to live. A descriptive analysis portrays a complex web of activities and interactions that emphasize the diversity of ways people make a living. This may cut across the boundaries of more conventional approaches to looking at rural development which focuses on defined activities such as subsistence farming, wage employment, farm labour and small scale businesses among others (Scoones and Thompson, 2009). Outcomes of course vary, and how different strategies affect livelihood pathways or trajectories is an important concern for livelihood analysis. This dynamic, longitudinal analysis emphasizes such terms as coping, adaptation, improvement, diversification and transformation. Analysis at the individual level can in turn aggregate up to complex livelihood strategies and pathways at household, village or even district levels (Scoones, 2009).

A person's livelihood refers to sustainable means of securing basic necessities of life such as food, shelter, water and clothing through individual or through a group endowment (Robert & Gordon, 1992). Sustainable livelihood comprises the

capabilities, assets and activities required for a means of living (Chambers & Conway, 1992).

2.2 Livelihood in Kenya

A person's livelihood refers to sustainable means of securing basic necessities of life such as food, shelter, water and clothing through individual or through a group endowment (Robert & Gordon, 1992). A livelihood comprises the capabilities, assets (including both material and social resources) and activities required for a means of living. A livelihood is sustainable when it can cope with and recover from stresses and shocks and maintain or enhance its capabilities and assets both now and in the future, while not undermining the natural resource base (Chambers & Conway, 1992). During the independence struggle, violence was manifested in Kenya to dispel political, economic and social forms of domination by colonialists. This caused deaths of family members and a decline in people's livelihood (Jesse & Prisca, 2006). The livelihood of the country nose-dived due to tensions and conflicts between communities due to economic disparities (Gamage, 2009).

Land conflicts in Kenya are reignited around election times as it happened in the year 1992, 1997, 2002 and 2007 (Kamungi & Mbura, 2001). It is estimated that during the 2007 PEV alone, over 140,459 households were displaced from their land; their property was destroyed and lives were lost (Ministry of Devolution and Planning, 2009). Approximately 663,921 people were displaced and about 78,254 houses destroyed country-wide and this culminated to a total of 350,000 IDPs seeking refuge in 118 camps whereas about 313,921 IIDPs were integrated within communities across the country. An additional 640 households fled to Uganda (GoK, 2011). Many victims are yet to be resettled because of rampant public land grabbing, historical land injustices and corruption witnessed in the Government resettlement programme (Ngunjiri, 2009).

2.3 Restitution

Restitution is a process by which land and other property that was forcibly taken or arbitrarily removed from its owners is restored or compensation of an equivalent value provided (The UN Pinheiro Principles, 2005). Restitution transforms traumatic national experience into a constructive economic trade, socio-political prosperity that

is enhanced by conflict resolution, equitable distribution and protection of resources such as land investment and real estate (Barkan & Elazar, 2000). This discourse aims to build on negotiations between the narratives of the victims and perpetrators. The outcome gives them a shared escape route from the bondage of history with an aim to start a new beginning. The negotiated outcome may not completely satisfy the wishes and expectations of the victims or the perpetrators but through its partial outcome, restitution accords moral justice through acknowledgement of victims' suffering and the aggressor's willingness to retribute (Barkan & Elazar, 2000).

According to Jenkins (2006) restitution, unlike compensation, occurs when the offender remunerates the victim for the material and financial losses that they have incurred and is an ancient concept that date back to the earliest notions of restorative justice. Compensation occurs when the state pays the crime victim for financial and other losses such as pain and suffering (Hillenbrand, 1990).

The limitations of restitution occur when the restitution property does not exist anymore as a result of destruction. In most cases land may not be directly affected by destruction but other properties like houses can be destroyed and cease to exist. Also passage of time can impose restrictions on restitution in case the property has changed hands severally. For example, after colonial alienation of land in Kenya, land ownership changed hands considerably and the new occupiers acquired the land legally and therefore surrendering it would interfere with their rights of ownership (Bernstein & Kamungi, 2006). Land may also have changed its form through development hence affecting its market value. In other cases it may be difficult to determine the victims or beneficiaries of restitution (The GoK Independence Constitution, 1963). Even where they are identified, they may not want restitution of property and may prefer other remedies such as monetary compensation (Ocheje, 2007).

Restitution is significant for two main reasons: it has important socio-political implications in solving conflict resulting from loss of property, violations of human rights, political, civil and socio economic rights. Secondly, restitution can be used as a means of achieving closure to conflicts by enabling refugees and IDPs to return home and restoring their lost property and land (Rupesinghe, 1996).

Successful restitution cases underscore the growing role of guilt, mourning and atonement in national reconciliation and the demand for new rights by historically victimized groups. Restitution transforms a traumatic national experience into a constructive political situation (Walter, 2006). The closure of conflict opens new opportunities and creates new rights while facilitating changes in national identities at the same time provides means by which perpetrators of human rights abuses can make reparation and undo some of the harm that has been done.

2.4 Restitution Program in Kenya

Restitution helps to regain people's livelihood. For example in Kenya, the independence constitution entrenched the protection of property which retained the British property law that required GoK or any willing buyer to purchase land from the white settlers as a compensation for surrendering the land (The GoK Independence Constitution, 1963). The UN 2000 Millennium Summit also declared the MDGs which asserted that every individual has dignity and hence has a right to freedom, equality and basic standard of living that includes freedom from hunger and violence. The MDGs covered poverty eradication, environmental protection, human rights and protection of the vulnerable (UN, 2005) which formed the basis for restitution.

After independence many conflicts have arisen in the past but the worst happened during 2008 PEV that led to loss of lives and livelihood. In line with MDGs the victims of 2008 PEV demanded for compensation for the loss of lives, land and other property (UN, 2005). They also demanded security as well as the legal redress for all citizens to regain their livelihood (GoK constitution, 2010).

The GoK responded through a program dubbed "operation rudi nyumbani" which loosely means to take people back to their original homes or their original economic state. In tandem with national policies, the Government undertook RFIRLP resettlement programme through KRP to redress all loss and harm experienced during 2008 PEV by placing the individual in his or her pre-loss position as far as it was practicably possible (Ministry of Devolution and Planning, 2014). The project was undertaken by the then Ministry of State for Special Programmes at a cost of Kshs 1.5 Billion loan from ADB as per Legal Notice No 11 of 30th January, 2008 (GoK, 2008).

Subsequently, the GOK initiated IDP profiling exercise that identified a total of 140,459 households consisting of 663,921 persons as an accurate number of IDPs in the country (GoK, 2008). The Operation Rudi Nyumbani initiative assisted a total of 350,000 IDPs to go back to their farms. In addition, 384 households of Kenyan refugees who had fled to Uganda returned back. Each household was facilitated with start-up funds of KShs.10, 000 and an additional Kshs.25, 000 each for construction of burnt or destroyed houses and for food and non-food stuff. The GoK also facilitated the construction of 32 police posts and deployed additional security personnel to the affected areas. The exercise succeeded through partnership with the UN, NGOs, FBOs and the private sector (Ministry of Devolution and Planning, 2013).

The RFPRLP project was implemented by IOM, GOAL Ireland, DRC and NRC which involved reconstruction of 21,000 low cost 3-roomed farm houses including gutters and a water tank and agricultural input packs (Guimaraes, 2009). By the end of 2013 the GoK had resettled and restored the livelihood of 21,000 IDPs including peace and reconciliation initiatives. All project beneficiaries who were IDPs were also issued with farm inputs through National Accelerated Agricultural Input Access Programme (NAAIAP) and tree seedlings to address environmental concerns (GoK, 2014). The breakdown of the total amount used in the program is as shown in Table 2.1.

Table 2.1: Funding sources for RFIRLP

Source	Amount (ua) (millions)	Amount (Kshs) (millions)
ADB	15	1,780
GOK	0.978	116
Total Cost	16.673	1,978

Source: MoD&P, 2014

During the project appraisal it was realized that the former Rift Valley Province had the most affected districts which included the greater Molo, Uasin Gishu and later extended to cover Koibatek district (Ministry of Devolution and Planning, 2014).

The project benefitted a total of 110, 398 IDPs in former Rift Valley province. In Nakuru County the project assisted 9,497 IDPS who had returned to their farms.

Kuresoi North Constituency had 2,987 beneficiaries while Kamara Ward had a total of 1,704 direct beneficiaries of the project (Ministry of Devolution and Planning, 2014).

The breakdown of beneficiaries per district is shown in Table 2.2.

Table 2.2: RFIRLP Beneficiaries

Constituency	No. of Beneficiaries
Njoro	1525
Molo	1077
Kuresoi North	2,987
Kuresoi South	3,908
Total	9,497

(Source: MoD&P, 2014)

2.4.1 Land Restitution and the livelihoods of PEV victims

Land restitution is a process by which land or other property that was forcibly taken or arbitrarily removed from its owners is restored or compensated with an equivalent (The UN Pinheiro Principles, 2005).

Many studies have shown that farming and proper land utilization not only reduces rural and urban unemployment but also provides a more equitable distribution of income (KDHS, 2005). Thus land as a factor of production should be efficiently and effectively mobilized to optimize production (Dorner, 1975) failure to which it will contribute to skewed development (Kahura, 2004). As outlined by Nozick (1974), it should adhere to three overriding principles of entitlement theory that is; just acquisition, just transfer of property and the rectification of justice where property is unjustly acquired or transferred.

As Observed by Syagga (2006), the regions with high proportion of landless households also have high poverty levels. The former Rift Valley Province forms 38% of Kenya's potential land and Kamara Ward is within this region (GOK Statistical Abstract, 2009). In order to foster production therefore, there is need for the GoK to be efficient in land restitution and distribution.

During World War II between 1933-1945, the Nazis seized real and movable property from Jews, members of some Christian organizations, Romans and others. Between

1989 and 1991 much of that property in Western Europe was returned or compensated after the collapse of communism. The World Jewish Restitution Organization (WJRO) together with 45 nations participated in Claims Conference in Prague with primary agenda being restitution of property seized during the Holocaust. This led to successful land and property restitution program in democratic countries like Poland, Hungary, Romania and others in Eastern Europe which is a clear indicator of the effectiveness of the rule of law (Clark, 2004).

Bertus de Villiers (2003) indicated that the South African Restitution of Land Rights Act established a specialized Commission and Court to deal with the restitution process. The specialized nature of these institutions was to ensure they devote their resources and time to redress the question of land dispossession falling within the ambit of the Act (Marais, 1998). The merits of establishing such institutions for a specified period of time include prompt and efficient dispensation of restitution process.

Since 1995, when the process began in South Africa, close to 94 percent of all land claims for restitution have been settled. Although it has taken longer than initially intended, that is a significant success. However, according to Bertus de Villiers (2003), despite the remarkable statistics in terms of settlement of the land claims, they have not contributed to land reforms in South Africa due to the fact that most of the settlements have been through cash compensation for land lost and that most of the remaining settlements are rural claims which have been slow and complicated. Ironically, South Africa's restitution policy initially envisaged that the restitution process would be aimed at sustainability rather than once-off settlements.

The lessons learnt are useful for a comparable scenario in Kenya given that the majority of indigenous peoples' land claims fall within the rural category (Kariuki, 2000).

2.4.2 Financial Restitution and the livelihoods of PEV victims

Financial restitution is whereby an individual or entity is paid a sum of money as compensation in order to restore what had forcibly been taken away from them (Walter, 2008). For example, in 1804 Haiti undertook a successful full-scale black slaves' revolt against the colonizing French and in April, 2003 they demanded a pay

back of US\$21 billion from France as restitution for money paid in 1825 to French settlers as a precondition for recognizing the island's independence. This monetary demand was conceivably the first international claim for reparations for Blacks with a specific amount attached to it (Randall, 2007). According to 2009 US Economic and budget analysis, a restitution of US\$1.2 billion was also made to more than 66,000 surviving Japanese-Americans who in 1942 were forced from their homes and jobs and detained for three and a half years, (Nash, 1987).

Financial restitution constitute monetary penalty along with fines for the victim. According to Weisbard (2008), stand-alone restitution orders that were made to the victim rather than the state posed challenges during enforcement and as noted by Chief Judge Stuart of the Yukon Territorial Court the victims used their own means to pursue their compensation for injuries in another court process. Also the challenges of identifying demographics of the victims and the offenders and tracking economic factors related to the payment of restitution orders hamper restitution program.

Prairie Research Associates (2004) and Martell Consulting Services (2002) suggested that raising awareness through targeted information and education on restitution and penalty collection could assist victims to resettle and regain their livelihood. In that case, further research and understanding of promising theoretical and empirical practices of financial restitution will ultimately assist victims in the area of financial restitution (Prairie Research Associates, 2004; Martell Consulting Services, 2002).

2.4.3 Legal Justice Restitution and the livelihoods of PEV victims

Restitution through legal justice is whereby the Government uses laws and policies through relevant authorities to ensure voluntary and safe return of PEV victims to their homes or by enabling them to relocate and resettle voluntarily into other parts of the country. Kenya has no national legislation and policy on IDPs and the "Operation Rudi Nyumbani" was based on two legal notices which did not cater for all categories of IDPs. For instance, the displaced persons in other previous PEV were not included for resettlement and they felt that the legal notice discriminated against them. This project will find out how this legal gap has affected people's livelihood (Ministry of Devolution and Planning, 2013).

Though the Government and humanitarian organizations were aware of the UN Guiding Principles on IDPs and regional protocols in the area, especially the Great Lakes Protocol on IDPs and the Protocol on the HLP of Returning Populations, these laws had not been domesticated and international humanitarian organizations such as UNHCR, Oxfam and the Save the Children had raised the issue (UN, 2005). The laws have been mostly ineffective because of poor management, outdated incomplete land records giving leeway for land owners to take advantage of the loopholes. In addition, the inadequate compensation paid for the appropriated land and skewed land redistribution made restitution to be unpopular among the landowners and victims (Hellgriegl, 1989).

Restitution through legal justice obligation includes security while facilitating the reintegration of IDPs into their chosen place of residence through a legal framework. Such authorities have the duty and responsibility to implement a just and equitable reparation programme which includes assisting displaced persons to recover property and possessions left behind during displacement as far as is practicably possible, or otherwise give adequate compensation as a remedy to the loss of their property (Walter, 2008).

After the WJRO and other nations Claims Conference in Prague, forty three nations signed Guidelines and Best Practices for the restitution and compensation of immovable property that had been wrongfully confiscated by the Nazis, Fascists and their collaborators during the Holocaust Era. This became a legal framework for secure restitution by member countries (Clark, 2004).

The history of restitution in South Africa (SA) was periodical as follows; the struggle over land policy in 1990 to 1994, the crisis in restitution in 1995 to 1998 and implementing an administrative process from 1999 to date. This led to introduction of land reforms policy that reflected change in the balance of power (Helena & Heinz, 1999). In order to address inequitable distribution of land ownership, racism and the social geography, the SA Post-Apartheid Government started land restitution, land redistribution and land tenure reforms that focused on transforming agrarian land usage by promoting justice, equity and security within the rural and the urban areas of SA (Okoth, 1991).

In 2010, Kenya's new Constitution gave the NLC the mandate to manage public land on behalf of National and County Governments among other functions (Section 67). However, the Constitution did not provide for regulations on how best to make the NLC effective (Constitution of Kenya, 2010).

In Kenya, the African Commission on People's Human Rights (ACPHR) ruled, in 2003, that the GoK's failure to consult or compensate adequately the Endorois community violated the African Charter on Human and Peoples Rights. They called for the GoK to legally recognize the Endorois ownership of their ancestral land and to restitute them. The Maasai also wanted a review of Maasai land agreements of 1904 and 1911 whose 100-year leases expired in 2004 and 2011 respectively (Hughes, 2009) as quoted by Stephen (2009). Kenya is party to some of the international instruments that accord indigenous peoples' protection of their human rights, including their land rights.

Beyond the legal reforms that are aimed at improving land access and tenure security in Kenya it is significant that international law standards are applicable. According to Kenyan Constitution 2010 or Act of Parliament, the public international laws and agreements bind Kenya and shall form part of the laws of Kenya.

2.4.4 Government Security and the livelihoods of PEV victims

Security is a basic human right as per Article 3 of the Universal Declaration of Human Rights. As a member, Kenya subscribes to this declaration and regards security as a matter of national priority that contributes to the citizens' quality of livelihood by providing an enabling environment to stimulate social, economic and political development (Celador, 2008).

The Government's priority on the return of the IDPs to their farms and homes was well intended but lack of reconciliation and security was a challenge to their return. Reconciliation between the returnees and the local community could not be easily achieved partly due to limited resources and historical injustices. Successful restitution program therefore, depended on the successful resolution of the historical injustices through citizens' participation in designing their own solutions by pooling their resources together (Guimaraes, 2009).

The “Operation Rudi Nyumbaniö (Operation to go back home) was perceived as a failure by the civil societies and IDPs. For instance, Peace Net Kenya Civil Society Organization (CSO) observed that most IDPs were concerned about their safety guarantee and access to basic needs such as food, shelter, security, health, education and sources of livelihood once they returned to their farms. Similarly, in a report titled a Tale of Force, Threats and Lies: Operation Rudi Nyumbani in Perspective, the Kenya Human Rights Commission reported that most IDPs in Molo did not go back to their homes due to insecurity, landlessness and lack of reconciliation among the warring communities (KHRC, 2008). In this regard, FBOs that were involved in reconciliation championed inter-community dialogue on security as a priority before the resettlement exercise (Ministry of Devolution and Planning, 2014).

2.5 Empirical Literature Review

Restitution is an integral part of broader land reform programmes and is closely linked to the need for the redistribution and reforms of land tenure. The performance of the restitution programme from 1996 to June 2003 indicates increased number of land restitution beneficiaries in SA after ANC’s agitation for development of a court based restitution process to compensate those who were forcibly removed (Hershenov, 2000). The SA constitution also incorporated a strong rights base to the land reform programme based on market-driven programme of willing buyer/willing seller basis and this came at a definite price (Garth Cant, 1999).

David (2000) observed that though restitution can occur without atonement, the atonement component fails to indicate the economic impact to the victims and aggressors after restitution. He emphasized on the theory that gives full account of intuitions about paying debts, doing penance, alleviating guilt, granting forgiveness, accepting moral luck, offsetting privileges, pleasures and burdens. He warned against justifying punishment on some people to deter others from committing crime. Instead, it is prudent to channel grievances in a positive and productive way without getting even or vindictive, contrary to the traditional wisdom that justice and revenge are diametrically opposed and hurts the individual’s family if the attempt to harm succeeds while the punishment is less for somebody who commits felony the second time. The theory does not indicate whether restitution is meant to punish the aggressor and uplift the livelihood of the harmed (David, 2000).

Jesse and Prisca (2006) observed that TRC have not been successful as tools for truth, justice, reconciliation and national unity due to overriding expectations of material compensation by the victims which needed to be moderated to view TRC an avenue for restorative justice and not an alternative to functioning institutions (Jesse & Prisca, 2006). TRC delegated such work to CSOs in order to maintain pressure on GoK to strengthen institutions and implement sound policies on land, to eliminate corruption and waste, human rights protection, resource management and distribution and immediate attention to the IDPs' socio-economic and legal-historical distributive justice questions such as poverty, inequality and marginalization (John Braithwaite, 2004).

In a bid to restore land and provide for remedies to individuals and groups who were dispossessed of their land as a result of past racial discriminatory laws and policies, the post-apartheid legal framework provides for a process of land restitution in South Africa (Marais, 1998). The 1996 Constitution provides that a person or community dispossessed of property after 19th June, 1913 as a result of past racially discriminatory laws or practices is entitled to property, to the extent provided by an Act of Parliament, either through restitution of that property or an equitable redress.

The framework and processes of seeking restitution is provided for by the Restitution of Land Rights Act (Saul & Gelb, 1981). However, the claimants for restitution of land rights in South Africa are either individuals or communities who satisfy the criteria stipulated by the Constitution and the implementing legislation. According to the Restitution Act, the relevant dispossession is one of a 'rights in land' which needs not be registered. As surveyed by Maloba (1996), indigenous peoples' 'rights in land' in Kenya are neither recognized nor registered in accordance with their customs and preferred way of life unlike in SA where it is instructive that the 'right in land' can be one of a customary law nature. Such provision that recognizes that there are rights in land that may not be registered is useful for indigenous people.

In Kenya where most indigenous people claim their land rights on the basis of their customary law, a similar or equal provision would be important to safeguard the interests of such communities (Maloba, 1996). Certain historical writings in Kenya indicate that the Ogiek, for example, lost most of their lands through invasion by other communities such as the Kikuyu and the Kalenjin long before colonialism. However,

it appears that the imposition of colonial rule and laws was significant turning point in Kenya's land tenure and land relations. If such a process is ever adopted the 15th June 1895, the date of declaration of the East African Protectorate is therefore a possible cut-off date for restitution in Kenya.

The South African Restitution of Land Rights Act establishes a specialized Commission and Court to deal with the restitution process (Chaskalson, 1993). The specialized nature of these institutions ensures that they devote their resources and time to redress the question of land dispossession falling within the ambit of the Act in order to promptly and efficiently dispense with the restitution process. Since 1995, when the process began in South Africa, close to 94 percent of all land claims for restitution have been successfully settled despite taking longer than initially intended.

According to Bertus de Villiers (2003) however, these remarkable statistics in terms of settlement of the land claims have not contributed significantly to land reforms in South Africa due to the fact that most settlements were through cash compensation for land lost and that most of the remaining settlements were rural claims which have been slow and complicated. This scenario is a useful lesson for Kenya given that majority of the indigenous peoples' land claims falls within the rural category (Hall, 2004).

Helena and Heinz (1999) as quoted by Glen Thompson (2009) in *The Responsibilities of Restitution Research in Ridgeview Quarry (Cato Manor)* argued that the introduction of land reforms policy in SA must include land restitution, land redistribution and land tenure reform to promote justice, equity and racism redress.

The study on the victims and aggressors was about historical and legal methods which redressed social justice and financial equity for those dispossessed of land including focus on civil and political violations of human rights but failed to include economic and social aspects of human rights (Miller, 2008). However, there was financial aspect in Haiti. According to Randall (2007) Haiti demanded \$21 billion from France. The Nazis were also held accountable (Ramsey, 2004) and many properties returned for restitution in Iron Curtain countries. According to Kanyiga (2000), Kenya reported struggles in access to land because of non-comprehensive Government policy on land tenure, land use and failure to articulate restitution post-effects on victims.

In her study, Susan M. (2009) saw that processing of restitution orders depended on the jurisdiction and constituted monetary penalty along with fines. The federal and provincial victim surcharge created enforcement challenges because of difficulties in locating the demographics of the victims and the offenders. She suggested new thoughtful evaluations of theoretically and empirically informed programs to minimize further harm for victims of crime through land use and productive potential, traditional and long-standing occupation of a piece of land, birthright as well as legal title deeds and removal of apartheid legislation. This culminated in the Restitution of Land Rights Act 22 of 1994 which formed the basis of the Restitution Programme (Susan, 2009).

The appropriation of land has also had significant economic impact both for victims and the country as a whole. For instance, around half (50 percent of Colombia's IDPs were above the poverty threshold before displacement but were reduced to 3 percent after the Government intervention (Edward and Evans, 2009). In addition, the Constitutional Court laid down comprehensive land restitution plan while the Colombian Government revitalized small-scale agriculture by providing incentives for returnees (Edwards & Evans, 2009) and amending laws that hinder the rights of IDPs to property restitution (Fagen, 2011).

According to COHRE (2009), migration into or from an area in Sri Lanka correlates with the rate of employment, degree of urbanization, per capita income, educational level and the number of persons who migrated into the area in the past (COHRE, 2009). Indeed families became exposed to risks such as forced labor, forced early marriage, domestic violence, sexual exploitation, and recruitment into armed groups due to displacements (COHRE Sri Lanka, 2009).

2.6 Theoretical Literature Review

Theodore W. Shultz theory looked at human beings as a form of capital, means of production and as the product of investment which can be attained through availability of resources, such as land and finances, for people to be in control of increasing their own productivity and earnings (Theodore & Shultz, 1961).

This theory has influenced restitution policies of restorative justice in many countries resulting in economic, health and livelihood benefits guided by a number of

principles: that crime is an offense against human relationships; victims and the whole community are central to justice process; the priority of restorative justice process is to assist victims and possibly restore the community to their original livelihood level (Frank, 1992). Lastly, the offender has personal responsibility to the victims and the community for crimes committed (Nozick, 1974).

Since World War II, there are more than 50 million refugees worldwide, with 25 million IDPs found within the borders of their own countries. If those forced from their homes by politically-motivated forced evictions, development-induced displacement and natural disasters are added the actual number of the world displaced people will be more than 60 million (United Nations Refugee Agency, 2014). Virtually all these IDPs wish to return to their original homes safely and in dignity but are faced with the loss of HLP rights after displacement and the consequent inability to return to their original homes and land once they voluntarily choose to be repatriated (Leckie, 2003). Whatever the case, displacement is a phenomenon that needs restitution remedy and redress when those forced from their places of habitual residence decide the right time to return home (UNHCR, 2005).

In the past decade, many countries have been involved in land reforms to strengthen land rights, to enhance productivity, to secure livelihood of all citizens and to ensure political stability (UNECA/AfDB/AU, 2007).

In Sri Lanka the process of HLP restitution provided a legal framework to resettle approximately one million IDPs. According to Government of Sri Lanka (GoSL, 2009) records, 312,712 persons remained displaced prior to the resumption of hostilities in July, 2006. Another 301,879 persons are estimated to have become newly displaced by the post 2006 hostilities. The final stages of hostilities led to further displacement of approximately 270,000 individuals, forcing the majority to be confined into large IDP camps (COHRE Sri Lanka, 2009).

It should also be noted that per capita incomes as well as health and education indicators were consistently lower in the North and East Sri Lanka as compared to other regions (UNOPS ARU, 2010) and the income inequality (Gini coefficient) was high in the East (Sarvanathan, 2007).

The Sri Lanka resettlement process fell short of universally endorsed international standards and principles of rights based approach to HLP restitution. There were no effective formal policies and programmes to address HLP restitution that defined who is deemed a displaced person, what determines eligibility for assistance and redress and at which point would displaced persons no longer considered as IDPs. This led to dramatic changes in the livelihood of individuals and communities as they tried to secure lasting solutions to displacement with clear criteria of determining cases of involuntary displacements. In view of the complex circumstances in Sri Lanka, a flexible definition of the beginning and end of displacement was paramount to the formulation of effective policies and programmes to address HLP restitution by determining eligibility for assistance and redress and at which point the IDPs are considered to be integrated into normal conditions of life and are no longer considered as displaced persons (Frelick, 1997).

The displaced persons can make legitimate claims based on losses (COHRE, 2009) through the programmatic and procedural institutional framework for the protection and management of IDPs as conveyed in a Joint Plan for Assistance (JPA) (Government of Sri Lanka, 2011) and implemented through Samurdhi programme that targeted the poor (Asian Development Bank, 2007). Other programmes focused on providing cash transfers to individuals or households and access to subsidized products (CEPA, 2006) as well as emergency assistance (World Bank, 2006).

In America, victims' restitution system also follows the restorative justice approach where the victim plays a major role in bringing offenders to justice and the offender is required to compensate both the victim and the community (David B. H., 2000). Unfortunately, circumstances change over time because sometimes the victim and the oppressor may switch places depending on the circumstances (Miller, 2008).

In Brazil, large and unused farms were targeted by the Government through land expropriation programme where the acquired land was given to the landless (Navarro, 2009). While in India, all her states took possession of land in excess of the ceiling and redistributed it to the landless (Behuria, 1997). The method was also effective in Rwanda after the Government of Rwanda (GoR) purchased and redistributed excess land to landless people (GoR, 2009). The same was applied by Namibia and SA Governments (Dorsett, 1999). In Canada, Multi-Site study on criminal justice was

done by Prairie Research Associates in 2004, wherein all stakeholders were interviewed on their awareness and perceptions of the criminal code provisions relating to victims restitution (Susan M., 2009). The table 2.3 below illustrates the responses from victim services and advocacy groups in 2004 when the groups were asked about the obstacles to the use of restitution.

Table 2.3: Obstacles to the use of Restitution in Canada

Obstacles	Victim Services Groups (n=94, 30% of total respondents)	Advocacy Groups (n=19, 40% of total respondents)
Accused are poor & unable to pay	34	32
Victims lack information about restitution or unaware of option	31	-
Victim must pay the cost of enforcement	16	-
No enforcement	14	21
Cumbersome application process	10	-
Judicial or Crown Attorney reluctance to order or request	9	-
Eligibility criteria too restrictive	7	11
Inadequately compensated victims	-	21
Others	11	6

(Source: Multi-Site Study PRA, 2004)

The researcher, based on all these theories intends to collect information from Kamara Ward to explore the influence of restitution on the livelihood of Kenyans.

In South Africa, land restitution was embodied in the 1996 Constitution, and implemented through the 1994 Restitution of Land Rights Act (RLRA, 1994) under which restitution could take any of the following rights: restoration of the land or a right in the land for which the claim was made; alternative state-owned land; inclusion of claimant as a beneficiary in a state support programme that entailed housing or development of rural land; monetary compensation or some form of alternative relief (Dorsett, 1999). More than 606,000 hectares of land, most of which is agricultural and conservation land had been finalized for restitution, with more than 123,000 households benefiting from the programme at a cost of more than US\$ 440 Million.

The cases that remained unresolved arose from a number of constraints ranging from increased land costs, claims referred to Land Claims Court for adjudication to delays in producing identification documents to support claims and opposition to restitution by land owners (Dorsett, 1999).

According to Tucker Mohl (2005), during the years of the communist regime in Hungary large parcel of land was expropriated. Subsequently, a restitution policy was adopted to compensate the victims financially in order to purchase properties. Similarly, in Namibia where land redistribution was on the basis of willing buyer/willing seller, 5 million hectares were purchased by black farmers through the Affirmative Action Loans Scheme (Banville, 2004). Sale of land to non-Namibians was not possible except land in the hands of a company whose shareholders may be abroad (Donge et al., 2005).

Many countries in Africa devolved land administration and management (UNECA/AfDB/AU, 2007). For instance, Rwanda's 2003 land policy introduced land administration by local governments at the district level to resolve disputes using indigenous mechanisms (Kairaba, 2002; Liversage, 2003). In Uganda, the Land Act of 1998 introduced customary land certificates and a decentralized system of District Land Boards, Local Committees and Tribunals. While in Ethiopia the 1997 Land Law enabled each state to develop its own decentralized land policies and laws. Moreover, the land policy in Ghana of 1999 created a new single land agency with Customary Land Secretariats and introduced Alternative Dispute Resolution system. The 1998 Namibia Land Policy also introduced decentralized land administration systems for urban and rural areas (Hilhorst, 2008).

Restitution in Kenya and other countries in the world have proved to be costly and the countries emerging from a conflict situation may not afford the massive resources required for restitution programme. In other cases the process of restitution could be perceived as a transfer of wealth and political power from one group in society to another that creates victors and villain's reaction which may increase the likelihood of resurgence of conflict and violence. Restitution also creates new resources to be shared among the belligerent. Reparation in general defines guilt and victim-hood thus contributing to the overall project definition of the citizenry in a society which may have positive and negative implications sides (Barkan, and Elazar, 2000).

As observed by Barkan & Elazar, 2000, the focus on restitution and compensation may have specific distributional effects for victims. However, the theory of restitution cannot put an end to inequality. A combination of restitution and other remedies such as developmental aid for the victims could have better distributive results in improving on the existing social injustice (Barkan & Elazar, 2000).

2.7 Conceptual Framework

This study shall be guided by the conceptual framework in figure 2.1. The independent variable for the study is the access to provision of land restitution by GoK, provision of financial restitution by GoK, provision of legal justice and Government security by GoK. The dependent variable is the livelihood outcome of the PEV victims since according to the literature, restitution brings with it high economic and social performance thus expected to boost people's livelihood.

In this study therefore, livelihood performance is measured by livelihood outcome indicators such as food production; owning livestock and permanent house; self-employment and social capital.

Figure 2.1 represents the conceptual framework.

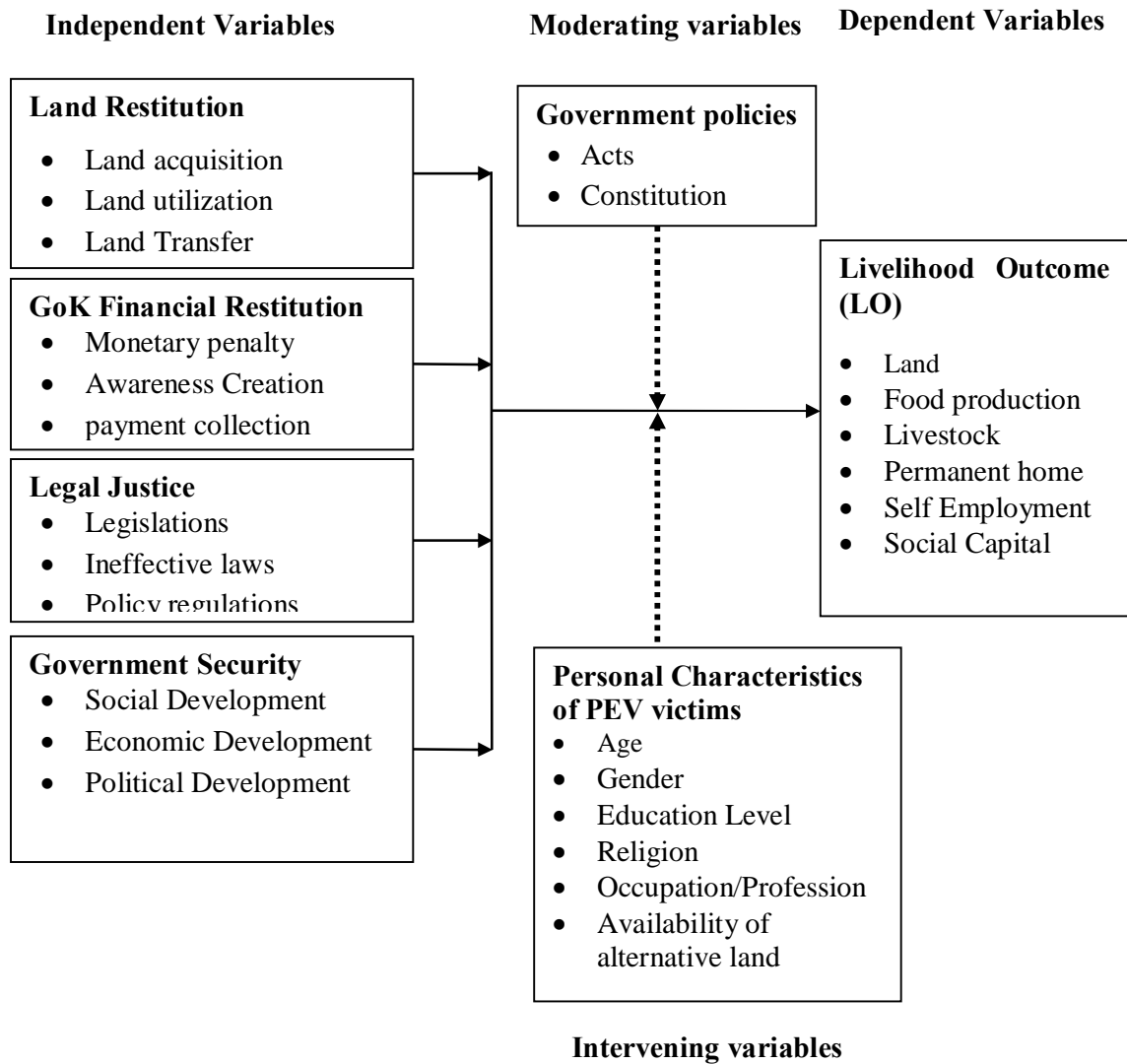


Figure 2.1: Conceptual Framework

2.8 Relationship between Variables

The relationship between the independent and the dependent variables will be intervened by the personal characteristics of PEV victims and availability of alternative land. All other factors such as GoK policies are taken as extraneous and moderating variables and are assumed to be held constant.

Availability and access to land is essential in the improvement or maintenance of people's livelihood. A person who has access to a piece of land will certainly do well compared with the one who doesn't access the piece of land because they grow their own food or rear livestock, build a house and be able to generate social capital that will enable them be self-employed. Therefore, land restitution is important in the

improvement or maintenance of people's livelihood. A person who is compensated with a piece of land will do well compared with the one who is not compensated after losing a piece of land.

Financial restitution is essential in improvement and maintenance of people's livelihood. A person who is financially compensated, after losing everything they owned, may choose to purchase a piece of land to grow his or her own food or rear livestock, build a house and be able to generate social capital that will enable them be self-employed. Such individual will regain his or her lost livelihood faster than the one who doesn't get financial compensation.

Provision of legal justice will increase chances of reclaiming people's livelihood. If the law takes its course and people reclaim their property such as land, it is likely that they will do well as compared to those who do not benefit from legal justice. The parliament and courts play a crucial role to assist the victims to reclaim their HLP through formulating laws and making sure they are implemented respectively.

Provision of Government security will reduce the chances of violence hence protecting people's livelihood. If the law abiding citizens are protected after reclaiming their property especially their piece of land and being re-integrated, it is likely that they will do well as compared to those who do not experience peace in their habitat. They will be able to go on with their daily activities in their farms such as growing their own food, rearing their livestock, build a house or generate social capital that will enable them be self-employed.

2.9 Research Gap

In summary, issues of secondary occupation, the lack of security of tenure and inadequate regularization of property rights and property documentation constrained effective realization of the right to restitution. The lack of documentation or evidence of tenure does not negate the right to return or the right to have original lands or property (Centre for Policy Alternatives, 2005). The responsible person should take full or partial responsibility for the alleged offence and that he will in many cases be willing to retribute and make amends (Syagga, 2006).

To secure durable solutions to end displacement it needs clear institutional guidelines, time and adequate information. The apparent shortfalls in the flow of accurate information to the beneficiaries of the resettlement process led to their inability to make informed and voluntary decisions towards their livelihood. These posed a danger of top-down decision making process with little relevance to the concerns of victims (International Crisis Group, 2009).

There is a clear need for a coherent and consistent policy to articulate the overarching considerations of a rights based National HLP restitution policy in keeping with the fundamental rights requirements of the Constitution, as depicted in Sri Lanka's case and other international obligations. This integrates restitution into a larger developmental framework that provide the impetus to making development relevant to post conflict peace building, reconstruction and rehabilitation (COHRE, 2009). Such a policy is central to addressing and remedying the effects of conflict and displacement.

According to the MoD&P, there was no legislation on protection of IDPs. There was also lack of a legal framework that affected fundraising, coordination of key players and IDPs who did not know their rights and where to seek assistance. The coordinating organs for dealing with emergency situations and the problem of IDPs needed lines of authority and responsibilities to be properly assigned (Ministry of Devolution and Planning, 2013). This research identified the gap of not following up to ascertain the influence of restitution to the livelihood after restitution

2.10 Summary of Literature Review

In summary, literature review on restitution indicate that access to land in developing countries is inadequate and that compensation to PEV victims through restitution have reduced crime rate, poverty index, and have increased food production and self-employment rate.

However, a gap exists in that the gains from restitution have not been directly linked to improved livelihood of PEV victims since there are other factors which contribute to economic performance of an individual. In addition, using perpetrators and victims in restituting individuals in the community fast-trucks healing process. This increases economic productivity of the community while embracing their full participation on

homegrown solutions as envisaged by Pimbert and Pretty, 1994 typology of participation in 1994 (Pimbert and Pretty, 1994).

This study therefore, is the first to consider the various components of restitution as independent variables. In most studies the components have been considered together with other components like reparation, retribution and compensation. For the first time we can find information of how all inclusive restitution can improve economic wellbeing and livelihood of the victims of PEV.

CHAPTER THREE

RESEARCH METHODOLOGY

3.1 Introduction

This chapter provided a systematic and detailed description of the research methodology; the research design; target population; sample size and sampling procedures; research instruments; pilot testing of research instruments; validity and reliability of instruments; operational definition of variables; Data collection procedures; data analysis techniques and the ethical considerations that were used to answer the research questions described in chapter one of this research project. In this chapter, the researcher also justified the suitability of research design selected for the study, the type of sampling technique employed, the type of data collection and analysis tools used in the study.

3.2 Research Design

The research used descriptive survey research design to investigate the influence of restitution programme on the livelihood of PEV victims in Kamara Ward. Descriptive research design is a method of collecting information by interviewing or administering a questionnaire to a sample of individuals (Orodho, 2003). Descriptive design describes the state of affairs, as it exists while providing clearly defined information with conclusive findings. It also determines the frequency with which the variables will be conveyed (Kombo and Tromp, 2006). According to Gay (1981), a descriptive survey research design gathers data at a particular point in time with the intention to describe the nature of existing conditions while giving a description of the variables, trends, attitudes or opinions of a population by studying a sample of that population which is then generalized from the sample to the population (Creswell, 2009).

This design was appropriate for this study since the study aimed to find out what people felt about the influence of restitution on their livelihood. In addition, according to Kerlinger (1999) and Mugenda and Mugenda (2003), descriptive design is not restricted to fact findings but may often result in the formation of important principals of knowledge and solution to significant problem.

This design was suitable for this study because a sample was selected from the total number of Sub-Locations for data collection. Hence, as pointed out by Kothari (1990), descriptive design is best suited for a study where sample size is small and where structured questionnaires are used. However, due to a number of limitations with this design such as chances of error, there was close supervision during data collection since a well conducted survey provides a description of a sample that is representative of the general population and show how the phenomenon under study is currently occurring in such population (Kothari, 1990).

The research also embraced qualitative and quantitative design. The qualitative research captured the perception of the respondents on restitution programme while the quantitative research captured numerical data collected through primary and secondary sources. Primary data was collected using questionnaires whereas secondary data source was from books, journals, magazines, electronic media and newspapers. The study triangulated the restitution, the conflict resolution and the people's livelihood.

3.3 Target Population

According to Kombo and Tromp (2006) population is a group of individuals, objects or items from which samples or an entire group of persons or elements that have at least one thing in common is taken for measurement.

The population projection for 2014 for Kamara Ward is approximately 35,693 where 18,109 are male and 17,584 being female. The target population for this study was stratified into three groups; the Assistant chiefs (GoK officers), the village elders (who also represent GoK and residents) and the residents of the villages in the six sub-locations in the Ward, each headed by an Assistant Chief.

3.4 Sample Population

Sampling is the process of selecting a subject of cases in order to draw conclusions about the entire set (Mugenda and Mugenda, 2003). Babbie and Maxfield (1995) consider sampling as a method of selecting some part of a group to represent the entire population (Babbie, 1995). Strydom and Venter (2002) refer to sampling as taking a portion of a population or universe and considering it as representative of that

population or universe. According to Uma (2003), a sampling frame is a listing of all elements in the population from which the sample is drawn.

The researcher selected a sample size of 394 from the target population of 35,693 persons. The sample respondents comprised of 207 male and 187 female respondents representing both victims and public administrators. The study was done within the six Sub-locations of Kamara Ward with current population density of 238 persons per Km² (KNBS, 2014).

Table 3.1 shows names of Sub-Locations in Kamara Ward, total number of villages in each Sub-location and the 2014 population projection for each Sub-Location:

Table 3.1: Target Population

SUB-LOCATION	NO OF VILLAGES/ ELDERS	TOTAL POPULATION
Mau summit	19	8,236
Sarambei	18	7,468
Koige	18	7,380
Mau	12	5,892
Kamara	11	4,194
Sinendet	6	2,523
TOTAL	84	35,693

(Source: KNBS, 2009)

3.4.1 Sample Size Determination

In this study the researcher determined sample sizes at three levels in the Sub Location; Assistant Chiefs, the Village elders then lastly the residents of Kamara Ward. It is assumed that everyone in the population was a victim of PEV in one way or another.

For descriptive studies 10 percent of the accessible population is enough (Mugenda & Mugenda, 1999). Based on this theory the researcher used simple random sampling to select a sample of 8 Villages from the 84 Villages in the Ward. The village elders from the 8 selected villages were requested to participate in the study by filling in the questionnaires.

In selecting the sample size for the residents from the 8 villages the researcher used Krejcie and Morgan (1970) sample size table with a confidence level of 99 percent

and a margin error of five per cent for determining sample size from Kamara Ward population. The sample size is as shown in the table 3.2.

Table 3.2: Sampling Frame, Size and Sampling Techniques

Target Category	Universe	Sample Size	Sampling Technique
Assistant Chiefs	6	6	Census
Village elders	84	8	Census/convenient sampling
Residents in 84 villages	35,603	380	Systematic random sampling
TOTAL	35,693	394	

3.4.2 Sample Selection Procedure

The researcher used a list of all the villages in Kamara Ward (sampling frame) and drew a simple random sample of 8 villages from the 84 villages to participate in the study (Mugenda & Mugenda, 1999).

The researchers wrote the codes of all the eighty four villages on small but equal sized pieces of unbiased papers and folded them well. Then placed the papers in a box, mixed them thoroughly then drew one piece of the paper (without looking), one after the other without replacement. This was done while making sure that the successive draw in the sample frame has an equal chance of being selected. The process was repeated until a simple random sample of 8 villages from the 84 is selected to participate in the study.

Systematic random sampling was then used to select the 380 respondents which comprises of 207 male 187 female respondents drawn from a randomized list using a sample interval. The village elders and the assistant chiefs were all male hence, increasing the number of all male respondents to $193+8+6=207$.

In the present study therefore, the sampling frame was assistant chiefs, Village elders and the residents of the Ward.

3.5 Research Instruments

The researcher used self-administered questionnaires as the main tools for data collection. The selection of these tools was guided by the nature of data that was being collected, time available as well as the objectives of the study. It also enabled the researcher to collect more data as much as possible over a short period of time (Fisher, 2004). The questionnaire comprised of both closed and open-ended questions drawn in accordance with the set objectives of the study.

The questionnaire was administered on victims of PEV, village elders and Assistant chiefs in order to capture the meaning beyond words that enabled the researcher to gain a complete and detailed understanding of the issues, historical information and also gain control of the interview.

The questionnaire were divided into five parts with part I generating responses on demographic information. The other parts II, III, IV, V, VI and VII collected information regarding the variables namely; Extent of restitution, Government provision for land restitution, Government financial restitution, effects of PEV, Government Security and legal policies restitution.

The researcher explained the questions to the respondent before filling the questionnaire to ensure proper understanding as per the instructions. Care was taken not take much time with the interview by pre-testing the instrument and assigning appropriate time to be taken in each interview.

3.5.1 Pilot Testing of Research Instruments

A pilot study was conducted to test the reliability and validity of the research. According to Orodho (2003), a pilot test helps to test the reliability and validity of data collection instruments. Validity refers to the extent to which an instrument measures what is supposed to measure. Data not only need to be reliable but also true and accurate. If a measurement is valid, it is also reliable (Joppe, 2000). This was done by selecting two respondents and two village elders to test the questionnaire as guided by Taylor et al (2008) who recommended a sample of three to four to be sufficient. However, to ensure that the study findings are not compromised, the respondents who took part in the pilot study were not included in the final study.

The researcher tested the appropriateness of the wording, the adequacy of questions and time needed to fill each questionnaire or complete an interview. The data collected from the pilot was processed and analyzed to check if it yields appropriate results.

3.5.2 Reliability of Instruments

Reliability refers to the consistency, stability and dependability of the data (Cooper & Schindler, 2003). Mulwa (2006) argues that reliability is the extent to which a measuring device or a whole project would produce the same results on different occasions within the same objective of the study. It is also the measure of degree to which a research instrument yields consistent results on data after repeated trials (Carmines & Zeller, 1979). Reliability of a research instrument is the extent to which the results obtained from the instrument are consistent and are an accurate representation of the population under study (Kabue, 2011 citing Joppe, 2002).

To measure the reliability of the data collection instruments an internal consistency technique using Cronbach's alpha coefficient of reliability was applied to the gathered data (Mugenda & Mugenda, 2003). An unbiased estimate of data generalizability and an alpha coefficient of 0.60 or higher indicating that the gathered data is reliable as it has a relatively high internal consistency and can be generalized to reflect opinions of all respondents in the target population (Zinbarg, Revelle, Yovel & Li, 2005). The benchmark set for reliability in this study as recommended by Kay (1999) was a reliability correlation coefficient of 0.6 to 0.9. The correlation coefficient of the administration was 0.72 and was within the recommended range to qualify the instrument as reliable and therefore used to collect data for the study.

3.5.3 Validity of the Instruments

Validity is the degree to which the data collected by an instrument can be said to be valid for purposes of analysis and making inferences from the data (Mugenda & Mugenda, 2003). In order to ensure content validity, the questionnaires were composed of carefully constructed questions to avoid ambiguity and in order to facilitate answers to all the research questions. The study supervisor was involved in giving input and approval of the research questionnaire. This ensured that the content addressed the intended purpose and avoided ambiguity. Ten respondents from the target sample were used to test the reliability of the research instrument. They filled

the questionnaires and validity determined by the use of Content validity Index (C.V.I) which fell between 0.7 and 1 indicating that the instruments were valid for the study (Orodho, 2003).

3.6 Data Collection Procedure

The researcher obtained permission from the National Science Commission in the Ministry of Education. The permit was presented to the Kamara Ward Assistant Sub County administrator to authorize the study. Letters were sent in advance to the assistant chiefs explaining the purpose of the study and a request for a convenient date to do the research. The research assistants were then trained to undertake pilot testing of the instruments. Copies of the instruments were distributed to the respondents including village elders and assistant chiefs to fill on the said dates. Then the interviews covering the sample area were rolled out by use of self-administered questionnaire while the secondary data was collected from the archives. The last stage was data coding, entry then final analysis.

3.7 Data Analysis Techniques

Singh et al (2006) defines data analysis as studying the tabulated material in order to determine inherent facts or meanings by breaking down existing complex factors into simpler parts and putting the parts together in new arrangements for the purpose of interpretation. Kothari (2004) defines data analysis as the computation of certain indices or measures while searching for patterns of relationships that exist among data groups. Bogdan and Biken (1992) further define data analysis as the process of systematically searching and arranging field findings for presentation. It therefore involves working with data, organizing, breaking into manageable units, synthesizing, searching for patterns, discovering and deciding what is important to tell others. The data collected was quantitatively analyzed using SPSS version 2.0 which was then presented in frequencies, means and standard deviation where frequencies of occurrences and percentages were noted.

In order to establish the influence of different restitution programmes on the livelihood of PEV victims in Kamara Ward, the study conducted a multiple regression analysis using the following formula:

$$LO = \beta_0 + \beta_1LR + \beta_2FR + \beta_3LJ + \beta_4GS$$

Where:

LO = Livelihood outcomes

LR = Land Restitution

FR = Financial Restitution

LJ = Legal Justice and

GS = Government security

To establish the relationship between Government land restitution and the PEV victims' livelihood in Kamara Ward, the study sought to evaluate the effects of land restitution and how it had affected the livelihood of the PEV victims. To explore the influence of Government financial restitution on the livelihood of PEV victims in Kamara Ward, the study sought to find out the level of Government financial support offered and how it affected PEV victims' livelihoods. To examine the relationship between legal justice and PEV victims' livelihood in Kamara Ward, the study examined the legal justice services offered and how they affected livelihoods. To assess the influence of Government security on the PEV victims' livelihood in Kamara Ward, the study assessed the security provided by the Government and how it influenced their livelihoods.

3.8 Ethical Considerations

This study handled ethical issues by instituting various measures commencing with the use of an introductory letter (Appendix 1) that sought consent and voluntary participation of the respondents. The researcher obtained data collection permission letter from the National Science Commission to carry out the research in Kamara Ward. A copy of the letter was forwarded to the Ward Assistant Sub-County administrator. The letters and the accompanying questionnaire communicate the purpose of the study and the process of conducting the study. The researcher also treated all respondents with respect and courtesy while assuring them of the right of confidentiality and anonymity. Objectivity was the guiding principle throughout the research process including design, data collection, analysis and interpretation of data.

3.9 Definition of Variables

Table 3.3: Operational definition of variables

Objectives	Variable	Indicators	Measurement Scale	Research instrument	Data Analysis Method
Influence of land restitution on PEV victims' livelihood in Kamara Ward	Land Access	Land Size (Ha)	Ratio	Questionnaire	Descriptive Statistics
		Type of farming.	Dummy		Spearman's Correlation analysis
		No of Sacks	Nominal		Qualitative description
		Food production	Ordinal & nominal		Descriptive Statistic
	GoK land restitution	Number of IDPs resettled	Nominal		Spearman's Correlation analysis
	PEV victims' livelihood performance	Improved livelihood performance	Dummy & Ordinal		Regression analysis
Influence of financial restitution on the livelihood of PEV victims in Kamara Ward	GoK financial compensation	Amount given to each IDPs	Nominal	Questionnaire	Descriptive Statistics
	PEV victims' livelihood Performance	Number of houses built	Nominal		Spearman's Correlation analysis
		Improved livelihood performance	Dummy		Regression analysis
Influence of legal justice on PEV victims' livelihood in Kamara Ward	Government Legal justice	Number of successful cases	Nominal	Questionnaire	Descriptive Statistics
	PEV victims' livelihood Performance	Improved livelihood performance	Dummy		Spearman's Correlation Coefficient
To assess the influence of Government security to PEV victims' livelihood in Kamara Ward	Government Security	Number of Police posts built	Ratio	Questionnaire	Descriptive Statistics
	PEV victims' economic Performance	No of Police officers in those stations	Nominal		Spearman's Correlation analysis
		Improved livelihood performance	Dummy		Regression analysis

CHAPTER FOUR

RESULTS, PRESENTATION AND INTERPRETATION

4.1 Introduction

This chapter presents research findings, analysis of the data and interpretation of the data collected from the respondents on the influence of restitution on the livelihood of PEV victims in Kamara Ward, Nakuru County, Kenya. The data collected was analyzed and the findings were presented using frequencies and percentages outlined in the frequency tables.

4.2 Response Rate

A total of 394 questionnaires were distributed and administered to the respondents. Out of these, a total of 338 questionnaires were returned giving a response rate of 85.8 and a non-response rate of 14.2% which is within Mugenda and Mugenda (2003) range who prescribed the significant response rate for statistical analysis as a minimal value of 50%.

Table 4.1: Response Rate

	Frequency	Percent
Completed	338	85.8
Not Completed	56	14.2
Total	394	100

4.3 Demographic Characteristics of Respondents

4.3.1 Gender of the Respondents

The study sought to establish the gender distribution of the respondents. The findings are distributed in Table 4.2.

Table 4.2: Gender of the Respondents

	Frequency	Percent
Male	213	64.4
Female	125	35.6
Total	338	100

The study found that 64.4% (213) of the respondents were male while 35.6% (125) of the respondents were female. This shows that majority of the respondents in Kamara

Ward, Nakuru County was male. The findings also showed that both genders were composed in the study.

4.3.2 Residence of the respondents

The study sought to establish the Sub location in which the respondents reside in Kamara Ward, Nakuru County. The findings are distributed as shown in Table 4.3.

Table 4.3: Respondents' Residence

Sub-Location	Frequency	Percent
Sarambei	56	16.7
Koige	71	21.0
Mau-Summit	37	10.9
Sinendet	76	22.5
Mau	55	16.3
Kamara	43	12.6
Total	338	100

From the findings, the study revealed that 16.7% (56) of the respondents were residing in Sarambei, 21.0% (71) of the respondents were residing in Koige, 10.9% (37) of those interviewed reside in Mau-Summit, 22.5% (76) of the respondents reside in Sinendet, and 16.3% (55) of those interviewed reside in Mau while 12.6% (43) of the respondents reside in Kamara. This implies that the study covered the respondents from all sub-locations of the County.

4.3.3 Age of the Respondents

The study sought to establish the age bracket of the respondents in Kamara Ward, Nakuru County. The findings are shown in table 4.4 below.

Table 4.4: Age of the Respondents

Age	Frequency	Percent
Below 18 years	28	8.3
18-25 years	45	13.3
26-35 years	72	21.3
36-45years	52	15.4
46-55 years	65	19.2
56-65 year	44	13.0
66 years and above	32	9.5
Total	338	100

The study established that 8.3% (28) of those interviewed were aged below 18 years, 13.3% (45) of the respondents were aged between 18-25 years, 21.3% (72) of those interviewed were aged between 26-35 years, 15.4% (52) of the respondents were aged

between 36-45 years, 19.2% (65) were aged between 46-55 years, 13% (44) were aged between 56-65 year while 9.5% (32) of the respondents were aged above 66 years. These findings show that the respondents of Kamara Ward composed of all ages of people and thus in one way or another understood the objectives of the study.

4.3.4 Highest Level of Education

Table 4.5: Respondents highest level of Education

Age	Frequency	Percent
Primary Level	95	28.1
Secondary Level	107	31.7
Tertiary / College Level	87	25.7
University Level	49	14.5
Total	338	100

The study established that 28.1% (95) of the respondents had primary education as their highest level of education, 31.7% (107) of the respondents had attained secondary education, 25.7% (87) of those interviewed had attained Tertiary/College as their highest level of education whereas 14.5% (49) of those interviewed had university as their highest level of education. This depicts that the respondents had varying levels of education and could well understand the influence of restitution on the livelihood of PEV victims in Kamara Ward, Nakuru County, Kenya.

4.4 Government land Restitution and the PEV Victims' Livelihood

The study sought to establish the number of respondents who owned land in Kamara Ward. The findings are shown in Table 4.6

Table 4.6: Land ownership

	Frequency	Percent
Land owners	206	60.9
Non Land owners	132	39.1
Total	338	100

From the finding, study found that majority of the respondents owned land. This is represented by 61% (146) of the respondents. However, 39% (94) of the respondents did not own land. Of the respondents that owned land, the study revealed that majority of them owned land ranging from half an acre to fifty acres (50 acres). The finding corresponds to Dorner (1975) who revealed that land is a factor of production that should be efficiently and effectively mobilized to optimize production. The study

further agree with Nozick (1974) who reported that there are three overriding principles of entitlement theory that is; just acquisition and transfer of property and the rectification of justice where property is unjustly acquired or transferred.

The study also sought to establish the economic activity the respondents were practicing before 2008 PEV. The findings are as shown in Table 4.7.

Table 4.7: Economic Activity before 2008 PEV

Age	Frequency	Percent
Large Scale Farming	70	20.7
Peasant Farming	163	48.2
Small Scale Farming	105	31.1
Total	338	100

From the findings, the study established that majority of the respondents (48.2%) were peasant farmers, While 20.7% of those interviewed were large scale farmers while 31.1% of the respondents were small scale farmers. The finding coincides with Kahura (2004) who indicated that land is a factor of production that should be efficiently and effectively mobilized to optimize production failure to which it will contribute to skewed development.

The respondents were also asked whether they were compensated after the events of 2008 PEV. The findings were as shown on Table 4.8

Table 4.8: PEV Compensation

	Frequency	Percent
Compensated	119	35.2
Not Compensated	219	64.8
Total	338	100

As indicated from the findings, the study established that majority of the respondents were not compensated after the events of the 2008 PEV. This is represented by 64.8% of the respondents while only 35.2% of the respondents were compensated. The finding disagrees with the UN Pinheiro Principles (2005) that defined Land and property restitution as a process by which land or other property that was forcibly taken or arbitrarily removed from its owners is restored or compensated with an equivalent. The finding further agrees with Bertus de Villiers (2003) who reported that settlement of the land claims has not resulted to land reform in South Africa and attributes that most of the settlements have been through cash compensation for land

lost and that most of the remaining settlements are rural claims which have been slow and complicated.

4.5 Government Financial Restitution and the Livelihood of PEV victims

The study sought to establish the influence of Government financial restitution on the livelihood of PEV victims in Kamara Ward. On whether the respondents were financially compensated for the lose they encountered during the 2008 PEV, the findings are as shown in Table 4.9.

Table 4.9: Financial Restitution

	Frequency	Percent
Compensated	64	19
Not compensated	274	81
Total	338	100

The findings indicates that majority of the respondents (81%) indicated that they were not compensated financially while 19% indicated that they were compensated. These findings indicate that the Government failed to retribute majority of the victims of 2008 PEV in the restitution programme. The findings differ with Clark (2004) who highlighted the World Jewish Restitution Organization (WJRO) during Claims Conference in Prague on the restitution of property seized during the Holocaust. Though the conference led to successful land and property restitution program, which is an indicator of the effectiveness of the rule of law in democratic countries like Poland, Hungary, Romania and others in Eastern Europe the programme was not successful in Kenya. The findings further conflict with Walter (2008) who stated that financial restitution is whereby an individual or entity is paid a sum of money as compensation in order to restore what had forcibly been taken away from them.

The study further sought to establish how much the respondents received as financial restitution from the government. The findings were as indicated in Table 4.10.

Table 4.10: Respondents Financial Restitution from the Government

Compensation (Ksh)	Frequency	Percentage
Below 50,000	28	43.1
50,000-100,000	17	26.5
100,000-150,000	13	21.1
150,000-200,000	4	6.0
Above 200,000	2	3.3
Total	64	100

As indicated from the findings, the study revealed that of those respondents who received financial restitution, 43.1% (28) indicated to have received below Ksh 50,000, while 26.5% (17) of the respondents said they had received between Ksh 50,000-100,000. It was also established that 21.1% (13) of those compensated received between Ksh 100,000-150,000 while 6.0% (4) of the respondents received between Ksh 150,000-200,000 and another 3.3% (2) of the respondents received above Ksh 200,000. This means that majority of the respondents received a financial restitution of less than Ksh 50,000.

4.6 Relationship between Legal Justice and PEV Victims' Livelihood

The study sought to establish the influence of legal justice on the livelihood of PEV victims in Kamara Ward.

On whether the land of PEV victims were occupied illegally, the findings were as shown on Table

Table 4.11: Illegal Occupation

	Frequency	Percent
Land is not occupied	264	78.0
Land is occupied	74	22.0
Total	338	100.0

From the findings, the study established that majority of the respondents 78% (264) indicated that their land was not occupied after the 2008 Post Election Violence. The study further established that 22% (74) of the respondents indicated that their land was occupied. The finding agree with Walter (2008) who highlighted that the Government should use laws and policies through relevant authorities to ensure voluntary and safe return of PEV victims to their homes and by enabling them to relocate and resettle voluntarily into other parts of the Country.

The findings also agree with Hellgriell (1989) who showed that the laws have been mostly ineffective because of poor management, incomplete and outdated land records hence land owners took advantage of these loopholes. In addition, the inadequate compensation paid for the appropriated land and skewed land redistribution made restitution to be unpopular among the landowners and victims.

The respondents were asked to indicate how they got back what they lost at the peak of 2008 PEV. The findings were as shown in Table 4.12.

Table 4.12: How the Properties were regained

	Frequency	Percentage
Through Government compensation	91	26.9
The aggressor was compelled to return whatever he/she took away	112	33.1
Through NGOs compensation	68	20.1
Through family and friends fund raising	67	19.8
Total	338	100.0

From the findings, the study revealed that 26.9% (91) of the respondents indicated that they regained their lost properties through Government compensation, 33.1% (112) of the respondents indicated that the aggressor was compelled to return whatever he/she took away, 20.1% (68) of the respondents indicated that they regained their properties through NGOs compensation whereas 19.8% (68) of the respondents regained through family and friends fund raising. This means that majority of the respondents said that the aggressor was compelled to return whatever he/she took away. The finding agrees with the Ministry of Devolution and Planning (2013) which stated that Government uses laws and policies through relevant authorities to ensure voluntary and safe return of PEV victims to their homes or by enabling them to relocate and resettle voluntarily into other parts of the country. The finding also differ with Walter (2008) indicated that authorities have the duty and responsibility to implement a just and equitable reparation programme that includes assisting displaced persons to recover property and possessions left behind during displacement as far as it is practicably possible, or otherwise through adequate compensation as a remedy to the loss of their property.

The study sought to establish how the respondents whose land was occupied reclaimed back their land or property. The findings are shown in Table 4.13.

Table 4.13: How Land or property was reclaimed

How it was reclaimed	Frequency	Percentage
The courts	12	16.0
The government intervention	10	13.3
The community elders	40	54.4
Through family and friends fund raising	12	16.3
Total	74	100.0

The study found out that 16% (12) of the respondents reclaimed their land through courts, 13.3% (10) reclaimed their land through Government intervention, and 54.4%

(40) of the respondents said they reclaimed back their land through the community elders while 16.3% (12) reclaimed their land through fund raising from family and friends. The findings agrees with Okoth (1991) who highlighted that the SA Post-Apartheid Government started land restitution, land redistribution and land tenure reforms that focused on promoting justice and equity within the rural and the urban areas. The findings further agrees with Walter (2008) who reported that authorities have the duty and responsibility to implement a just and equitable reparation programme that includes assisting displaced persons to recover property and possessions left behind during displacement as far as it is practicably possible, or otherwise through adequate compensation as a remedy to the loss of their property.

4.7 Government Security influence on PEV Victims’ Livelihood

The study sought to establish the influence of Government Security on the PEV Victims’ Livelihood in Kamara Ward.

On the statement of whether the Government has supporting laws to compensate all those affected by Post Election Violence. The finding was as shown on Table 4.14

Table 4.14: Government Laws

	Frequency	Percent
Government has no laws to compensate PEV victims	183	54.1
Government has laws to support PEV victims	155	45.9
Total	338	100.0

The study established that majority of the respondents 54.1% (183) indicated that the Government had no supporting laws to compensate all those affected by PEV while 45.9% (155) of the respondents agreed that the government had supporting laws to compensate all those affected by PEV.

The study further sought to establish the extent to which Government policy affects compensation to the victims of PEV in Kenya. The findings are shown in Table 4.15.

Table 4.15: Government Policy effects on Compensation to the PEV Victims

	Frequency	Percentage
Very large extent	184	54.4
Large extent	54	16.0
Moderate extent	74	21.9
Low extent	26	7.7
Total	338	100.0

As indicated from the findings, the study established that majority of the respondents 54.4% (184) agreed to a very large extent that Government policy affects the compensation to the victims of PEV in Kenya, 16% (54) agreed to a large extent, 21.9% (74) agreed to a moderate extent while 7.7% (26) of the respondents agreed that Government policy affects the compensation to the victims of PEV in Kenya to a low extent. The findings agree with Kanyiga (2000) who reported that struggles to access land among victims was because of non-comprehensive Government policies on land tenure and land use. Post-effects of restitution on victims were also not articulated. The finding further agrees with Marais (1998) in his study on land restitution in South Africa that post-apartheid legal framework aimed at restoring land and provided for remedies to individuals and groups who were dispossessed of their land as a result of past racially discriminatory laws and policies.

Regarding the number of police stations in Kamara Ward-Nakuru County, the study established that all the respondents indicated that there were three (3) police stations in the ward. Majority of the respondents however indicated that they felt safer after the Government enhanced security policies. The finding agrees with Celador (2008) who showed that Kenya agrees that security is a basic human right as per Article 3 of the Universal Declaration of Human Rights and regards security as a matter of National priority that contributes to the quality of people's livelihood worldwide and has providing an enabling environment for citizens to stimulate social, economic and political development. The findings however differs with KHRC (2008) revelation that most IDPs in Molo did not go back to their homes due to insecurity, landlessness and lack of reconciliation among the warring communities. The findings are shown in Table 4.16.

Table 4.16: Security Policies

	Frequency	Percent
Yes	257	76.0
No	81	24.0
Total	338	100.0

The elders and assistant chiefs indicated that majority of the respondents were residents of Kamara Ward in 2007 and their livelihood was affected by post election violence to a great extent. The findings coincide with KHRC (2008) who observed that most IDPs were concerned about their safety guarantee and access to basic needs such as food, shelter, security, health, education and sources of livelihood once they returned to their farms.

Regarding land restitution, the study revealed that the average land size for the residents before 2008 was ranging between two to ten acres. Majority of the interviewees indicated that they were practicing mixed farming while a small number practiced arable farming in their land before 2008 PEV and their annual earnings from their economic activities were between Kenya shillings 150,000-200,000.

From legal justice and Government security, the interviewees indicated that there were seventy four (74) cases of illegal land occupation after 2008 PEV in Kamara Ward. A number of the respondents indicated that they reclaimed their land through the courts where it took them more than two years because of judicial processes involved. However, the interviewees indicated that the Government does not have strong supporting laws to compensate all PEV victims.

4.8 Inferential Analysis

In order to establish the influence of restitution on the livelihood of PEV victims in Kamara Ward, Nakuru County, Kenya, the study conducted a multiple regression analysis so as to test relationship among independent variables on the restitution on the livelihood of PEV victims in Kamara Ward. The researcher applied the statistical package for social sciences (SPSS) to code, enter and compute the measurements of the multiple regressions for the study and the findings are shown in table 4.17.

Table 4.17: Model Summary

Model	R	R Square (R ²)	Adjusted R Square	Std. Error of the Estimate
1	0.851	0.7242	0.7125	0.1614

The Coefficient of determination explains the extent to which changes in the dependent variable can be explained by the change in the independent variables or the percentage of variation in the dependent variable (Livelihood Outcome) that is

explained by all the four independent variables (Land Restitution, GoK Financial Restitution, legal justice and Government security).

The four independent variables that were studied explain 72.42% of the livelihood outcomes as represented by the R^2 while other factors not studied in this research explain 27.58% of the livelihood outcomes.

Therefore, further research need to be conducted to investigate the other factors (27.58%) that affect the livelihood outcomes in Kamara Ward, Nakuru County, Kenya.

The table 4.18 represents the Analysis of Variance for the livelihood outcomes.

Table 4.18: ANOVA

Model	Sum of Squares	df	Mean Square	F	Sig
Regression	359.98	4	89.9943	22.9057	0.0125
Residual	1308.34	333	3.9289		
Total	1668.32	337			

Since the test statistic is much larger than the critical value, we reject the null hypothesis of equal population means and conclude that there is a (statistically) significant difference among the population means. $F_{0.05; 4, 333} = 22.91$. So the test statistic of livelihood outcome is significant at that level.

The multiple regression results are as shown in table 4.19.

Table 4.19: Multiple Regression Analysis

Model	Unstandardized Coefficients		Standardized Coefficients	t	Sig.
	Beta(β)	Std. Error			
Constant	2.121	0.0251		84.501	0.0000
Land Restitution (LR)	0.756	0.0146	0.0251	51.780	0.0418
Financial Restitution (FR)	0.431	0.0268	0.0325	16.082	0.0315
Legal Justice (LJ)	0.518	0.0315	0.0532	16.444	0.0341
Government Security (GS)	0.347	0.0529	0.0475	6.560	0.0218

The researcher conducted a multiple regression analysis so as to determine the relationship between the restitution programme and livelihood outcomes in Kamara Ward, Nakuru County, Kenya. The regression equation was:

$$LO = \beta_0 + \beta_1LR + \beta_2FR + \beta_3LJ + \beta_4GS$$

$$LO = 2.121 + 0.756 LR + 0.431FR + 0.518LJ + 0.347GS$$

According to the regression equation established, taking all factors (Land Restitution (LR), GoK Financial Restitution (FR), Legal Justice (LJ) and Government Security(GS)) constant at zero, the livelihood outcome was 2.121.

The analysis also shows that if all other independent variables are constant zero, a unit increase in land restitution leads to a 0.756 increase in the livelihood outcomes of PEV victims in Kamara Ward, Nakuru County, Kenya. A unit increase in GoK Financial Restitution leads to a 0.431 increase in the livelihood outcomes of PEV victims in Kamara Ward, Nakuru County, Kenya. A unit increase in legal justice leads to a 0.518 increase in the livelihood outcomes of PEV victims in Kamara Ward, Nakuru County, Kenya, and a unit increase in Government security lead to a 0.347 increase in the livelihood outcomes of PEV victims in Kamara Ward, Nakuru County, Kenya.

At 5% level of significance and 95% level of confidence, GoK land restitution had a 0.0418 level of significance, financial restitution had a 0.0315 level of significance, legal justice showed a 0.0341 level of significant and Government Security showed a 0.0218 level of significant hence the most significant factor was Land Restitution. The t critical at 5% level of significance at k =4 degrees of freedom is 2.245. Since all t calculated values were above 2.245 then all the four variables were significant in explaining the influence of restitution on the livelihood of PEV victims in Kamara Ward, Nakuru County, Kenya.

CHAPTER FIVE

SUMMARY, CONCLUSIONS AND RECOMMENDATIONS

5.1 Introduction

The chapter presents the summary of findings, the discussion and conclusion drawn from the data findings. In addition, it presents the recommendations of the study. All this had been geared toward achieving the objectives of the study.

5.2 Discussion of the findings

5.2.1 Government land restitution and the PEV victims' livelihood

The study established that majority of the respondents were owned land ranging from half (1/2) an acre to fifty acres (50 acres) the finding agrees with Dorner (1975) who revealed that land is a factor of production that should be efficiently and effectively mobilized to optimize production. The study further agrees with Nozick (1974) who reported that there are three overriding principles of entitlement theory that is; just acquisition and transfer of property and the rectification of justice where property is unjustly acquired or transferred. On economic activities the respondents were practicing before 2008 PEV, the study established that majority of the respondents were peasant farmers with 21.7% of the respondents practicing large scale farming while 36.2% of the respondents were small scale farming. The finding concurs with Kahura (2004) who indicated that land is a factor of production that should be efficiently and effectively mobilized to optimize production failure to which it will contribute to skewed development.

On whether they were compensated after the 2008 PEV, the study established that majority of the respondents were not compensated after the events of the 2008 PEV. The finding agrees with Bertus de Villiers (2003) who reported that settlement of the land claims has not resulted to land reform in South Africa. He attributes that to most of the settlements have been through cash compensation for land lost and that most of the remaining settlements are rural claims which have been slow and complicated. The finding however differs with The UN Pinheiro Principles (2005) that defined Land and property restitution as a process by which land or other property that was forcibly

taken or arbitrarily removed from its owners is restored or compensated with an equivalent.

5.2.2 Government financial restitution on the livelihood of PEV victims

The study revealed that majority of the respondents indicated that they were not compensated and that the government had failed in its financial restitution programme after the events of 2008 PEV. The finding conflicts with Walter (2008) who stated that financial restitution is whereby an individual or entity is paid a sum of money as compensation in order to restore what had forcibly been taken away from them. The study also disagrees with Clark (2004) who highlighted that when The World Jewish Restitution Organization (WJRO) together with 45 nations participated in Claims Conference in Prague its primary agenda being the restitution of property seized during the Holocaust. This led to successful land and property restitution program which is an indicator of the effectiveness of the rule of law in democratic countries like Poland, Hungary, Romania and others in Eastern Europe

5.2.3 Legal justice on the livelihood of PEV victims

The study established that majority of the respondents indicated that their land was not occupied after the 2008 post election violence. The finding agrees with Hellgriell (1989) who showed that the laws have been mostly ineffective because of poor management, outdated incomplete land records hence land owners taking advantage of these loopholes. In addition, the inadequate compensation paid for the appropriated land and skewed land redistribution made restitution to be unpopular among the landowners and victims. The finding further concur with Walter (2008) who highlighted that the Government should use laws and policies through relevant authorities to ensure voluntary and safe return of PEV victims to their homes or by enabling them to relocate and resettle voluntarily into other parts of the country.

Majority of the respondents indicated that they regained their lost properties as the aggressor was compelled to return whatever he/she took away. The finding disagrees with Walter (2008) who indicated that authorities have the duty and responsibility to implement a just and equitable reparation programme that includes assisting displaced persons to recover property and possessions left behind during displacement as far as

it is practicably possible, or otherwise through adequate compensation as a remedy to the loss of their property. However, it agrees with the Ministry of Devolution and Planning (2013) which stated that Government uses laws and policies through relevant authorities to ensure voluntary and safe return of PEV victims to their homes or by enabling them to relocate and resettle voluntarily into other parts of the country.

5.2.4 Government Security influence on PEV victims' livelihood

Regarding the statement as to whether the Government has supporting laws to compensate all those affected by Post Election Violence, majority of the respondents government had no supporting laws to compensate all those affected by PEV. The study established that majority of the respondents agreed to a very large extent that Government policy affects the compensation to the victims of PEV in Kenya, while few of them agreed, to a low extent, that Government policy affects the compensation to the victims of PEV in Kenya. The finding agrees with Kanyiga (2000) who reported that struggles to access land among victims was because of non-comprehensive Government policies on land tenure, land use. Restitution post-effects on victims was also not articulated. The finding further agrees with Marais (1998) in his study on land restitution in South Africa established that post-apartheid legal framework aimed at restoring land and provide for remedies to individuals and groups who were dispossessed of their lands as a result of past racially discriminatory laws and policies.

All the respondents indicated that there were police stations in the ward while majority of the respondents indicated that they feel safer after the Government enhanced security policies. The finding however differs with KHRC (2008) who revealed that that most IDPs in Molo did not go back to their homes due to insecurity, landlessness and lack of reconciliation among the warring communities. The finding agrees with Celador (2008) who showed that Kenya agrees that security is a basic human right as per Article 3 of the Universal Declaration of Human Rights and regards security as a matter of national priority that contributes to the quality of people's livelihood worldwide by providing an enabling environment for citizens to stimulate social, economic and political development.

From the questionnaires for elders and assistant chiefs, majority of the respondents indicated that they were residents of Kamara Ward in 2007, majority of them also

indicated that the Post Election Violence affected people's livelihood to a great extent. The finding coincides with KHRC (2008) who observed that that most IDPs were concerned about their safety guarantee and access to basic needs such as food, shelter, security, health, education and sources of livelihood once they returned to their farms. The respondents also noted that Kamara ward was mainly occupied by Kipsigis, a sub-tribe of the Kalenjin tribe followed by Kikuyu and Kisii as the majority in the Ward. Other communities were also residents of the Kamara Ward.

Regarding land restitution, the study revealed that the average land size for the residents before 2008 was ranging between two to ten acres. Majority of the respondents indicated that they were practicing mixed farming while a small number practiced arable farming in their land before 2008 PEV. Majority of the respondents indicated that their annual earnings from their economic activities was between 150,000-200,000 Kenya shillings.

From legal justice and government security, the interviewees indicated that there were a number of cases of illegal land occupation after 2008 PEV in Kamara Ward. A number of the respondents indicated that they acquired their land through courts. They further indicated that it took the more than two years to regain their land because of the judicial processes involved. However, the interviewees indicated that the government doesn't have strong supporting laws to compensate all PEV victims.

5.3 Conclusion

5.3.1 Government land restitution and the PEV victims' livelihood

The study concludes that the majority of the residents in Kamara ward owned land. The study also concludes that majority of the residents owned land ranging from half an acre to fifty acres (50 acres) and that majority of the respondents were peasant farmers. The study further concluded that majority of the respondents were not compensated after the events of the 2008 PEV.

5.3.2 Government Financial Restitution Influence on Livelihood of PEV victims

The study concluded that majority the respondents of Kamara ward were not financially compensated while majority of the respondents who were compensated received a financial restitution of less than Ksh 50000.

5.3.3 Relationship between Legal Justice and PEV Victims' Livelihood

The study concluded that that majority of the respondents indicated that their land was not occupied after the 2008 Post Election Violence. The study also concluded that the respondents got back what they lost at the peak of 2008 PEV when the aggressor was compelled to return whatever he/she took away. It further concluded that majority of the respondents reclaimed back their land through the community elders.

5.3.4 Government Security influence on PEV Victims' Livelihood

The study concluded that the government had no supporting laws to compensate all those affected by PEV and that majority of the respondents agreed to a very large extent that Government policy affects the compensation to the victims of PEV in Kenya. The study also concluded that the respondents felt safer after the government enhanced security policies. In addition, the study concluded that post election violence affected people's livelihood to a great extent.

5.4 Recommendations

5.4.1 Government land restitution and the PEV victims' livelihood

The study recommends that the Government should initiate a framework that will ensure that all the PEV victims are compensated with land since that land is a factor of production that should be efficiently and effectively mobilized to optimize production.

5.4.2 Government financial restitution on the livelihood of PEV victims

The study recommends that the Government should implement the financial restitution programme to ensure that all the PEV victims are financially compensated in order to restore what had forcibly been taken away from them.

5.4.3 Legal justice on the livelihood of PEV victims

The study recommends that the government should use laws and policies through relevant authorities to reclaim and ensure safe return of PEV victims to their homes that have been illegally occupied.

5.4.4 Government Security on PEV victims' livelihood

The study also recommends that the government should initiate supporting laws to compensate all those affected by Post Election Violence. In addition, the study recommends that the government should improve security in Kamara Ward since security is a basic human right as per Article 3 of the Universal Declaration of Human Rights. The study also recommends that the government, non-governmental organizations (NGOs), churches and even individuals should help PEV victims to access basic needs such as food, shelter, security, health, education and sources of livelihood once they return to their farms.

5.4.5 Suggestions for Further Studies

This study concentrated on the residents of Kamara ward in Nakuru County. In order to allow for generalization of findings to other regions, this study recommends that:

1. Another study be conducted targeting all counties affected by the events of the post election violence in Kenya. This will allow generalization of findings to the whole sector.
2. The study further recommends that further studies be conducted on the influence of politics in Kenya on the livelihoods of post election violence. This is because the country has undergone reforms in the new era after promulgation of the Constitution of Kenya 2010.

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APPENDICES

APPENDIX I: Authorization permit letter



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Date: 5th May, 2015

RE: RESEARCH AUTHORIZATION

Following your application to carry out research on *õ Influence of restitution on the livelihood of the Post election violence victims; case of Kamara Ward, Nakuru County*ö I am pleased to inform you that you have been authorised to undertake the research in **Kamara Ward of Kuresoi in North Nakuru County** for a period ending 31st July, 2015.

You are advised to report to the **Assistant Sub-County Commissioner and Ward Administrator, Kamara Ward** before embarking on the research project.

On completion of project, you are expected to submit **two hard copies and one soft copy in pdf** of the research report/ thesis to our office.

DR. M. K. RUGUTT, PhD, HSC

DIRECTOR GENERAL/CEO

Copy to: **Assistant Sub-County Commissioner-Kamara Ward**

APPENDIX II: Letter of Transmittal on Data Collection Instruments

Charles Kipchumba Tanui,
P.O. Box 47697,
Nairobi.
Mobile: 0723935476

Dear Sir/Madam,

RE: INFLUENCE OF RESTITUTION PROGRAM ON THE LIVELIHOOD OF POST ELECTION VIOLENCE VICTIMS IN KAMARA WARD OF NAKURU COUNTY.

I am a student at the University of Nairobi, Extra-Mural Centre pursuing Master of Arts in Project Planning and Management. My registration Number is L50/72228/2011. I am currently conducting a research study on *influence of Restitution program on the livelihood of Post-Election Violence Victims* in Kamara ward of Nakuru County.

To facilitate this study, you have been randomly selected as a participant in answering an attached questionnaire. You are kindly requested to respond to all the questions objectively, honestly and truthfully.

Please be assured that your personal information will be confidential and will only be used for the purposes of this study.

Thank you for your cooperation.

Yours faithfully,

Charles Kipchumba Tanui
MAPPM Student, University of Nairobi

APPENDIX III: Questionnaire

INTRODUCTION

This questionnaire is designed to gather general and specific information for a study on influence of restitution program on the livelihood of 2008 PEV victims residing in Kamara Ward of Nakuru County. Your information will be used for the study purpose and will be treated with utmost confidentiality.

INSTRUCTIONS

Please tick your answer within the box and fill the questionnaire with applicable answers. Kindly respond to all questions as asked

GENERAL INFORMATION

Date of filling this questionnaire: __/__/2015 (dd/mm/2015)

SECTION A: DEMOGRAPHIC FACTORS

1. **Name** (optional) í .

2. **Gender** Male Female

3. **What is the name of the Sub-Location where you live?**

Sarambei Koige Mau-Summit Sinendet Mau Kamara

4. **How long have you lived in the area? _____ Years**

5. **How old are you?**

Below 18 Years 46-55 years

18 ó 25 years 56-65 year

26 ó 35 years 66 years above

36-45 years

6. **What is your highest level of Education you have attained?**

Primary Level Tertiary / College Level

Secondary Level University Level

7. **What was your main occupation before the 2008 Post Election Violence (PEV)?**

I was employed I was working at my farm

I was running my own business I was in school

Other(s)

If other(s), state your occupation before 2008 PEV.....

SECTION B: POST ELECTION VIOLENCE (PEV) EFFECTS TO LIVELIHOOD

8. Were you a resident of Kamara Ward in 2007? Yes No

9. Were you affected by PEV? Yes No

10. What did you lose during PEV period?

Life of a relative Business and business opportunity

Property Land

Other(s)

If other(s), state exactly what you lost during 2008 PEV.....

SECTION C: RESTITUTION

11. Were you compensated on what you lost during PEV? Yes No

12. Did compensation reinstate your livelihood to prior level before PEV?

Yes No

If No, Explain

SECTION D: LAND RESTITUTION

13. Did you own land before 2008 Post Election Violence (PEV)? Yes No

14. If yes in above, what was the size of your land?Acres.

15. What economic activity were you practicing in your land before 2008 PEV?

Large scale farming Peasant farming

Small scale farming other(s)

If other(s) state the type of farming.....

16. How much were you earning from your farming activities before the 2008 PEV? Ksh..... (Per year).

17. Were you compensated with a piece of land? Yes No

18. If yes above, what is the land size that was given to you?.....Acres

19. How much do you earn per year from your farming activities now? Ksh.....

SECTION E: FINANCIAL RESTITUTION

20. Were you given money to compensate for the lose you encountered during the 2008 PEV? Yes No

If yes, how much did you receive? Ksh.....

21. What did you use the money for?

To build a permanent house

To build a semi-permanent house

To build a temporary house

To buy agricultural input

Other(s), state.....

22. Were you adequately compensated? Yes No

SECTION F: LEGAL JUSTICE

23. Did somebody occupy your land illegally after 2008 PEV? Yes No

24. How did you get back whatever you lost?

Through government compensation

The aggressor was compelled to return whatever he/she took away

Through NGOs compensation

Through family and friends fund raising

25. How did you claim back your land? Through

The courts The government intervention

The community elders Others

If other(s), explainí í í í í í í í í í í í í í

26. How long did it take you to get back your land?.....Month(s)

SECTION G: GOVERNMENT SECURITY AND LEGAL POLICIES

27. Does government have supporting laws to compensate all those affected by Post Election Violence? Yes No

28. To what extent does government policy affect compensation to the victims of PEV in Kenya?

Very large extent Moderate extent

Large extent Low extent

29. How many police stations do you have in your area?.....

30. Do you feel safe now after the government enhanced security?

Yes No

THANK YOU FOR YOUR COOPERATION

APPENDIX IV: Krejcie and Morgan sample size table:

Table for determining sample size from a given population

N	S	N	S	N	S	N	S	N	S
10	10	100	80	280	162	800	260	2800	338
15	14	110	86	290	165	850	265	3000	341
20	19	120	92	300	169	900	269	3500	346
25	24	130	97	320	175	950	274	4000	351
30	28	140	103	340	181	1000	278	4500	351
35	32	150	108	360	186	1100	285	5000	357
40	36	160	113	380	181	1200	291	6000	361
45	40	180	118	400	196	1300	297	7000	364
50	44	190	123	420	201	1400	302	8000	367
55	48	200	127	440	205	1500	306	9000	368
60	52	210	132	460	210	1600	310	10000	373
65	56	220	136	480	214	1700	313	15000	375
70	59	230	140	500	217	1800	317	20000	377
75	63	240	144	550	225	1900	320	30000	379
80	66	250	148	600	234	2000	322	40000	380
85	70	260	152	650	242	2200	327	50000	381
90	73	270	155	700	248	2400	331	75000	382
95	76	270	159	750	256	2600	335	100000	384

Source: (Krejcie and Morgan, 1972)**Note:**

N is Population size

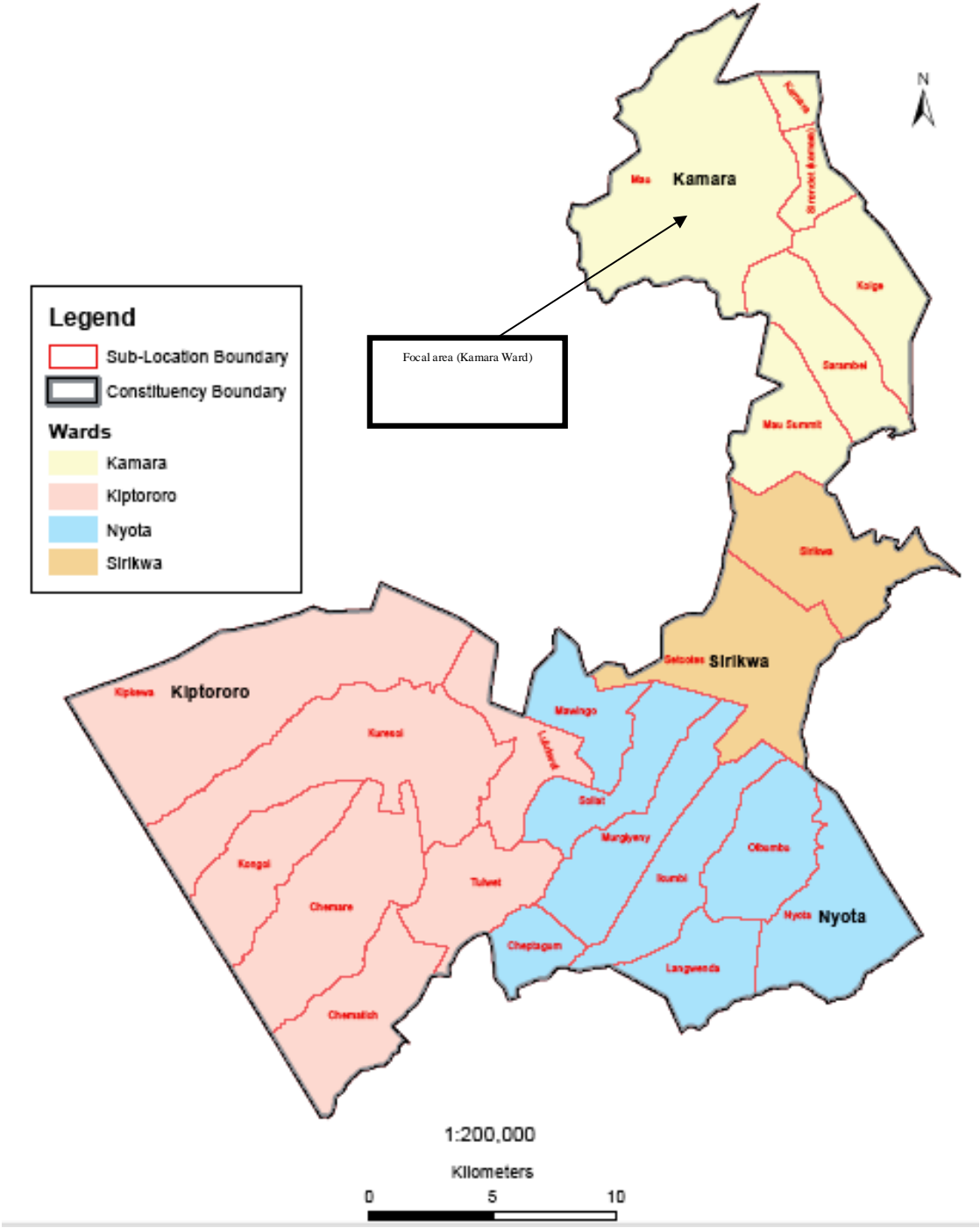
S is Sample size.

APPENDIX V: Population projection for Kamara Ward (2014)

YEAR	2009			2013			2014		
Sub- location	Male	Female	Total	Male	Female	Total	Male	Female	Total
Mau Summit	3525	3389	6914	4,055	3898	7953	4199	4037	8074
Sarembei	3221	3048	6269	3705	3506	7211	3837	3631	7262
Koige	3131	3064	6195	3602	3524	7126	3730	3650	7300
Mau	2489	2457	4946	2863	2826	5689	2965	2927	5854
Kamara	1810	1711	3521	2082	1968	4050	2156	2038	4076
Sinendet	1026	1092	2118	1180	1256	2436	1222	1301	2602
Total	15202	14761	29963	17486	16979	34466	18109	17584	35168

(Source: KNBS 2009 Census)

APPENDIX VI: Kuresoi North Constituency Map



Source: (IEBC, 2014)