

Public Memorials in Dagoretti; the impact of land tenure on social cohesion

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No land is bereft of art whether the latter is fashioned consciously or unconsciously. Dagoretti is no exception. This article picks out land markers, wrought by collective experience and therefore considered public artefacts. Furthermore, the artefacts indicate the impact of land tenure on social cohesion within the same district.

Initially, Dagoretti was characterised by the mbari land tenure system with trustees (aramati) holding land for their families. Tenants (athami or ahoi) had limited cultivation and building rights. But colonial interventions and urbanisation disrupted this system, leading to tensions and struggles over land ownership. Road names, mausoleums, schools and satellite townships memorialise significant episodes, even as they indicate compact (or otherwise) social cohesion.

Specific historical events, such as the exile of Waiyaki wa Hinga, followed by the rise of Kinyanjui wa Gathirimu, not only memorialise but also chronicle the navigation of both chiefs in the changing landscape. The discussion includes the subsequent racial segregation policies of the colonial era and their impact on Dagoretti's socio-economic dynamics. It explores a singular effort to desegregate, by establishing a multi-racial school on the fringes of eastern Dagoretti, amidst officialized apartheid-like segregation.

The infamous 2017 battle for Kawangware, inscribed into the Mau Mau bridge, concludes the paper. Collective lived experience has fashioned land markers and imbued them with specific meaning and value –they await the keen appreciation of informed readers.

A tale of two chiefs

Like a double edged sword, land tenure either knits people into a common union (community) or dismembers them into pieces that cannot cohere. Tenure in Dagoretti has etched landmarks, as public memorials, giving the district its unique identity. As Odote (2013) points out, because land is man's most valuable resource, supporting basic and critical needs of food, shelter and business, its adjudication presents significant uncertainties and paradoxes (cf. Institute of Surveyors of Kenya for more detail).

At the beginning of the 20th century, the banks of the Nairobi River were agricultural rural land operating under the *mbari* land tenure i.e. a cyclical system of land ownership. They included *aramati* and *ahoi*. Kinyanjui wa Gathirimu was a *muhoi* or *muthami* (tenant) and as a tenant he had cultivation and/or building rights only.

Conversely, Waiyaki wa Hinga was a *muramati* (in Gikuyu the term translates to a trustee or titular *githaka* [land] owner). Being a *muramati*, Waiyaki stood to lose land to the incoming Imperial British East Africa Company (IBEAC) that had encroached by setting up Fort Smith in his neighbourhood. He therefore fell out with these officials and the colonial administration. He was subsequently exiled to the coast but died at Kibwezi (oral narrative has it that Waiyaki was buried alive).

Kinyanjui on the other hand, as a poor *muthami*, used his position (tax collector for the British administration) to acquire *muramati* rights (land owning/property rights). It is difficult to decide whether he succeeded because, in life as in death, Kinyanjui leaned more toward the colonial administration and less to Gikuyu traditional custom. Tellingly, his was a state funeral, organised by local chiefs of his ilk. They chose to memorialise him by building a mausoleum; a structure as foreign today as it was in 1929, for the Gikuyu are not accustomed to constructing mausolea in honour of the dead. Mausolea are seen as foreign, distant and without local meaning or traditional pathos. So in building Kinyanjui a mausoleum, the chiefs highlighted –accidentally or by design– his foreign-bestowed social position. These chiefs did not speak to (or for) the local population; they did not memorialise the lived cultural position of a Gikuyu *muramati*. The mausoleum, to date, refuses to be embedded into Gikuyu social cultural dynamics. It memorialises instead, the intrusion of foreign symbols with their attendant meaning. Kinyanjui is not remembered as a benevolent *muramati*.

Meanwhile, Waiyaki's family abides in his lands. Together with other *mbaris* they regained about 1000 acres from the Church of Scotland Mission (CSM) headquartered in Thogoto (Njoroge, L :2022). This followed the London depositions made by the Kikuyu Central Association (KCA) culminating, four decades later, in the Swynnerton Commission. Waiyaki is memorialised in a main road leading out of Nairobi's Central Business District (CBD) due west to Nakuru and farther. His memory is as alive as the thoroughfare is busy.

At the beginning of the 20th century, Dagoretti was sandwiched between the municipality of Nairobi and other lands alienated for European farming (see figure 4). It was like a thin slice, a remainder of the previous African occupation between the white highlands and the European part of the municipality. Godfrey Muriuki (1974) describes it as lying at the southern tip of the Kikuyu plateau and among the last areas to fall under the migratory waves from central Kenya. Dagoretti was however, by 1920s, the most densely populated area in the then Kikuyu Reserve.

Paramount Chief Kinyanjui wa Gathirimu (ca. 1880s -1929) was responsible for the Riruta location in Dagoretti. He sent unwilling labourers to the European farms—there to become landless squatters who years later were repatriated once mechanisation rendered their services superfluous. Kinyanjui had himself started off as a run-away youth with no property (Njoroge, 2022). He collaborated with the colonials in entrenching British rule.

At times Kinyanjui copied the methods of his masters. The Kiambu District Commissioner (D.C.) at one time held an enquiry into certain allegations against him; that he pressganged natives to send them to work in European farms. These allegations were true. Kinyanjui stated that he had endeavoured to supply labour to European settlers whenever he could and that those Kikuyu who refused to go were fined a goat in order to pay for a substitute and in certain cases were flogged for disobedience to Kinyanjui's orders (KNA PC/CP1/4/1, 23).

Much as sending out or conscripting the Dagoretti population to squat on European settler farms was the administration's preference, it interfered with the *mbari* land system. And, change in the underpinning land tenure diluted Dagoretti's social cohesion. It fomented instead, a bitterness about land that developed into a national political uprising. Nyadimo (2006) reflecting on the consequences of land adjudication in Kenya, asserts that the process has been critical in the conversion of land held under customary tenure into individual holdings.

Boundaries and Land Tenure

The concepts of land use and land tenure are significant in urban planning, sustainable development and in addressing socio-economic issues. Available literature on Dagoretti, in this vein, is moderate; A. O. Otieno's (1999) study, discussing Dagoretti's urban planning challenges, is a case

in point. But without explicitly focusing on Dagoretti, other scholars of Nairobi examine the city's neighbourhoods in a bid to understand its complex socio-economic and spatial dynamics.

Beyond the confines of urban planning authors have pegged their studies –in a mediate way– on land use and land tenure; Michael Chege (1981) a political scientist, Dauti Kahura (2017) journalist and Tim Weiss et al. (2024) serve as examples. I join their ranks as an art historian, in looking at Dagoretti as a stage set where different communities perform their collective lives. It was Shakespeare (1913) who declared, ‘all the world’s a stage and all men and women merely players.’ The players bring their values to shape the land accordingly: setting out its boundaries, reserving it for agriculture, crowding it with semi-permanent housing, with markets and manufacturing—they determine the social flavour within its boundaries, driven by the value and meaning they seek to forge in this ‘Dagoretti’ that is their stage set.

There are different ways of interpreting the relationship between a people and their land, between the players and their stage set. These provide boundaries that can vary; those outlining Dagoretti depend not only on the issue under discussion but also on the point of view taken. It is these multiple ways of ‘reading land’ that impose varied boundaries. For instance, in considering voting patterns for political office, the constituency boundaries of ‘Dagoretti North’ and ‘Dagoretti South’ will be followed (see map appendix 1). But when discussing matters historical, Dagoretti is viewed chronologically: as the southernmost tip of the Agikuyu plateau, then as part of the colonial Kiambu district, and lastly as the western end of the post-colonial city of Nairobi.

There is yet another perspective that can be projected onto Dagoretti, the significant geographical landform—the ridge—that slopes into Nairobi River, whose source is Ondiri Swamp near Kikuyu town. The river flows eastwards into Nairobi’s CBD, then on to Dandora where it joins the Mathare River and later, the combined streams become the Athi River, eventually draining into the Indian Ocean. That part of the ridge (*rugongo*) that hosts the first twenty kilometres of Nairobi River constitute Dagoretti. Its man-made boundaries are Waiyaki Way to the north and to its south the Southern Bypass. Eastwards, Dagoretti stretches up to the old municipal boundary of Nairobi. (see figure 1)

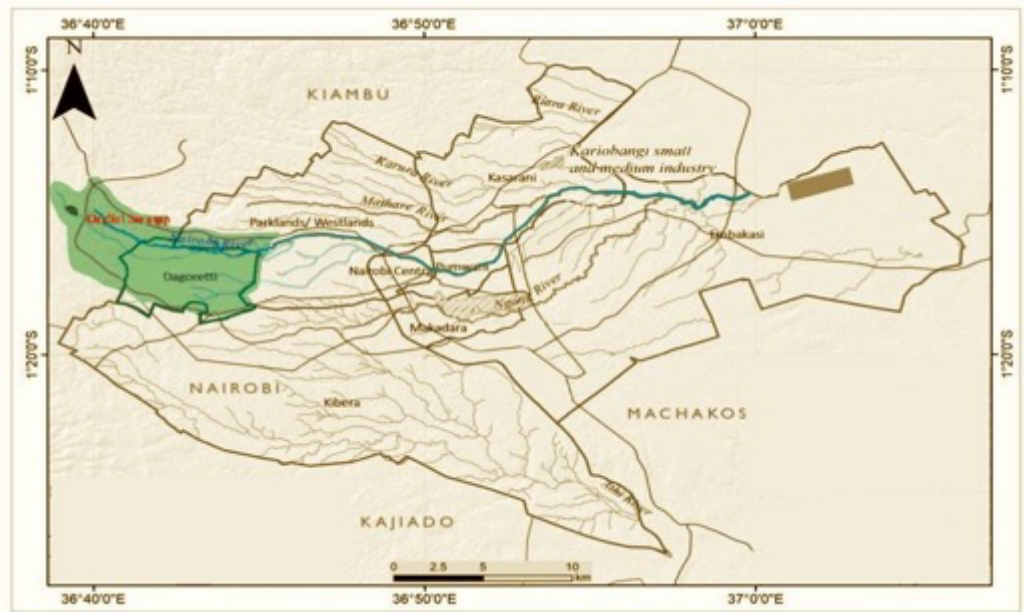


Figure 1.

The highlighted ridge is Dagoretti. Geographically, it runs further eastwards up to Nairobi CBD.

Map source: Osoro, Enock et al. https://www.researchgate.net/figure/Map-of-the-study-area-showing-the-nine-sampling-sites-along-Nairobi-River-basin-fig1_349788145

Nairobi River and area of study have been highlighted by this author.

Nairobi River with its tributary streams is the main natural feature. For an agricultural economy, valleys and their ready water source are seen as advantageous. Not so for an urban economy. The national policy, guided by environmentalists, outlaws building in riparian reserves citing the menace of flooding. Unauthorised urban dwellings, referred to as slums-cum-informal settlements, in the Nairobi metropolitan area, like Mathare and Mukuru on Mathare River and Ngong River consecutively, are unsurprisingly situated on riparian land. Some consider Dagoretti one of the many informal settlements. Nairobi Slum Profiles by Citiesalliance and UN Habitat among others, have studied Dagoretti precisely from this point of view.

In this study I examine the re-arrangement of the land, the *de facto* land use pattern that is closely linked to the underlying land tenure system. I interrogate selected communities that have occupied Dagoretti, their relationship of (un)belonging, their agency or lack of it, all in a bid to

establish the rationale behind the contemporary status quo. The aim is to investigate the shift from agricultural rural land to today's urban formation while weighing in on either ethnic inclusivity or exclusivity, that obtains in tenant/landlord relations; the overriding interest is the delicate tweaking of social cohesion, consequent to the shifting positionality of land tenure whenever it is used as a proactive tool or simply tolerated as a passive effect.

For the sake of brevity and coherence the study concentrates on eastern Dagoretti. Three locations have been picked: Kawangware, Kangemi and Rituta (see figure 3). Again, lived experiences have been selected to punctuate the broad time spectrum: a tale of two chiefs unfolded in the first two decades of the 20th century, the desegregated school was established in 1961 while the Macharia Road epic battle took place in 2017. I look for telltale public landmarks that have encoded these events.

***Mbari* (Clan) versus individual land rights**

According to Gikuyu land tenure, as outlined by Jomo Kenyatta (1938: 22-26) communally owned land or ancestral land—as the collective property of the tribe—did not exist. There was nothing equivalent to no-man's land (*terra nullius*) which perhaps undermines the 1904 and 1920 legislation declaring all of Kenya British crown land. Land in Dagoretti (*ithaka*) was bought before ca. 1860/70s by Gikuyu clans/families (*mbari*) or by individuals who later founded their own families. The previous landowners were the Dorobo.

H. A. Gogarty (1920:26) writes, when the Kikuyu came [into Dagoretti in southern Kiambu] the land was owned by the Wandorobo. The Kikuyu bought the land from them, giving in exchange flocks and herds. Having lived under British occupation in Ireland, Gogarty quips, 'Protectionist European Powers might learn a lesson from this straight, direct dealing'. The Irishman appears to be critiquing the British approach to matters land ownership, in Kenya as well as in Ireland. He is categorical that it was neither forthright nor just.

Gikuyu land tenure reflected the social and cultural set up; it also dictated inheritance law. The head of a family (*muramati*) enjoyed land ownership rights while *athami*, *ahoi* (tenants), enjoyed only cultivation and/or building rights. Waiyaki wa Hinga was a *muramati* in Dagoretti while Kinyanjui wa Gathirimu was a *muthami*; one possessed land ownership

rights while the other, cultivation/building rights –squatter rights as it were.

The *muramati* was the equivalent of a trustee or titular owner who held land on behalf of the *mbari*. The system was cyclical (cf. Kenyatta, 1938 for a more detailed account) designed to support and keep a *mbari* together. Their sustenance depended on land ownership. Changing or tweaking this system meant changing or breaking up social units. The members got dispersed because a vital tool (and/or rich value) used for hewing their commonality was either blunted or attenuated.

Simultaneously, the British introduced statutory land ownership. While it appears similar to the *mbari* system, it rests on *individual* land ownership; an idea foreign to Gikuyu customary law that rests on the philosophy of ubuntu (*unduire*). In Gikuyu land law persons are considered primarily as members of a community –their social nature is hierarchised above individual rights. An individual person therefore holds/owns land for the benefit of his/her family (*mbari* or *nyumba*). The highlighting of individual ownership rights over the same individual’s responsibility for family, makes all the difference. And it is with significant difficulty and great social instability that ubuntu (*unduire*) dovetails into the concept of individual ownership with its concomitant right to ‘use and abuse’. The problem was the importation of legislature cured from a given cultural society (British common law) to a foreign society without considering the latter’s mores and customs.

Whereas the customary *mbari* system was not perfect, it sought to guarantee the livelihood of each person –as a member of a family– that enjoyed either *muramati* or *muthami/muhoi* rights. The ongoing transition from customary *mbari* law to statutory land ownership –with its emphasis on the individual or nuclear family– allows for some people to fall through the cracks of society, rendering them landless and stripping off the means of supporting a livelihood. (The challenge is not unique to Dagoretti but rather common to many societies transiting from agricultural rural sustenance to urban livelihoods) The introduction of statutory law can fail to capture all the nuanced interpersonal relationships with their attendant rights and responsibilities. It defines, inadequately, the obtaining nature of family relationships. From colonial times to date, families in Dagoretti may appeal to either customary or statutory law; the ensuing confusion allows for myriad abuses and an undermining of social cohesion.

In pre-colonial Dagoretti Gikuyu land ownership (*ithaka cia mbari guuranu*) was in force; its purpose was the continued sustenance of *mbari* (family units) rather than that of individual persons.

A desegregated school

Dagoretti also provided space for initiating desegregation in Kenya, the crown colony. It witnessed public acts that re-focused on equal provision of education to all the races—Europeans, Africans and Asians.

In 1961 a group of professional women from Ireland and Spain wanted to start a finishing-cum secretarial school in Nairobi, as Olga Marlin (2011: 90-93) relates.

It wasn't easy to meet Africans because in Nairobi [1960] the races were segregated. Buses were divided into two sections (the front for Europeans), and residential areas were also divided according to race. We lived in the European area called Lavington, Asians had their own areas, and Africans lived outside the city in "reserves." [the administration was inordinately interested in reserves—for natives as well as for wild game]

Mrs Jemima Gecaga, the first African woman on the Legislative Council and a relative of Jomo Kenyatta had a strong sense of justice... "you have arrived at a very good time to open a school for girls. Our women need education in order to become self-reliant, respect themselves, and make themselves respected. This can only happen when they are financially independent. Your school should provide them with the necessary skills."

She went ahead to introduce me [Olga Marlin] to Tom Mboya, "Let me introduce this young woman to you. She is an American and has come with several other ladies to start a multi-racial finishing school for girls in Nairobi."

Mr Mboya, "There is need for a school of that kind. I wish you success. When you get started I'll certainly send you some students."

The memoirs of Marlin (2011) pick up the story, Our [multi-racial] school was due to open on January 13, 1961. Seventeen students had been admitted, but they were all Europeans. Only one non-European had applied: a Goan girl. When we went to register the school with the city's

education department, I was told that before a nonwhite could be admitted to a school in our residential area we had to get the written permission of all our neighbors. Tere and I drew up a letter and brought it from house to house—but everyone refused to sign!

It was against everything we stood for. We had to get another place as soon as possible where we could admit girls of all races. Where can that be, with the city segregated?

The answer was Dagoretti. An estate agent, Paddy Roche, provided the solution. Along Sclaters Road [today's Waiyaki Way] onto Churchill Avenue [Karbarsiran Avenue] Marlin continues, a gray stone bungalow built in the colonial style, with low ceilings, small windows set in wooden frames, and a red corrugated iron roof (...) standing on five acres of land [was to be our new school]. From the front veranda we could see on the opposite ridge the African huts, the beginning of the Kangemi Reserve.



Figure 2 (a)

Gray stone bungalow [now painted white] built in the colonial style. It housed Kianda College from 1961



Figure 2 (b)
Kianda School today (2024) on the same compound

Ethnic Strife in Macharia Road

After the land consolidation exercise (1956/57) the Agikuyu landlords in Dagoretti exercised freehold in a manner derived from the English common law. However, these landlords (perhaps unconsciously) harboured—and still harbour—expectations of leaning on advantages that flow from the customary *mbari* land tenure system.

When eastern Dagoretti fell under the administration of Nairobi City (1963), house-renting became booming business. Many people, coming into the city in search of jobs, from the western part of Kenya, sought housing in this district. The occurrence has led to a joke that many a cook and watchman, working in affluent Nairobi homes, are Luhya. They rent houses in Kangemi and in Kawangware.

In this multi-ethnic Kawangware, the 2017 repeat presidential elections, degenerated into a fierce battle on Macharia Road (see figure 3). Because Kawangware landowners (all Kikuyu) claim firmer belonging, they

expected theirs to be the decisive voice in the political fracas. But their tenants (from western Kenya) far outweighing them in number, carried the day. Besides, eastern Dagoretti economy is simply not viable without these tenants. So against the century old expectation—of entrenched landowners deciding on matters social and political—this ethnic battle proved the opposite; the non-landowners, regardless of their transient status, sway political opinion thanks to their superiority in numbers.

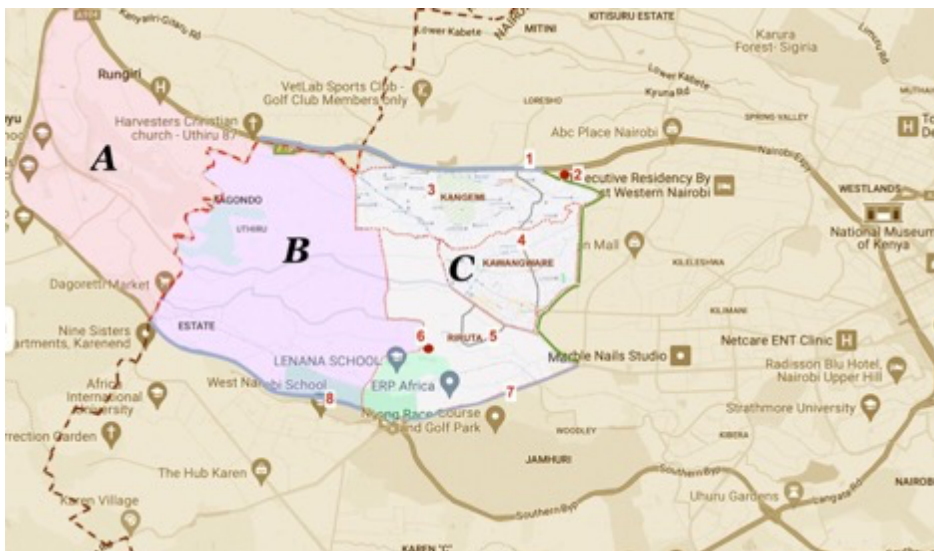


Figure 3
Map of larger Dagoretti according to the main landform, Nairobi River

A: forms part of Dagoretti because Nairobi River begins from this area. However, in the post colonial dispensation the area falls under the jurisdiction of the county of Kiambu.

B: is Western Dagoretti (part of the county of Nairobi). Public memorials studied in this paper are NOT located in this area

C: is Eastern Dagoretti (Kangemi, Kawangware, Riruta) Public memorials in this study are located in these 3 districts

*The green line to the east corresponds to the municipal boundary that obtained from 1929-1963.

Features that memorialise some collective events in eastern Dagoretti

1. Waiyaki Way	5. Kinyanjui Road
2. Kianda School & site of former Japanese consulate	6. P. C. Kinyanjui Technical Training Institute
3. Mountain View Estate	7. Ngong Road
4. Macharia Road	8. Southern Bypass

This is how events unfolded –Kawangware 56 is a hotbed of cross-cultural ethnic politics, writes Dauti Kahura, a journalist with *The Elephant*. It is largely populated by non-Kikuyu communities from the western part of Kenya. In 2017 there was brutal ethnic fighting on Macharia Road. On the night of October 27th Mungiki fought Luhya, Luo and Kisii youth, into the dead of the night. Kahura’s source claimed that ‘whoever controls the bridge [the Mau Mau bridge, on Macharia Road, connecting Kawangware 56 to Kangemi] carries the day.’ The fight left many dead, among them policemen.

Blame was laid at the door of politicians, ‘all that violence could not have taken place without the unseen hands of the politicians. Arati, an ethnic Kisii, is distrusted by the Kikuyu landlords and business class who accuse him of fomenting trouble, in the ultimate hope of ejecting Kikuyus from Kawangware 56. Belonging to the land –the stage set– is at the bottom of the distrust that leads to fighting.

Arati and other politicians are accused by Kawangware landlords [Kikuyus] of ‘telling people [from western Kenya] they cannot remain tenants forever. They must secure their space. Already we [the Kikuyu] have been outnumbered by these foreigners. That is why they are able to elect one of their own in our homeland. Today’s Kawangware is totally different from the Kawangware of two decades ago [i.e. 1990s].’

Could the landlord above, be referring to the sense of belonging? Who belonged to Dagoretti (Kawangware) in the last decades of the 20th century? And, why and when did these performers exit the stage?

Whether the current status quo contributes to sustainable social cohesion is yet to be determined. The underpinning principle appears to be ‘might

is right'; superiority in numbers grants authority to rule despite the temporary tenancy position.



Figure 4

A 1961 map of Nairobi Extra Provincial District (red boundary) surrounded by several native reserves.

Dagoretti lies at the southernmost tip of the Agikuyu plateau. It appears tucked in between land designated for European use. (consider the brown blocks to its north and south)

Map source: KNA

Conclusion

The exploration of Dagoretti's landscape, through its history and changing social dynamics reveals a profound interplay between land tenure systems and collective experiences. These have shaped the district's identity and social cohesion. The traditional *mbari* land system, colonial racial interventions and urbanisation have each inscribed landmarks that serve to memorialise past performances while giving character to the district.

The narratives of Waiyaki wa Hinga and Kinyanjui wa Gathirimu, illustrate a complex (mis)use of land ownership rights and its impact on social structures. Colonial disruptions, racial segregation policies, and subsequent struggles for land ownership underscore this intricate relationship.

The establishment of a multi-racial school in the context of empire-wide segregation added nuance to the character of Dagoretti. In the 21st century however, the district is experiencing not racial segregation but ethnic tensions, perhaps because the land tenure mismatches contemporary concerns.

Challenges such as the 2017 ethnic battle on Macharia Road have laid bare the unresolved tensions and power dynamics between landlords and tenants. It is this affect that is landmarked into Macharia Road, making the road and its bridge much more than a mere connector of Kawangware to Kangemi; it is a public artefact imbued with effect and meaning, a barometer of Dagoretti's social cohesion.

In this context, the critique points to multiple interpretations of landmarks including as memorial tropes, as sites for questioning past and present struggles or as lenses for casting a discerning gaze into the social structure/s that is Dagoretti. This may inform future thought and action.

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Slum Profiles, Dagoretti

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Appendix 1

Constituencies in Nairobi

Kangemi is part of the Westlands constituency in this political map



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