

Don't Miss Your Chance:

Evidence-based messages for
discussing the Community Land Act



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Introduction



Introduction

For over 3.5 million Kenyans living on community land, living on the land for generations has not led to legal protections, leaving them vulnerable to land grabbing and forced eviction. This, however, is set to change with the enactment of the Community Land Act, which was originally passed in 2016. The Act provides for the recognition, registration, and titling of community lands for the first time. An estimated 67% of Kenya's land is potentially eligible.

Three years after the enactment of the Community Land Act, no community has successfully registered their lands. Communities must meet all the requirements of the law, while the government must put in place the necessary structures and personnel to facilitate the registration process. Most communities are not fully aware of the requirements that they must fulfil and the process of registering their lands.

Toolkit

This toolkit is designed to help CSOs, government, and other stakeholders to raise awareness about the law and help people understand what they need to do to register their community land. The toolkit will support anyone carrying out awareness campaigns on the law to understand what types of messages are most effective in communicating to communities.

If you are planning to speak to the public about the Community Land Act, then this toolkit is for you. If you work for the county, or are a leader in your community, this information may be useful.



Messages



Messages

The campaign message

When informing people about the Community Land Act, you should speak on the theme of ‘Don’t Miss Your Chance’. This message has been shown to be the most promising to persuade people to register their land, in our research.

Be sure to communicate that the community is behind where it should be. Encourage them to act before their chance expires. There is nothing to lose by trying to register community land. Encourage them to speak to each other about it, then ask community leaders for support and advice.

Review the sample message below. Do not just read it out as it is written. Instead, consider how it fits with the people you are addressing. Think about what examples you will add to make it relevant to your audience.



“We are losing out on the benefits of managing our own land. Our community is behind where we should be. That’s why we should take action! We should register our community’s lands. The Community Land Act is a new law that allows us to register our land. After all, what do we have to lose? The first step is to discuss it with each other. Then, we need to know the process – let’s ask our community leaders for support and advice.”

How these messages were developed

These messages are rooted in new evidence. Namati started by studying case studies of past campaigns that have been successful, such as the Makonde’s campaign for recognition, or the establishment of Huduma Centers. This was used to develop messages similar to those past campaigns had used.

Namati tested messages on eight different themes: identity, development, colonialism, opposition, faith, comparison, democracy, and ‘take a chance’. Namati then got feedback on which messages people thought would be most effective. Eight focus groups and 10 interviews were conducted. Namati spoke to 61 people, including male and female community members, youth, and local leaders from a range of communities. The messages included in this toolkit were the ones that were best received by participants during our research.

Research participant: “[We chose the ‘chance’ message] because honestly, this message fits us as a community. It’s like whoever wrote it knew about our situation. Our community needs to wake up and take the opportunity to protect our land.”

Strategies



Strategies

Delivering the message

When you deliver these messages, you should think carefully about how to ensure they are effective. How you deliver them matters a lot.

It is important that you use the clear messages in this toolkit – they are based on research, so they have a good chance of working. However, every audience is different, and you should adapt them based on what reaction you get from the audience.

How to adapt the message

Translate it into the local languages that people understand best.

Add examples and stories that people are familiar with.

Find a key phrase and repeat it, or invite the audience to repeat it. This might be something like “Take Our Chance”.

See if any part of the message is unclear or confusing to people. Find other ways of phrasing it.

Once you have found a version of the message that you think is working, use it again and again over many months. Think whether there are other ways you can get the message out – perhaps by recruiting allies, texting people, talking to journalists, or by appearing on a radio program. Think about who is most trusted in your community, or who knows everybody else, and consider having a conversation with them first.

Make sure you are familiar with all the things you want to say. Consider rehearsing what you want to say out loud – even very experienced speakers find that it helps. If you are speaking in an unfamiliar environment, like a radio station, arrive early to get used to the place. Think about what questions you might get, and prepare answers to those too.

If you want to support people to go through the long journey to fully register their land, it is not enough to get people to just nod and agree. Make sure they take a concrete action in support of this goal – even if it is very small. For instance, you could ask them to promise to discuss the issues with their friends and family, local leaders, a trusted CSO, or their county government.

There are some things that can easily go wrong that you should avoid. For instance, you must not give false hope or promise that this will be easy. Prepare people for a long journey, and be ready to put pressure if the government does not react as they should. You must not inflame passions against another community – the aim is to protect your land, not to spark a fight with your neighbours.



Scripts for communicating

This section contains different versions of the message for different venues. It is important to reach out to people in as many ways as possible, and to keep using the same messages, if you want to persuade people to take action.

Barazas and CSO meetings

Barazas and CSO meetings are a great opportunity to get your message across. If people are persuaded at in-person meetings, then they can immediately start discussing the first steps of how to register their land.

Before the meeting begins, make sure you have prepared what you want to say. Speak to whoever is in charge of the meeting, and ask them for advice on what tone to strike, and who they expect to attend. Before the meeting, inform influential people of what you are planning to say, and ask if they will express their support.

When it is your turn to speak, stand confidently, and smile. When you are speaking, project your voice to the back of the group, so that everyone can hear. Make eye contact with as many people as you can, while you speak. Speak slowly and clearly. Pause when you need to – do not rush.

Begin by relating land to your audience. Remind them how important land is for all of them. Tell stories from that area about people who have lost land to grabbers. Ask the audience if they are ready to do something about that.

Tell them there may be a chance to do something. Introduce the Community Land Act. Explain that it was passed in 2016 and that it provides the possibility for communities to register their land.

Start trying to persuade them to register their land. Tell them that this community is losing out on the advantages of life, and is behind where it should be. Give examples about your community, and how areas where they have not been able to invest or the community is not as developed as people would hope.

Explain “that is why we should take action!” Note that registering land properly would help the community to catch up with where it ought to be. Ask them “what do we have to lose?”

Warn them that the chance may not be here forever. Land laws have changed before, and the government may not always accept applications. Encourage them to get started quickly.

Briefly explain the six steps to registration: agree by-laws, form a community assembly, elect a committee, establish the boundaries, submit paperwork, and follow up.

Take some questions. Try to assess how people feel about registering their land. If you think they are ready to take up this opportunity, then you can invite suggestions for what the by-laws should be. If you think they need more time to reflect on it, then continue taking questions, and encourage them to discuss the issue with their friends and family.

Suggest next steps, such as reaching out to the county government, local leaders, and local CSO for support.

Promise to wait around afterwards if people would like to discuss this further. Ask anyone who is interested in helping you pursue this to speak with you afterwards, so that you can plan together.

Radio show

Radio stations can be unfamiliar places. Arrive early so you can get used to your surroundings. Speak with the host. Make sure they have a good understanding of the issue, and agree the format in which you will be communicating. When you speak, try to speak in a conversational way, but with plenty of energy. Try to be brief and get to the point.

Begin with some concrete facts: 67% of the land in Kenya is not properly registered, and this affects 3.5 million people.

Introduce the Community Land Act. Explain that it was passed in 2016 and that it provides the opportunity for communities to register their land.

Try to persuade people that they should register. Explain that you believe this community is not prospering as it should, and that they need to take action. Then explain that there is a chance now to register land – but who knows whether this chance will be here a year from now. Ask people “what do they have to lose?”

Encourage people to discuss it with their friends and family. Then, tell people what they can do to begin the process of registering their community land. Give them a phone number they can call, or tell them the time and place of the next meeting they can attend.

Then, move on to a discussion with the host. Answer questions honestly and openly. If you do not know, it is okay to say so.



Poster

Perhaps you also want to get your message out using posters. Posters probably cannot communicate everything you need to say, but they can be a great way of reinforcing a message and reminding people how they can get involved.

There is a sample poster below. If you want to create your own poster, keep it simple. Put the main message in the middle. Try to add an eye-catching visual image and make it colourful.

Use the main message: “Take our chance – Register under the Community Land Act”. Add details of a next meeting or a phone number to call.

Creating home-made posters can be a good group activity for people who are interested in supporting you.





TAKE OUR CHANCE

Register your land under the
Community Land Act

By laws

Form
Assembly

Elect
Committee

Create
Evidence

Submit!

Do's and Don'ts

Here are some things to remember as you deliver these messages:

Do use the messages in this toolkit. Adapt them to your audience, and keep improving them based on feedback from your audience.

Do keep communicating this message over and over again; it is not enough to say something once. Recruit other leaders to spread the message, and use radio stations.

Do get people to make a commitment in their meeting to discuss this with friends and family.

Don't give false hope. Registering is not easy, so prepare people for a process with many hurdles. Help them select a small committee who can organize your efforts.

Don't speak without preparing. Review this toolkit and make sure you have enough knowledge about the CLA.

Don't use messages based on colonialism, religion or comparing to other communities. The evidence shows they are unlikely to work on this topic.

Don't mention specific places or groups. Land is always a sensitive issue, and you must take care not to create conflict.



Resources



Resources

More about the CLA

The text of the CLA is available on the Kenya Law website. It is the first result if you search for Community Land Act Kenya.

There are five steps for registering your land:



Once paperwork is submitted, follow up on your application to ensure that it is processed promptly.

You can learn more about the Community Land Act by contacting Namati. Namati has created a detailed step-by-step guide that gives detailed instructions on how to meet the requirements of the law. You can get the guide at your county government office or online at namati.org/community-land. You might also want to speak to county officials, or to local community organizations working on land issues.





Frequently Asked Questions

These are the answers to some questions that are often asked. If you have a question that isn't responded to here, try to contact Namati or another organisation that has gone through this process already.

What is the Community Land Act?

The Community Land Act was passed in 2016. It allows registration of community lands for the first time. 67% of Kenya's land is potentially eligible. Yet the law is complicated. There are barriers to registering your land. In the first three years, nobody managed to register their land, but in 2019 the first few communities managed to do so.

How do I register my land?

Under the Community Land Act, there are six steps to registering your land. You need to: adopt by-laws for governing your land, form a community assembly, elect a committee, establish the boundaries, submit paperwork, and follow up. These are described in a bit more detail in the graphic above.

Will these messages work?

These messages are based on research, and they should persuade people. Every audience differs, so be sure to learn from their reactions and adjust your message as you need to.

I've read the toolkit. What do I do now?

Discuss it with other influential people in your community. Then, call a meeting where you can discuss it with everyone. Ask if they want to try to follow this process to register their land.

Who is Namati?

This toolkit has been produced by Namati. Namati is an NGO working in six countries across the world to advance justice by equipping people to know, use, and shape the laws that affect them.

How do I learn more?

You can talk to your county government, or on the Namati website you can access the online guide 'How to Protect Community Lands'. **To get further advice, email us at kenyacomunityland@namati.org.**