

# Influence of Land Disputes on Farming Competitiveness in Chepyuk Ward of Bungoma County, Kenya

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**Abstract:** The unresolved land issue in Chepyuk ward for decades had adversely affected farming competitiveness in spite of the region being fertile and viable for competitive farm production. Lack of security of tenure on the untitled land had a direct bearing on investment (farm inputs) and therefore to a large extent affected farm output. Despite many researches that had been undertaken on Chepyuk land issue, land and conflict had been widely studied rather than farming competitiveness. The studies on farming competitiveness in Chepyuk ward remains scanty and therefore justify more research on the aspect of farming competitiveness. The main objective of this study was to examine the influence of land disputes on farming competitiveness in Chepyuk Ward of Bungoma County. A descriptive survey research design was used in this study. The study was guided by theory of land ownership in a free society advanced by Ingalls (2012). The target population was 3120, households, 10 land officers and 10 agricultural officers located at the county level. Multistage sampling technique was used in this study where Simple random sampling was employed when selecting 312 respondents among the households. Five Land officers and Five Agricultural officers were respectively and purposefully sampled for this study. The researcher used questionnaires, interviews and document analysis as the main tools for collecting data. The data from the questionnaires, interviews and document analysis was analyzed using descriptive statistics. The researcher used frequencies and percentages in summarizing data. Information obtained through interviews was discussed to support or dispute the findings from the questionnaires. Tables were used to present the data for purposes of interpretation. The study informs Ministry of lands on the existing gaps in the fight against irregular allocation of land. The study also enables land policy experts in the government review existing mechanisms and systems set to support the Chepyuk area residents in dealing with cases that bring about land conflicts in the area and entire nation. Residents were in agreement that the land lacked mapping, surveying and land registration and this triggered frequent conflicts. Cultural norms of the community also denied women land ownership rights. The Land officers and Agricultural officers gave similar opinion. Lack of land documentation denied people opportunity to seriously venture into farming with sole aim of attaining food security and profit negatively affecting livelihood of the residents. The government should reposes illegally acquired plots and re-issue to the rightful owners, it should also process land titles for the scheme. The community should also be sensitized to embrace gender equity on land

allocations. This will enable residents to actively engage in farming activities hence enhance farming competitiveness in Chepyuk ward.

**Keywords:** Local Culture, Land Administration, Farming Competitiveness

## I. INTRODUCTION

Several land conflicts have resulted in environmental migration in Africa. For example, 600 000 people moved from central/northern Ethiopia to the southwest/west regions because of drought and famine which resulted in nomad-farmer conflicts over land. During the early 1990s in Rwanda 1.7 million people moved from the central regions and rural south to northern Rwanda and DRC as a result of ethnic conflicts and genocide which were exacerbated by land and water scarcity and degradation. Declining access to land, or rather to the returns from human uses of land, is seen as a key process that causes livelihood contraction and hence increases the risk that people will join armed groups (Bernstein, 2005).

Several potential areas of land conflict within and between rural communities, and between rural people and state institutions exist. (Carton, 2000), (Cousins and Hornby, 2000). Conflict between households, neighborhoods and neighboring 'communities' over land rights and boundaries. Conflict between traditional and 'non-traditional' local organizations in land management and dispute resolution. Inheritance-related conflict among family members. Conflict between 'newcomer' households and long standing residents. Conflict arising from household mobility. Generational conflict over land use and appropriation of benefits. Conflict between interest groups over appropriate land purposes. Distribution of benefits from land development projects. Escalating levels of crime and violence undermining both land rights and land management practices.

Gender conflict over land access, land use and appropriation of benefits. These are also noticeable in other land conflict studies which focus on Africa. Similar trends were found in Swaziland where (Mkhabela, 2006) identified the following potential sources of land conflicts : inequitable access to land and gender bias, overpopulation on Swazi nation land, land

degradation, tenure insecurity, farm squatting and land scarcity, speculative trends in the land market, slow socio-cultural changes and lack of control due to non-existence of land rights. They examine the negative consequences of scarcity-induced land-related conflicts in Ethiopia which has resulted in high levels of household vulnerability. They also observed that the absence of clearly defined property rights and management plans have led to the over-exploitation of the hillsides, leading to perpetuation of poverty and food insecurity. Hilson (2002) argues that small-scale mining found in remote areas of developing countries routinely generates land use conflicts (occasionally involving armed conflicts), usually with large mining companies, which have significant adverse impacts on the natural environment and local populations.

Hilson (2002) examines the impacts of land use disputes (linked to competition over land plots) between small- and large-scale miners in Ghana. In most cases these intense conflicts have also involved regional governmental officers and security forces. Van Leeuwen (2009) highlights land-related conflicts in post-conflict environments, showing how in Burundi returnees (former refugees and displaced people) face considerable challenges in reclaiming and securing their land rights. He argues that 'if a large number of returnees are not able to reclaim their land and other properties, their frustrations could lead to violent actions'. Furthermore, Van Leeuwen (2009) warns that land disputes in Burundi need to be framed beyond 'returnee-related conflicts' if interventions Land-related conflicts in Sub-Saharan Africa and peace-building efforts are to have long-term success. He asserts that disputes were related to a range of factors that also need to be understood such as the limited size of family property, patriarchal customary inheritance practices, cultural values attached to property and manipulations by state representatives.

Andre and Platteau (1998) assert that in Rwanda extreme land scarcity coincided with accumulation of land by individuals with access to non-agricultural incomes, which led to land conflict as one of the principal reasons for the outbreak of the civil war in 1994. Campbell et al. (2000) show that the land use conflicts in the south-eastern Kajiado district, Kenya, reflect the ongoing conflicts over access to scarce land and water resources between herding, farming and wildlife. Deininger and Castagnini (2006) indicate that ineffective land policies in Uganda have increased the frequency of land conflicts and reduced productivity levels. Furthermore, Odgaard's (2006) observations in relation to Tanzania that conflicts have changed in nature and have been growing and becoming more complex, violent and involving larger numbers of people are relevant in most Sub-Saharan countries. Several of the conflicts identified are also linked to land reform processes.

The review on land and conflicts in the Sub-Sahara African region had a lot of relevance in studying and examining the influence of land disputes on farming competitiveness in

Chepyuk ward. Land disputes generating communal and clan feuds have been prevalent and constant among African communities in the region for many decades. Most of the challenges are attributed to lack of land tenure security and property rights by individuals and communities to own land and resources. Scramble for the scarce natural resources has also been a major cause of conflicts, sometimes degenerating into deadly inter clan, community and even tribal skirmishes and spatial displacement among African populations. The prevailing diverse challenges reviewed on land ownership and use in the Sub-Saharan African region had similarities with the Kenya situation including Chepyuk ward.

Ministry of Lands faces challenges in providing the desired services required by Kenyans in relation to the matters of land. Land users faces slow service delivery in service areas of its operations namely processing of its documents which includes provision of titles and allocation work, hearing and disposal of cases and delays in attending to its clients. Cadastral surveying and mapping have not been carried out on most communal lands and settlement schemes in Kenya; this makes residents and communities vulnerable to conflicts. Some land also do not have access roads, scramble for land related resources compounded with emerging challenges of population pressure is degenerating into frequent land conflicts among diverse African communities including Kenya. Land related conflicts among Kenyan communities are a common phenomenon including Mt. Elgon. Land squabbles have had impacts on land use and agricultural production, Republic of Kenya (2006).

## II. RESEARCH DESIGN

A research design can be thought of as the structure of research. It is the 'glue' that holds all of the elements in a research project together (Kombo and Tromp, 2006). Kothari (2008) defines research design as the conceptual structure within which research is conducted; it constitutes the blueprint for the collection, measurement and analysis of data. Descriptive survey research design was used in this study. Specifically, this study used a survey study design. A survey collects data about variables as they are found in a social system such as a village Koul (1990). The descriptive survey research design enabled the researcher to extensively describe, analyze and explore effects of land administration on farming competitiveness in Chepyuk Ward of Bungoma County. It also allowed for standardization of data, and comparison. Creswell (2003) describes methodology as the overall paradigm/approach to research design. It is a strategy or a plan of action that links methods to outcomes. It governs choice and use of methods.

## III. DATA ANALYSIS, PRESENTATION, RESULTS AND DISCUSSIONS

The objective of this study was to examine the influence of land disputes on farming competitiveness in Chepyuk ward of Bungoma County. To achieve this objective, the respondents were asked to respond to a number of items that the researcher

felt consisted of this objective. These includes; whether disputes had affected food production adequate for subsistence and commercial purpose in the area, whether government failure to quell land disputes has resulted in inter-clan wars, and how many people had witnessed the land disputes.

Table 1: Disputes witnessed in the Area

Have you witnessed land disputes in the area?	F	%
Yes	295	94.6
No	0	0
No response	17	5.4
Total	312	100

Source: Field Data, (2015)

From Table 1 it is evident that 295(94.6%) of the residents of Chepyuk ward had experienced disputes in the area. None indicated that they had not witnessed disputes in the area, while only 17(5.4%) were undecided on the issue. It is clear from the responses that most people living in the area had witnessed disputes. This perhaps explains the reason why (Kayiso, 1993) confirms that the area has been a hot bed of inter clan wars and ethnic tensions that have been witnessed over the years.

Table 2: Results of disputes in the Area

Item	Agreed		Undecided		Disagreed		Total	
	F	%	F	%	F	%	F	%
Disputes witnessed in the area have affected food production	258	82.7	54	17.3	0	0	312	100
Government failure to quell the disputes has resulted in inter clan wars	271	86.8	41	13.1	0	0	312	100

Source: Researcher, (2015)

From Table 2 a majority 258(82.7%) of the respondents agreed that disputes in the area had affected food production, none disagreed, while only 54(17.3%) were undecided. Persistent conflicts in region do not provide enabling environment to work in their farms and this has significantly affected food production, for instance between 1990s to date the region has remained violent and resulted to displacement of the residents from their farms. This shows that indeed the constant disputes witnessed in the area had greatly affected food production. This is in line with (Deiningner and Castagnini's, 2006) argument that people cannot engage in development including food production if they have no peace. Peace is indeed essential if any meaningful development is to take place.

Asked whether the government's failure to quell the disputes had resulted in inter clan wars, a majority 271 (86.8%) agreed. None disagreed, while only 41 (13.1%) were undecided on the issue. This shows that when disputes are not resolved promptly they lead to wars. Timely and effective solution of any dispute is essential for peace and prosperity (Van

Leeuwen, 2009). Peace is essential for any meaningful development including farming and to great extend production is negatively affected in situation of conflict.

In section C of the questionnaire that had open ended questions, most residents indicated that discrimination in the allocation of land and lack of transparency and justice in the allocation was a major factor causing disputes in the area. This was majorly caused by people bribing land officers to get more land and sometimes political connections contributed to this. They argued that this has greatly affected farming competitiveness in the area since people are just concentrating on disputes at the expense of any meaningful development.

Asked on how land administration had affected farming competitiveness, a majority of residents argued that people had no security of land since they did not own title deeds for their land and hence could not concentrate in farming and putting up permanent structures for fear of future evictions. A good number too mentioned that people were not motivated to work hard because the government had failed to provide security of people and land, and had failed to allocate permanent residents with title deeds.

When asked how the issue of land administration could be improved so as to increase food production, a majority indicated that title deeds should be issued to genuine owners of land, land should be distributed equally, involving the community in handling or settling disputes, local administration should not show partiality in land matters, those who own several plots through corrupt deals to be thoroughly screened and above all educating people on the importance of peaceful co-existence in the area.

#### IV. SUMMARY OF THE FINDINGS

The objective of this study was to examine the influence of land disputes on farming competitiveness in Chepyuk ward of Bungoma County. It was evident that 295(94.6%) of the residents of Chepyuk ward had experienced disputes in the area. Wily (2003) confirms that Chepyuk area has witnessed years of tensions and inter-clan fighting arising from land disputes.

A majority of the residents 258(82.7%) also agreed that disputes in the area had affected food production. This shows that indeed the constant disputes witnessed in the area had greatly affected food production. This is in line with Campell et al's (2002) argument that people cannot engage in development if they have no peace. Peaceful co-existence is essential for development.

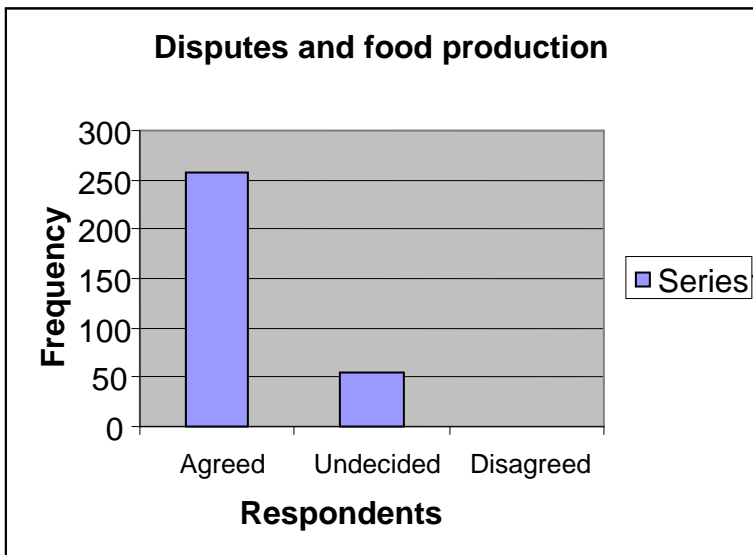


Figure 1: Effects of disputes on food production

A majority 271(87.3%) of the respondents also agreed that government failure to quell the disputes had resulted in inter-clan wars which confirms the views by Mkhabela, (2006) that if disputes are not resolved promptly, they lead to wars. Timely and effective solution of disputes is essential for peaceful co-existence.

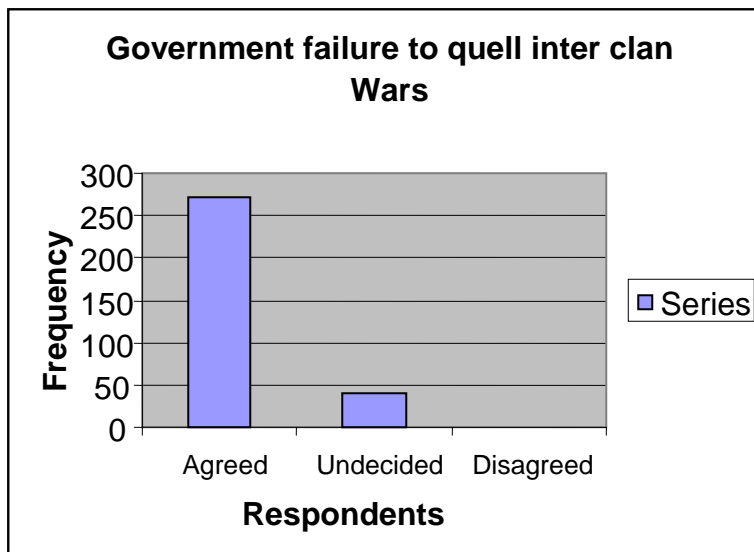


Figure 2: Effects of government failure to quell the disputes on inter-clan wars

### V. CONCLUSION

It was noted that all the residents of Chepyuk ward had witnessed land disputes in the area and these disputes had greatly affected food production in the area. The government had also failed quelling these disputes over the years and this

had led to inter-clan wars and civil strife. This had greatly affected the peaceful co-existence in the area, which is essential for any meaningful development to take place.

### VI. RECOMMENDATION

The local government in liaison with the national government should look for ways to quell disputes in the area which has greatly affected farming competitiveness in the area.

#### *Suggestions for further Study*

This study can be replicated in other settlement schemes in Kenya that have similar characteristics. A study to investigate the effect of inter-clan wars on development.

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