



**THE EFFECT OF LAND OWNERSHIP DOCUMENTATION
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 establish the effect of land ownership documentation 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

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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: land ownership documentation, competitiveness

1. Introduction

Ownership of property may be private, collective or common, and the property may be objects, land/real estate or intellectual property. Determining ownership in law involves determining who has certain rights and duties over the property. These rights and duties sometimes called, "bundle of rights", can be separated and held by different parties. The process and mechanism of ownership are fairly complex; one can gain, transfer, and lose ownership property in a number of ways. To acquire property one can purchase it with money, trade it for other property, win it in a bet, receive it as a gift, inherit it, find it, receive it as damages, earn it by doing work or performing services, make it, or homestead. One can transfer or lose ownership of property by selling it for money, exchanging it for other property giving it as a gift, misplacing it, or having it stripped from one's ownership through legal means such as eviction for closure, seizure, or taking. Ownership is self-propagating in that the owner of any property will also own the economic benefits of that property (Dale and McLaughlin, 1999).

The land tenure issue of the small-scale farmers in predominantly freehold Kenya, is not simple as it looks. As Haugerud (1989) writes, "*The formal and informal tenure systems interact in an unpredictable and disruptive manner. Uncertainty and conflict regarding claims to titles land persists and there is wide divergence between the land register and actual patterns or use and access*". Sons of men who received land titles during the tenure reform marry and establish their own families on farms to which they themselves do not hold formal title. Many land sales, subdivisions and successions go unrecorded and many people live on land which is titled to another person, often that person dies and different individuals continue to have overlapping access to the same parcels of rural land (Haugerud, 1989). Further, distribution of land is unequal and over the years of questionable governance ethics, large areas of land have been given out irregularly. Now the new Draft of National

Land Policy calls for thorough reform. *“Land reform should adhere to the principles of redistribution, restitution, resettlement, land banking, land readjustment and land taxation”*. The policy recognizes gender, equity, HIV and AIDS and poverty as critical main cross-cutting issues. Constitutional changes are, however, required to realize the envisioned reforms (Republic of Kenya, 2006).

Land administration is primarily about processes and not institutions. An examination of the Processes a jurisdiction uses for tenure, valuation, use and development, not its institutions, Reveal its administrative approach – as such, land administration systems cannot be Understood, modeled or reformed unless the core processes are understood (Williamson, *et al.*, 2010). Prior to colonial rule, land was owned communally. This was however changed by the Colonial government which introduced land title deeds and therefore individual ownership of land. At the time of independence, there were two substantive regimes in property law and five registration systems supported by administrative institutions to affect the objects of the Regime. The dual land tenure system comprises of individual title and customary rights to land. In other words, land ownership in Kenya has been under a complex mixture of English law and traditional customary law. The English system was introduced to facilitate the Appropriation of prime agricultural land, the ‘white highlands’ into individual tenure system. On the other hand, there were parallel policies that restricted the access to and control by Africans to designated reserves under customary tenure system.

At independence, the government adopted and retained individual land tenure system from the colonial period and in addition restated its resolve to accelerate adjudication, consolidation and registration of land. This was premised on the link between agricultural development and individual tenure. Over the years, it has been observed that, agricultural production has not increased due to individualization of land tenure. This is because despite adjudication, land registration only served to marginalize areas that were not in the former ‘white highlands’; subsequent attendant laws emerged that were inimical to the very objectives they were set to promote, for example, the Land Control Act; and finally, land speculation, which defeats the primary objective of individual land tenure (Odhiambo & Nyangito, 2002).

Land legislations in Kenya have over the years given rise to three types of land tenure systems/categories. These are private, customary and public tenure system. It gave prominence to private land over indigenous/communal land. The current constitution and subsequent land laws recognize indigenous/communal land and consequently categorize land into public, community and private land and these are in the ratios of 10%, 70% and 20% respectively (Siriba, Voss, & Mulaku, 2011). Public land is the land that was formerly crown land that is now held by the government, for example, army barracks, forest lands, national parks, game reserves, wetlands, riparian reserves and protected areas. Trust land is the land held by the local authorities (county governments) on behalf of the people ordinarily resident in their areas of jurisdiction. Trust land includes un-adjudicated land in the rural areas, rural markets, rural public schools etc. Private land is land held by individual persons or legal persons like private companies

and co-operative societies after alienation from government land or adjudication from trust land.

For historical reasons, Kenya uses the title system of land registration, that is, the title is recorded and secured. Although cases of Deeds system of land registration still exist. Both the Torrens and English systems of title land registration are used. The English system of land registration has been used in the trust lands mainly in the rural areas and mainly based on the provisions of the now repealed Registered Land Act (RLA) (Republic of Kenya, 1963b). The RLA has been replaced by the Land Registration Act, 2012, (LRA) (Republic of Kenya, 2012b) although the regulations developed under the RLA are still being used awaiting the adoption of new regulations. The regulations under the RLA require that a register be opened for each land parcel. A form of ledger card (called the register) is opened and filed using loose-leaf system. All details on the parcel of land such as the size, ownership, encumbrances are shown.

There are two types of cards depending on the ownership interest on the parcel of land: for freehold, the card is in green colour, while for leasehold the card in white colour. Each register is divided into three sections: the Property section, Proprietorship section and the Encumbrances section. The Property section contains information on the “unique” number of the land parcel, the size and location. The Proprietorship section contains information particulars of the owner. The Encumbrances section gives information about all adverse interest to the owner, for example leases and charges (Williamson, *et al*, 2009).

This English system of registration is supported by general boundaries mapped by approximate techniques. The resultant maps commonly called Registry Index Maps (RIM) are only provisional and the boundaries can only be considered legal once they are fixed by means of more accurate survey and mapping techniques. The Torrens system of land registration is supported exclusively by fixed boundary survey. The Private land under the settlement scheme and the company and cooperative farms programmes are registered either under the Torrens or the English system. The cadastral surveys in areas under these programmes are relaxed in the sense that only the boundary corners of blocks of parcels are fixed, while the boundaries of the parcels within the block are approximately surveyed. The Deeds system of land registration was carried out under the regulations of the now repealed Registration of Titles Act (RTA) (Republic of Kenya, 1920). Under RTA, the document, which could either be a grant or a certificate of title, is given a registration reference number. One copy of the document is retained in the registry and the other returned to the owner. The copy retained in the registry constitutes the register for the particular parcel of land and all subsequent documents relating to the land are endorsed on that document. Whenever any document related to the parcel of land is submitted for registration, it has to be accompanied by the original title held by the owner. It has been the government policy to convert from RTA to RLA. Land registration and the main land tenure process is part of other land tenure processes involved in the conversion of land parcels between the different categories.

The earlier constitution provided that Trust land shall cease to exist upon registration as either private land or government land in accordance with the law. The relevant laws for that purpose include: the Land Control Act (Republic of Kenya, 1967), the Land Adjudication Act (Republic of Kenya, 1968a), the Land Consolidation Act (Republic of Kenya, 1959), and the Land (group representative) Act (Republic of Kenya, 1968b). The primary land tenure processes that affect trust land include land adjudication, land consolidation and setting apart (Ogendo, 1991)

Land adjudication (or formalization) is the main process of individual land titling in trust lands. It includes a number of sub-processes: identification of boundaries, demarcation, and ascertainment of rights (adjudication), surveying and registration. Although adjudication is only one of the sub-processes, the entire process is referred to as land adjudication.

Land consolidation or land adjudication through land consolidation as a process of converting trust land to private land in Kenya is of a traditional nature. This is because the only ongoing land consolidation in some parts of Meru and Tharaka Nithi Counties is of limited extent. The objective in this process is to consolidated scattered and/or uneconomically shaped parcels without the necessity to create a new road system or water resources projects. The procedure is usually initiated by a state authority (Odhiambo & Nyangito, 2002).

Trust land is converted to government land for public purposes through the process of setting apart. This process is initiated by the government or the county council concerned and carried out under the provisions in the earlier Constitution Articles 117 and 118 (Republic of Kenya, 1963a) and those of the Trust Lands Act (Republic of Kenya, 1939). Once the site to be set apart has been identified, topographic maps (to scale) showing the boundaries, the area and bearings of the site in question are prepared, and the county council or the central government gazettes the intention to set apart. Once any appeals to the intention to set apart have been determined, the District commissioner demarcates the boundaries of the land using the map by placing appropriate marks on the ground. Applications for compensation are invited from any affected people and once the payments have been made, the land is set apart (Odhiambo & Nyangito, 2002).

Government land is converted to private land or to Trust Land through the processes of alienation and proclamation respectively. Land alienation (alternatively referred to as land distribution, land allocation or land grants) has been the main avenue for delivering government land into private ownership. The process is initiated either by the Plot Allocation Committees or through direct application or by reservation and carried out under the provisions of the now repealed Government Lands Act Cap 280 (Republic of Kenya, 1915).

The process of land alienation involves mainly leasing of government land to private ownership. This process is sporadic in nature based on need and has been going on for more than 100 years; it mainly depends on prevailing development needs such as housing, industries, etc. The Director of surveys prepares a base map of the area intended for alienation. Based on this base map, the director of physical planning prepares the

physical land use plan called a Part Development Plan (PDP) in accordance with the Physical planning Act Number 6 of 1996 (Republic of Kenya, 1996). The commissioner of lands identifies prospective land owners and land from the PDP that can be alien.

Proclamation alternatively referred to as land restitution is the process by which government land reverts to community (trust) land. This process is necessary in jurisdictions where indigenous communities may consider themselves to have been dispossessed of the land by the government through compulsory acquisition without compensation. In Kenya land dispossession may be traced back to the imposition of colonial rule through the declaration of a protectorate in 1895. The indigenous people who were disposed of their land continue to agitate for the return of their ancestral land. However, the existing legal framework limits the indigenous people's ability to reclaim their land (Wachira, 2008). A section on land restitution is provided for in the new land policy, which requires a review of all previous acquisitions of community land to facilitate restitution, if deserved, for the affected communities (Republic of Kenya, 2009). Private land is converted to trust or government land through the processes of either escheat of rights in former trust (or government) land or surrender or compulsory acquisition. According to the constitution, if a person (or company) in whom (which) is vested any estate, interest or right in or over land dies without heirs (is dissolved), then that estate, interest or right escheats to the county council in whose area of jurisdiction the land is situated. Surrender of private land consists mainly of the surrender of leased land upon the expiry of the lease period or under other circumstances, for example, the irregular allocation of land in the Mau Forest Complex where a number of individuals have surrendered their titles to land (Orengo, 2010). The cadastral survey and mapping process to be conducted is meant to reaffirm the existing beacons as they were.

The government or county council may acquire land from private holding for a public purpose after compensation through the process of compulsory acquisition (or expropriation). The principal legislation that confers powers of compulsory acquisition on public bodies includes the earlier Constitution of Kenya (Republic of Kenya, 1963a), the repealed Land Acquisition Act (Republic of Kenya, 1968c), the Water Act (Republic of Kenya, 2003), the Electric Power Act (Republic of Kenya, 2006), and the Local Government Act (Republic of Kenya, 1963).

The process of land acquisition starts when the Commissioner of Lands or the local authority gazettes a notice of the intention to acquire land. Through this, the Commissioner gains power of entry to the land and cause the plan of the land to be prepared. Once any appeals are determined and compensations paid, the government (or local authority) takes possession of the land. A survey of any remaining part of land is carried out.

There are other processes that involve the transfer of land within one category between individuals. They include: land redistribution; land transfer or conveyance; land subdivision; and boundary re-establishment, either for the purpose of extension of lease or for dispute resolution. In land redistribution processes, two approaches are used: government initiative and private initiative. Whereas in the former, the government

bought land from the British settlers and settled people, in the latter, land buying companies, co-operative societies or self-help groups buy land and redistribute it to people by selling. Under this programme, over 433 settlement schemes and 2700 company and cooperative farms have been established, together covering a land area of about 3.2 million hectares (Mwenda, 2003).

Land transfer or conveyance is the process of moving the legal ownership of land from one person to another. Land transfer is achieved either by agreements (buying, selling, leasing and mortgaging) or by social events (death, birth or divorce). It can involve any category of land, i.e., either freehold or leasehold. The process is usually initiated by a transferee who signs the transfer agreement together with the transferor in the presence of a witness preferably an advocate of the High Court of Kenya. In respect of a land sale, the process of land transfer begins when the parties to a land transfer enter a sale agreement specifying the terms of transfer which include the purchase price, method of payment, names and addresses of the buyer and seller and the location of the land.

The sale agreement is signed by the parties preferably in the presence of an advocate of the high court. This is followed by the signing of land transfer forms from the Lands Office. After verifying the duly signed forms and the necessary consent by the local Land Control Board, the Land Registrar effects the transfer in the register and issues a title deed to the buyer. Land subdivision is one of the land tenure processes carried out after approval by land use planning authorities. The subdivision process under fixed boundaries requires the land owner to make an application to a registered physical planner to prepare a development application (Republic of Kenya, 2009).

The application requires approval by the local authority after considering the specifications, conditions and issuance of development permission. A licensed surveyor on the request of the land owner undertakes the subdivision and prepares a survey plan based on the development permission. The survey plan is submitted to the Director of Surveys for approval and subsequent preparation of the Deed Plan or amendment of the RIM. In the new land law regime, the RIM is renamed the Cadastral map under the LRA. The signed and sealed deed plan or amended RIM is forwarded to the Land Registrar for registration and issuance of the title deed (Republic of Kenya, 2009).

For land subdivision under general boundaries, the owner makes the application for a mutation (subdivision under general boundaries) instead of requesting a registered physical planner to prepare a development application for development; and also the District Planner in addition to local Land Control Board makes the approvals instead of the Local Authority. The proposed scheme of subdivision is shown in red and the approximate dimensions of the subplots and the proposed means of access, road or lane system clearly indicated in blue. The rest of the process is the same. Boundary re-establishment is not a stand-alone process; it is carried out either as part of a court process in boundary disputes cases or as a prior process in development and construction projects. Boundary re-establishment is also required in respect of applications for extension of lease, in which case it is called a re-survey. Provided the boundary is well

documented and monumented, it normally raises no difficulties. It involves a series of sub processes: marking boundaries on the ground, including boundaries in the cadastral map; and maintaining consistency between the ground and recorded boundaries.

Valuation and taxation of land serves a number of functions, namely: generating public revenue, providing a stable fund for the acquisition of land for banking, servicing land, facilitating the efficient utilization of land, providing incentives for appropriate land uses, and discouraging speculation. Existing laws empower the State and local authorities to assess and collect taxes such as stamp duty, estate duty and rates (Siriba, Voss, & Mulaku, 2011).

Land valuation in Kenya is carried out for the purposes of either levying property taxes (rates) or buying and selling of land or in cases of compulsory acquisition. The two main components of the fiscal cadastre in Kenya are the valuation roll and the property tax information. The valuation roll is broken into the private valuation roll and the public valuation roll and typically covers only land located in the established, gazetted areas of local councils. The valuation roll contains land information and values for properties taxed under an ad valorem rate (i.e., according to value). Property tax information is used for area rating purposes for land outside the gazette area of town and municipal/town councils. Usually the preparation of the valuation roll depends on a complete cadastral map (the RIM) showing all the existing registered properties within the boundaries of the rating authority.

Managing the use of land is an essential land administration process. Land use planning and control systems differ from one country to another. In Kenya, the preparation of the physical development plans makes reference to the survey plans or the RIMs. The physical plan correctly plotted to scale in the series of 500s shows the existing plot boundaries and their dimensions, the areas of the plots, the location, reference or registered number of the plot and such contiguous plot, the contiguous boundaries of all adjacent plots and road system (both existing and approved). The main land development processes that depend on or affect the cadastre includes the change of land use or the extension of lease once the period of lease has expired. The process of change of land use requires the preparation of the Deed Plan or the RIM of the land parcel (Siriba, Voss, & Mulaku, 2011).

According to the new constitution promulgated in 2010, the mandate and execution of land transactions in Kenya is within the National Land Commission in collaboration with the Ministry of Land (Siriba & Mwenda, 2013).

2. Statement of the Problem

There are currently four land tenure systems in Kenya: communal, freehold, trust and government land. Trust land is not available for farming unless gazetted under an appropriate law. Government owns land in the form of forest and reserves, townships and other alienated lands. These lands can be occupied by squatters who practice subsistence farming (Mbwika, 1991). Urban areas are held in trust by county

governments and leased out. Small holder farms are generally now all adjudicated as freehold land. In Mt. Elgon Sub-County, adjudication took place between 1971 and 1990s. However, the land in Chepyuk ward has not been adjudicated. In spite of the official policy of land privatization and issuing of title deeds in Kenya, the reform was not implemented in this area. Several mismanaged allocations and re-allocations (1970s, 1990s and 2005) have taken place since 1974 when the area, 3686 hectares, was originally excised for a forest dwelling community of the Ndorobo in exchange for their original homeland in the high altitude moorlands within the gazetted forest reserve. In addition to poorly managed procedures and corrupted practices, the original land allocation was complicated by a general rush to the area after the forest was opened up for farmland (Kayiso, 1993). The irregular land allocation 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 coupled with land related conflicts and local culture had a direct impact on farm investment for instance farmers cannot access collateral based facilities and other incentives to enhance competitive farming and hence crop production was limited. The study aimed at investigating land administration dynamics and how they have influenced farming competitiveness in regard to efficiency and sustainability in farm production.

3. Data Analysis, Presentation, Results and Discussions

The objective of this study was to find out how land ownership documentation had affected farming competitiveness in Chepyuk ward of Bungoma County. To achieve this objective, the respondents were asked to respond to several items that the researcher considered in the definition as relating to the said objective. These included; whether most disputes arise from lack of land registration; whether land registration itself has denied people land use, if the people in the area own title deeds and how land administration has affected food production and farming. This was in an endeavor to answer the first research question. "How does land ownership documentation affect farming competitiveness in Chepyuk Ward of Bungoma County?" Table 1 shows the findings arrived at.

Table 1: Land Ownership Documentation & Farming Competitiveness

Item	Agreed		Undecided		Disagreed		Total	
	F	%	F	%	F	%	F	%
Food production is greatly affected since cadastral surveying and mapping has not been carried out.	292	93.6	20	6.4	0	0	312	100
Most disputes arise from lack of land registration	293	93.9	19	16.1	0	0	312	100
Lack of land registration itself has denied people land use	301	96.5	11	3.5	0	0	312	100
Cadastral surveying & mapping has not been carried out	281	90.1	31	9.9	0	0	312	100

Own title deed	0	0	29	9.3	283	90.7	312	100
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Source: Field data, (2015).

Chepyuk residents were asked whether food production was greatly affected since cadastral surveying and mapping had not been carried out in the area. A majority 292(93.6%) agreed, none disagreed, while 20(6.4%) were undecided. This shows that Chepyuk residents were in agreement that since their land has not been mapped and surveyed, then they could not confidently grow long term cash crops for fear of being evicted since they lacked documentation. This agrees with the views of Okoth (2004) who argues that lack of proper land documentation has affected farming competitiveness.

Chepyuk residents were further asked whether most disputes arise from lack of land registration. A majority 293(93.9%) agreed that indeed it was lack of land registration that brought about disputes in the area. None disagreed, while 19(16.1%) were undecided. The majority who indicated that disputes arise due to lack of land registration are in agreement with the views of (Bernstein, 2005) who insist that disputes and conflicts in the area are as a result of non proper allocation of land and the lack of title deeds.

Asked whether the lack of land registration itself had denied people land use, a majority 301(96.5%) agreed with the statement, none disagreed, while only 11(3.5%) were undecided. This is perfectly in agreement with the views of Kayiso (1993) who argues that the people in the area are afraid of putting up permanent structures to show that they own the land. In his research he asserts that controversy and complications surrounding land ownership in Chepyuk was an impediment towards sustainable development in the region.

The residents were further asked whether cadastral surveying and mapping had not been carried out a majority 281(90.1%) agreed that indeed it had not been carried out.

None disagreed with the statement, while only 31(9.9%) were undecided. This further confirmed the views by (Mbwika, 1991) that indeed cadastral surveying and mapping had not been carried out in Chepyuk settlement scheme.

The residents were then asked whether they owned title deeds, a majority 283(90.7%) disagreed owning a single title deed for the land, while non agreed to owning a title deed, however a few 29(9.3%) were undecided or had no opinion on whether they owned a title deed or not. This agrees with the views of (Mbwika, 1991) who argue that cadastral surveying and mapping has not been done in the area and hence no title had been issued in the area.

From this finding, we conclude that lack of land registration in Chepyuk ward has denied residents land use rights. They cannot use the land the way they want. For example, they cannot access collateral based facility to enhance efficient and sustainable farming activity and increased agricultural production. Therefore, their land use activities in regard to farming and investment are limited since they lack security of tenure. This also has led to general underdevelopment in the area, residents are not motivated to develop their farms. General underdevelopment is evident in the area, the area is bare (with no trees) and the nature of housing structures is also temporary.

Poverty levels are high among the people despite the area being very productive. Generally, fear of eviction persists because the land has remained unregistered. All these are attributed to lack of land titles among residents.

4. Summary of the Findings

It is evident that most 292(93.6%) of the residents of Chepyuk were in agreement that since their land had not been mapped and surveyed then, they could not confidently grow long-term cash crops for fear of being evicted since they lacked documentation for their land. This perfectly agrees with the views of (Kayiso, 1993) who argue that lack of land documentation and issuance of title deeds had indeed made the people not to engage in large.

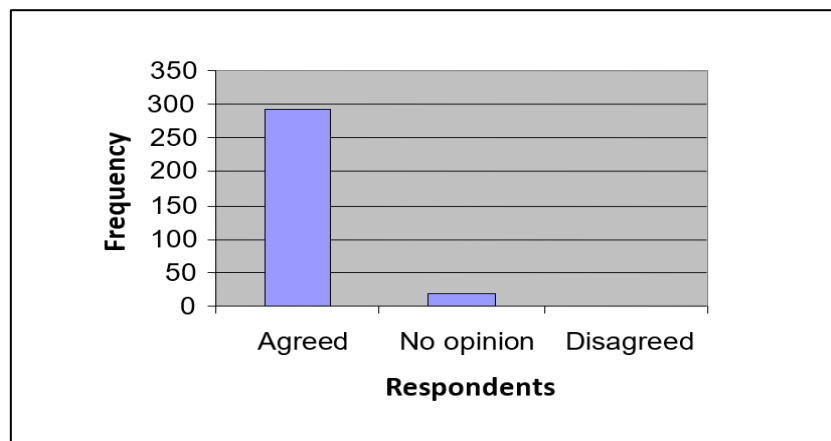


Figure 1: Effects of ownership documentation on farming competitiveness in Scale of food & cash crop production

A majority of the residents 293(93.9%) also agreed that it was indeed the lack of land registration that brought about disputes in the area, and so argue that the lack of title deeds and proper allocation of land in Chepyuk is what has brought about disputes. The residents were also in agreement that the lack of land registration itself had denied people land use. A majority 301(96.1) agreed to the statement.

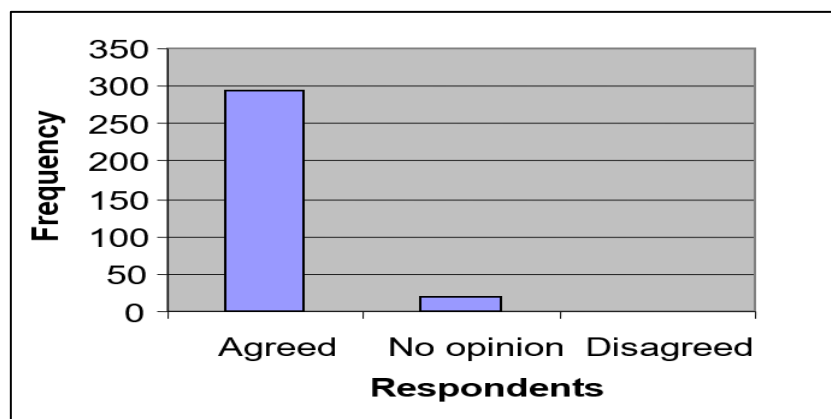


Figure 2: Scale of food & cash crop production

The residents were further asked whether cadastral surveying and mapping had been done, a majority indicated that it had not been done. The residents were further asked if they owned title deeds for the land they were occupying; a majority of people denied land use rights. A majority 283(90.7%) disagreed owning a title deed for their land. The residents were further asked whether cadastral surveying and mapping had been done, a majority denied that it had not been done.

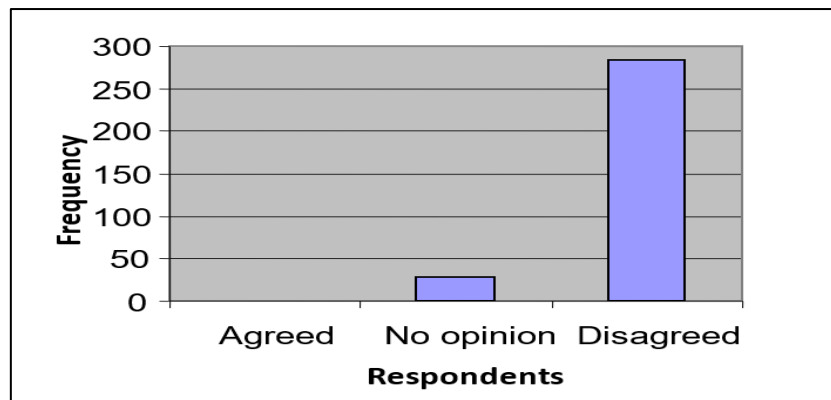


Figure 3: Response on Cadastral surveying and mapping

5. Conclusions

It was concluded that land ownership documentation had greatly affected farming competitiveness in Chepyuk Ward of Bungoma County. This was because food production was greatly affected since cadastral surveying and mapping had not been carried out. Most disputes involving land also arose due to the fact that land had not been registered which also denied people their right to use their land as they wished involving putting up permanent structures since they could be evicted anytime. Due to non-registration of the land in the area, it was also noted the title deeds had not been issued, this greatly affected farming in the region. Infrastructure such as road network remains underdeveloped; this has greatly hampered transportation of perishable farm produce. For example, onions, cabbages and Irish potatoes that are commercially grown on large scale go to waste before reaching destined markets because of bad roads. Residents are also not motivated to invest heavily on long term cash crop and also efficiently produce food crops to guarantee food security and income for their livelihood.

5.1 Recommendations

The government should move with speed to carry out cadastral surveying and mapping in the area and provide title deeds to residents in the area. Those who acquired land illegally should be forced to forfeit the land and the land repossessed and the rightful owners compensated with the same. This will increase farming competitiveness in the area. The government should also invest in infrastructure such as roads and coolers for storage of perishable farm produce. This would increase farming competitiveness.

5.2 Suggestions for further study

This study can be replicated in other settlement schemes in Kenya that have similar characteristics.

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