

**FACTORS INFLUENCING IMPLEMENTATION OF LAND
REFORMS IN KENYA: A CASE OF NANDI COUNTY**

GRACE K. ONDIGA MONYONCHO

**A RESEARCH PROJECT SUBMITTED IN PARTIAL FULFILMENT
FOR THE REQUIREMENT OF THE AWARD OF DEGREE OF
MASTERS OF ARTS IN PROJECT PLANNING AND MANAGEMENT
OF THE UNIVERSITY OF NAIROBI**

DECLARATION

This research project this is my original work and to the best of my knowledge has not been presented at any other university for the award of a degree or a diploma.

Signature  Date 22/07/2014

L50/60322/2013

GRACE K. ONDIGA MONYONCHO

This research project has been submitted for examination with my approval as University Supervisor.

Signature  Date 22/7/2014

LECTURER, DEPARTMENT OF EXTRAMURAL AND EXTERNAL STUDIES

MRS. DORIS KHATETE

DEDICATION

I dedicate this work to my husband for his support and my children as motivation to them that with dedication achievement is possible.

ACKNOWLEDGEMENT

My special gratitude and appreciation first goes to my supervisor Mrs. Doris Khatete for her guidance. Second I want to appreciate and specially thank my course work lecturers Mr. Koringura, Mr. Cheben, Dr. Odundo, Mr. Ochieng, Mr. Liguyani and Mr. Sakaja for their tireless effort in ensuring our successful completion of course work. I also want to recognize my classmates Albina, Linet, Elizabeth ,group one members and the entire class of MA in project planning and management 2013/2014with whom we have travelled this journey offering one another both academic and moral support both as groups and individuals. Special thanks to my Departmental Director (Esther), Deputy (Paul) and colleagues at work; for their encouragement, time and moral support. My gratitude goes to the University of Nairobi for granting me the opportunity to pursue this course with the institution. My special thanks to Chris Mithamo and his team for their support in coaching, typing, editing and printing services. Special thanks to my dear husband (Charles) for his monetary and moral support. Finally I wish to appreciate my children Gerald, Doreen and Martin for their understanding and moral support.

TABLE OF CONTENTS

DECLARATION	ii
DEDICATION	iii
ACKNOWLEDGEMENT	iv
TABLE OF CONTENTS	v
LIST OF FIGURES	ix
LIST OF TABLES	x
ACRONYMS AND ABBREVIATIONS	xi
ABSTRACT	xii
CHAPTER ONE	1
INTRODUCTION	1
1.1 Background to the Study.....	1
1.2 Statement of the Problem	5
1.3 Purpose of the Study	7
1.4 Research Objectives	7
1.5 Research Questions	7
1.6 Significance of the Study	8
1.7 Delimitation of the Study	8
1.8 Limitations of the study.....	8
1.9 Assumptions of the Study	9
1.10 Definition of significant terms	9
1.11 Summary	9
CHAPTER TWO	10
LITERATURE REVIEW	10
2.1 Introduction	10
2.2 The concept of implementation of land reforms	10
2.3 Operational structures and implementation of land reforms	13
2.4 Budgetary Allocation and implementation of land reforms.....	15

2.5 Technical Expertise and implementation of land reforms	18
2.6 Work Practices and implementation of land reforms.....	20
2.7 Theoretical Framework	23
2.7.1 Weberian Bureaucracy theory.....	23
2.7.2. Capitalistic Theory	25
2.8 Conceptual Framework	28
2.9 Knowledge Gap.....	29
CHAPTER THREE	30
RESEARCH AND METHODOLOGY.....	30
3.0 Introduction	30
3.1 Research Design.....	30
3.2 Target Population	30
3.3 Sample size and sampling procedures.....	31
3.4 Research instruments.....	32
3.4.1 Questionnaire	32
3.4.2 Interview schedule.....	33
3.5 Reliability and validity of the research instrument	33
3.5.1 Validity of the research instruments.....	33
3.5.2 The Reliability of the research instruments.....	33
3.6 Data analysis technique.....	34
3.7 Operational Definition of Variables.....	34
3.8 Ethical considerations.	35
CHAPTER FOUR.....	37
DATA ANALYSIS PRESENTATION, INTERPRETATION AND DISCUSSION.....	37

4.1 Introduction	37
4.2 Questionnaire respondent rate	37
4.3 Demographic characteristics of the respondents	37
4.3.1 Gender of the Respondents	37
Gender	38
4.3.2 Age of the Respondents.....	38
4.3.3 Work Experience of the Respondents	40
4.3.4 Period of stay of Head of Departments in the present station.....	40
4.3.5 How often the Clients visit the ministry of land’s office	41
4.3.6 Nature of the visit by the Clients to the Ministry of Land	41
4.4 The influence of the operational structure on the implementation of land reforms	42
4.5 The influence of budgetary allocations on the implementation of land reforms	45
4.6 The influence of technical expertise on the implementation of land reforms.....	48
4.7 The influence of work practices on the implementation of land reforms	51
CHAPTER FIVE	55
SUMMARY OF FINDINGS, CONCLUSION AND RECOMMENDATIONS	55
5.1 Introduction	55
5.2 Summary of the findings.....	55
5.3 Conclusion.....	58
5.4 Recommendations	60
5.5 Contributions to body of knowledge.....	61
5.6 Suggested areas for further research	61
REFERENCES.....	62
APPENDICES	66
APPENDIX I: INTRODUCTION LETTER.....	66

APPENDIX II: QUESTIONNAIRE FOR THE CLIENTS	67
APPENDIX III: INTERVIEW GUIDE FOR HEADS DEPARTMENTS, MINISTRY OF LANDS.....	73
APPENDIX IV: KREJCIE AND MORGAN FORMULA TABLE.....	74
APPENDIX V: NACOSTI RESEARCH AUTHORIZATION LETTER.....	77
APPENDIX VI: NACOSTI RESEARCH PERMIT	78

LIST OF FIGURES

Figure 2.1 conceptual Framework..... 28

LIST OF TABLES

Table 3.1 Target Population	31
Table 3.2 sample size.....	32
Table 4.1 Gender of the Staff in the ministry of lands	38
Table 4.2 Gender of the Clients.....	38
Table 4.3 Age of the Staff at the ministry of lands Nandi County	39
Table 4.4 Age of the clients.....	39
Table 4.6 Period of stay of Head of Departments in the present station	40
Table 4.7 How often the Clients visit the ministry of land's office	41
Table 4.8 Nature of the visit by the Clients to the Ministry of Land.....	42
Table 4.9 Staff response on the influence of the operational structure on the implementation of land reforms	43
Table 4.10 Clients response on the influence of the operational structure on the implementation of land reforms	44
Table 4.11 Staff response on the influence of budgetary allocations on the implementation of land reforms	46
Table 4.12 Clients response on the influence of budgetary allocations on the implementation of land reforms	47
Table 4.13 Staff response on influence of technical expertise on the implementation of land reforms.....	49
Table 4.14 Clients response on influence of technical expertise on the implementation of land reforms.....	50
Table 4.15 Staff response on the influence of work practices on the implementation of land reforms.....	52
Table 4.16 Clients response on the influence of work practices on the implementation of land reforms.....	53

ACRONYMS AND ABBREVIATIONS

ADMARC: Agricultural Development and Marketing Corporation

GIS: Geographic information system

MDC: Movement for democratic change

M & E: Monitoring and evaluation

NGO: Nongovernmental organization

SIDA: Swedish International Development Agency

SWAPO: South West Africa People's Organization

ABSTRACT

Land is critical to the economic, social and cultural development of a country. Land reforms involve the changing of laws, regulations or customs regarding land ownership. The study assessed the factors that influence the role of staff in the implementation of land reforms in Nandi County. The study sought: to examine the influence of operational structures on the implementation of land reforms, to examine how budgetary allocation by government affects implementation of land reforms, to investigate the influence of technical and human capacity on implementation of land reforms and to investigate how work practices influence implementation of land reforms. The study adopted descriptive research survey design. The study was guided by Weber's theory of bureaucracy and capitalistic theory. The target population of this study comprised of 140 respondents, staff in the ministry of lands and targeted clients, Nandi County. A sample size of 139 respondents was used. The research used Krejcie and Morgan sampling to select the respondents. The data collection instruments consisted of questionnaires and interview schedules. Piloting was done to establish the reliability of the research instruments in Uasin Gishu County. In this study; percentages and frequencies were used to analyze data. It was found out that majority of the respondents (92) % were of the opinion that management provision of resources is key to enhancing implementation of land reforms; 86 % were of the opinion that budgetary allocation by government is inadequate, 90 % were of the opinion that most of the work in the ministry is done manually hence making the implementation of land reforms slow and 74 % were of the opinion that allocation of land is influenced by politicians and rich people. The government should allocate considerable amount of money to the Ministry of Lands for use in implementation of land reforms. Land is, in most forms of society, the most important of natural resources required for creation of wealth. As a direct result therefore, control of the land brings with it economic power, which in turn, is often the basis of social and political power. The structural framework and principles for the management and administration of land inherited from the colonial times and developed over the three decades since independence have largely failed to instill confidence on the people. It is thus advisable that the Ministry of Lands seeks for financial support from donors to boost implementation of land reforms especially in the area of modern technology and institutionalization of new land management processes that are all inclusive. It was crucial to carry out this study as it provided knowledge to the government of Kenya on how to curb various challenges which have made the implementation of land reforms a nightmare.

CHAPTER ONE

INTRODUCTION

1.1 Background to the Study

Land reform involves the changing of laws, regulations or customs regarding land ownership. Land reform may consist of government initiated or government backed property redistribution, generally of agricultural land. Land reform can, therefore, refer to transfer of ownership from the more powerful to the less powerful, such as from a relatively small number of wealthy owners with extensive land holdings for example plantations, large ranches, or agribusiness plots to individual ownership by those who work the land. Such transfers of ownership may be with or without compensation; compensation may vary from token amounts to the full value of the land (Nagarajan, 2008).

Land reform may also entail the transfer of land from individual ownership even peasant ownership in smallholdings to government owned collective farms; it has also, in other times and places, referred to the exact opposite: division of government owned collective farms into smallholdings. The common characteristic of all land reforms, however, is modification or replacement of existing institutional arrangements governing possession and use of land. Thus, while land reform may be radical in nature, such as through large scale transfers of land from one group to another, it can also be less dramatic, such as regulatory reforms aimed at improving land administration (Dore, 2013). Nonetheless, any revision or reform of a country's land laws can still be an intensely political process, as reforming land policies serves to change relationships within and between communities, as well as between

communities and the state. Thus even small-scale land reforms and legal modifications may be subject to intense debate or conflict (Dore, 2013)

Implementation of land reforms calls for adequate technical and human capacity. Such capacity must be available within line Ministries, Civil Society and the Private Sector. Capacity gaps in any of these limits implementation. In our case, implementation calls for enough experts in land economics, surveying, law, planning, environmental science, agriculture/agricultural economics, forestry, sociology, economics, GIS and IT, among others. Fields like land economics surveying, planning, IT, GIS and agriculture need sufficient numbers at both graduate and technician level. The public and private sector, along with civil society, needs enough of these for effective implementation. Corruptions in the land reform process have been reported (Han, 2013). These allegations include biased allocation of land, with the best land allocated as commercial farms to influential beneficiaries, while small scale farmers have been allocated relatively poor land. Limited budgetary allocation has been reported to affect implementation of land reforms. For effective reforms to take place a lot of money is needed for example to pay the various people concerned for example land economists surveyors and other stakeholders. Money is also needed to facilitate public education. Experience reveals that public education and awareness is extremely critical to effective implementation. It however calls for a lot of technical expertise and financial resources, which are quite limiting, to make a good countrywide impact (malombe, 2011).

Danish land reforms, starting as far back as the late eighteenth century, had the effect of transferring ownership of rural land from a tiny number of aristocratic landlords to many thousands of owner-occupying farmers. Irish land reforms, mostly put in place in the years

around 1900, when all of Ireland given an absolute right to buy (ARtB) their farms with the UK Government advancing the cash was still in the UK, brought about a similar diversification. As in Denmark, tenant farmers and smallholders were (repayable over 50 years or longer) needed to enable them to do so. Ireland (where large estates were formerly as dominant as in Scotland) was thus transformed into a country where, both south and north of the present border, rural land is overwhelmingly owner-occupied.

Land reform in Asia has achieved a degree of success not seen in other regions of the world. Japan, South Korea, and Taiwan all instituted land reforms after World War II that have been credited as key elements to subsequent economic growth and their rise as the Asian Tigers.

Under Japan's 1946 land reform, landlords who owned more than the permitted amount had to sell the excess land to the government at a fixed price. The government then sold it at the same price, giving first preference to any tenant who had been farming the land. Japan's land reform succeeded for two reasons. The first reason is that the Occupation had the power to impose and enforce a law that hurt the interests of a very powerful class of people, wealthy landlords, in order to bring about social and economic change. The second reason is more complex. At the time the land reform law was passed in October, 1946, it provided reasonable compensation to the landlords who had to sell their land to the government (Dore, 2013).

Korea removed the economic power base of a ruling class and transfer land, in roughly equal portions, to a new class of peasant farmers. Few governments have the political means or the will to undertake such a complete transfer of property and power. The lack of landless peasants and of a large export crop sector has also been vital in South Korea's success story.

And a falling rural population has enabled government schemes to succeed. Few developing countries have these advantages. (El-Ghonemy, 2009)

In Africa, implementation of the land reform program is accompanied by the harassment of and violent assaults on commercial farmers and farm workers. Some are forcibly removed from farms without due process, and with little or no distinction made between farms officially designated for acquisition and those which were not. Allegations of corruption in the land reform process have been reported (Lipton, 2009) These allegations include biased allocation of land, with the best land allocated as commercial farms to influential beneficiaries, while small-scale farmers have been allocated relatively poor land there has also been discrimination in the land allocation process. In Zimbabwe, Supporters of the MDC have been excluded from the land reform program in many areas. Reports indicate that some MDC members have been prevented from even applying for land. The number of women allocated land under the fast-track land reform program is very low countrywide. Women head approximately one-third of households in Zimbabwe. However, women headed households constituted just 18 per cent of beneficiaries of new small scale farms and 12 per cent of beneficiaries of the new commercial farms. Farm workers have also been largely excluded from the benefits of land reform (Chowdhry, 2010).

In Kenya implementation of comprehensive land reforms has been slow and at times disappointing; the challenges have been lack of political good will, limited resources in terms of budgetary allocation and corruption. Kenya's land sector civil society institutions have remained quite vibrant and have been quite instrumental in driving the delivery of the land policy and the constitution (malombe, 2011). They have been particularly helpful where there have been roadblocks or State inaction during the reform process. These groups will

therefore need to maintain their presence and vigilance to ensure that the government is held accountable to provide continuous political goodwill and budgetary resources for implementation.

In Nandi county implementation of land reforms has been a challenge. The government has for a long time allocate little amount of money to the ministry of land. There are people in the county living in abject poverty and yet there is an idle land. It is said that only 47% of the land is cultivated. The leaders in the county do not have good will which is necessary for effective implementation. This could be because they are the ones who own large tracks of land and they fear that their land could be taken away(Kariuki, 2004).

1.2 Statement of the Problem

Land is, in most forms of society, the most important of natural resources required for the creation of wealth. As a direct result, control of land brings economic power, which in turn, is often the basis of social and political power (Borras, 2007). The Government through the ministry of lands has implemented various reforms aimed at improving service delivery; For instance, the ministry has so far digitalized some land titles and designed a data base for regional physical plans (Ardhi Bulletin January 2013 Edition).

However implementation of land reforms has been affected by lack of resources. The government normally allocates inadequate funds which are not enough for effective implementation. Public education is wanting; many people are believed to be ignorant on the issues related to land for example acquisition and transfer. Malpractices such as corruption

has been said to be one of the factors influencing implementation of land reforms. The influential people in society for example politicians and businessmen are allocated huge parcels of land while the poor are harassed by the authorities (Stearns, 2012). Operational structures both at the national and county levels have been blamed too as having loopholes for malpractices. On human and technical capacity; various experts are required for effective implementation of the reforms but in some instances they are not involved and at times the government does not have enough money to pay them hence ends up employing few staff who will not produce the desirable results. It is also believed that they are not only corrupt but also they lack the necessary skills to implement land reforms as envisaged in the national land policy (NLP). The ongoing computerization initiative also introduces new ways of doing business in the Ministry of Lands. This is happening in an environment where many of the senior technical officers do not possess adequate computer skills (Resnick, 2013)

Ideally, governments should put in place all the strategies and structures that are useful in implementation of land reforms since land is a valuable asset and it is through it that most people acquire wealth. Adequate amount of money should be allocated to the ministry of land hence enabling implementation to take place. Malpractices such as corruption should be done away with for instance; there has to be fair distribution of land regardless of social status and political affiliations. Operational structures should be streamlined to motivate staff and allow for both staff and other stakeholders to fully participate in land reform implementation processes. Staff and experts such as surveyors and land economists are supposed to be adequately trained and employed (Veney, 2013).

Due to the discrepancy between the ideal and the current situations, effective implementation has not been achieved. Past studies in this area have not provided sufficient information hence making the various attempts to improve the situation futile. (Chigara, 2011).

It was against this background therefore that this study sought to assess the factors influencing implementation of land reforms in Kenya.

1.3 Purpose of the Study

The aim of the study was to examine the factors influencing efficiency of staff in the implementation of land reforms for the Ministry of Lands, Nandi County.

1.4 Research Objectives

The study was guided by the following objectives;

1. To examine the influence of operational structure on the implementation of land reforms.
2. To assess the influence of budgetary allocation by the government on implementation of land reforms
3. To establish the influence of technical and human capacity on the implementation of land reforms.
4. To evaluate how work practices influence implementation of land reforms.

1.5 Research Questions

The study was guided by the following questions

1. What is the influence of the ministry's operational structure on effective implementation of land reforms?
2. What is the influence of budgetary allocation by the government on implementation of land reforms?

3. What is the influence of technical and human capacity on the implementation of land reforms?
4. How do work practices Influence implementation of land reforms?

1.6 Significance of the Study

It was crucial to carry out this study because it provided knowledge to the government of Kenya on how to curb various challenges which had made the implementation of land reforms a nightmare .The study also provided knowledge to other institutions apart from the government on implementation of various reforms.

The researcher who conducted the study and others who intended to carry out studies either in the same areas or a related field also benefited from the study by using the recommendations of the study as sources of their research topics. A review of the study literature also gave the scholars good background to their studies.

1.7 Delimitation of the Study

The study took place in the ministry of lands Nandi county. The study was done between the months of April and June 2014. The researcher got information from staff and a sample of targeted clients in Nandi County on factors influencing the implementation of land reforms.

1.8 Limitations of the study

Some of the respondents were not willing to fill the questionnaires hence leading to spending more time explaining to them the importance of the research .This hampered the information needed by the researcher in the required time frame. When this arose, the researcher reminded the respondent that the information was to be kept confidential and would only be used for purposes of the study.

1.9 Assumptions of the Study

This study made the following assumptions

All the respondents were knowledgeable enough to give credible information on the factors influencing efficiency of staff in implementation of land reforms for the ministry of lands in Nandi County.

1.10 Definition of significant terms

Budgetary allocation: the money allocated to ministries' annually for both recurrent and development projects

Implementation: this means the successful actualization or realization of land reforms

Land reforms: changing of laws, regulations or customs regarding land use, ownership and management.

Operational structures: the ministry's hierarchical management system

Technical and human capacity: the educational/training qualifications required of ministry employees' as well as the numbers and abilities to discharge their duties effectively.

Work practices: legal and ethical ways in which employees execute their duties at the places of work.

1.11 Summary

The chapter covers; the background of the study, problem of study, research objectives, significance of the study, delimitation of the study and the possible limitations that were encountered by the researcher.

CHAPTER TWO

LITERATURE REVIEW

2.1 Introduction

This chapter presents information on the study by discussing the literature review of the study objectives and the conceptual framework applied to the study. It contains information from what other researchers and scholars have already done in order to be able to facilitate the study.

2.2 The concept of implementation of land reforms

Land reform usually refers to redistribution of land from the rich to the poor. More broadly, it includes regulation of ownership, operation, leasing, sales, and inheritance of land (indeed, the redistribution of land itself requires legal changes).

After a protracted land policy formulation process stretching between February 2004 and December 2009, Kenya obtained a comprehensive national land policy. Key features of this policy were subsequently anchored in the Constitution of Kenya 2010 which was promulgated on 27th August 2010. For the first time in history, the policy and constitutional frameworks provided Kenya with a unique opportunity to undertake comprehensive land reforms to respond to contemporary land issues.

Kenya's land policy and the subsequent anchor in the constitution did not come easy. In a country like Kenya where land distribution has been largely in favour of the executive and political leadership through history, land reforms are viewed as upsetting this status quo. Land reforms are also seen to threaten the interests of those who benefitted from irregular allocation of public land who, in a majority of cases, are citizens with reasonable political

influence. Such forces placed overt and subtle roadblocks to the process of formulating the land policy and reviewing the constitution whose chapter on land enables the implementation of key proposals in the land policy. The delivery of Kenya's national land policy and the embedding of its key features in the chapter on land in the constitution must therefore be seen as the great epochal achievements they indeed are.

However, it's only the effective implementation of the laws that can cascade the intended benefits to the citizenry. It was therefore necessary to expeditiously develop enabling land laws resonant with the policy and the constitution. Subsequently, between August 2010 and April 2012, the land laws below have been developed:

The Environment and Land Court Act, 2011: This establishes a court of a similar jurisdiction to the High Court which will have jurisdiction over cases and disputes on matters relating to land and environment. It repealed The Land Disputes Tribunals Act No. 18 of 1990.

The National Land Commission Act, 2012: This law provides for the powers and functions of the National Land Commission established under Article 67 of the Constitution of Kenya 2010. It also provides for the qualifications and procedures for the appointment of the chair and members of the Land Commission. This Act received Presidential assent on 27th April 2012 with a commencement date of 2nd May 2012.

The Land Act, 2012: This provides the body of Kenya's substantive law, earlier found scattered in different pieces of legislation like the Indian Transfer of Property Act 1882, The Government Lands Act and the Registered Land Act. It repeals the Way leaves Act Cap 292 and the Land Acquisition Act Cap 295. The law has the effect of embodying

Kenya's substantive law in one statute which makes easy reference for scholars and practitioners. This Act received presidential assent on 27th April 2012 with a commencement date of 2nd May 2012.

The Land Registration Act, 2012: This law will be the singular law to guide the registration of title to land in Kenya, earlier done under various statutes like the Land Titles Act Cap 282 earlier applicable to properties within the ten mile Coastal strip and the Registration of Titles Act Cap 281 earlier operated under a Centralized Land Registry at Nairobi for properties surveyed under precise boundaries. It also repealed the Registered Land Act Cap 300 which applied to most rural properties surveyed under general boundaries and some few urban properties surveyed under the "fixed boundary" provisions of the Act. This Land Registration Act also repealed the Indian Transfer of Property Act 1882 and the Government Lands Act Cap 280. The application of this law will result in a uniform land registration system and uniform registries countrywide. This will ease land transactions and land development in the country. This Act received presidential assent on 27th April 2012 with a commencement date of 2nd May 2012.

The effectiveness of the laws above will only be known through application. The stakeholder compromises made during the enactment process may have resulted in laws a little different from initially intended. It is expected that the laws will undergo a series of amendments in the first few years as defects and barriers to application are identified. The initial application of the above laws will however require that subsidiary legislation (i.e. regulations) to operate them is developed at an early moment. Institutions charged with operating them will also need to develop practice guidelines to guide transactions by the

public and service provision by public officers and practicing professionals in the land sector. Rules, standard forms, procedures and fees applicable will also need to be developed.

In trying to operate the new land laws, the country will have to contend with the challenges of transition. These will be numerous and include resource mobilization, recruitment of officers and the retraining of the old staff. Establishing new systems and procedures for the new institutions (Environment and Land Court, National Land Commission (NLC), County Land Management Boards, agents of the NLC at County level, and the residual Ministry of Lands, among others) will require sufficient technical and human resources which must be supported through the line Ministry's budget and/or Kenya's development partners where applicable.

2.3 Operational structures and implementation of land reforms

The impetus given to land reform programs in many developing countries is indicative of the failure of existing land tenure arrangements to meet the changing social and economic needs of these countries. In most African countries, the customary land tenure systems have been identified, in general, as the main institutional constraints to economic development. They have conditioned the pace of change in the agricultural sector. In agrarian societies, where land is the primary productive asset, land tenure plays a fundamental role in economic and political power. Any land reform policy will be influenced by those with vested interests in the existing tenure systems (Books, 2011).

Similarly successful implementation of reforms will depend on the political will of those in power because they assign priorities and control the finances. These facts are evident in Lesotho, where chieftainship, with its hierarchical structure, has maintained a leading role

in the power structure. Like other developing countries, Lesotho has recently embarked on a land reform program, by enacting the Land Act 1979 and bringing it into operation in June 1980. An appreciation of the policies of the new law requires due consideration of the traditional land tenure system and its constraints on development. Lesotho's customary land tenure system is particularly instructive for two reasons: the system has operated in both urban and rural areas with virtually no foreign tenure system to influence tradition; and Lesotho's unitary tenure system has to date been controlled by the chieftainship, which forms a strong hierarchical structure and, as such, has been in a strong position to resist meaningful changes in land tenure (Byamugisha, 2013)

The most important scheme within the Namibian land reform program constitutes a politically motivated strategy rather than a requisite for rural socio-economic development, as it does not satisfy either of the peasants' two main demands: land tenure security and technical assistance in agricultural production. Being aware of this, the SWAPO Government continues to implement the land reform plan not only for its expected potential contribution to the economic prosperity of the peasantry, but mostly because of the widespread perception that formerly disadvantaged Namibians will not be owners of their country until they own its land (Chigara, 2011). Thus the reform is not only for economic, but also for sociopolitical reasons. Namibian land reform has until now been erroneously considered by the SWAPO administration as a procedure for addressing the problems affecting the so called formerly disadvantaged people , which are not necessarily the same problems affecting Namibian agrarian structures, nor even those affecting currently disadvantaged Namibians. This is particularly obvious from the criteria to qualify for resettlement, which concern virtually anyone interested in taking part in the scheme, without necessarily being involved in agrarian

activities. If these conditions remain unaltered, the land reform process is condemned to continue to be stuck in its own trap of insufficient planning and mismanagement (Byamugisha, 2012).

2.4 Budgetary Allocation and implementation of land reforms

The Kenyan government's proposal to allocate the National Land Commission just 4% of its desired budget for the next fiscal year is too little to spur much-needed land ownership reforms. The threat to under budget for implementation remains real in Kenya. The national land policy, which was approved in 2009, projected that about 9.6 billion Kenya Shillings will be required to implement the policy over the first six years (Han, 2013). While this figure should now be revised upwards to factor the current cost realities, the Ministry of Lands would have been expected to receive allocations of not less than 1.5 billion Kenya Shillings annually to go into supporting land reforms for the next six years soon after the policy was approved if implementation was to proceed at the anticipated pace and depth. This has not been the case. Instead, the Ministry continues to receive a comprehensive annual allocation of just over two (2) billion Kenya shillings to meet its annual recurrent and development expenditure, including land reforms. Therefore with time, a gap will show between the real and expected results in land reforms. The greater reason may be traced back to insufficient funding (Lipton, 2009)

Experience reveals that public education and awareness is extremely critical to effective implementation. It however calls for a lot of technical expertise and financial resources, which are quite limiting, to make a good countrywide impact. This challenge will also closely define the success of Kenya's implementation process. A big challenge to progress is poor public awareness the technical nature of the process limited stakeholder

capacity to engage in the public consultation (Kuhonta, 2011). Vested interests have impeded implementation, leading to delay and compromise. Large land owners wrongly perceive that their land would be seized under the new laws and so have lobbied hard to block the Land Reforms. The Executive and other politicians have micromanaged the process, ensuring that decisions are made at a very high level in the Government, causing excessive delay. Many of these decision makers themselves own large tracts of land. The beneficiaries of irregular or illegal allocations have an interest in preventing the Land Reform (Bardhan, 2005).

The restitution program is seen as the most successful of the tripartite land reform program with restitution complete in officially registered urban claims although there are many, more complex, rural claims outstanding. Tenure reform is seen as the least successful as evictions from private farms have continued apace and the power of chiefs and traditional councils in the former Bantustans has been cemented rather than challenged (Moyo, 2007). A major issue has been the lack of funding for land reform between 0.4 and 0.9 per cent of the nation's budget is allocated to it and there are related staffing and bureaucratic capacity issues.

As South Africa shifted to a neo-liberal macro-economic orientation in 1996, it followed a form of structural adjustment or 'right-sizing the state' similar to that of other developing countries for example reducing regulation and state economic planning, privatization of utilities, promoting flexible labor, and cutting budgets for social spending including land reform (Amad, 2012). This has consolidated 'enclave capitalism'. State support for new farmers was cut, as were subsidies and tariff protection. This has affected the success of many restituted and redistributed farms; some government estimates put the failure of such farms, where production has stalled, as high as 90 per cent. It has been widely

recognized that land reform is expensive; involving lengthy consultation and a complex legislative process, and that it involves a major program of institution building, training and awareness raising, as well as costs pertaining to increasing staff capacity (James, 2007).

One implication of this was the need to find cheaper, pragmatic solutions for addressing the implementation of land policies. This was the view of several of the Mozambican people who emphasized the village lands registration program in Mozambique, which builds on the commitment of a number of paralegals and existing structures at village level (Moyo, 2008).

The Framework and Guidelines on land policy in Africa underscore the need for implementation plans and support budgets derived and agreed through consultative processes. Plans and budgets derived and endorsed through participatory stakeholder forums make implementation much easier. Such plans would clearly reflect what, the sequence and desirable budgets for the components, programs and activities to be implemented in support of land reforms (James, 2007). But the implementation of Kenya's land policy has been rather ad hoc and guided by internal plans prepared by the Lands Ministry in accordance with the routine Medium Term Plans around which funds are released. No proactive efforts have been made after the approval of the land policy and the constitution to bring stakeholders together to develop clear implementation strategies and plans and their support budgets (Stearns, 2012). This makes it difficult for stakeholders and the public to understand monitor or audit the progress of implementation. It makes it difficult for stakeholders to identify their roles in the implementation process too. The absence of such a plan also makes it difficult to determine and source budgetary support

2.5 Technical Expertise and implementation of land reforms

The history of land relations in Kenya is one characterized by, firstly, foreign subjugation and occupation, and secondly, by wanton abuse of legal trust vested in the Government in relation to land as well as in the failure to redress the colonial legacy of injustice by post-colonial government (Njogu, 2010).

Implementation of land reforms needs adequate technical expertise. Such capacity must be available within line Ministries, Civil Society and the Private Sector. Capacity gaps in any of these limits implementation. In our case, implementation calls for enough experts in land economics, surveying, law, planning, environmental science, agriculture/agricultural economics, forestry, sociology, economics, GIS and IT, among others. Fields like land economics, surveying, planning, IT, GIS and agriculture need sufficient numbers at both graduate and technician level. The public and private sector, along with civil society, needs enough of these for effective implementation (Enemark, 2010).

Where gaps are identified, there should be enough local training institutions to make up and where necessary, external training can complement. There is no readily available national inventory of the existing numbers of the above experts for use in this discussion. It is however clear from local experience that we have had a shortage of surveyors, planners, lawyers, IT and GIS experts to meet the local demands (Jacobs, 2013).

Many government offices have insufficient numbers of such experts while their presence in the private sector in most urban areas outside Nairobi, Mombasa, Kisumu, Nakuru and Nyeri is quite low. In 2010, the Ministry of Lands partnered with the United Nations Human Settlements Program (UN-HABITAT) and the Swedish International Development Agency (SIDA) to do undertake some human capacity development program in

an effort to assess the existing capacity, the required capacity and determine the gap to be filled for the effective implementation of the land policy. The report from this consultancy will help to guide rationalization and training of staff in the Ministry and hopefully also give some general indication of the status of capacity in civil society and the private sector (Poverty Reduction Strategy Paper , 2010).

The capacity building of actors critical to implementation such as government officers in line Ministries, statutory agencies, practicing professionals, financial institutions, legislators, the provincial administration, civil society organizations and representatives of land user organizations like farmers among others has not been comprehensively done (Amad, 2012). These groups of people need to understand the key changes in policy and law, the rights and obligations under the new land regime, the new regulations and procedures governing land transactions, development control and land use among others. Without this, they will not be able to effectively support implementation. The Ministry of Lands would be quite helpful in this regard. It could for instance support block courses for serving public officers at the national and county levels (Borras, 2007).

Evidence from regional tours by the Land Development and Governance Institute reveal a major gap in not just general information but also the critical technical content necessary to for instance implement the new land laws among technical staff. While the Ministry may have made efforts to expose the senior staff at head office to the critical aspects of the land policy, the constitution and the new land laws, it would perhaps do well to draw a comprehensive phased training program for all serving technical officers (malombe, 2011).An approach to sustainable and equitable development requires well informed, purposeful courses of action by the state and other concerned social actors. Land tenure

institutions have to be continually adapted and regulated to serve the public interest. But unless the institutions and policies regulating rights and obligations in access to land are somehow made primarily accountable to poor majorities, to low-income minorities and unborn generations instead of to currently dominant corporate and other powerful groups public interest can easily be interpreted to mean the opposite of sustainable development (Enemark, 2010)

2.6 Work Practices and implementation of land reforms

Gross inequality in the control of land constitutes a principal obstacle to broad based rural development in many developing countries. Land reform providing secure and equitable rights to productive land for the rural poor should clearly be a high priority of states and other actors committed to the pursuit of socially and ecologically sustainable development (Lipton, 2009). Land issues have been rising up the agenda of policy makers due to rapid urbanization and high food prices. Yet, land administration is one of the most corrupt government activities. Corruption in land administration is a major problem in many developing countries. In terms of small-scale petty corruption, a recent international survey found that over one in five people reported having paid a bribe when dealing with land services, placing land as the third most corrupt sector. Large scale grand corruption is a part of a number of international land deals. Indeed, recent cross-country evidence shows such agreements occur more frequently in countries with poorer land governance.

The impacts of land administration corruption can be severe: Non consensual land transfer, potentially leading to a loss of livelihood for dispossessed families, Resentment stemming from corrupt land transfers leading to conflict and violence, Reduced confidence in the enforcement of existing land rights, which in turn may increase risk, reduce investment

and engagement with formal land registration systems ,Inefficient land ownership, with land owned by those most able to undertake corrupt acts, rather than those with the best potential to use it and Reduced desire among elites for land reform and the implementation of a well functioning system of land governance (Byamugisha, 2012). If elites can acquire land corruptly, they will feel less the need for a well-functioning land market. Reforming the governance of land is also often tied up with reforming the allocation of land, and hence a greater amount of land accumulated unjustly will lead to greater fears of future reallocations

The main responsibility for reducing corruption in land administration rests in the hands of domestic governments. International donors' first priority should therefore be to support these efforts. Doing so will involve supporting both general anti-corruption efforts in the country and specific measures to improve land governance. This can be through supporting land titling, the use of IT systems, mapping, and the establishment of conflict resolution mechanisms (Huntington 2003). In addition to supporting domestic governments, there are also areas where international donors may have a comparative advantage, or where there may be value in working parallel to the government. This is particularly likely when key parts of a national government are compromised by their own involvement in land corruption. International donors will be most effective in addressing land corruption when they have a good understanding of the political economy of land in the country. This involves a broad analysis of the stakeholders involved, including which members of the elite own which parts of land, which actors may be benefiting from various kinds of corruption, and which would potentially benefit from any reforms (Veney, 2013).

A further reason for building up a good political economy analysis is that, as previously described, one of the major problems caused by land grabbing is that it dulls the

incentives of elites to undertake land reform and improve land governance. There is therefore an important role for civil society and international donors to push forward this agenda. Analysis will also help donors and domestic actors understand what compromises can be made (El-Ghonemy, 2009). It may be, for example, that promoting land reform could solidify corruptly obtained claims of the existing regime. International organizations need to be realistic ultimately, it might be that economic forces are sufficiently strong that people will be dispossessed of their land in one way or another, and focus should be on setting up a system that allows for adequate compensation, rather than trying to ensure the non-corruption of an existing system that formally prevents such an exchange (Enemark, 2010). There may also be a conflict between pushing for the types of reform that would be optimal, and encouraging the enforcement of a set of policies that improves upon the existing situation

Transparency and information provision are important for addressing land administration corruption. The land sector has two advantages in this regard when compared to some other parts of the economy. First, the use of land is generally visible on the ground it cannot be made to disappear in the same way as medicines or text books (Borras, 2007). Second, the losers from corrupt land deals are typically not just a large group of taxpayers or voters, such as in the case of corruption in government procurement or the embezzlement of national budgets. Instead, the victims of land corruption are frequently a specific set of people who live on or lay claim to the land in question. These two properties mean that the transmission of information from local people on the ground to anti-corruption actors is particularly useful in addressing corruption in the sector, both in providing data on land use as well as telling the stories of those dispossessed. Of course, transparency on its own is unlikely to be effective against corruption (Stearns, 2012).

It is therefore important to ensure information processes are integrated within the accountability mechanisms that exist within a country. International donors can play a key role in supporting the information gathering, data generation and dissemination process. In some instances, this can relate to official government channels. For example, in Vietnam donors have helped compile a report investigating whether local governments are providing information to citizens, including information which they are obliged to publish legally. This can help push governments to do as they say, and provide NGOs with information on what is out there (Vos, 2004). Donors should, of course, be aware that NGOs may be part of a complex political economy with interests intersecting elites, or may be severely constrained in terms of their possibilities to act. International donors can also support information transmission through the media. If the local media are weak and dependent on either the government or wealthy private interests, outside actors can help support any remaining independent outlets.

2.7 Theoretical Framework

2.7.1 Weberian Bureaucracy theory

Weberian bureaucracy was a term coined by Max Weber, a German sociologist, political economist, and administrative scholar, who contributed to the study of bureaucracy, administrative discourses, and literature during the mid-1800s and early 1900s. His critical study of the bureaucratization of society was one of the most enduring parts of this work. Many aspects of modern public administration date back to him. This is epitomized in the fact that a classic, hierarchically-organized civil service is still called a "Weberian civil service." Weber listed the following as preconditions for the emergence of bureaucracy: the growth in size and density of the population being administered, the growth in complexity of

the administrative tasks being carried out, and the existence of a monetary economy requiring a more efficient administrative system (Stavenhagen, 2012).

As a result of the development of communication and transportation technologies, like telegraphs and automobiles, a more efficient administration became not only possible but demanded by the public. Accompanying this shift was an increasing democratization and rationalization of culture. This resulted in public demands for a new administrative system that treated all humans equally. Weber's ideal bureaucracy is characterized by the following: hierarchical organization, delineated lines of authority with fixed areas of activity, action taken on the basis of, and recorded in, written rules, bureaucratic officials with expert training, rules implemented by neutral officials and career advancement depending on technical qualifications judged by organization, not individuals. Weber identified in bureaucracies a rational legal authority in which legitimacy is seen as coming from a legal order. The majority of modern bureaucratic officials and political leaders represent this type of authority (Bardhan, 2005).

However, while recognizing bureaucracy as the most efficient form of organization, and perhaps indispensable for the modern state, Weber also saw it as a threat to individual freedoms. For Weber, the implementation of bureaucracies in government was a kind of rationalization, in which traditional motivators for behavior were cast aside. Instead of utilizing traditions, emotions, or values to motivate behavior, in a bureaucracy, people used rational calculation (Merz, 2013). Regarding Western societies, Weber called this increasing rationalization an "iron cage" that trapped individuals in systems based solely on efficiency, rational calculation, and control. In his theory, the "iron cage" is the one set of rules and laws that we are all subjected to. According to Weber, the shift from old forms of mobility, like

kinship, to new forms, like strict, legal rules, was a direct result of the growth of bureaucracy and capitalism (Meszaros, 2013).

The implementation of land reforms is slow because of the various steps that are meant to be followed. Information has to come from top to bottom thus taking a lot of time. This explains why implementations take a long time in Kenya for example the establishment of land commission took a long time (Borras, 2007). The appointments of the various heads of the commission have to be vetted first by the parliament before its approval. There are written rules and regulations governing the various land commissions. The employees working in the ministry of lands and related agency have the required skills for example surveyors, valuers and land economists

2.7.2. Capitalistic Theory

Karl Marx (1818-1883) was a revolutionary German economist and philosopher, and the founder of the Communist movement. Marx was writing against a backdrop of great industrial change. Overcrowded, newly industrialized cities were expanding, and much of the working class lived in great poverty. Marx saw history as the story of class struggles, in which the oppressed fight against their oppressors. According to Marx, as history unfolded, the victory of one class would pave the way for the future freedom of the rest of society. Marx viewed the unfolding process of history as follows: First in ancient and mediaeval society the landed and wealthy had oppressed the slaves and the poorest plebeians and laborers. Then, as new technologies were invented and market forces grew stronger, everything changed (Resnick, 2013). The middle classes gaining wealth and power from trade and manufacture challenged the power and authority of the old rulers. But at this stage

a new struggle was formed between the bourgeoisie (the property owning class) and the proletariat (the industrial working class).

Marx argued that the capitalist bourgeoisie mercilessly exploited the proletariat. He recognized that the work carried out by the proletariat created great wealth for the capitalist. The products created in the factory (the material outcome of the workers' labor) were sold for more than the value of the labor itself i.e. more than the workers' wages. For instance, the factory worker may get paid £2 to produce a yard of cloth. The capitalist then sells the cloth for £5. In this way, the capitalist, who controls the process of production, makes a profit. But the worker does not benefit from this added value, and fails to benefit from the fruits of his/her own labor. Marx believed that capitalism contained the seeds of its own destruction. He described how the wealth of the bourgeoisie depended on the work of the proletariat (Land, 2007).

Therefore, capitalism requires an underclass. But Marx predicted that the continued exploitation of this underclass would create great resentment (Bardhan, 2005). Eventually the proletariat would lead a revolution against the bourgeoisie. The final struggle would lead to the overthrow of capitalism and its supporters. Marx wrote that modern bourgeois society 'is like the sorcerer, who is no longer able to control the powers of the nether world that he has called up by his spells. Following the proletariats' defeat of capitalism, a new classless society would emerge based on the idea: 'from each according to his abilities, to each according to his needs'. In such a society, land, industry, labor and wealth would be shared between all people. All people would have the right to an education, and class structures would disappear. Harmony would reign, and the state would simply 'wither away' (Gammer, 2013).

The ruling class and the wealthy influential business men owned huge tracks of land which was acquired using corrupt means. They do not want the reforms to take place because they will lose. Many people are landless or are almost landless as they own little lands and others are landless. The wealthy politicians and business men get cheap labor for them as they hire them in their farms. The big land owners are against reforms because they know once the peasants are empowered they are at a risk of losing cheap labor (Poverty Reduction Strategy Paper , 2010)

It is predicted that sooner or later there will be successful implementation of land reforms as this is attributed to various revolutions taking place. The various wars and violence witnessed in many countries is because of land. It is believed that the wealthy business men and politicians will accept the full implementation due to pressure from the general population and even the international community. Various NGO's for example Transparency International among others have been in the fore front advocating for equal rights in all aspects including distribution of lands. The people have known their rights and they are fighting for them. The civil society have not been left behind, they are always voicing their concern. The ruling class and the wealthy influential business men are in trouble because the peasants have become civilized. Education has played a role; it is through education that many people have become aware of the inequalities that are inherent in the society. (Ondetti, 2011)

2.8 Conceptual Framework

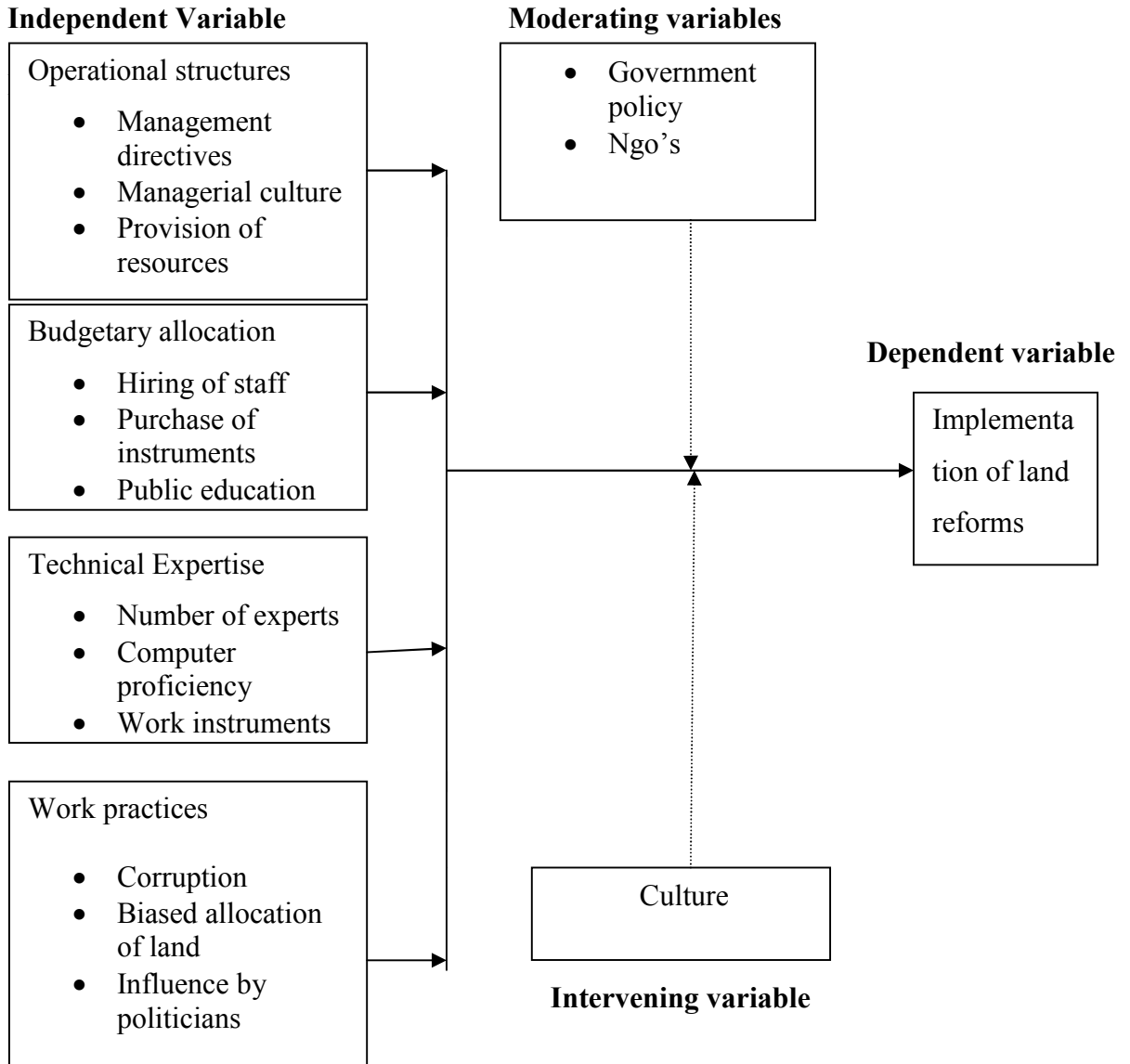


Figure 2.1 conceptual Framework

The above conceptual framework outlines the key factors that affect or influence the implementation of land reforms. For staff to effectively implement necessary land reforms as required; it is widely believed that the mentioned key factors have to be put in place to yield desired results. Adequate funding in government allocations, ethical work practices, and functional operational structures; knowledgeable, well trained and enough personnel

adequately deployed to Counties are the key independent variables that will lead to effective implementation of land reforms. Other intervening variables which may contribute either negatively or positively depending on the extent of their intervention or non- intervention include; NGOs, government policies in relation to land reforms and the culture of people whom the reforms are targeted at. The study will single out independent variables and seek to understand their influence which may be positive or negative on the dependent variable which is effective implementation of land reforms in the counties a case of Nandi County.

Budgetary allocation is very crucial in the implementation of land reforms. For the successful implementation, the government has to allocate adequate funds to the ministry. The money is used to hire the experts and perform other related duties. It has been reported that at times the staff in the ministry of lands engage themselves in malpractices for example corruption which in the long run hampers the process. The operational structure has also been blamed as it is confusing for example the role of commissioner of lands is not well defined. The leadership structure should provide proper guidelines which will in the long run facilitate the smooth implementation of land reforms. The technical expertise plays a significant role in the implementation land reforms. Experts are needed in order for the exercise to be carried out effectively. The government has to hire surveyors, valuers and other relevant experts so as to facilitate the land reforms implementation.

2.9 Knowledge Gap

Scholars such as (Lipton, 2009) paid little attention to the factors that influence implementation of land reforms. Despite the fact that many scholars have been doing the study on it for many years, they have failed to reach the consensus on how the various factors influence the implementation of land reform. Although the scholars have carried out studies on the same there is no specific research on how the specific variables influence the implementation of land reforms. It is therefore against this background that the study aimed to fill the existing knowledge gap as to how budgetary allocation, operational structures, work practices and technical expertise influenced staff efficiency or ability to effectively implement land reforms with an aim of providing comprehensive literature.

CHAPTER THREE

RESEARCH AND METHODOLOGY

3.0 Introduction

This chapter covers the research design to be used, target population of the study, the sampling design and sample size, data collection instruments, validity and reliability of the research instruments.

3.1 Research Design

The study used descriptive survey research design. The descriptive research design was chosen because it allowed the study to collect in depth data from the respondents using research instruments such as questionnaires and interview schedules which gave detailed account of the implementation of land reforms in Nandi County and suggestions on how the process could be improved. Descriptive surveys were used in preliminary and exploratory studies which allowed the researcher to gather information, summarize, present and interpret following the need of clarification (Mitchell, 2012).

3.2 Target Population

Target population is a study of a group of individuals taken from the general population who share a common characteristic such as age, sex or profession. Target population about which information is desired for the study is derived from the population (Khan, 2011). The study targeted 25 members of staff at the Ministry of Lands and targeted clients in Nandi County. In a week the average numbers of clients who visit the land office are 115. The study targeted 140 respondents.

Table 3.1 Target Population

Respondents	Number of respondents
Physical Planners	5
Land registrars	5
Surveyors	10
Land adjudication & settlement officers	5
Targeted clients	115
Total	140

3.3 Sample size and sampling procedures

Sampling is that part of statistical practice which concerns the selection of individual observations intended to yield some knowledge about a population of concern, especially for the purposes of statistical inference (Ghoshi, 2002). Sampling frame which has the property that study can identify every single element and include any in the sample. The most straight forward type of frame is a list of elements of the population preferably the entire population with appropriate contact information. The sampling frame must be representative of the population and this is a question outside the scope of statistical theory demanding the judgment of experts in the particular subject matter being studied (Kothari, 2006).

The study employed the Krejcie and Morgan formulae (1970) from where a total of 25 staffs and 115 targeted clients will be sampled to form total target population of 140 respondents.

Krejcie and Morgan (1970) methods the following formula to determine sampling size:

$$S = \frac{X^2 NP (1-P)}{d^2 (N-1) + X^2 P (1-P)}$$

S = required sample size

X² = the table value of chi-square for one degree of freedom at the desired confidence level

N = the population size

P = the population proportion (assumed to be .50 since this would provide the maximum sample size)

d = the degree of accuracy expressed as a proportion (.05)

Table 3.2 sample size

Respondents	Target population	Sample size
Physical Planners	5	5
Land registrars	5	5
Surveyors	10	10
Land adjudication & settlement officers	5	5
Targeted clients	115	114
Total	140	139

3.4 Research instruments

3.4.1 Questionnaire

The questionnaire was used to seek responses from respondents based on the research objectives. Questionnaires were administered to all sampled ministry of land's staff to assist the researcher to collect data on various factors hindering implementation of land reforms among ministerial staff. In developing the questionnaire items, the fixed choice and open ended formats will be used. However, in the fixed choice item, it normally involves 'putting words 'in the respondent's mouth, especially when providing acceptable answers, there is temptation to avoid serious thinking on the part of the respondent. The respondent ends up choosing the easiest alternative and provides fewer opportunities for self-expression. It is because of this reasons that it was necessary to combine this format of items with a few open-ended response items. The researcher used questionnaire because it is free from bias, cheap, respondents have adequate time to give well thought out answers and large samples can be made used of and thus the results can be made more dependable and reliable

3.4.2 Interview schedule

The study used interview schedule for gathering data because it permits much greater depth than other methods of data collection. It also provides a true picture of opinions and feelings; however they are time consuming and expensive to conduct the researcher will use open-ended questions to elicit verbal responses from the staff. The researcher personally interviewed the county land commissioner in Nandi County.

3.5 Reliability and validity of the research instrument

3.5.1 Validity of the research instruments

The questionnaires used in the study were pre-tested through a pilot study before actual data collection. This enabled revision of the questionnaire, before actual data collection. The pilot study was done in Uasin Gishu County to determine the validity and reliability the instruments. The results from the piloting assisted in restructuring the questions in the questionnaire that were not clear to the respondents. Validity was tested through expert opinion where the supervisor assisted the researcher to determine whether the questionnaire answered all the research objectives; thereby ensuring that relevant data was collected. The opinion of the expert (supervisor) played a very significant role in determining the validity of the research instrument.

3.5.2 The Reliability of the research instruments

The reliability of an instrument is to measure the degree to which a research instrument yielded consistent results or data after repeated trials (Kothari, 2004). The pilot test was used to test the reliability of the questionnaires and interview schedules.

3.6 Data analysis technique

Tromp and Kombo (2007) described data analysis as the process through which the data that has been collected is examined. It involves uncovering underlying structures, extracting important variables, detecting any anomalies and testing any underlying assumptions. It involves scrutinizing the acquired information and making inferences. Data collected will be organized, coded and entered directly into SPSS version 16.0. This statistical tool will aid the researcher to perform summary statistics and graphical presentations of the results. The analysis will employ the use of both qualitative and quantitative techniques. Qualitative techniques (thematic analysis) will be employed where responses from the interview schedules will be discussed in themes that relate to the objectives of the study. In quantitative analysis, the researcher will use descriptive statistics such as frequencies, percentages and means to analyze the data. Thereafter, correlation data analysis will be employed which involves computing a correlation.

3.7 Operational Definition of Variables

To achieve the objectives of the study the researcher investigated the role of ministerial staff in the ministry of lands in Nandi County; the objectives of the study included the influence of budgetary allocation, practices, operational structures and the influence of human and technical capacity on the implementation of land reforms.

To achieve these objectives questionnaires were used each with specific questions for each objective.

Table 3.3 Operational Definition of Variables

Objective	Variables	Indicators	Measurement scale	Tools of analysis	Types of tools
To assess how the budgetary allocation by the government affect the implementation of land reforms	Dependent Implementation of land reforms Independent budgetary allocation	Available expertise Overall allocation of funds	Nominal Ordinal	Descriptive statistics. Tables	Frequency distribution tables
To evaluate how practices Influence the implementation of land reforms	Dependent Implementation of land reforms. Independent Work practices	Biased allocation of land Corruption	Nominal Ordinal	Descriptive statistics Tables	Frequency distribution tables
To examine the influence of operational structure on the implementation of land reforms	Dependent Implementation of land reforms Independent operational structure	Level of management Managerial culture Provision of resources	Nominal Ordinal	Descriptive statistics. Tables	Frequency distribution tables
To establish the influence of technical expertise on the implementation of land reforms	Dependent Implementation of land reforms Independent technical expertise	Number of experts Level of technical know how		Descriptive statistics Tables	Distribution tables

3.8 Ethical considerations.

Ethical issues were those issues pertaining to or dealing with morals or the principles of morality of a study. The researcher agreed to comply with the following principles which aimed at protecting the dignity and privacy of every individual who, in the course of the research work carried out under the project, was requested to provide personal or commercially valuable information about him/her or others (hereinafter referred to as a subjects of research).

Before an individual became a subject of research, he/she was notified of: the aims, methods, anticipated benefits and potential hazards of the research; his/her right to abstain from participation in the research and his/her right to terminate at any time his/her participation; and the confidential nature of his/her replies.

No individual became a subject of research unless he/she was given the notice referred to in the preceding paragraph and provided a freely given consent that he/she agreed to participate. No pressure or inducement of any kind was applied to encourage an individual to become a subject of research. The identity of individuals from whom information was obtained in the course of the project was kept strictly confidential. At the conclusion of the project, any information that revealed the identity of individuals who were subjects of research were destroyed unless the individual concerned had consented in writing to its inclusion beforehand.

No information revealing the identity of any individual was included in the final or in any other communication prepared in the course of the project, unless the individual concerned had consented in writing to its inclusion beforehand.

CHAPTER FOUR

DATA ANALYSIS PRESENTATION, INTERPRETATION AND DISCUSSION

4.1 Introduction

This chapter presents details of the study broken down in the following thematic subsections which are; questionnaire response rate, demographic characteristics of the respondents, specific objectives and tables used for analysis.

4.2 Questionnaire respondent rate

All (140) respondents returned the questionnaires so the response rate was 100 %. 115 clients and 25 members of staff filled the questionnaires. The questionnaires were administered personally by the researcher and assistants thus making it possible for the 100% return.

4.3 Demographic characteristics of the respondents

This section discusses the demographic characteristics of respondents Age, gender, and work experience as well as visitation frequency of clients to the Ministry of Lands. This background information was found necessary to determine viability of the gathered data for analysis.

4.3.1 Gender of the Respondents

The researcher sought to establish the gender of the respondents so as to establish whether there was gender bias while collecting data from the respondents. The findings were as presented on table 4.1 and table 4.2

Table 4.1 Gender of the Staff in the ministry of lands

Gender	Frequency	Percentage
Female	13	52
Male	12	48
Total	25	100

Source: Author (2014)

The study revealed that 52% of the respondents were female while 48 % were male. The study thus indicated that majority of the respondents were female. The findings showed that the researcher was able to obtain information from all genders. From the results it was clear that the variation in the number of male and female was not so large to warrant bias in the data that was collected from the different gender of respondents.

Table 4.2 Gender of the Clients

Gender	Frequency	Percentage
Female	50	44.3
Male	64	55.7
Total	115	100

Source: Author (2014)

According to table 4.2, majority of the respondents, 55.7 % were male while 44.3 % were female. The findings showed that the researcher was able to obtain information from all genders. It was noted that the number of males who visited the ministry is high compared to the number of females. This could be because Kenya is a patriarchal society where majority of land owners are usually men.

4.3.2 Age of the Respondents

The researcher sought to establish ages of the respondents to establish whether clients and the staff at the ministry of lands Nandi County were of the right age threshold and whether all ages were represented. The findings were as presented on table 4.3 and table 4.4:

Table 4.3 Age of the Staff at the ministry of lands Nandi County

Age (years)	Frequency	Percentage
20-30	4	16
31-40	12	48
41-50	7	28
51 and above	2	8
Total	25	100

Source: Author (2014)

The study revealed that 48 % of the staff were of the age between 31- 40, 28 % were of the aged between 41-50, 16% were aged between 20 -30 years and 8 % were aged 51 and above. The results revealed that different age groups were involved in the study and therefore their views were representative of the respective age groups. The respondents' views could also be considered to be inclusive of diverse age groups.

Table 4.4 Age of the clients

Age (years)	Frequency	Percentage
20-30	36	31.3
31-40	39	33.9
41-50	28	24.3
51 and above	12	10.4
Total	115	100

According to table 4.4 majority of the respondents (33.9 %) were aged between 31-40 years , 31.3 % were aged between 20 -30 years, 24.3 % were of the age between 41-50 and 10.4 % were aged 51 and above. Majority of the clients who visit the ministry were middle aged people and thus were relatively competent to respond to the questionnaire without influence.

4.3.3 Work Experience of the Respondents

The researcher aimed at establishing the work experience of the staff. Results are shown in table 4.5

Table 4.5 Work Experience of the Staff

Age (Years)	Frequency	Percentage
1 year and below	4	16
2-5 years	11	44
6-10 years	5	20
11 years and above	5	20
Total	25	100

The study revealed that 44 % of the respondents had worked for 2-5 years, 20 % had worked for 6-10 years, 16 % had worked for 1 year and below and 20 % had worked for 11 years and above. Credible information was obtained since majority of the respondents had worked in the ministry for some time and therefore had inside information and had ability to determine whether land reforms were taking place or not.

4.3.4 Period of stay of Head of Departments in the present station.

The researcher sought to establish how long the Heads of Departments have worked in the present station, Nandi County. Results are shown in table 4.6

Table 4.6 Period of stay of Head of Departments in the present station

Years	Frequency	Percentage
1 year and below		
2-5 Years	1	25
6-10 Years	2	50
11 and above	1	25
Total	4	100

The study revealed that majority of the respondents (50 %) had been in their present position for 6-10 years, 25 % had been there for 2-5 years, and 25 % had been there for 11 years and above. The findings show that the researcher got reliable information from the various heads of departments' majority of who had worked in their present station which is Nandi County and thus had a wealth experience.

4.3.5 How often the Clients visit the ministry of land's office

The researcher sought to establish how often the clients visit the ministry of land's office. The findings were as presented on table 4.7

Table 4.7 How often the Clients visit the ministry of land's office

Times	Frequency	Percentage
Rarely	77	66.9
Occasionally	38	30.1
Total	115	100

The study revealed that 66.9 % of the respondents rarely visit the ministry of land's office while 33.1% visit the office occasionally. The clients rarely visit the ministry of lands since they only visit there when they have issues. This finding may have negative or positive meaning depending on the needs of the people which could be contentment or ignorance. There is need for further research in this area to unravel the underlying reasons for low visitations and recommend way forward.

4.3.6 Nature of the visit by the Clients to the Ministry of Land

The researcher sought to establish the nature of the visit to the ministry of lands. The findings were as presented on table 4.8

Table 4.8 Nature of the visit by the Clients to the Ministry of Land

Nature of visit	Frequency	Percentage
Inquiry	52	45.2
Official search	33	28.7
Complaint	13	11.3
All of the above	17	14.8
Total		100

According to table 4.8, majority of the respondents (45.2 %) of the respondents visit the office for inquiry, 28.7 % for official search, 14.8 % for all of the above and 11.3 % for complaint. The question was aimed at enabling the researcher understand the clients' needs in relation to implementation of land reforms. From the table it's evident that the clients require various services from the land offices hence the need for reforms to ensure efficiency.

4.4 The influence of the operational structure on the implementation of land reforms

Objective one of the study sought to establish the influence of the operational structure in the Ministry of Lands on implementation of land reforms. The findings were analyzed and presented in the table 4.9

Table 4.9 Staff response on the influence of the operational structure on the implementation of land reforms

Statements		SA	A	D	SD	N	M
The directives by the management determine if the implementation of land reforms is done or not	F	8	14	1	2	0	4.1
	%	32	56	4	8	0	82 %
The emphasis by management sets the pace for implementation	F	8	15	0	2	0	4.2
	%	32	60	0	8	0	84 %
Management provision of resources is key to enhancing implementation of land reforms	F	14	9	1	0	1	4.4
	%	56	36	4	0	4	88 %
Managerial culture influence in determining the implementation of land reforms	F	8	11	4	0	2	3.9
	%	32	44	16	0	8	78 %

From the study findings (table 4.9), it was found that majority of the respondents 88 % were of the opinion that management provision of resources is key to enhancing implementation of land reforms, 84 % of them were of the opinion that the emphasis by management sets the pace for implementation while 82 % of them agreed with the fact that the directives by the management determine if the implementation of land reforms is done or not and 78 % were of the opinion that managerial culture determines the course of implementation of land reforms.

Table 4.10 Clients response on the influence of the operational structure on the implementation of land reforms

Statements		SA	A	D	SD	N	M
The directives by the management determine if the implementation of land reforms is done or not	F	49	51	12	0	3	4.2
	%	42.6	44.3	10.4	0	2.6	84 %
The emphasis by management sets the pace for implementation	F	49	54	7	1	4	4.2
	%	42.6	47	6.1	0.9	3.5	84 %
Management provision of resources is key in enhancing implementation of land reforms	F	51	51	10	0	3	4.6
	%	44.3	44.3	8.7	0	2.6	92 %
Managerial culture in determining the implementation of land reforms	F	42	50	11	5	7	4
	%	36.5	43.5	9.6	4.3	6.1	80 %

From the study findings (4.10), it was found that majority of the respondents 92 % were of the opinion that management provision of resources is key to enhancing implementation of land reforms, 84 % of them were of the opinion that the emphasis by management sets the pace for implementation while 84 % of them agreed with the fact that the directives by the management determine if the implementation of land reforms is done or not and 80 % were of the opinion that managerial culture determines the course of implementation of land reforms.

The study findings according to tables 4.9 and 4.10 revealed that majority of the respondents were in agreement that Management's provision of resources is very important in enhancing implementation of land reforms. These findings implied that provision of resources coupled

with managerial direction and commitment would ensure effective implementation of the land reforms.

This study agrees with the findings by Kariuki,(2004) who asserts that successful implementation of reforms depend on the political will of those in power because they assign priorities and control the finances. The multiplicity of land laws and administrative procedures, have tended to compound the problems that land managers and administrators have to deal with in the field. These procedures sometimes cause land to be delivered to the wrong hands thus thwarting the spirit of implementing land reforms which are meant to correct injustices related to land acquisition and ownership.

The findings from this study concurs with a study by Angote, (2008) who points out that the approval processes during implementation of land reforms are encumbered with many bureaucratic procedures leading to lengthy approval processes. For instance the processing of cadastral surveying documents that support registration of land titles take too long – an average of 6 months from the time of survey to the production of deed plans or amendment of Registry Index Maps (RIMs).

4.5 The influence of budgetary allocations on the implementation of land reforms

The study sought to establish the influence of budgetary allocations to the Ministry of Lands on the implementation of land reforms. The findings were analyzed and presented in the table 4.11 and table 4.12

Table 4.11 Staff response on the influence of budgetary allocations on the implementation of land reforms

Statements		SA	A	D	SD	N	M
Lack of funds inhibits implementation of land reforms	F	8	15	0	2	0	4.2
	%	32	60	0	8	0	84 %
Budgetary allocation by the government is inadequate hence affecting the implementation of resources	F	13	9	1	1	1	4.3
	%	52	36	4	4	4	86 %
The funds are not enough to hire the various experts needed	F	11	6	7	1	0	4.1
	%	44	24	28	4	0	82 %
Due to limited funds public education on land issues is not done well	F	13	5	6	1	0	4.2
	%	52	20	24	4	0	84

From the study findings (table 4.11), it was revealed that majority of the respondents 86 % were of the opinion that budgetary allocation by the government is very little hence affecting the implementation of resources, 84 % of them were of the opinion that due to limited funds public education on land issues is not done well while 84 % of them agreed with the fact that lack of funds inhibits implementation of land reforms and 82 % were of the opinion that the funds are not enough to hire the various experts needed.

Table 4.12 Clients response on the influence of budgetary allocations on the implementation of land reforms

Statements		SA	A	D	SD	N	M
Lack of funds inhibits implementation of land reforms	F	59	39	16	0	1	4.3
	%	51.3	33.9	13.9	0	0.9	86 %
Budgetary allocation by the government is inadequate hence affecting the implementation of land reforms	F	49	44	17	2	3	4.2
	%	42.6	38.3	14.8	1.7	2.6	84 %
The funds are not enough to hire the various experts needed	F	58	31	20	1	5	4.2
	%	50.4	27	17.4	0.9	4.3	84 %
Due to limited funds public education on land issues is not done adequately	F	70	26	16	1	2	44
	%	60.9	22.6	13.9	0.9	1.7	88%

From the study findings (table 4.12), it was revealed that majority of the respondents 88 % were of the opinion that due to limited funds public education on land issues is not done well, 86 % of them were of the opinion that lack of funds inhibits implementation of land reforms, 84 % of them agreed with the fact that budgetary allocation by the government is very little hence affecting the implementation of resources and 84 % were of the opinion that the funds are not enough to hire the various experts needed.

Results from tables 4.11 and 4.12 indicated that majority of the respondents (86%, 88 %) respectively were in agreement that budgetary allocation by the government is inadequate hence affecting implementation of land reforms. The findings implied that the government allocates inadequate funds to the Ministry of Lands which funds are needed for hiring of enough experts as well as carrying out public education on land reform issues.

This study is in agreement with Kuhonta (2011) who asserts that public education and awareness is extremely critical to effective implementation of land reforms. He said that, it however calls for a lot of technical expertise and financial resources, which are quite limited, to make a good countrywide impact. A big challenge to progress is poor public awareness, the technical nature of the process and limited stakeholder capacity to engage in the public consultation.

This study concurs with the research findings by James, (2007) who stated that the framework and guidelines on land policy in Africa underscore the need for support budgets derived and agreed through consultative processes. Plans and budgets derived and endorsed through participatory stakeholder forums make implementation much easier. Such plans would clearly reflect what, the sequence and desirable budgets for the components, programs and activities to be implemented in support of land reforms.

4.6 The influence of technical expertise on the implementation of land reforms

The study sought to establish the influence of technical expertise on the implementation of land reforms. The findings were analyzed and presented in the table 4.13 and table 4.14

Table 4.13 Staff response on influence of technical expertise on the implementation of land reforms

Statements		SA	A	D	SD	N	M
Inadequate number of experts for example valuers, surveyors and land economists affect the implementation of land reforms	F	12	9	0	3	1	4.1
	%	48	36	0	12	4	82 %
Most employees at the ministry do not possess adequate computer skills	F	6	15	1	2	1	3.9
	%	24	60	4	8	4	78 %
Most of the work in the ministry is done manually hence making the implementation slow	F	14	10	1	0	0	4.5
	%	56	40	4	0	0	90 %
The employees are not paid well hence making the experts whose services are wanted not to perform the job.	F	13	10	2	0	0	4.4
	%	52	40	8	0	0	88 %

According to table 4.13, the study findings revealed that majority of the respondents 90 % were of the opinion that most of the work in the ministry is done manually hence making the implementation slow, 88 % were of the opinion that the employees are not paid well hence making the experts whose services are most needed not to perform adequately, 82 % agreed with the fact that inadequate number of experts for example valuers, surveyors and land economists affect the implementation of land reforms and 78 % were of the opinion most that employees at the Ministry of Lands do not possess adequate computer skills.

Table 4.14 Clients response on influence of technical expertise on the implementation of land reforms

Statements		SA	A	D	SD	N	M
Inadequate number of experts for example	F	50	47	12	2	4	4.2
valuers, surveyors and land economists affect	%	43.5	40.9	10.4	1.7	3.5	84 %
Most employees at the ministry do not	F	44	40	19	4	8	3.9
possess adequate computer skills	%	38.3	34.8	16.5	3.5	7	78 %
Most of the work in the ministry is done	F	68	37	3	3	4	4.4
manually hence making the implementation	%	59.1	32.2	2.6	2.6	3.5	88 %
The employees are not paid well hence	F	47	29	24	2	13	3.8
making the experts whose services are wanted	%	40.9	25.2	20.9	1.7	11.3	76 %

According to table 4.14, the study findings revealed that majority of the respondents 88 % were of the opinion that most of the work in the ministry is done manually hence making the implementation slow, 76 % were of the opinion that the employees are not paid well hence making the experts whose services most needed not to perform their jobs as expected, 84 % agreed with the fact that inadequate number of experts for example valuers, surveyors and land economists affect the implementation of land reforms and 78 % were of the opinion that most employees at the Ministry of Lands do not possess adequate computer skills .

From tables 4.13 and 4.14 majority of the respondents (90 %, 88%) respectively revealed that most of the work in the ministry is done manually hence making the implementation slow. These observations implied that the Ministry of Lands has not

incorporated the use of technology in provision of their services. This has led to delays in and to some extent resistance to implementation of land reforms.

This finding agrees with a study by (Borras, 2007) who asserts that the volume of land information/data has increased substantially, making it difficult for the existing manual land information management systems to cope. For efficient surveying and mapping, the national surveying and mapping agency is normally expected to provide adequate survey control networks both in extent and quality. In this country, that is the responsibility of the survey of Kenya, which today is unable to fulfill this role because of financial constraints.

This study concurs with the findings by (Jacobs, 2013) who found out that many government offices have insufficient numbers of land experts while their presence in the private sector in most urban areas outside Nairobi, Mombasa, Kisumu, Nakuru and Nyeri is quite low. The capacity building of actors critical to implementation such as government officers in line Ministries, statutory agencies, practicing professionals, financial institutions, legislators, the provincial administration, civil society organizations and representatives of land user organizations like farmers among others has not been comprehensively done.

4.7 The influence of work practices on the implementation of land reforms

The study sought to establish the influence of work practices such as biased allocation of land, corruption among other practices on the implementation of land reforms. The findings were analyzed and presented in the table 4.15 and table 4.16

Table 4.15 Staff response on the influence of work practices on the implementation of land reforms

Statements		SA	A	D	SD	N	M
There is biased allocation of land	F	7	6	7	3	2	3.5
	%	28	24	28	12	8	70%
The staff in the ministry of land take bribes from the people	F	5	5	8	6	1	3.3
	%	20	20	32	24	4	66%
Some people are forcibly removed from farms without due process	F	2	8	9	4	2	3.2
	%	8	32	36	16	8	64%
Allocation of land is influenced by politicians and rich people	F	9	6	6	2	2	3.7
	%	36	24	24	8	8	74%

From the study findings (table 4.15), it was found that majority of the respondents 74% were of the opinion that allocation of land is influenced by politicians and rich people, 70% of them were of the opinion that there is biased allocation of land, 66% of them said that the staff in the ministry of land take bribes from the people and 64% were of the opinion that some people are forcibly removed from farms without due process.

Table 4.16 Clients response on the influence of work practices on the implementation of land reforms

Statements		SA	A	D	SD	N	M
There is biased allocation of land	F	56	27	23	3	6	4.1
	%	48.7	23.5	20	2.6	5.2	82 %
The staff in the ministry of land take bribes from the people	F	65	18	22	5	5	4.2
	%	56.6	15.7	19.1	4.3	4.3	84%
Some people are forcibly removed from farms without due process	F	57	29	21	5	3	4.1
	%	49.6	25.2	18.3	4.3	2.6	82 %
Allocation of land is influenced by politicians and rich people	F	71	25	13	3	3	4.4
	%	61.7	21.7	11.3	2.6	2.6	88 %

From the study findings (table 4.16), it was found that majority of the respondents 88 % were of the opinion that allocation of land is influenced by politicians and rich people, 82 % of them were of the opinion that there is biased allocation of land, 84% of them said that the staff in the ministry of land take bribes from the people and 82 % were of the opinion that some people are forcibly removed from farms without due process.

The study as shown in table 4.15 and 4.16 reveals that majority of the respondents (88 %, 74%) respectively were of the opinion that allocation of land is influenced by politicians and rich people. These findings implied that politicians reward their sycophants whereas rich people bribe the staff in the Ministry of Lands so as to be allocated land.

The findings concurs with a study by Angote, (2008) who points out that politicians have used land for political favours and used their powers to acquire land. In the rural areas, three prominent families, i.e. extended families of the past Presidents, are holding 11.5% of the 15% agricultural productive land in Kenya.

The study finding concurs with (van der Molen&Tuladhar, 2007) who points out that the Kenya Bribery Index 2005 showed that 65.7% of the people visiting the Ministry of Lands might be asked for a bribe. 36.3% of declinations resulted in service denial. The Ndungu Report (December 2004) gives a detailed overview about land and graft in Kenya. It talks about ‘unbridled plunder’ of urban, state and ministerial lands, of settlement schemes and trust lands, of forestlands, national parks, game reserves, wetlands, riparian reserves and protected areas, facilitated by the extensive complexity of professionals.

CHAPTER FIVE

SUMMARY OF FINDINGS, CONCLUSION AND RECOMMENDATIONS

5.1 Introduction

This chapter covers summary of findings, discussion, conclusion and recommendations for improving implementation of land reforms. The summary focused on the personal information from the respondents' views and the conclusions drawn the same information.

5.2 Summary of the findings

From the study findings (table 4.9), 88 % of the respondents were of the opinion that management provision of resources is key to enhancing implementation of land reforms, 84 % of them were of the opinion that the emphasis by management sets the pace for implementation while 82 % of them agreed with the fact that the directives by management determines if implementation of land reforms is done or not and 78 % were of the opinion that managerial culture determines the course and pace of implementation of the land reforms.

The study findings according to table 4.10 revealed that majority of the respondents 92 % were of the opinion that management provision of resources is key in enhancing implementation of land reforms, 84 % of them were of the opinion that the emphasis by management sets the pace for implementation while 84 % of them agreed with the fact that the directives by the management determine if the implementation of land reforms is done or not and 80 % were of the opinion that managerial culture in determining the implementation of land reforms.

In respect to the influence of budgetary allocations on the implementation of land reforms, the study according to table 4.11, revealed that majority of the respondents 86 %

were of the opinion that budgetary allocation by the government is very little hence affecting the implementation of resources, 84 % of them were of the opinion that due to limited funds public education on land issues is not done well while 84 % of them agreed with the fact that lack of funds inhibits implementation of land reforms and 82 % were of the opinion that the funds are not enough to hire the various experts needed.

From the study findings (table 4.12), it was revealed that majority of the respondents 88 % were of the opinion that due to limited funds public education on land issues is not done well, 86 % of them were of the opinion that lack of funds inhibits implementation of land reforms, 84 % of them agreed with the fact that budgetary allocation by the government is very little hence affecting the implementation of resources and 84 % were of the opinion that the funds are not enough to hire the various experts needed.

On the influence of technical expertise on the implementation of land reforms, according to table 4.13, the study findings revealed that majority of the respondents 90 % were of the opinion that most of the work in the ministry is done manually hence making the implementation slow, 88 % of them were of the opinion the employees are not paid well hence making the experts whose services are wanted not to perform the job, 82 % of them agreed with the fact that inadequate number of experts for example valuers, surveyors and land economists affect the implementation of land reforms and 78 % were of the opinion most employees at the ministry do not possess adequate computer skills.

According to table 4.14, the study findings revealed that majority of the respondents 88 % were of the opinion that most of the work in the ministry is done manually hence making the implementation slow, 76 % of them were of the opinion the employees are not paid well hence making the experts whose services are wanted not to perform the job, 84 % of

them agreed with the fact that inadequate number of experts for example valuers, surveyors and land economists affect the implementation of land reforms and 78 % were of the opinion most employees at the ministry do not possess adequate computer skills.

On the influence of work practices on the implementation of land reforms, the study findings (table 4.15), revealed that majority of the respondents 74 % were of the opinion that allocation of land is influenced by politicians and rich people, 70% of them were of the opinion that there is biased allocation of land, 66% of them said that the staff in the ministry of land take bribes from the people and 64% were of the opinion that some people are forcibly removed from farms without due process.

From the study findings (table 4.16), it was found that majority of the respondents 88 % were of the opinion that allocation of land is influenced by politicians and rich people, 82 % of them were of the opinion that there is biased allocation of land, 84% of them said that the staff in the ministry of land take bribes from the people and 82 % were of the opinion that some people are forcibly removed from farms without due process.

5.3 Conclusion

Land is, in most forms of society, the most important of natural resources required for the creation of wealth. As a direct result, control of the land brings economic power, which in turn, is often the basis of social and political power. The structural framework and principles for the management and administration of land inherited from the colonial times and developed over the three decades since independence have largely failed to instill confidence in the land market. The bureaucratic procedures followed in the ministry of land makes implementation of land reforms very slow since directives have to be from top to bottom.

The land administration system suffers from a lack of sustainable funding. The government for a long time has been allocating inadequate funds to Ministry of Lands thus implementation of land reforms is adversely hampered. Public education which is very critical to effective implementation is not done to the satisfaction of the public since it requires financial resources.

Implementation of land reforms needs adequate technical expertise. It was noted that there are inadequate number of surveyors, valuers and land economists thus making implementation of land reforms slow. Technology has not been fully incorporated in the ministry it is thus imperative to introduce and intensify the use of modern/innovative technologies for the updating of existing basic and special purpose maps and for production of new maps

With respect to work practices influencing land reforms, it was noted that allocation of land is influenced by politicians and rich people. Since time immemorial land has been used by politicians to reward their sycophants. Corruption in land administration is a major problem in many developing countries. In terms of small-scale petty corruption, people pay a bribe when dealing with land services, placing land as the third most corrupt. Transparency and information provision are important for addressing land administration issues and corruption.

5.4 Recommendations

The study made the following recommendations

The ministry should come up with clear institutional framework of land management, right from the local government level up to the central government level. Bureaucracies should be done away with so as to hasten implementation of reforms. The governance should be decentralized to empower and engage the citizens and communities at a local level

The government should allocate considerable amount of money to the ministry for use. It is also advisable that they seek for financial support from donors.

The ministry should Introduce and intensify the use of modern/innovative technologies in implementation of land reforms. All the staff in the ministry should learn how to use computers as this will assist in hastening the reforms. Experts in the land sector should be hired so as to curb the shortage.

The Ministry should come up with monitoring and evaluation structures and management information systems to curb corruption related practices such as staff engaging in bribery. Transparency and giving out information regarding land to the public should be adopted. Politicians and wealthy people should not be allowed by the Ministry to interfere with land reform processes through institution and adherence to the requirements of the New Constitution Chapter 4 on the Bill of Rights and the Leadership and Integrity Act, 2012.

5.5 Contributions to body of knowledge

The study had the following contribution to the body of knowledge

Table 5.1 Contributions to body of knowledge

Objectives	Contributions
To examine the influence of operational structure on the implementation of land reforms.	The study noted that operational structures in the ministry of lands can greatly influence the implementation of land reforms which in turn can lead to delays. Therefore the Ministry should put in place proper decentralized administrative structures to hasten implementation of land reforms.
To assess the influence of budgetary allocation by the government on implementation of land reforms	The study found out that budgetary allocation can greatly influence the implementation of land reforms since without money adequate experts will not be hired and retained. Therefore there is need for increased allocation of funding to the Ministry especially for programmes geared towards effective implementation of land reforms.
To establish the influence of technical expertise on the implementation of land reforms.	The study found out that technical expertise can influence the implementation of land reforms since inadequate personnel and technical expertise leads to delayed implementation. It is thus advisable for the Ministry to hire more experts, incorporate the use of technology and train staff in computer skills.
To evaluate how work practices influence implementation of land reforms.	The study revealed that corrupt work practices can negatively influence the implementation of land reforms. Therefore those found engaging themselves in corrupt deals should be punished accordingly.

5.6 Suggested areas for further research

Based on the analysis and findings of this study, there is need for further research on factors influencing women access to land since most of the clients who visited ministry of land according to the study were men.

REFERENCES

- Angote, D., (2008). *Development of Land Administration and Links to the Financial Markets*. Nairobi Kenya
- Ali Riaz, B. (2007). *Paradise Lost?: State Failure in Nepal*. Lexington Books.
- Amad, M. (2012). *Agriculture, Poverty and Reform in Iran*. Taylor & Francis.
- Bardhan, P. (2005). *Scarcity, Conflicts, and Cooperation: Essays in the Political and*. MIT Press.
- Books, H. (2011). *Articles on Land Reform, Including: Land Reform in Zimbabwe, Landless Workers' Movement, Mission Zamora, Decree 900, Land to the Tiller (South Vietnam*. Hephaestus Books.
- Borras, S. (2007). *Pro-poor Land Reform: A Critique*. University of Ottawa Press.
- Stephen A. Resnick, R. D. (2013). *Class Theory and History: Capitalism and Communism in the USSR*. Routledge.
- Byamugisha, F. (2013). *Securing Africa's Land for Shared Prosperity: A Program to Scale UpReform*. World Bank Publications.
- Byamugisha, F. (2012). *Securing Africa's Land for Shared Prosperity: A Program to Scale Up Reforms*. World Bank Publications.
- Cassandra Rachel Veney, D. W. (2013). *African Democracy and Development: Challenges for Post-conflict African Nations*. Rowman & Littlefield.
- Chigara, B. (2011). *Southern African Development Community Land Issues*. Routledge.
- Chowdhry, P. (2010). *Gender Discrimination in Land Ownership*. Sage Publications.
- Dore, R. (2013). *Land Reform in Japan*. A&C Black.
- El-Ghonemy, R. (2009). *Anti-Poverty Land Reform Issues Never Die: Collected essays on development*. Routledge.

- Fund, I. (2010). *Kenya: Joint Staff Advisory Note of the Poverty Reduction Strategy Paper*. International Monetary Fund.
- Fund, M. (2010). *Kenya: Poverty Reduction Strategy Paper (EPub)*. International Monetary Fund.
- Fund, I. (2010). *Kenya: Poverty Reduction Strategy Paper (EPub)*. International Monetary Fund.
- Gammer, M. (2013). *Political Thought and Political History: Studies in Memory of Elie Kedourie*. Routledge.
- Han, E. (2013). *Contestation and Adaptation: The Politics of National Identity in China*. Oxford University Press.
- Hans P. (2004), *Agricultural Land Redistribution: Toward Greater Consensus*. World Bank.
- Huntington, P.(2006), *Political Order in Changing Societies*. Yale university press 2006.
- Jacobs, S. (2013). *Gender and Agrarian Reforms*. Routledge.
- James, D. (2007). *Gaining Ground?: Rights and Property in South African Land Reform*. Routledge.
- Jane, L. (2010). *Design Research: The Store That Brought Modern Living to American Homes*. Chronicle Books.
- Kariuki, S. M. (2004). *Can negotiated land reforms deliver?: a case of Kenya's, South Africa's and Zimbabwe's land reform policy debates*. African Studies Centre.
- Khan. (2011). *Research Methodology*. APH Publishing. .
- Kimani Njogu, K. N. (2010). *Diversity in Eastern Africa: Opportunities and Challenges*. African Books Collective.
- Kothari, C. R. (2004). *Research Methodology: Methods and Techniques*. New age international.
- Kuhonta, E. (2011). *The Institutional Imperative: The Politics of Equitable Development in*. Stanford University Press.

- Land, P. (2007). *Land, Poverty and Livelihoods in an Era of Globalization*. Land, Poverty and Livelihoods in an Era of Globalization.
- Lipton, M. (2009). *Land Reform in Developing Countries*. Taylor & Francis,.
- malombe, D. (2011). *A Position Paper on Engendered and Rights-based Land Reforms in Kenya*. Kenya human rights commission.
- Mark Mitchell, J. (2012). *Research Design Explained*. Cengage Learning.
- Merz, F. (2013). *Max Weber's Theory of Bureaucracy and Its Negative Consequences*. GRIN Verlag.
- Meszaros, G. (2013). *Social Movements and the Politics of Land Reform*. Routledge.
- Moaddel, M. (2013). *Class, Politics, and Ideology in the Iranian Revolution*. Columbia University Press.
- Moyo, S. (2008). *African Land Questions, Agrarian Transitions and the State: Contradictions*.
- Mugenda, A. G. (2003). *Quantitative and Qualitative Approaches*. African Centre for Technology Studie.
- Nagarajan, H. (2008). *Land Reforms, Poverty Reduction, and Economic Growth: Evidence from India*. World Bank Publications. .
- Nagarajan, H. (2008). *Land Reforms, Poverty Reduction, and Economic Growth: Evidence from India*. World Bank.
- Ondetti, G. (2011). *Land, Protest, and Politics: The Landless Movement and the Struggle for*. Penn State Press.
- Paul Zarembka, R. D. (2011). *Revitalizing Marxist Theory for Today's Capitalism*. Emerald Group Publishing.
- Sam Moyo, K. H. (2008). *Contested Terrain: Land Reform and Civil Society in Contemporary Zimbabwe*. S&S Publishers.
- Stavenhagen, R. (2012). *Pioneer on Indigenous Rights*. Springer.
- Stearns, N. (2012). *Human Rights in World History*. Routledge.

- Stig Enemark, W. (2010). *Land Administration for Sustainable Development*. ESRI Press Academic.
- Tina Søreide, A. W. (2013). *Corruption, Grabbing and Development: Real World Challenges*. Edward Elgar Publishing.
- Van der Molen and A.Tuladhar, (2007). "Corruption and Land Administration", *International Federation of Surveyors, Article of the Month, March 2007*
- Vos, H. d. (2004). *Picture Planning Perspectives: Understanding Implementation of Geographical*. Rozenberg Publishers

APPENDICES

APPENDIX I: INTRODUCTION LETTER

Grace K. Ondiga
P.O Box 13
Kapsabet.

Dear recipient,

I am Grace Kwamboka Ondiga Masters student in the Department of extra mural studies at the University of Nairobi carrying out a research study on “factors influencing implementation of land reforms by ministry of lands Nandi County”. The information collected will be used to make recommendations for improvement of land reform implementation.

You are therefore kindly requested to participate and respond as best as you can to items in the questionnaire/interview guide. The information provided will be treated with utmost confidentiality and will be used only for the purpose of this study.

Let me take this opportunity to thank you in advance for taking part in this study.

Yours sincerely,

Grace Ondiga

APPENDIX II: QUESTIONNAIRE FOR THE CLIENTS

SECTION A: DEMOGRAPHIC DATA

1. Gender: Male [] Female []
2. . What is your age bracket?
 - 20- 30 years []
 - 31 - 40 years []
 - 41 -50 years []
 - 51 - Above []
3. How often do you visit the lands office?
 - Occasionally []
 - Rarely []
4. What is the purpose of your visit to the lands offices?
 - Inquiry []
 - Official search []
 - Land complaint []
 - Other information []
 - Below 2 years []

SECTION B: SPECIFIC RESEARCH QUESTION

The influence of the operational structure on the implementation of land reforms

- Using the rating given below, provide your response in relation to the statement regarding the effectiveness of the ministry of lands operational structure in the implementation of land reforms. Key-Strongly Agree (SA), Agree (A), Disagree (D), Strongly Disagree (SD) and Neutral (N)

Operational structure	SA	A	D	SD	N
The directives by the management determine if the implementation of land reforms is done or not					
The emphasis by management sets the pace for implementation					
Management provision of resources is key in enhancing implementation of land reforms					
Managerial culture in determining the implementation of land reforms					

The influence of budgetary allocations on the implementation of land reforms

- Using the rating given below, provide your response in relation to the statement regarding the influence of budgetary allocation on the implementation of land reforms. Key-Strongly Agree (SA), Agree (A), Disagree (D), Strongly Disagree (SD) and Neutral (N)

	SA	A	D	SD	N
Lack of funds inhibits implementation of land reforms					
Budgetary allocation by the government is very little hence affecting the implementation of resources					
The funds are not enough to hire the various experts needed					
Due to limited funds public education on land issues is not done well					

The influence of technical expertise on the implementation of land reforms

3. Using the rating given below, provide your response in relation to the statement regarding the influence of technical expertise on the implementation of land reforms and staff efficiency.

Key-Strongly Agree (SA), Agree (A), Disagree (D), Strongly Disagree (SD) and Neutral (N)

	SA	A	D	SD	N
Inadequate number of experts for example valuers, surveyors and land economists affect the implementation of land reforms					
Most employees at the ministry do not possess adequate computer skills					
Most of the work in the ministry is done manually hence making the implementation slow					
The employees are not paid well hence making the experts whose services are wanted not to perform the job.					

The influence of work practices

4. Using the rating given below provide your response in relation to the statement regarding the influence of work practices on implementation of land reforms in relation to staff efficiency.

Key-Strongly Agree (SA), Agree (A), Disagree (D), Strongly Disagree (SD) and Neutral (N)

	SA	A	D	SD	N
There is biased allocation of land					
The staff in the ministry of land take bribes from the people					
Some people are forcibly removed from farms without due process					
Allocation of land is influenced by politicians and rich people					

APPENDIX II: QUESTIONNAIRE FOR THE STAFF

SECTION A: DEMOGRAPHIC DATA

1. Gender: Male [] Female []
2. What is your highest level of education?
 Secondary form four [] certificate []
 Diploma [] Graduate [] masters [] PHD []
3. What is your age bracket?
 20- 30 years []
 31 - 40 years []
 41 -50 years []
 51 - Above []
4. How long have you been working in the ministry of land
 Below 1 year []
 2- 5 years []
 6-10years []
 11 and Above []
4. How long have you been in your present station as the head of department?
 Below 2 years []
 2-4 years []
 4-6 years []
 6-8 years []
 8-10 years []
 Over 10 years []

SECTION B: SPECIFIC RESEARCH QUESTION

The influence of the operational structure on the implementation of land reforms

5. Using the rating given below, provide your response in relation to the statement regarding the effectiveness of the ministry of lands operational structure in the implementation of land reforms. Key-Strongly Agree (SA), Agree (A), Disagree (D), Strongly Disagree (SD) and Neutral (N)

Operational structure	SA	A	D	SD	N
The directives by the management determine if the implementation of land reforms is done or not					
The emphasis by management sets the pace for implementation					
Management provision of resources is key in enhancing implementation of land reforms					
Managerial culture in determining the implementation of land reforms					

The influence of budgetary allocations on the implementation of land reforms

6. Using the rating given below, provide your response in relation to the statement regarding the influence of budgetary allocation on the implementation of land reforms. Key-Strongly Agree (SA), Agree (A), Disagree (D), Strongly Disagree (SD) and Neutral (N)

	SA	A	D	SD	N
Lack of funds inhibits implementation of land reforms					
Budgetary allocation by the government is very little hence affecting the implementation of resources					
The funds are not enough to hire the various experts needed					
Due to limited funds public education on land issues is not done well					

The influence of technical expertise on the implementation of land reforms

7. Using the rating given below, provide your response in relation to the statement regarding the influence of technical expertise on the implementation of land reforms and staff efficiency.

Key-Strongly Agree (SA), Agree (A), Disagree (D), Strongly Disagree (SD) and Neutral (N)

	SA	A	D	SD	N
Inadequate number of experts for example valuers, surveyors and land economists affect the implementation of land reforms					
Most employees at the ministry do not possess adequate computer skills					
Most of the work in the ministry is done manually hence making the implementation slow					
The employees are not paid well hence making the experts whose services are wanted not to perform the job.					

The influence of work practices

8. Using the rating given below provide your response in relation to the statement regarding the influence of work practices on implementation of land reforms in relation to staff efficiency.

Key-Strongly Agree (SA), Agree (A), Disagree (D), Strongly Disagree (SD) and Neutral (N)

	SA	A	D	SD	N
There is biased allocation of land					
The staff in the ministry of land take bribes from the people					
Some people are forcibly removed from farms without due process					
Allocation of land is influenced by politicians and rich people					

APPENDIX III: INTERVIEW GUIDE FOR HEADS DEPARTMENTS, MINISTRY OF LANDS.

1. How long have you worked in your present station?

2. Are all the employees in your county trained?

3. How does availability and use of technical expertise influence the implementation of land reforms?

4. Are technical and financial resources adequate in your county?

5. What is the influence of political leaders and influential business men on the implementation of land reforms?

6. Which are the common evaluation techniques used by employees in your county?

7. How does preparation and use of instructional documents influence pupils' academic performance?

8. How frequent do you check employees performance contract?

APPENDIX IV: KREJCIE AND MORGAN FORMULA TABLE

**Required Sample Size[†]
from: The Research Advisors**

Population Size	Probability of Success	Confidence = 95.0% e = 3.8414 59				Confidence = 99.0% e = 6.6348 97			
		Degree of Accuracy/Margin of Error		Degree of Accuracy/Margin of Error		Degree of Accuracy/Margin of Error		Degree of Accuracy/Margin of Error	
		0.05	0.035	0.025	0.01	0.05	0.035	0.025	0.01
10		10	10	10	10	10	10	10	10
20		19	20	20	20	19	20	20	20
30		28	29	29	30	29	29	30	30
50		44	47	48	50	47	48	49	50
75		63	69	72	74	67	71	73	75
100		80	89	94	99	87	93	96	99
150		108	126	137	148	112	135	142	149
200		132	160	177	196	145	174	186	198
250		156	190	215	244	178	211	229	246
300		180	217	251	291	211	246	270	295
400		240	265	318	384	281	309	348	391
500		300	306	377	475	341	365	421	485
600		360	340	432	565	401	416	490	579
700		420	370	481	653	461	462	554	672
800		480	396	526	739	521	503	615	763
900		540	419	568	823	581	541	672	854
1,000		600	440	606	906	641	575	727	943
1,200		720	474	674	1067	761	636	827	1119
1,500		900	515	759	1297	941	712	959	1376
2,000		1200	563	869	1655	1241	808	1141	1785

	2				8			
	33				52			
2,500	3	597	952	1984	4	879	1288	2173
	34				55			
3,500	6	641	1068	2565	8	977	1510	2890
	35				58			
5,000	7	678	1176	3288	6	1066	1734	3842
	36				61			
7,500	5	710	1275	4211	0	1147	1960	5165
	37				62			
10,000	0	727	1332	4899	2	1193	2098	6239
	37				64			
25,000	8	760	1448	6939	6	1285	2399	9972
	38				65			
50,000	1	772	1491	8056	5	1318	2520	12455
	38				65			
75,000	2	776	1506	8514	8	1330	2563	13583
	38				65			
100,000	3	778	1513	8762	9	1336	2585	14227
	38				66			
250,000	4	782	1527	9248	2	1347	2626	15555
	38				66			
500,000	4	783	1532	9423	3	1350	2640	16055
1,000,000	38				66			
0	4	783	1534	9512	3	1352	2647	16317
2,500,000	38				66			
0	4	784	1536	9567	3	1353	2651	16478
10,000,000	38				66			
00	4	784	1536	9594	3	1354	2653	16560
100,000,000	38				66			
000	4	784	1537	9603	3	1354	2654	16584
264,000,000	38				66			
000	4	784	1537	9603	3	1354	2654	16586

† Copyright, The Research Advisors (2006). All rights reserved.

The recommended sample size for a given population size, level of confidence, and margin of error appears in the body of the table.

For example, the recommended sample size for a population of 1,000, a confidence level of 99%, and a margin of error (degree of accuracy) of 3.5% would be 575.



Change these values to select different levels of confidence.



Change these values to select different maximum margins of error.



Change these values to select different (e.g., more precise)
population sizes.

APPENDIX V: NACOSTI RESEARCH AUTHORIZATION LETTER



NATIONAL COMMISSION FOR SCIENCE, TECHNOLOGY AND INNOVATION

Telephone: +254-20-2213471,
2241349, 310571, 2219420
Fax: +254-20-318245, 318249
Email: secretary@nacosti.go.ke
Website: www.nacosti.go.ke
When replying please quote

9th Floor, Utalii House
Uhuru Highway
P.O. Box 30623-00100
NAIROBI-KENYA

Ref. No.

Date:
8th July, 2014

NACOSTI/P/14/2040/1975

Grace Kwamboka Ondiga
University of Nairobi
P.O. Box 30197-00100
NAIROBI.

RE: RESEARCH AUTHORIZATION

Following your application for authority to carry out research on "*Factors influencing implementation of land reforms: A case of Nandi County-Kenya.*" I am pleased to inform you that you have been authorized to undertake research in Nandi County for a period ending 30th November, 2014.

You are advised to report to the **County Commissioner and the County Director of Education, Nandi County** before embarking on the research project.

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


SAID HUSSEIN
FOR: SECRETARY/CEO


Copy to:

The County Commissioner
The County Director of Education
Nandi County.

APPENDIX VI: NACOSTI RESEACH PERMIT

THIS IS TO CERTIFY THAT:
MR. GRACE KWAMBOKA ONDIGA
of UNIVERSITY OF NAIROBI, 0-30300
KAPSABET, has been permitted to
conduct research in Nandi County
on the topic: FACTORS INFLUENCING
IMPLEMENTATION OF LAND REFORMS: A
CASE OF NANDI COUNTY-KENYA
for the period ending
30th November, 2014

Permit No : NACOSTI/P/14/2040/1975
Date Of Issue : 8th July, 2014
Fee Received : Ksh 1,000



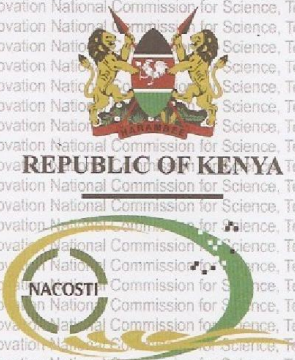
Applicant's
Signature

Secretary
National Commission for Science,
Technology & Innovation

CONDITIONS

- 1. You must report to the County Commissioner and the County Education Officer of the area before embarking on your research. Failure to do that may lead to the cancellation of your permit**
- 2. Government Officers will not be interviewed without prior appointment.**
- 3. No questionnaire will be used unless it has been approved.**
- 4. Excavation, filming and collection of biological specimens are subject to further permission from the relevant Government Ministries.**
- 5. You are required to submit at least two(2) hard copies and one(1) soft copy of your final report**
- 6. The Government of Kenya reserves the right to modify the conditions of this permit including its cancellation without notice.**

REPUBLIC OF KENYA



National Commission for Science,
Technology and Innovation

RESEARCH CLEARANCE
PERMIT

Serial No: A 2198

CONDITIONS: see back page