

THE ROLE OF GOVERNMENT POLICY IN EFFECTIVE LAND ADMINISTRATION IN LAMU COUNTY, KENYA

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ABSTRACT

Land issues date back to pre colonial era and are mostly attributed to poor policy implementation that has led to mismanagement and mal-administration in the land sector. While Policy implementation constitute how the policy is interpreted and enforced, land policy institutions have faced major setbacks when it comes to goal achievement. The County government in Lamu is going through some profound challenges in the process of land administration that force them to offer inadequate services to the public. In this respect, policy implementation is one aspect of land management. There is a need to review key transparency and accountability issues surrounding private, communal and public land including loopholes in the legal framework as well as the role of public administrators and other stakeholders within this land service delivery system. The purpose of this study was to assess of the influence of government policy on effective land administration Lamu County, Kenya. The specific objectives were to determine the effects of accountability on land administration in Lamu County, to investigate the effects of legal framework on land administration in Lamu County, to examine the effects of transparency on land administration in Lamu County, and to investigate the effects of stakeholder participation on land administration in Lamu County. A case study of Lamu county was adopted due to the nature of the study and because it would enable an in-depth assessment of the study phenomenon. Using Purposive sampling, a target population of 180 from which we can draw 90 respondents was deemed adequate for the study while questionnaires was used to collect data that was analyzed and presented through tables and charts. Key findings of the study were that The study established that the system of national land administration was not effective. There was extensive evidence of residents allocating themselves what is technically public land, at will. There is increasing levels of tension between communities that consider themselves ‘ethnically native’ to Lamu versus those considered ‘immigrants’. There has developed a thriving informal land market where a successful sale is marked by the ‘endorsement of local elders’ some of them including government chiefs. Land tenure problems include failure of the government to undertake adjudication of community land rights over lands – which is key to determining an individual’s personal interest over customary rights in land held in trust by government. Further, patriarchal rules of administration of tenure rights are still operational, despite changes in the legal position. Stakeholder’s participation in administrative and governance systems on natural resources and land is still limited in terms of effectiveness. This study is a source of significant information for the benefit of the community in Lamu and other stakeholders with interests in land administration in the county.