



Challenges in the management of land disputes and their impact on social cohesion in Uasin Gishu County, Kenya

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ABSTRACT

Land disputes are a persistent and complex challenge in Kenya, particularly in multi-ethnic and agriculturally rich regions such as Uasin Gishu County. These disputes not only hinder socio-economic development but also undermine social cohesion, creating fertile ground for mistrust, ethnic polarization and violence. This qualitative study assesses the challenges the management of land disputes and their impacts on social cohesion in Uasin Gishu County. Guided by conflict theory, this study relied on in-depth interviews, focus group discussions and document reviews involving local administrators, community elders, land officials, civil society actors and residents of Uasin Gishu County. A total of 45 participants were selected purposive sampling comprising community elders, community administrators, land officers, representatives of civil society organizations, members of peace committees, and officials from the National Cohesion and Integration Commission. Qualitative data obtained from interviews, focus group discussions, observations, and document reviews were transcribed verbatim and analyzed thematically. The findings revealed that land dispute management is constrained by bureaucratic inefficiencies, corruption and poor governance, ambiguous and complex legal frameworks, political interference and limited public awareness of resolution mechanisms. Socially, land disputes weaken trust, erode inter-ethnic cooperation, disrupt livelihoods and heighten the potential for violence, especially where historical grievances intersect with contemporary land pressures. The research concluded that effective land dispute management requires coordinated institutional reforms, transparent adjudication processes and community-driven approaches that promote inclusivity, dialogue and trust-building. Recommendations included strengthening alternative dispute resolution systems, streamlining land registration processes, improving public education on land rights and insulating dispute resolution from political manipulation. These insights contribute to the discourse on land governance and peacebuilding in Kenya and offer lessons for managing land-related conflicts in other volatile multi-ethnic regions.

Keywords: Conflict Management, Disputes, Land Disputes, Legal Frameworks, Social Cohesion

I. INTRODUCTION

Land is considered to be one of the most valuable economic, social and political resources as it supports livelihoods, food production, cultural identity and the access to wealth and power (Unruh & Williams, 2013; Food and Agriculture Organization [FAO], 2021). In addition to its economic value, land also can symbolize belonging, citizenship and social status, and can be highly contested in many societies (Alden Wily, 2011; Peters, 2009). In countries with historical injustices, population pressure and low capacity in governance institutions, land ownership, access, use and inheritance conflicts have been a recurring issue globally, especially in these areas (FAO, 2021; Wehrmann, 2017). Land conflicts, however, do not just involve legal questions about ownership but also political contests over access to power, social justice and resource distribution (Boone, 2014; Unruh & Williams, 2013). Countries and development organisations and researchers have therefore become more interested in the management of land disputes to create conditions for peace, sustainable development and social cohesion (UN-Habitat, 2018; FAO, 2021).

There has been extensive academic discussion on the connection between land conflicts and social cohesion. Another set of perspectives refers to the positive role that good land governance systems can play in maintaining social



stability, including the provision of fair access to land, strengthening property rights and enabling the peaceful resolution of land conflicts (Deininger, 2003; FAO, 2021). Another point of view, however, argues that land conflicts can exacerbate social tensions, erode trust in institutions and create the risk of conflict between communities over access to limited resources (Boone, 2014; Wehrmann, 2017). Land disputes that are unresolved for long periods are especially likely to have a negative impact on social cohesion, broadly defined as the level of trust, solidarity and cooperation within a society (Organization for Economic Cooperation Development [OECD], 2012; United Nations Development Programme [UNDP], 2022). Hence, the issue of land conflicts and how to manage them has been at the heart of the current debates about peacebuilding, governance and community resilience.

Land conflicts across Africa have evolved as a result of a complex mix of historical, political and socio-economic considerations. Colonial regimes have changed indigenous land tenure systems by creating statutory systems that sometimes interfere with customary rights to land while also practicing land alienation and forced displacement (Alden Wily, 2011; Boone, 2014). After Independence, many African States received unequal land ownership systems and have experienced challenges in integrating customary and formal land administration systems (Peters, 2009; Chimhowu & Woodhouse, 2006). Climbing population figures and the growing pressures on nature have led to a greater competition for land across the continent, especially with the persistence of overlapping land rights (Alden Wily, 2018; FAO, 2021). Boone (2014) argues that the dispute over land in Africa is frequently entangled in political competition, ethnic mobilization and state-building processes and therefore is a governance and security issue. Scholars have also highlighted the need for good land dispute management as a precondition to social cohesion and sustainable development (UN-Habitat, 2018; Wehrmann, 2017).

Land-related conflicts remain a major impediment in the path of peace, development and social integration in East Africa. In Tanzania, conflicts between pastoralists and farmers have been associated with multiple land uses, environmental stressors, and shifts in pastoralist livelihoods (Benjaminsen et al., 2009; Goldman & Riosmena, 2013). Tensions between communities, investors and state institutions have been caused by compulsory land acquisitions and ambiguous land ownership systems and conflicts over customary land in Uganda. This has been seen in Rwanda, Ethiopia and South Sudan where land related conflicts have been associated with displacement, identity, resource scarcity and post-conflict reconstruction (Alden Wily, 2018; United States Agency for International Development [USAID], 2020). The regional experiences highlight the fact that unaddressed land conflicts can have repercussions beyond the local level, in terms of social relations, economic productivity and community stability (UN-Habitat, 2018; FAO, 2021). They also emphasize the importance of context-specific research to explore the effects of land dispute management on social cohesion in different communities.

Land conflicts take on a special importance in Kenya because land played a central role in political and socio-economic development of the country throughout history. A huge amount of land alienation took place during the colonial era, forcing out many communities and leaving deep-seated inequalities in land ownership (Klopp, 2000; Kanyinga, 2009). While the expectation after independence was that the land would be allocated fairly, in practice some of the processes used for allocating land were marred by political patronage and administrative inefficiencies and by the capture of the systems by elites (Boone, 2014; Kanyinga, 2009). Land conflicts were thus entrenched in the political process and ethnic relations throughout the nation (Truth, Justice and Reconciliation Commission [TJRC], 2013; Klopp, 2000). Unresolved land problems are considered significant drivers of electoral violence, especially in the electoral periods of 1992, 1997 and 2007-2008, according to numerous studies (Klopp, 2000; Mueller, 2008; TJRC, 2013). The violence during these time periods highlighted the seriousness of land disputes and how they can negatively affect social cohesion, exacerbate inter-community conflict and cause national instability (TJRC, 2013; Boone, 2014).

Despite the significance of land governance, Kenya has made a lot of legal and institutional steps in eradicating historical injustices and strengthening the dispute resolution process. Deeply rooted constitutional provisions on land rights, access to land and sustainable use were introduced in Kenya, 2010 (Republic of Kenya, 2010). The introduction of the National Land Commission and the land legislation aimed to improve the transparency, accountability and fairness in land administration (National Land Commission, 2023; Republic of Kenya, 2012). In many areas of the country, land disputes are still prevalent, and there are challenges in implementation, enforcement and access to justice (National Land Commission, [NLC] 2023; Kenya National Bureau of Statistics [KNBS], 2024). Corruption, inefficient bureaucracy, political interference and competing tenure systems are believed to still impact on the effectiveness of land governance and dispute resolution processes (Kanyinga, 2009; Boone, 2014; NLC, 2023).

In the national context, Uasin Gishu County has a special position because of its agricultural importance and the fact that it has experienced settlement schemes and is ethnically diverse. The county is known as the food basket in Kenya, and over the past decades, a diverse population has migrated to and from the county, creating a complex social and demographic landscape (KNBS, 2019). This diversity has been the basis for economic development and food production, but it has also sparked conflicts about land ownership, inheritance and territorial boundaries (TJRC, 2013). In the past, historical settlement patterns, feelings of exclusion and disputed land transactions have sparked tensions between communities in the county (TJRC, 2013; Boone, 2014). In addition, issues like slow judicial processes,



restricted access to conflict resolution institutes, corruption and political influence have made the process of effectively tackling land disputes more difficult (National Land Commission, 2023; UN-Habitat, 2018).

These conflicts have repercussions that go beyond merely the question of land ownership and have direct implications for the social fabric of communities. Ongoing land disputes have the potential to reduce trust between communities, hinder collaboration, halt economic activity and fuel ongoing inter-community tensions (OECD 2012; UNDP 2022). However, land disputes may also impact productivity, investment decisions and local development in areas where the economy depends more heavily on agriculture, e.g., Uasin Gishu County, if not resolved (FAO, 2021; KNBS, 2024). Thus, the effectiveness of land dispute management mechanisms is an essential factor for justice as well as peaceful coexistence and sustainable community relations.

There is a considerable amount of literature on land conflicts in Kenya, most of which have been on historical land injustices, land tenure systems, electoral violence and land policy reforms (Klopp, 2000; Boone, 2014; Kanyinga, 2009; TJRC, 2013). The current literature has offered useful information on the origins and processes of land disputes, but has not been as much focused on the issues that are faced in managing land disputes at the county level (Alden Wily, 2018; UN-Habitat, 2018). Moreover, the few empirical studies that have explored the social cohesion among diverse communities in Uasin Gishu County in the context of these management concerns have not been carried out. Most previous research has focused on the legal and political aspects of land conflicts and neglected to look at the other, broader aspects of land conflicts on trust, cooperation, social integration and peaceful coexistence (OECD, 2012; UNDP, 2022). This knowledge gap constrains the understanding of how social cohesion is linked to land dispute management in local context.

Hence, this study looks at the problems faced in dispute management in Uasin Gishu County and explores the effect of the dispute problems on social cohesion. The study has highlighted the crosscutting topic of dispute management processes and community relations and makes a contribution to the discourse on land governance, conflict resolution and peacebuilding in Kenya. The results are anticipated to support policy makers, community actors and land administration actors who want to enhance social cohesion by better managing land conflicts.

Problem Statement

Land disputes should be handled in an efficient and transparent manner through easily accessible and trusted governance systems that are able to resolve disputes fairly, safeguard land rights and foster social cohesion within communities (FAO, 2021; UN-Habitat, 2018). Good dispute management is expected to help lower tensions, build trust in institutions and improve peaceful co-existence among various groups (OECD 2012; UNDP 2022). Despite the constitutional and institutional changes in Kenya (including the 2010 Constitution and the National Land Commission – Republic of Kenya, 2010), land dispute management continues to face challenges in Kenya due to bureaucratic inefficiencies, corruption, delay in adjudication and influence of politics (National Land Commission, 2023). These issues continue in Uasin Gishu County and have led to unconfirmed land disputes, lack of confidence in the formal justice system and poor inter-community relations (KNBS, 2024). Much of the existing literature has been devoted to historical causes and political aspects of land conflicts, while little attention has been paid to the impact of different issues related to handling conflicts on social cohesion at the county level. This leaves a gap in the empirical understanding of the relationship between land dispute management failures and undermining social cohesion in an environment like Uasin Gishu County. The study therefore looks at the problems of land use conflicts management and their effect on social cohesion in Uasin Gishu County, Kenya.

1.1 Research Objective

- i. To examine the institutional, legal, and political challenges affecting the management of land disputes in Uasin Gishu County, Kenya.
- ii. To assess the influence of historical grievances, ethnic dynamics, and socio-economic pressures on land disputes in Uasin Gishu County, Kenya.
- iii. To evaluate the effects of land dispute management challenges on social cohesion in Uasin Gishu County, Kenya.

II. THEORETICAL REVIEW

The study is based on conflict theory as propounded by Karl Marx in 1848 and further developed by other scholars such as Coser (1956). Conflict Theory suggests that there is a natural inequality between people and groups in relation to scarce resources and that individuals and groups may compete for the resources, and that this competition may lead to conflict. As for land, it is postulated that conflicts occur as a result of the unequal ownership, control and distribution of land resources, with further reinforcing factors of power relations, institutional structures and historical injustices (Coser, 1956).

The relevance of the theory to this study is that land is a very scarce and contested resource in Uasin Gishu County which is key to economic survival, identity and social status. Weaknesses in governance frameworks, corruption



and unequal power dynamics in dispute resolution mechanisms, can aggravate land conflicts and lead to social tensions (Boone, 2014; FAO, 2021). In such cases, conflicts are not only legal conflicts, but a reflection of underlying societal inequities. As such, the Conflict Theory framework is helpful for analyzing the impact of issues related to land disputes on inter-community relations, lack of trust in institutional mechanisms and social cohesion in Uasin Gishu County. It sheds light on why land grievances remain unsolvable despite the institutional and legal frameworks of land governance in Kenya.

III. METHODOLOGY

3.1 Research Design

This study adopted a qualitative research design guided by the interpretivist research paradigm. The qualitative approach was considered appropriate because it enabled the researcher to explore participants' experiences, perceptions, and interpretations regarding the challenges of land dispute management and their impact on social cohesion in Uasin Gishu County, Kenya. The interpretivist paradigm facilitated an in-depth understanding of the social realities surrounding land conflicts by allowing participants to express their lived experiences within their natural settings.

3.2 Study Area

The study was conducted in Uasin Gishu County, Kenya. The county was purposively selected because of its historical settlement schemes, ethnic diversity, agricultural importance, and recurrent land-related conflicts. Over the years, Uasin Gishu County has experienced persistent disputes arising from land ownership, boundary conflicts, inheritance issues, and historical grievances, making it an appropriate setting for investigating the challenges of land dispute management and their implications for social cohesion.

3.3 Target Population

The target population comprised key stakeholders directly involved in land governance, conflict resolution, and community peacebuilding within Uasin Gishu County. These included community elders, community administrators, land officers, representatives of civil society organizations, members of peace committees, and officials from the National Cohesion and Integration Commission (NCIC). These participants were considered knowledgeable and experienced in matters relating to land disputes and community relations.

3.4 Sampling Procedure and Sample Size

The study employed purposive sampling to select participants who possessed relevant knowledge and experience concerning land disputes and their management. Purposive sampling was appropriate because it enabled the researcher to identify information-rich participants capable of providing detailed insights into the phenomenon under investigation. A total of 45 participants were selected, comprising community elders, community administrators, land officers, representatives of civil society organizations, members of peace committees, and officials from the National Cohesion and Integration Commission.

3.5 Data Collection Instruments and Procedure

Data were collected using multiple qualitative instruments, including semi-structured interviews, focus group discussions (FGDs), direct observation, and document analysis. Semi-structured interviews provided participants with the opportunity to share their experiences and perspectives regarding land dispute management. Focus group discussions facilitated interaction among participants, enabling the exploration of shared experiences and differing viewpoints on land conflicts and social cohesion. Direct observation enabled the researcher to document contextual information and observe dispute resolution processes where applicable, while document analysis involved reviewing relevant policy documents, government reports, legal frameworks, and scholarly publications to complement the primary data.

To enrich the qualitative findings, the study incorporated a supplementary quantitative component through a structured survey administered to selected community members. The survey collected information on perceptions regarding the frequency of land disputes, the effectiveness of dispute resolution mechanisms, and the level of social cohesion within the county. The integration of qualitative and quantitative data enhanced the comprehensiveness of the study through methodological triangulation.

3.6 Data Analysis

Qualitative data obtained from interviews, focus group discussions, observations, and document reviews were transcribed verbatim and analyzed thematically following the framework. The analysis involved familiarization with the data, generation of initial codes, identification of themes, review and refinement of themes, definition and naming of themes, and interpretation of the findings in relation to the study objectives.



3.7 Ethical Considerations

Ethical principles were strictly observed throughout the research process. Ethical approval was obtained from the Institutional Scientific and Ethics Review Committee (ISERC) of Masinde Muliro University of Science and Technology (MMUST) before commencement of the study. Informed consent was obtained from all participants prior to data collection, with both written and verbal consent used depending on participants' literacy levels. Participants were informed about the purpose of the study, the voluntary nature of their participation, their right to withdraw at any stage without penalty, and the intended use of the research findings.

To safeguard confidentiality and anonymity, participants' identities were protected through the use of pseudonyms, and all identifying information was removed from interview transcripts and reports. Digital data were securely stored in password-protected files accessible only to the researcher, while hard-copy documents were kept in locked storage. Findings were presented in aggregated form to prevent the identification of individuals or communities. Given the sensitive and politically charged nature of land disputes, the researcher exercised cultural sensitivity throughout the study to avoid exacerbating existing tensions and to ensure respectful engagement with all participants.

IV. FINDINGS & DISCUSSION

4.1 Findings

4.1.1 Institutional and Legal Framework Gaps

Issues with the overall legal and institutional framework for land dispute resolution in Uasin Gishu County were repeatedly mentioned. Many cases were said to languish in court for years or administrative offices due to lack of staffing, poor inter-agency coordination, and loss or manipulation of critical land records. As one County land officer put it:

Sometimes we can't even be sure of the original title documents; this gives room for double allocation (Oral Interview with County Land Officer in Eldoret, on 15th December, 2024).

Likewise, an assistant chief in Turbo Sub-County said: yes, there are laws, but putting them into practice without resources and updated maps is a nightmare (Oral Interview Assistant Chief in Turbo, 17th November, 2024).

The review of documents indicated that the same bottlenecks had been identified at least ten years ago under the National Land Policy (Republic of Kenya, 2009), but have not been implemented consistently and timely. During the sessions observed at the land tribunals, there was regular adjournments due to missing files, lack of key witnesses and jurisdictional disputes between the land courts and traditional councils. This problem is referred to as the “institutional fragmentation” of African land governance, which occurs because there is no harmonization mechanism between the co-existing statutory and customary and administrative systems, resulting in overlapping jurisdictions and legal uncertainty (Boone 2014). FGD participants in Turbo agreed that the delay in proceedings creates distrust in the state institutions, and may lead the parties to informal settlements mediated by elders or local brokers, which may not be legally binding. Such informal means of defusing tensions may, however, reinforce inequities, particularly as related to gender or minority rights to land.

Using interviews, FGDs and document analysis in this study found that the identified legal gaps are not only technical faults, but rather significant structural issues. Poor legal knowledge and access to legal resources, lack of up-to-date cadastral maps and corruption and poor governance all combine with political interference to make dispute resolution inherently slow, unpredictable and manipulative. This therefore has a negative impact on the speed and fairness of land dispute resolution process which results in loss of trust, division and social cohesion among people in Uasin Gishu County. Therefore, tackling these structural weaknesses is key for sustainability in land governance and social cohesion in the long run.

Furthermore, the law was reported to be ambiguous, and complex in resolving land disputes in Uasin Gishu County, Kenya. While legal and regulatory tools should facilitate land ownership, use and dispute resolution, they are often complex and inconsistent, leading to conflict and confusion. National laws and regional regulations, customary practices and indigenous rights co-exist, creating overlapping regulations and rules that affect land issues interpretation and enforcement. The study shows that a huge proportion of the respondents (96.9%) confirmed that the county's legal frameworks had a lot of ambiguity that makes land dispute management difficult.

The researcher thus found that, the Community Land Act, the Land Act and the Land Registration Act were some of the key pieces of legislation related to land in the region. These laws were intended to protect land rights and to govern land transactions, but there was often overlapping wording, which resulted in confusion when attempting to interpret the laws. When statutory laws clash with customary land tenure systems that are based on communal ownership and traditional systems, the situation becomes more complicated. There were frequent instances in which community members felt the formal laws did not acknowledge or honor their traditional laws, leading to confusion, long disputes and challenges to who has ownership. There was also a breakdown of social cohesion in Uasin Gishu County as a result



of the relationship of the formal legal systems and customary law. The conflict leads to lack of trust and a lower level of cooperation within the community for collective development activities. Furthermore, the law's implementation by the State institutions is inconsistent/poorly coordinated, which reduces trust in the legal system, especially due to fewer resources and lack of coordination in implementing it. Many people living in Uasin Gishu felt that the law favoured the strong, reinforcing social divisions and lack of confidence in institutions that would dispute land conflicts.

4.2 Political Interference

Political interference appeared to be one of the most deep-rooted and widespread problems with regard to land disputes in Uasin Gishu County. Local politicians were said to often “get involved” in disputes, especially those with their political supporters, and that this involvement is heightened at election time. This intervention can affect the impartiality and result in a bias, whether perceived or actual, in dispute resolution. As one Elder in the Turbo Sub-County said:

Politics enters into land issues truth dies. Influence of people in power for their voters (Interview with Community Elder in Turbo, 13th October 2024).

In Turbo Market an FGD expressed the following:

There are some that are reopened and/or delayed as an influential person calls in to ‘advise’ on a matter (FGD, 7th November, 2024).

From the findings of the FGD, it was observed that decisions were delayed right after the arrival of individuals who were well connected politically. These findings support Klopp (2000), who argues that land disputes in Kenya are frequently political and political and electoral bargaining occurs in the process of administration. The document analysis of the Uasin Gishu County Integrated Development Plan (CIDP) showed the political nature of land administration, warning that this destroys equality and the rule of law. Most land disputes are settled based on who you know and not what is just, a religious leader from Jua Kali in Huruma said lamenting that it is done under political manipulation. The data gathered through interviews, FGDs, observations and document review also led to a shared message; political elites are able to manipulate or influence the land allocation process in order to benefit their allies or protect their supporters from eviction notices or by strategically delaying contentious cases until after elections to prevent the loss of voter blocs and ethno political formations. These acts not only fail to bring justice but also contribute to the deep-rooted ethnic patronage networks and undermine institutional credibility. In many African contexts, land control is a political resource and intruding in land disputes is a way to emphasise power, not to solve conflicts, writes Boone (2014).

The result is a general lack of confidence in formal legal and informal dispute resolution processes. Where the political trend is stronger than the law, social cohesion suffers, intercommunal conflicts are exacerbated, and the seeds of future conflicts are sown. The study thus concludes that, political interference is not an incidental problem but is a systemic problem that creates an obstacle to achieving equitable and sustainable land governance in Uasin Gishu County.

4.2.1 Ethnic Tensions and Historical Grievances

Historical grievances, and how they have affected current land conflicts, were a key and recurring theme in this study. The colonial history of land alienation and the settlement schemes after independence were explicitly linked to contemporary issues of injustice to many of the respondents. Ownership and belonging and legitimacy perceptions remain influenced by these past events. When there's a land dispute, old wounds open, one community elder in Kamagut said. Decades-old events are remembered.

The archival documents analysed in this study showed that during the 1960s and 1970s there were a number of large-scale government settlement schemes that took place in the Uasin Gishu area and attracted migrants of different ethnic groups, mainly from the Central, Nyanza and Rift Valley regions. This diversity was beneficial for trading, intermarriage and cultural exchange, but also sowed the seeds of potential competition for land and resources. An Assistant Chief indicated to Kipkaren:

“What we see today as boundary disputes are not only the size of the land they are also the right to be here” (Oral Interview with Assistant Chief in Kipkaren, on 18th December, 2024).

Document analysis revealed some parcels are still in contention from double allocations dating back to the 1970s. This lack of clarity and complexity has enabled land issues to be disputed over the years, with new claimants to the land using both the legal paperwork and oral tradition to claim land ownership. FGD observations revealed that conflicts tend to be ethnicized when they become contentious as they may start as an issue over a single property, but evolve into a general conflict between groups. Furthermore, Boone (2014) contends that the institutions that regulate Kenya's land use and tenure often do not respond to multiple historical claims, continuing to exclude certain populations from land ownership. The triangulation of interview, archive, and field data in this study substantiates the fact that historical grievances not only endure but also increase the emotional and political charges of land conflicts.

Memory, identity and territorial claims makes conflicts into zero-sum games: a gain for one side is seen as a loss for the other. This can have a direct impact on social cohesion, by fostering a narrative of historical victimisation



and entitlement within a community. It is therefore important to recognise these historical roots and dimensions when engaging in any intervention in land governance, failing to do so will most likely result in cycles of resentment and conflict.

4.2.2 Socioeconomic and Demographic Pressures

Uasin Gishu County's high population growth rate, urbanization, and land value appreciation are important factors contributing to land usage conflicts. Smallholder farmers in peri-urban areas expressed strong concern over the conversion of farmland to residential developments, as it has pushed many of them out, leading to conflicts over land worth and compensation. During an FGD in Turbo, they voiced their dissatisfaction saying:

The land is still the same size, but there are many young people now. Everybody wants a piece and it's not enough (Oral Interview with youth leaders in Turbo, on 14th October, 2024).

Peace committee members agreed with these findings, saying that land values have been rising due to investors and speculators, many of whom are from outside the county. This has gradually excluded common folks from the land market, increasing their vulnerability and causing tension. One of the members of the peace committee said Investors continue to purchase big chunks, pushing prices out of reach of local residents.

A study of the County Spatial Plan identified a mismatch between the designated uses on the plan and what was taking place in the real world, particularly in regard to the rate of many unregulated subdivisions which were rapidly being developed without adequate enforcement. This spatial mismatch further increases uncertainty over land tenure, with small holders and informal settlers facing greater and greater marginalisation. Instances of land sale negotiations also showed how conflicting interests were with the selling party trying to get the best out of the market, and the buying party making customary land rights a counter argument. The results of this local study corroborate the argument about land commodification and resultant localized conflict, and changes in tenure security by Benjaminsen *et al.* (2009) for East Africa. Their studies show the way in which land monetisation affects the traditional way of land access and use, causing clashes of interests between emerging capitalist interests and traditional landholders.

The socioeconomic pressures are not only economic, but social in Uasin Gishu. Land scarcity and land use changes disrupt the livelihoods of the members of the group, thereby increasing inter-group competition and mistrust, thereby worsening community relations and social cohesion. The results of interviews, FGDs, spatial analysis and direct observation all confirm that, if these socioeconomic factors are not resolved, land disputes are likely to continue and to further create divisions in the social fabric of the county.

4.2.3 Erosion of Trust in Dispute Resolution Mechanisms

There was a consistent lack of confidence in both formal and informal processes for resolving land conflicts. Corruption, bias and lack of transparency were the most common complaints raised by respondents regarding the lack of confidence in these institutions. A FGD in Turbo lamented:

You go to elders or chief, but if the other party has money or connections, you will lose. Or the court will take years, during which time the land is already bought by others when the judgment is given (FGD in Turbo, on 17th January, 2025).

Land dispute victims emphasized clear attempts to undermine the legitimacy of the elders, and the disputants openly challenged the elders' acting on behalf of certain powerful groups. Document analysis of the results of the tribunals showed that decisions in similar cases were not uniform, adding to the public mistrust in fairness and arbitrariness in decision making. This irregularity makes people feel justice is not neutral or credible and undermines the legitimacy of dispute resolution processes. The findings are consistent with those of Unruh and Williams (2013) who argue that institutional legitimacy is the key to keeping peace in multi-ethnic rural communities. Formal institutions can be seen as corrupt or biased, and when this happens, disputants are likely to take matters into their own hands, resorting to violence or alternative legal remedies to exacerbate conflicts.

Triangulation of interviews, FGDs, direct observations and document analysis clearly showed that mistrust of dispute resolution mechanisms is entrenched in experiences of injustice and failures of systems and institutions. This loss of confidence makes it difficult to resolve land conflicts effectively and has a significantly negative impact on the social cohesion and integrity of communities by undermining their confidence in community-based governance mechanisms. If communities lose trust in their institutions, social cohesion is weakened, cooperative action and peace building become more challenging and potentially impossible.

V. CONCLUSION & RECOMMENDATIONS

5.1 Conclusion

The land conflicts in Uasin Gishu County are not just legal conflicts, but are part of the history, identity and future stability of the region. The results highlighted that weak institutional coordination, political interference,



unaddressed historical grievances, corruption, and socioeconomic pressures all contribute to causing a decline in social cohesion, thus fostering mistrust and tension cycles. The county can turn a land that divides into a land that unites and promotes prosperity, if they have political will, community involvement and transparent governance. Building dispute resolution mechanisms, engaging in inclusive dialogue and making the economy more resilient are all imperative measures for a peaceful and cohesive future. Good, timely and transparent land management, coupled with addressing the root causes of land conflict, can make Uasin Gishu a model on how justice-based diversity can foster unity and inclusive development.

5.2 Recommendations

The Ministry of Lands and Physical Planning (MPLAP) should streamline the legal and administrative processes for both the national and county governments to ensure that the management of land disputes is unified, land registers are digitised, and there are strict timelines for resolving land disputes to promote transparency and address delays, which will help foster social cohesion in Uasin Gishu County. The County Government of Uasin Gishu, specifically the Department of Lands, Physical Planning, Housing and Urban Development should reinforce the land governance processes at the local level by creating land dispute response desks at the ward level and by increasing the public land clinics to educate residents on land rights, land succession and registration processes. Further, the County Government should identify priority intervention areas in identified hotspot sub-counties (Turbo, Kesses, Moiben and Ainabkoi) by rolling out community land mediation forums that involve land users, land officers and surveying authorities for early detection and resolution of land conflicts.

Structured reconciliation and dialogue initiatives, which include truth-telling, restitution dialogue and joint community development initiatives in affected areas, should be put in place in Eldoret by civil society organizations working in the town, including the Uasin Gishu Peace Network, Transparency International Kenya (Eldoret chapter engagements) and faith-based groups under the umbrella of the Eldoret Interfaith Council. Faith-based organizations like the Catholic Diocese of Eldoret, and the Anglican Church of Kenya (ACK) Eldoret Diocese, should be actively involved in building peace, using parish-based mediation committees, and civic education on land rights and ethical leadership.

Law enforcement agencies and/or the Office of the Director of Public Prosecutions (ODPP) should ensure fair implementation of land-related rulings, while providing strong sanctions against corruption, fraud and politicization of land adjudication processes. In addition, chiefs and assistant chiefs and traditional elders' councils, in partnership with the National Land Commission and CSOs selected, should be trained in conflict-sensitive and gender-inclusive mediation techniques. These capacity development activities should focus on early warning, recording of conflicts and referral to formal institutions. In total, all of these interventions would help to decrease manipulation of land processes, resolve historical grievances and enhance land governance systems, which would build sustainable social cohesion and peaceful co-existence between the various communities of Uasin Gishu County.

Declaration of Interest

The authors declare that they do not have any known competing financial interests or personal relationships that could have appeared to influence the work reported in this paper.

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