

## Land reform drive in Kenya has positively influenced national politics

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### Tempered rhetoric in 2017

Keen observers of the political campaigns prior to our 2017 elections may have noticed something unusual. References to land, land reforms and related issues were rather tempered. A memory tour back to campaigns that informed the 2002, 2007 and 2013 would provide comparative testimony. References to land were frequent and emotive. In 2013, we even had the leading presidential candidates express their thoughts on the subject of land and reforms through lengthy opinion columns in the leading dailies. The presidential debates of the time were also informed by a rich component on land issues. The campaign menu to the 2002 and 2007 was also rich on land. And the related discussions were rather passionate and emotive. But come 2017, all this changed. Political points were sought around the matter of historical injustices, issuance of title deeds and some reference to land ownership in Kajiado County. So what changed?

Discussions on land prior and during the 2002 general elections happened prior to the attainment of a national land policy, the Ndung'u report and obviously a new constitution. So political scores were bagged around promising to repossess public land, resolve injustices and enact a land policy, among others. In 2007, we had the Ndung'u land grab report but the national land policy formulation process remained incomplete. So it was easy to anchor vote seeking debates around promises to implement the land grab report, completing and implementing the land policy. Kenya then proceeded to obtain a land policy in 2009 and

subsequently anchored its key principles in the 2010 constitution. Some pieces of land legislation were enacted between 2010 and 2013, preparing good ground for implementation. These achievements appear to have removed the embers that fueled pre-election rhetoric on land in Kenya.

### **Land informed intense TV debates and opinions in 2013**

The 2013 campaign promises only centered on commitments for political goodwill, funding and implementation. Most of the 2013 party manifestos contained sections detailing what parties would do on land if voted in. More legislation was enacted by 2016, hence bringing the key land issues under perspective for implementation. The economic pillar in our Vision 2030 also incorporated the main land sector priorities. These will continue to inform Kenya's development plans. Therefore, the 2017 presidential and party campaigns could only be informed by implementation issues. That's why the Kajiado references were quickly bounced against provisions on rights to property in the constitution and quickly cooled off. That's perhaps why Jubilee kept waving its score card on the issuance of titles. But do we have a mechanism to deal with historical land injustices, an issue which almost acquired a life of its own in the 2017 campaigns? Yes, we do. The recent amendments to the National Land Commission Act provide a framework for the National Land Commission to receive, investigate and make recommendations on presented historical grievances. But those affected should beware that the proposed mechanism will last for a period of ten years after which the legal provision will stand repealed.

### **Future campaigns to focus on implementation**

One therefore expects that future pre-election political campaigns on land will be focused on promises to implement the policy, the constitution and our laws, without much emotion or rhetoric. This is a good place for the country to be. Not many African countries that have attained such a feat. Kenyans and in particular stakeholders in the sector, along with those who have championed the quests for reform, need to be congratulated. However, much remains to be done since policies and laws can only confer full benefits to citizens when well implemented. Governments in power will have to keep this in mind. They will need to provide an enabling environment for implementation. This includes keeping the identified sectoral priorities in our development and expenditure plans. This will require that budgets are well designed and followed through so that implementation happens. And now that we have County governments, Governors must keep an eye on implementation at this level since this is where the 'rubber meets the road' for Kenyans. We want to see titling programmes continue. We want to see the completion of the ongoing initiative to digitize land records and computerize the processes such

as lodging transaction requests, obtaining information like maps or searches, making payments and getting notification for documents ready for collection. We want to feel secure with our ownership documents and we want to see planning inform order in our cities, towns and markets.

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