

Season's Reflections on the Land Sector

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High turnover of top leaders

Best wishes as you savour the delights of the season, and take a most deserved break as we look back. It's an opportune moment to reflect upon the land sector too. A little earlier, out went Farida Karoney, and in came Zachariah Mwangi Njeru, to the top office at Ardhi House. Farida was bold and firm. She dared some difficult changes in the rather conservative Lands Ministry. She kick-started the establishment of a national online land management system, which should expedite business. This system is yet to be perfected though, and is the one thing that Cabinet Secretary Njeru should give priority.

As I wish Farida well in her time away from Ardhi House, I welcome CS Njeru to this rather challenging Ministry. It has caused anxiety to previous occupants, some of whom later found themselves parading court corridors, courtesy of their days there. Little wonder, this Ministry has had a high turnover at the top. Hon Amos Kimunya, Prof Kivutha Kibwana, James Orengo, Charity Ngilu, Fred Matiang'i, Prof Jacob Kaimenyi and Farida steered it during the Mwai Kibaki and Uhuru Kenyatta presidencies.

High level threats

Serving at this level is tough. Everyone looks upon Cabinet Secretaries for direction, even when they themselves may be yearning to figure out the technical mesh that surrounds this Ministry. Unfortunately, their cronies, and subtle technical officers, pose the greatest but invisible threats to them. Some of these often jostle to seize the space to influence self-serving decisions. They are the ones most likely to see top leaders make decisions in contravention of policy, law and practice, and which may later inform nagging prosecutions. But there are many competent and sincere officers available to guide these top leaders. Identifying them takes time and tact though, since political and crony networks usually maintain an informal siege over top leadership. This is the dilemma and nightmare that every Cabinet Secretary must carefully navigate.

Corruption in land registries and land control boards

Some things in the sector continue to beg attention. These include corruption, which has been particularly normalized in land registries and land control boards. Even as he moves to perfect the online system which is part of the answer to corruption, CS Njeru can move to minimize the craze. Adhoc visits, and holding the officers in charge to account, will help. They are all just a call away. Most land control boards use delays in the payment of their monthly allowances to justify raw rent-seeking. Payment of these allowances is institutional and should be addressed, even as County Commissioners are tasked to rein in the run-away practice.

Thousands of unresolved land disputes, the preserve of land registrars, remain pending in land registries. While courts have recently done a commendable job hearing and adjudicating land cases, the pending case load remains heavy. These two areas are a priority for the affected landowners and the business community. CS Njeru will need to consult with land registrars, and the judiciary, to explore how best to make effective interventions.

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