THE ROLE OF ELDERS IN LAND DISPUTE RESOLUTION IN YAGANEK LOCATION, BOMET COUNTY

LANGAT NELSON
MDS/LMR/4958/13

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ABSTRACT

The study assessed the role of elders in land dispute resolution in Yaganek Location. In Kenya high population growth pressure has occasioned the subdivision of land in many rural areas into uneconomical land units as each family member demands for his size of the pie. Inevitably land disputes are on the increase and are either related to boundary disputes or inheritance disputes among siblings. As much as this is the case, the role of elders in land dispute resolution in the community has received little attention in terms of academic study. That is why there was a need to inquire into this aspect with specific attention to Yaganek Location in Bomet County. This research was guided by the following objectives; to establish the causes of land conflict in Yaganek location, to establish the various methods used by elders to resolve land conflict, to assess the legitimacy of the body of elders in land conflict resolution, to establish the various methods used by elders to resolve land conflicts and to examine the challenges faced by the elders in land dispute resolution. The target population was 1176 households within Yaganek location. The researcher utilized random sampling to get the respondents who were distributed according to villages. Purposive sampling employed in this study involved engaging those respondents deem to possess useful information concerning the study area for instance chiefs, elders and opinion leaders. The sample size was 118 households.The data was collected using questionnaires, focus group discussions and interviews. The data was processed and analysed using descriptive statistics with the help of Statistic Package for Social Sciences (SPSS). The findings from the research revealed that several causes of land conflicts exist in Kenya namely overpopulation, high poverty level, rivalry among siblings, land subdivision, trees planted on the boundaries, the cost of land and land shrinkage. It was further observed that elders employs mediation, religious institutions and bringing both parties together to resolve land conflicts, rarely do the elders employ village Barazas to resolve land disputes. The findings revealed that the elders' legitimacy to resolve conflicts stems from the respect that they have in the community and their ability to resolve complex cases. In their quest to resolve land disputes, the elders face several challenges such as lack of legitimacy, lack of support from government officers, inability to act amongst others. This study was significant as its findings will inform policy formulation on how to resolve land related conflicts which if not well addressed can have negative social and economic implications.

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