

The Successful Transition of Group Ranches to Community Land in Laikipia County

County:	Laikipia County		
Sector/s:	Lands and physical planning	Sub-sector/Theme:	Community Land registration
Keywords: (for search in the online platform)	Transition, Group Ranches, community land		
Target Audience:	Counties and development partners		
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Introduction

Laikipia County, located in the former Rift valley province, spans approximately 9,462 square kilometers and has a population of around 518,560 people, based on the 2019 census. The geography of Laikipia is diverse, featuring highlands such as the Aberdare Ranges and Mount Kenya, as well as lowland areas suitable for pastoralism and wildlife conservation. Laikipia County is home to 13 former group ranches, which collectively represent approximately 10% of the County's total land area cutting across 2 wards.

Group ranches were introduced by the colonial government as a means of controlling grazing, since wanton grazing had been blamed for land degradation (Kenya, Protectorate 1956). They were also presented as a compromise between conflicting communal ownership and private ownership interests. During this period, the Swynnerton plan had come up with the Arid Land Development (ALDEV) programme, with funds allocated to arid and semi-arid areas to initiate and enforce rotational grazing. Consequently, according to Matui et al. (2006:2007), the colonial government sought to bring meaningful development among the communities whose livelihood depended solely on pastoralism.



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The Land (Group Representative) Act was first applied in the Maasai districts (Kajiado and Narok). Group ranches were then established in other ecologically similar areas in Rift Valley and Coast Province. According to Galaty (1994), the concept was a hybrid of Maasai customary land tenure and private land tenure. It involved setting aside a piece of land that was recorded and registered as a “Ranch” that was legally owned by a group of people (Rutten, 1992). The system offered them security of tenure and protected their land from loss to other tribes (GoK, 1996). According to Kameri Mbote (2013), group ranches gave a window through which group or community ownership could be exercised in Kenya.



Figure 1- Ilingwesi I- Mayanat Community Land in Laikipia County

The transition from group ranches to community land has been a significant shift in land tenure, aimed at providing stronger protection and security for local communities. This change is grounded in the legal recognition of community land in the 2010 Constitution, which acknowledges collective land ownership and offers legal mechanisms for its protection. The shift empowers communities by giving them greater control over land use and management decisions, fostering sustainable practices, and promoting environmental conservation. It also enhances social cohesion by encouraging collaboration and unity within the community.

The legal framework for this transition is primarily shaped by the Community Land Act, which guides the process of land registration, governance, and dispute resolution. This framework ensures that land remains in the hands of the community and provides protection from external exploitation or commercial encroachment. Community land management committees are

established to oversee land use and ensure that decisions align with the community's interests. This collective governance system helps to resolve conflicts amicably, promoting long-term stability and growth.

However, challenges persist in balancing traditional customs with modern legal structures, and some individuals may resist relinquishing personal land claims. Despite these hurdles, the transition is designed to offer greater land security, environmental sustainability, and empowerment, ultimately benefiting the community as a whole.

Implementation of the practice

Before the promulgation of the Constitution of Kenya 2010, customary land ownership in Kenya was recognized either as Trust Land or Group Ranches governed by the Trust Land Act, Cap 288 and the Land (Group Representative) Act, Cap 287 respectively. Article 63 of the Constitution merged these two categories into community land.

The Community Land Act (CLA) 2016 was enacted to provide for the management and administration of community land as well as the role of County Governments in relation to unregistered community land.



Figure 2- Ingwesi I-Mayanat Community Land Manager

The Constitution vests community land to communities identified on the basis of ethnicity, culture or similar interests. It also defines community land to include land held by groups under the Land (Group Representatives) Act and the unregistered land held by County Governments in trust of communities under the Trust Land Act. The Community Land Act 2016 repealed the Land (Group Representatives) Act, Cap 287 and Trust Lands Act, Cap 288 and provided for a mechanism through which land held under the Group Representatives Act is transitioned into community land.

According to data from the Rights and Resources Initiative, approximately 69.1% of Kenya's total land area is considered community land, representing around 39.3 million hectares out of the country's 56.91 million hectares total landmass.



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In Kenya, there are 24 Counties that host community land, including 315 former group ranches. However, by July 2023, only 46 of these group ranches had successfully transitioned as required by law, accounting for just 15% of the total (Ministry of Lands, Public Works, Housing and Urban Development). This slow progress highlights the challenges faced in fully implementing the legal framework for community land management and the need for further efforts to ensure that more group ranches transition in line with the law.

Laikipia County with 13 former group Ranches namely, Musul, Ilpole, Ol Munichoi, Nkiloriti, Kijabe, Il-Mutiok, IIngwesi, Kurikuri (Shulmai), IIngwesi I-Mayanat, Tiamamut, Koiya, Morupusi and Lekuruki has successfully achieved 100% transition from the Group Ranches to Community Land in 2 Wards with exercise completed between 2019 to 2023.

The IIngwesi-Mayanat community land in Laikipia is approximately 6463.5 Hectares with an approximately 8,000 community members within 15 villages. Each village elects a representative to form the Community Land Management Committee, ensuring that all areas of the community are actively involved in the governance and management of their shared land resources.



Figure 3- Photo taken During IIngwesi I-Mayanat Community Land Assembly

The transition of the Ilingwesi I-Mayanat community land involved a collaborative approach that was critical to its success, with key stakeholders at the local, national, and international levels all contributing to the process.

The County Government played a central role, acting as the main facilitator in community sensitization efforts. Through extensive outreach and awareness campaigns, the County Government ensured that community members fully understood the benefits and responsibilities associated with the transition to community land. This outreach was crucial in fostering community buy-in and support. Moreover, the County Government was involved in closely monitoring the entire process, ensuring that it proceeded efficiently and in accordance with legal and regulatory requirements. Financially, the County also provided substantial support to cover logistical costs, such as organizing meetings, training, and registration processes, which were vital for the smooth progression of the transition.

On the national level, the Ministry of Lands and Physical Planning, provided essential technical support, through Its expertise in surveying, mapping, and dispute resolution. Collaboration between County and National Governments ensured the registration aligns with national policies while addressing local challenges such as historical injustices, and land disputes.

The National Land Commission (NLC) played an oversight role, ensuring that the process adhered to national land laws and policies. Beyond monitoring, the NLC supported the initiative by building the capacity of technical officers. This capacity building was essential, as it equipped local officers with the knowledge and skills to handle technical aspects such as land registration, boundary demarcation, and the resolution of potential disputes. By strengthening local governance structures, the NLC contributed to the long-term sustainability of the community's land management systems.

Development partners support also played a crucial role in the transition process. The Food and Agriculture Organization (FAO) of the United Nations provided both financial and technical support, ensuring that sustainable land



Figure 4-Ilingwesi I-Mayanat Community Land Management Committee Chairperson and 2 other Members



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management practices were embedded in the community's approach to land use. FAO's expertise helped the community understand best practices for environmental conservation, agricultural productivity, and land stewardship. Additionally, Impact Africa, provided both financial backing and technical resources to enhance the capacity of local leadership and community members. Their support included training on governance and land management, as well as assisting with the implementation of sustainable land-use strategies.

The collaborative efforts of the County and National Government, the National Land Commission, Food and Agriculture Organization (FAO), and Impact Africa not only facilitated a smooth transition but also set a strong foundation for the community's future land governance.

Results of the Practice

1. Representation of the people living with disability, adoption of a third gender rule in the community land management committee and registration of women in the community land register.
2. The continuous updating of the community members in the community land register ensures that every individual is registered upon reaching the age of 18. This process guarantees that all eligible members are recognized and included in community land matters, promoting fairness and transparency in the distribution of land-related benefits.
3. The County Government has been able to deliver services to the community due to more organized structure and understanding of the needs for the community collectively.
4. Conduction of public participation by the community land management committee and other stakeholders has enabled the community to agree on the best way to utilize the natural resource in the community land including mining of construction sand and quarry activities etc
5. Opened partnership with different stakeholders including County Government and other development partners especially in capacity building and developing of the by laws to govern the Community land.
6. Equality among community members in benefit-sharing, particularly regarding the benefits derived from community land resources, ensures that every member enjoys an equal share. In the case of the Ilingwesi – Mayanat community land, a bursary program has been established (from sale of construction sand) to support the education of community students in colleges, providing them with equal opportunities for learning.
7. Community members ability to elect their representative in the community land management committees enhancing accountability, promoting transparency, and empowering communities to have greater control over their land and its resources.
8. Reduced disputes over land use and promoting collective decision-making. This shared governance structure ensures more equitable and transparent land management, fostering cooperation and peaceful relations within the community. As a result, the community benefits from strengthened social ties and greater stability.



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Lessons learnt:

- A clear Resource Mobilization Strategy is critical to engage development partners to support the process of the Community land registration including provision of technical capacity.
- Adopting alternative justice resolution methods, particularly through the involvement of community elders, is crucial in resolving disputes related to community land especially in determining the community members during the registration.
- Continuous sensitization of communities is critical to ensure understanding of the law requirements especially in terms of representation in the Community land management committee. This has helped in dealing with cultural practices which omitted women from leadership and representation.
- Community-led processes, ownership and involvement in the registering community land builds trust and commitment in ensuring the achievement of the transitioning.

Recommendations

- The transition and registration of group ranches to community land fosters a more structured and sustainable approach to resource management, enabling the community to effectively exploit resources while ensuring their protection and long-term preservation. This process encourages responsible stewardship and strengthens the community's ability to safeguard its natural assets.
- Collaboration among County Governments, Ministry of Lands and Physical Planning, the National Land Commission (NLC), development partners, and community themselves is essential for the successful transition of group ranches to community land. This collective effort ensures a coordinated, inclusive, and sustainable process, with community members playing a key role in decision-making. It provides legal, technical, and financial support to safeguard land rights and enhance resource management.
- The County Government should prioritize in giving technical and resources support to registered communities in the developing of comprehensive land use plans. This includes facilitating access to expert guidance, tools, and funding to ensure the plans are well-informed and tailored to community needs and aligned with the County level plans and other long-term plans.
- Stakeholders led by the Ministry of Lands need to prioritize on creating detailed guidelines for the annual updating of the community land register. Regular updates will enhance transparency, prevent disputes, and ensure the register remains a reliable resource for planning and decision-making.



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PHOTO GALLERY



Figure 4 photo taken during community land sensitization