



UNIVERSITY OF NAIROBI

**AN EXAMINATION OF GENDER GAPS IN SYSTEMS OF LAND
OWNERSHIP IN RELATION TO FOOD SECURITY IN KENYA**

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M10/10600/2018

**A RESEARCH PROJECT SUBMITTED TO THE AFRICAN
WOMEN'S STUDIES CENTRE IN PARTIAL FULFILLMENT OF
THE REQUIREMENT FOR THE MASTER OF ARTS IN WOMEN,
LEADERSHIP AND GOVERNANCE IN AFRICA**

NOVEMBER, 2020

DECLARATION

This research project is my own original work and has not been presented for any degree award in any other University.

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With approval of the undersigned University supervisors, the research project has been submitted for examination.

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DEDICATION

This research project is dedicated to all my family, my parents Michael and Susan Koech, my children Andrew, Brian and Vanessa for the unconditional support and encouragement throughout this period. God bless you all.

ACKNOWLEDGEMENT

I would like to thank my project Supervisors Dr. MaryGorety Akinyi and Dr. Joseph Muleka for their mentoring, guidance and training in the course of this project work. Special thanks to Prof. Wanjiku Kabira for being such an inspiration and a great role model especially by showing the way on the possibilities that women can achieve by coming together and promoting the African Woman. I am grateful for their continued support. I wish to appreciate and thank my Department African Women Studies Centre of the University of Nairobi for giving me an opportunity to pursue this course. I also wish to appreciate my lecturers Dr. Nyamongo, Dr. Lanoi, Dr. Wamboi and Dr. Dalmus Ochieng just to name a few, your guidance was very helpful and I appreciate it all. I would also like to appreciate my fellow classmates Eve, Noel, Atieno, Edna and others, we did it guys. The support staff at the AWSC, Wambui, Waswa, Wamaitha, Eric and Noel, thank you for your continued support and responding to all my inquiries. I also wish to appreciate the support offered by the University's Graduate School Library, your guidance in access to material especially was very helpful. I am also grateful to my friends Kalya and Laura, you guys are special, thank you for all you do. Last, but not least my special thanks go to my Parents whose support was what made all this possible in the first place, for providing the opportunity to pursue my education and encouraging my endeavors.

ABSTRACT

Land has long been shrouded in conflicts and misunderstanding in Kenya, this has led to differed opinions on the subject. The purpose of this research project is to examine the gender gaps in systems of land ownership in relation to food security in Kenya. The problem is the fact that while women are hugely depended on to produce food the very commodity that is crucial in food production has evaded their grasp, Land. The study used these theories to analyze data; the Marxism feminism, Socialism feminism and the Sarah Longwe framework. The study methodology is a desktop review covering various literature and research work done by other scholars, other sources are from reports done by Kenya national bureau of statistics. In conclusion the study observes that more studies be carried out not just in Kenya but also in other countries to truly find ways to mitigate the gender gaps in Land ownership in order to ensure better systems and improve food security. The study establishes that despite the progression in our laws especially our constitution 2010 and the Marriage act of 2012 we have failed to implement the same. The study also finds that the various traditions within the Kenyan communities have oppressed women seeing them as unworthy to inherit land since women are married off and they can go and inherit land in their husband's home. The study also established that poverty was both a determinant and contributor of women's access to land and eventually their tenure security. Lastly the study established that the political temperatures has broadly remain patriarchal with lawmakers mainly being men and not being very keen to make pro-women laws. The study recommends more training for women, incorporation of women rights laws in education materials in both primary and secondary level, reaching out to community elders as custodians of customs to enlighten and encourage them to abandon patriarchal practices and for women to be economically empowered to enable stand up for their rights more.

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ABBREVIATIONS

ASAL -Arid and Semi-Arid Lands

AWSC – African Women’s Studies Centre

EU- European Union

FAO – Food and Agriculture Organization of the United Nations.

FAO- Food and Agriculture Organization

IDS -Institute of Development Studies

IFAD- International Fund for Agricultural Development

KDHS – Kenya Demographic and Health Survey

KNBS – Kenya National Bureau of Statistics

SPSS- Statistical Packages for Social Sciences

USA -United States of America

USAID -United States Agency for International Development

WFP -World Food Programme

CHAPTER ONE

INTRODUCTION

1.1 Background to the Study

Women and precisely women in rural areas are most likely holding up the heavier half in the fight against hunger and poverty (Agarwal, 2013). Women around the globe are the key guarantors for household and community nutrition, food protection and security. They also produce, buy, maintain, cook food and serve families and the entire community. The role of women in food production in Kenya is critical (Cornwall, et al., 2017).

Women also have a duty to provide food at home in rural communities. Sometimes they cultivate small surface areas for their families to eat. Approximately half of the processes involved in local storage of food and animal husbandry in remote, rural communities are often carried out by women. In addition to food production, the contributions of women to household food security are enhanced by getting money to buy food. They are also seeking to satisfy the fundamental needs of the family. For all this, women are the base of the community's food security (IFAD, 2015).

While women make an important contribution to food security, development actions aimed at improving access to food often bypass women. They are not very involved in developing initiatives that address women's needs, education and cultural needs or ambitions to boost their economic and social circumstances (Owusu, Kwami, & Tagoe, 2016). If even a minor percentage of the investment, information, and resources provided by commercial enterprises is accessed to millions of rural women who work to ensure their communities' food security, their lives will be changed (Nadine, 2014).

In smaller families, women who probably work a "double day" in their homestead and then till the land will also have access to technologies that increase productivity, reduce labor intensity and increase their income that would be very beneficial (Hilhorst, 2011). Therefore, it is important to realize the crucial role of women in all development processes to achieve food security so as to enhance food security at the household level.

In order to develop gender-specific tools and technologies to support women farmers' activities, more investment is needed (Sewornu, 2010). This addresses a number of issues including the defense of women's land rights, the promotion and availability of suitable technology and the correction of the prejudice against commercial agriculture. Rural women need a strong focus by addressing key gender gaps in their distribution and access to production tools, information, and technology at various levels (Ellis, 2010). Moreover, in order to enhance the food security and wellbeing, it is important to recognize the various rights, obligations and decision-making capacities of women and men.

The Kenya Constitution 2010 is famed the world over for making advancement in promoting gender equality and propelling the Women's' rights to possess property including land. Sec.27 of the constitution ensures equity and opportunity from any type of segregation that is social, political, social and financial circles (Federation of Women Lawyers-FIDA-Kenya, 2013). Further, Article 45(3) of the constitution provides for equity of the parties to a marriage stating that they are qualified for equivalent rights at the hour of marriage, during the marriage and at the disintegration of the marriage.

The Matrimonial Property Act of 2013 pursued from there on introducing a revival for property proprietorship in Kenya. This secured arrangements on responsibility for inside marriage. Despite these steps towards gender equality, there is a significant gender gap as seen in the Kenya Demographic and Health Survey, 2014 (KDHS) by Kenya National Bureau of Statistics (KNBS). The Kenya Demographic and Health Survey Disaggregated Data Analysis report of 2014 reveals a gaping gender disparity in ownership of land. It indicates that women own a paltry 7% of land alone (FIDA-Kenya, 2013).

The system of land ownership regulates the power of disposition over land and the right to use it. Women own less than 20% of the world's land. A survey by United Nations Food and Agriculture Organization (FAO) did on 34 developing countries puts that percentage to less than 10% (Hilhorst, 2011). A survey done on 24 countries in Sub-Saharan Africa showed that men are approximately three times as likely as women to claim property ownership over land and which means therefore that there still exists a larger gender gap in the ownership of land and the decisions made over the land is largely influenced by the male gender. Therefore, even though women (in Kenya) are charged with producing food for the family, they are denied ownership to the very means of food production: land.

1.2 Statement of the Problem

From time immemorial, the issue of food security has been of major concern in many developing countries that majorly depend on small scale agriculture. Agriculture may of course be a crucial driver for development and the elimination of poverty.

In many countries the industry does not function, however, partly because of restrictions which reduce productivity for women who often are critical resources for agriculture and a rural economy. (FAO, 2011). Women are the main players in

economic growth and food safety in Kenya in large proportion of their farming production (Sewornu, 2010). While the participation of women in farming is crucial, their control in the means of production, in particular, ownership of land, is limited.

The Kenya Constitution 2010, famed the world over for making advancement in promoting gender equality and propelling women's rights to possess property was hoped to cure the issue of land ownership for women. Section 27 of the constitution encapsulates equity and opportunity from any type of discrimination: social, political and financial. This fact notwithstanding, KDHS 2014 report reveals that the progression on land acquisition and ownership by women has been slow, with no significant indicators that women are making progress towards this end. This draws concern as it suggests that there likely are gaps in land ownership that need to be addressed if women are to make any significant progress in land ownership.

In 2018 Kenya Land Alliance (KLA) analyzed and disaggregated 1,000,099 out of the approximately 3,200,000 title deeds issued by the Kenyan government from 2013 to 2017 through the Ministry of Lands. In this audit, KLA found out that only 103,043 titles representing 10.3 percent were issued to women while 865,095 titles representing 86.5 percent went to men. In terms of acreage, out of 10,129,704 ha of land titled; women received 163,253 ha representing a paltry 1.62 percent, while men got 9,903,304 ha representing 97.76 percent. This represents a huge disparity that raises serious questions.

The fact of the matter is that while women are largely depended on to produce food through agricultural engagement; they continue to have no control over this factor of food production. Consequently, the concerns on food security are sure to persist unless matters improve by giving the producers of food greater access to this factor of production. The foregoing realization prompts a fundamental question: What is the stumbling block to land acquisition and ownership by women? What gaps exist so far?

1.3 Research Objectives

1.3.1 Overall Objective

To examine the impact on the gender gaps in system of land ownership in Kenya and its significance to food security in Kenya.

1.3.2 Specific Objective

- i). To establish the gaps that exist in land acquisition by women in Kenya.
- ii). To establish the causes of gaps existing in land acquisition on women in Kenya.
- iii). To evaluate the impact of gaps on land use and food security by women in Kenya.

1.4 Research Questions

- i). What gaps exist in land acquisition by women in Kenya?
- ii). What are the causes of the gaps existing in land acquisition by women in Kenya?
- iii). How do the gaps impact on land use and food production?

1.5 Justification of the Study

In less developed nations like Kenya, girl child tends to have less control and access to resources than men (Fatma, 2009) and are the most vulnerable to the effects of food insecurity. Subsistence farming is also a household-level immediate food source. Majority of women in Kenya perform up to 80% of small-scale agriculture, whereas most men have larger businesses (Fatma, 2009). In order to identify the best means to support rural women's activities, understanding poverty, the hunger cycle and survival strategies are crucial. Therefore, this study looked into the gaps in women's

land ownership and the food safety in Kenya under "Making every woman and girl child account" under the UN Women Programme.

1.6 Significance of the Study

This study was intended to provide state, investigators, NGOs and other actors with alternatives for interventions that facilitate the ownership of women's property. The analysis would also support researchers, educational institutions and the public in recommending more research areas. It would form the basis of the literature and would help create statistical and gender disaggregated data that would help in policy creation to promote gender equality on land ownership.

1.7 Limitations of the Study

This study was limited to Kenyan women and issues of Land ownership. The researcher drew a schedule and adhered to it to make tasks as efficient and effective as possible. The study focused on the impact on the gender gaps in system of land ownership in Kenya and its possible contribution to food security in Kenya. The study also utilized KNBS and KDHS data in order to come up with statistical gender disaggregated information.

The researcher was limited to do a desktop review and was not able therefore to go out and collect primary data. This would have provided indebt information useful for the research. It was not possible to interact with the subject matter of the study, Women, due to the ongoing Covid 19, subsequently the Ministry of Health has directed all to keep social distance and avoid physical meetings. However, the researcher would need to go to the field and met recipients, this was not

1.8 Definitions of Terms

Gender gaps- refers to the distinction among women and men as reflected in social, political, scholarly or economic achievements or frames of mind however in this context gender gaps will be defined as the difference between men and women as reflected in social, cultural and economic achievements and the attitudes that will significantly affect one gender negatively.

Land ownership system- Land tenure is the act/demonstration, right or period of holding land. It consists of two type:.

Freehold: It is a tenure that bestows upon someone ownership of registered land in eternity which is said by Obbo as ‘owning the land forever’. Mostly this type of tenure is a result of colonial government grants.

Leasehold: as one where one party grants to another the right to exclusive possession of land for a given time, usually in return for the payment of rent

Patriarchal system: Patriarchy is a social system where men prevail in jobs of political administration and hold essential power, moral expertise, social benefit and control of the property. Some man-centric social orders are likewise patrilineal, implying that property and title are acquired by the male genealogy.

Gender equality: also known as sexual equality, is the condition of equivalent access to assets and openings paying little respect to gender, including financial investment and basic leadership; and the condition of esteeming various practices, yearnings and needs similarly, paying little respect to gender.

Matrimonial property: Property possessed by possibly either of two people who are married to each and was acquired at the time of the marriage for example a home.

Disaggregated data: is data that has been broken down by detailed sub-categories, for instance by marginalized groups, gender, region or level of education. It can tell deprivations and inequalities that may not be fully reflected in aggregated data.

Food security: is the availability and accessibility of food. About 33% of Kenya's population is seen to be food insecure. Currently, over ten million people in Kenya suffer from chronic food insecurity and between two and four million people require emergency food assistance at any given time. Food security also includes the issue of not just quantity of food but also the quality of the food and its nutritional value to the consumer.

Land rights: refers to the individual's inalienable freedom to acquire property, use, manage it and hold it freely, provided the actions on that land do not impede the rights of other persons.

Land tenure: According to common law systems, land tenure is the legal regime in which land is owned by an individual, who "holds" that land. It determines who can use the land, for how long and under what conditions. Tenure may be based both on official laws and policies and on informal custom.

Land administration: This how land is managed by applying the rules of land tenure.

CHAPTER TWO

LITERATURE REVIEW

2.0 Introduction

This chapter focuses on the literature review based on the objectives of the study. It discussed the theoretical framework that support the study to identify the gaps of the study. The chapter is organized in the themes that are based on the objectives this study. The literature review is organized in five areas: gender differences in land ownership, access and control by women, evaluation of the related food security policies in Kenya, women's contributions to food protection, social and economic challenges facing food security among women and coping strategies during food security.

2.1 Theoretical Framework

The researcher adopted feminist frameworks in undertaking this research, that is, the Marxist feminism, Socialist feminism and Longwe framework.

2.1.1 Marxist and Socialist Feminism

Marxist and socialist feminism have comparative belief systems. The two of them have comparative evaluates concerning the free enterprise. Along these lines, the analyst will talk about the two structures together in the examination. Marxist and socialist women's activists place extraordinary significance on the class structure of industrialist social orders as a worldview type of abuse and misuse (Watson, 2011). Private enterprise is seen by both social and Marxist women's activists as an arrangement of trade relations, it is depicted as an item or market society in which everything, including one's work control, has a cost and all exchanges are on a very basic level trade exchanges.

Yet, when free enterprise is seen rather as an arrangement of intensity relations, it is portrayed as a sort of value-based connection in a general sense exploitative. In this manner, contingent upon one's accentuation, the specialist business relationship can be taken as either a trade relationship in which things of identical worth are uninhibitedly exchanged for wages or as a working environment battle in which the business, which has predominant power, exploits laborers in any number of ways (Tong, 2009).

Social and Marxist systems accept that human instinct is socially built and along these lines, financial relations shape us as people. The two of them perpetrate the structure of an industrialist society to Women's persecution and misuse (Watson, 2013). The main difference between the two is in their analysis of the root sources of women's oppression.

Marxist feminism.

Engel's a Marxist feminist wrote that certain institutions created male dominance, the introduction of agriculture altered gender relations, before this property was inherited through the maternal line, when men gained dominance they wanted to ensure property and wealth went to their legitimate heirs so they created monogamy and marriage. Engels further suggests that this shift from matrilineal to patrilineal society represents the first Marxist feminist struggle of the class. Therefore, Women's labor is not valued on the labor market generally as the dynamic shifted.

Marxist Feminism sees classism as a root of women's oppression and increased capitalist regimes have also contributed to further oppression of women. Marxist feminists have called for the abolition of classism. This is because the division of labor is used as a means of women's subordination. Marxist Feminists reject the

individualism of liberal feminist, and look at women as an economic class, analyzing the connection between the women's work status and her self-image (when they give birth, they reproduce, not produce).

Social feminism.

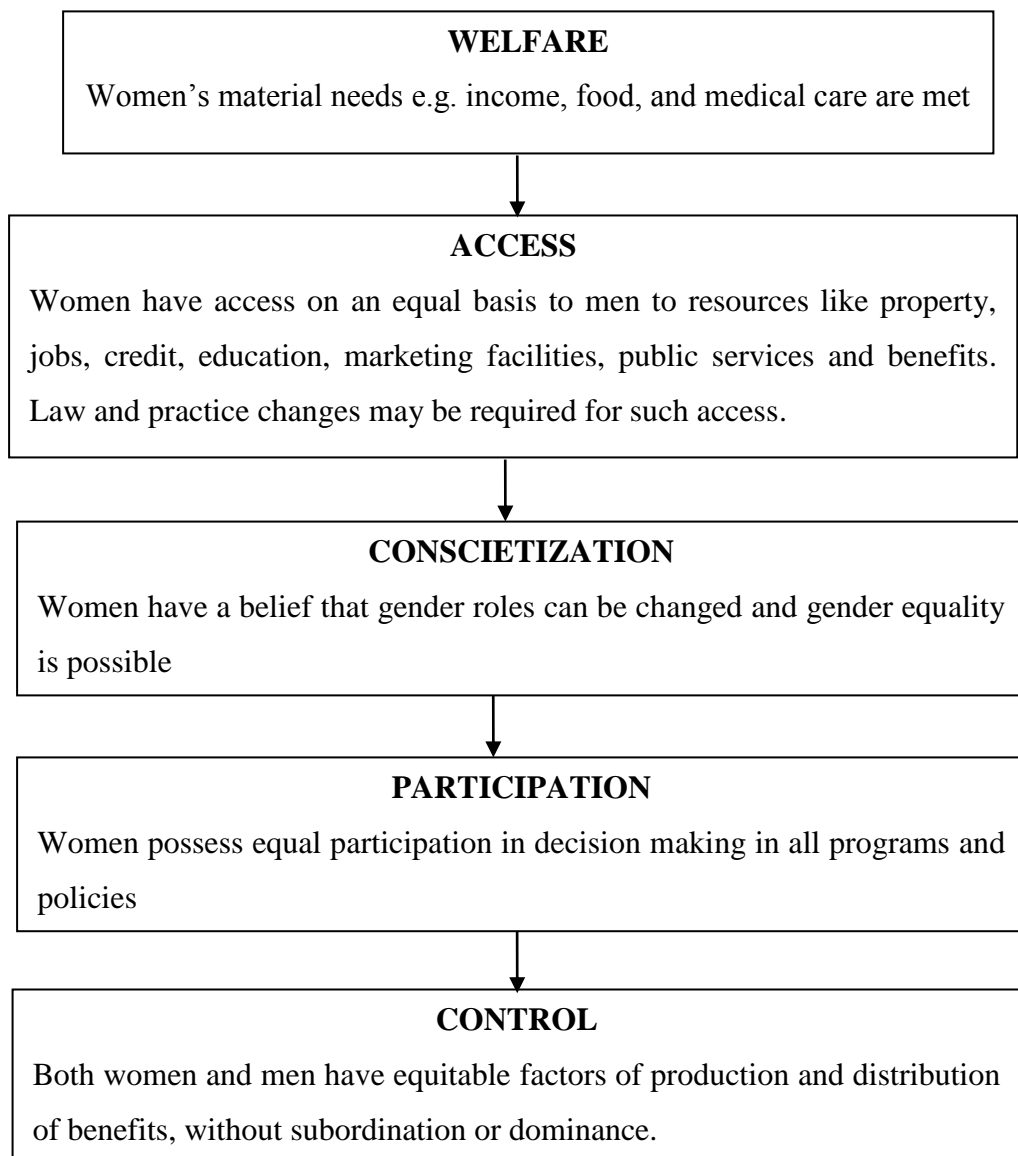
Social feminism however, moves beyond classism. They go deeper to examine other roots of oppression such as racism, imperialism, colonialism as intertwined with class to form an oppressive system towards women. Both frameworks work towards relating the Gender gaps in land ownership and their impact on the ability of women to progress not only economically but also in ensuring there is food security in the country. The frameworks interlink economic, social and cultural factors to gender gaps in land ownership and food security issues.

Radical feminists have acknowledged that liberal feminism fails to understand the depth of oppression of women and basically discusses only women of the upper and the middle class. It is not right to say, that any form of oppression is the most important, or the most important form of oppression.

2.1.2 Longwe Framework

The Longwe Framework is a framework developed by Sara Longwe who is a feminist activist based in Lusaka, Zambia. She developed a method of analyzing gender issues popularly known as Longwe Women's Empowerment Framework in the global feminist and gender literature. The framework has been used in numerous consultancies undertaken with African government gender departments, development agencies and civil society organisations to identify and address gender issues for sustainable women's empowerment.

Figure 2.1: Longwe Framework



Based on the Table above that the primary goal of the Longwe framework is to allow women to obtain equal control of production factors by participating equally in the process of production. Five stages of women's empowerment are part of the framework: welfare, access, knowledge and awareness raising, engagement, mobilization and control. Women's issues and concerns are characterized by women's issues as: women's issues relating to equality with men, in any social or economic

position, and women's issues related to women's conventional position and gender subordinate positions.

The Woman's Empowerment Model outlines three levels of women's interests in project design: a negative level in which women have a muted project goal; a moderate level in which the problems of women are neutral but importance remain; and a favorable level in which the projects address women's concerns favorably and improve the role of women vis-à-vis men. It indicates that empowerment is a central factor to development and seeks political shifts. The model is of the main advantage of developing gender policies in a democratic hierarchy. On the other hand, the possible limit is that the structure is static and does not incorporate other types of inequality.

They are hierarchical and are meant to examine the goals of projects from the equality point of view of women. The five levels are identified and analyzed for gender analyses by clinicians whether these dimensions of empowerment fulfill project objectives. The paradigm implies that such levels of empowerment are sequential and are homogenous across all levels and are excluded from this framework by men and institutional bodies. Relevant reasons that empowerment as a processual and relational definition are also not included and which contribute to a decontextualized understanding of empowerment for women.

2.2 EMPIRICAL REVIEW

STUDY AREA

Kenya is about 582,646km² of land and the population is estimated at 48million people per square kilometer by 2009, reflecting a general population density of 82%. About 80% of the land may have very low agricultural potential as arid and semi-arid. As a result, only about 20 percent of the land (considered as medium to high potential) is cultivated. In addition, nearly 70% of the land is owned and used by communities and referred to as Community Land., while 10% is known as government land/reserves, with just 20% private property under statutes.

In November, 1999 by Gazette Notice No. 5593 and no. 6594, the President of the Republic of Kenya appointed a commission to examine, among other things, the structure of land law in Kenya. The commission undertook to conduct a wide-ranging land review in Kenya and propose the key principles of an economically effective, socially equitable and environmentally sustainable land tenure process. It recommended a range of specific land and complementary law guidelines and related subsidiaries, addressing a number of issues, including acceptable land tenure systems for the region, land ownership and control systems, land acquisition and disposal systems and Kenya's institutional land and land management structure.

2.2.1 Gender Inequality and Land Ownership

This is the relationship between the size of land and food production as in the FAO report of 2011. Land ownership is directly proportional to food production in the several ways: The land is used to produce consumption foods and it is a source of income where the income can be used to purchase the food and examination of the impact of gender gaps in the system of land ownership in Kenya and its possible

contribution to food insecurity in Kenya. The 2011 FAO report indicated that Male headed households operate on a much larger land than the Female-headed households/families. Land ownership is the representation of a Country's economy and it's a major factor to be considered in the equity and the equality for the gender gaps.

In rural places of which covers most parts of the counties in Kenya, there is a lot of unfair distribution of land and unforeseen land tenure policies made. Women in rural places are made to be the secondary owners and therefore are not able to make any decisions on the land and mostly are discriminated against. To improve and develop the land, securing land tenure is needed which brings about motivations.

On the contrary, insecure land tenure brings about discouragements in investments as it lowers the access to financial resources and the county and national programs for the women empowerment. Guaranteed land tenure gives confidence to the user that their investments will bring about a larger output. Secure land tenure enables a clearer picture of the relationship between land rights and food security in the household. If women are given more secured land rights they will be more respected and therefore can influence more of the household decisions that may include food and nutrition decisions and what type of crops to be planted.

Women value crops that supplement household diets but men mainly put their focus on crops that will have a selling value in the market. The main agenda now for human rights and basic freedoms in the globe is gender equality in the access and control over main productive resources for human development. There have been conventions declared e.g. in 1948 there was a Universal declaration of human rights to take care of gender equality.

Access to and control over land by women is not just a gender-based issue but also a human right issue. It surrounds not only equity but also can lead to food security, development sustainability and reduce poverty levels. Women cannot fully participate in agriculture which shows that there is a gap between the legal systems and customary practices that prove that their rights are not observed.

2.2.2 Women and Land Policies within Kenya.

On accessibility of women to the land and control there has to be a review of policies and laws in Kenya. The aim is to highlight current attempts to advance women's rights and the obstacles to women's land rights which have been analyzed. The review will examine women's land rights, how knowledge and access influences the implementation of women's ownership in the country, local policy structure and institutions, patterns of land administration in Kenya and the role of culture in influencing women's land ownership.

The KDHS report of 2014 has set up the train of thought for the study. The report indicates that women own only 7% of land on their own as compared to the 28% owned by men. The government owns the rest of the land and other land covered by forest and water bodies, which makes up the remaining percentage. However, women also own land together with men jointly which further undermines women's rights.

The report further outlines many factors that will be the basis of the study to use the data collected to demonstrate the social and economic standing of women in the country. KDHS did a population sampling that then helped to gather information on various factors.

The main issues realized were that access to information, access to health facilities, access to education, level of education, and control of not only resources but also the

ability to make decisions within households. This is according to FAO land tenure studies on gender and access to land. Other scholars have discussed different issues that have contributed to the gender gaps in land ownership.

John (2012), takes note that on the issue of autonomy, a large number of nations in Africa settled on state responsibility for and Leasehold residency instead of freehold residency. State proprietorship was related to white responsibility in numerous nations during colonialism. Leasehold, is adequately long haul, was deemed to give sufficient residency security and monetary motivations to family units for land advancement, while simultaneously enabling the state to keep up control of the landholding structure. To a few, there were parallels to standard land residency, with the state accepting the job of the head, own land in trust for its kin and designating it as per need.

Njuguna and Baya (1999) state that Women farmers control the greater part of small holder horticulture, which utilizes about 70% of the work power. Women do 80% of the horticultural work but most of them have no lawful rights to a similar land that they work on. While the composed laws don't oppress women have no issues managing rights in land, various standard laws and conventions that victimize women with regards to legacy rights to ownership.

Under standard land law, women by and large have sub-par land rights concerning men, and their entrance to the land is roundabout and unreliable. Njuguna and Baya (1999) further bring up that Traditional arrangements which used to secure Women's territorial rights of usage have been dissolved over some time. Women are typically given just the privileges of utilization over the landed property, which is not "total" control.

This in actuality denies them the opportunity, for instance, to later sell or take a loan to purchase a home or property, which may have been procured by a couple during their wedded life. In the land settling process, for instance, the land mediation boards of trustees (which are overwhelmingly male in participation), have to a great extent kept on victimizing women by distributing land to heads of family units who are normally male (Njuguna and Baya,1999).

Article 45(3) of the Kenyan Constitution 2010 accommodates balance in at the hour of the marriage, during the marriage and after the marriage. The standards embraced by the Marriage Property Act 2013 incorporates; Equality in marriage, the limit of either life partner in a union with procuring their very own different property during the subsistence of the marriage, be liable to cover liabilities incurred individually and have equivalent status in law. The Marriage act also outlines the interest of any individual in any enduring or portable property gained before marriage will not be influenced by the marriage.

Some significant realities on Women's support in land use and possession according to KDHS 2014 report are as per the following: Although the approximate female-men ratio is 1:1, women hold only 5% of land title in Kenya with men, women alone hold only 1% of the land titles in Kenya, women provide 89% of the farm workforce, women provide 70% of the workforce for cash crops, and about 32% of households are lead women.

The Law of the Succession Act aims to guarantee equal treatment for both men and women in succession matters, although it includes some clauses on discrimination. This law extends either to sequences with a will (testate) or without a will (intestate). There is every reason for concern that despite the existence of a robust legal

framework in the form of the Constitution of Kenya and several statutes, the distribution of land has not adhered to gender equality and social justice. These discriminatory provisions should be corrected to ensure that there are equal rights in land succession as this helps fill the gap between men and women in land ownership in Kenya.

Amanda, (2007) demonstrates that Women have been dynamic in pay work, subsistence cultivation and casual segment. Notwithstanding, lawful and standard boundaries to responsibility for access, utilization of common assets, access to acknowledge and capital, exacerbated with the absence of chances, preparation and abilities, and access to and utilization of innovation. All these factors disrupt the general flow of Women's' financial advancement.

Amanda (2007) states further that Gender is questionably the most essential component that supports the association of social orders, and gender-based segregation the most predominant type of disadvantage. Even though there is developing acknowledgment that gender inequality imbalance calls for supportable advancement, this has still not converted into important upgrades for Women.

Young women and young men's experiences of poverty differ in different ways, understanding this is significant for handling the more prominent degrees of hardship and helplessness that young women and women often face and for handling neediness all the more extensively. The study further indicates that the link existing between household and secure rights to land and nourishment/nutritional security is progressively articulated when women have secure land and property rights.

With secure rights, women significantly improved the status of the family and have a more prominent impact over family choices. Studies demonstrate this can convert into

improved sustenance for Women and their children. Women who own land have better access to credit, making them better adapt to stunts and ideally more aware of their advantages. One reason why women produce less than men is because they have less money in their accounts to invest.

They have less access to loans as they have little to offer as collateral for loans because of their lack of land tenure. The empowerment of women includes the self-esteem, access to opportunities, having ability to control of resources, the ability to make choices and exercise control over their lives and influence on the direction of social change. (UN Population Information Network, 1995).

Women have a fundamental influence on the generation of sustenance and products, from working in fields, processing plants, and locally situated business over the globe. Women' territory rights are significant (Kabeer, 2009). They are connected with expanded strengthening and better results for Women and youngsters. At the point when Women have a protected case to lean on, they are less powerless when their significant other bites the dust or leaves. There is a basic relationship in the job that Women bear and sustaining of families and networking. Expansively, an expected 41% of Women led families live beneath the privately characterized type of destitution line, with 33% of the world's women either homeless or residing in inadequate housing facilities.

One of the drivers of women's rights is the involvement of Community-based organizations in the education and awareness-raising of the need for women's land rights as crucial to the implementation of Kenya's development agenda. As well the social and economic implications of the ownership of the land by women have been stressed, the need to make women step forward and to boost livelihoods in societies,

like any other property owned by men, given the role played by women within community life.

2.3 Relationship Between Land Tenure Systems and Food Security

2.3.1 Global Food Security

Despite increased media coverage and increased assistance from various organizations, global food insecurity for households continues to deepen as many populations are dealing with every day hunger (Project Concern International, 2008). The continued world food shortage was exacerbated by various factors. The increase in world food prices (wheat, rice and maize) is one cause. The inflation of wheat is shown to be 120% while the inflation of rice is 75%. Poverty is also a factor. In the last two years, about 100 million individuals have fallen into poverty - Afghanistan, for example, spent 75% of its revenue on food in 2007 (World Bank, 2008).

Food dependency also causes global food insecurity. One example is Haiti, which imports more than 80% of staple rice. As a result, over 50% of the people in this country are undernourished and 24% are chronically undernourished. Fresh food imports, for example, have caused a large proportion of Ghana's staple food, such as rice, to be imported into Europe for monetary gains, leaving the country eventually vulnerable to spiraling food prices.

In addition, global warming climate change has affected food insecurity in households in the world. Other factors hampering strong cultivation in Latin America as well as sub-Saharan Africa are El-Ninos and La-Nina. Droughts from La Nina's caused insecurity to households, in Ethiopia in particular, whereby 7 million individuals were classified as facing food insecurity and an additional 10 million are classified as drought-prone. Some other factors contributing to the world's

household food insecurity include: moving to more non-farming technology, policy, insecurity, environmental degradation and high population development. Several implications have been shown by global household food insecurity.

A severe impact of food insecurity is demand for food aid. Every year, food aid is needed for 10% of Burundi's population (FAO, 2008). The ill health in Benin is more dire; nearly a fifth of children under 5 years of age are underweight. In addition, malnutrition rates are growing globally, with global malnutrition hitting 15% in 2004 (WHO, 2004). Food poverty among the global population of households worldwide has increased, and in 2010 there was also a serious world famine index of 15.1% (Grebmer et al., 2010).

2.3.2 Food Security in Africa

In Africa, as the rest of the world, the destructive effects of household have been experienced in various countries. In West Africa, Egypt in North Africa, Cameroon in East Africa and South Africa in far South Africa for example. Cameroon is identified as a food-infected country under the World Food Program (WFP) and has further demonstrated that household food intakes are lower currently than in the early 1980s. As a result, 19% of the country's young children are underweight and the infant death rate is increasing rather than declining (Oneworld.net, 2009).

Egypt is producing half its wheat demand. The country is vulnerable to the escalation of food prices due to its wheat imports, despite the average food production. The commodity is listed as the world's leading importer. The country also has a 2 percent annual high population growth. In addition, Sahara Desert terrain restricts the cultivation of crops. The World Bank estimates suggest that the subsidy to Baladi

Bread costs nearly 3.5 million dollars a year to the Egyptian Government (Oneworld.net, 2009).

There is significant insecurity in Ethiopia's households' food. More than seven million citizens in Ethiopia are listed as food insecure out of a total of 76.9 million; another 10 million are described as vulnerable to drought. The country's rapid population growth further raises food insecurity (the Chu, 2009). Although in the 2007/08 season, South Africa produced bumper harvests, high food prices in the downward global economy have suffered. High food costs leads to difficulties in especially the poorest families as they spend a large portion of their income on food (Oneworld.net (US), 2009).

2.3.3 Food Security in Kenya

Kenya has similarly faced insecurity in household food for quite a number of years. Inadequate agricultural activities, drought, lack of knowledge and ignorance among other factors are responsible for food insecurity in Kenya. It is worth noting that only 18 percent of the land in Kenya is suitable for agriculture, while it is attempting to increase food production and food security. In Kenya, hunger is another explanation for food insecurity.

The Human Development Study for 2007/08 reported that approximately 24 per cent of Kenyans live on less than \$1 a day, so they don't have a food supplier (Republic of Kenya, 2009). The decrease in crop output and livestock production of households in these areas has been caused by droughts in Kenya's arid areas. Furthermore, inundations displace people who are susceptible to insecurity in household food. The 2006 floods estimated to have affected over 700,000 people

throughout the world, most of whom have been cut off from food aid by unpassable roads.

The Post-election violence of 2008 interrupted farm development in March/April. Fifty percent of farmers were not adequately ready for farming because of the post-election chaos, according to the World Food Program. Erratic rainfall in the region, too, aggravates domestic food insecurity. The Government Of Kenya (GOK) declared the Condition of a National Crash, which took place on 28 January, due to poor rain in 1996 (IRIN Humanitarian, (1997).

2.4 The Contributions of Women to Food Security

In agriculture and in enhancing quality of life in rural areas, women play a crucial role. Your efforts, however, are mostly obscured because of certain social barriers and gender prejudices. Also government projects, in agriculture, often do not focus on women. The future benefits of programs such as food processing, household income enhancement, nutrition, alphabetization, poverty alleviation and population reduction are undermined.

Equitable access to training facilities for rural women will definitely enhance efficiency and free them from their disadvantaged social status. Farm extension, growth of agricultural systems, land reform, and rural welfare are other areas where women's ability can be effectively exploited (Daman, 2003). In cases such as the eleven extension of institutional credit or domestic water sources, where women's capacity has been deliberately abused, substantial improvements have been reported (Daman, 2003).

Women play a key role in agricultural sector as producers and providing food in Kenya and many other parts of Africa. Over 80% of women living in Kenya reside in

rural areas, as small holder farmers, income-generators and family employees in the rural sector (Nadine, 1989). Women contribute much of the labor needed to grow food crops for their families and have contributed a great deal more in the cultivation of cash crops to small and medium-sized farms.

In Kenya, just 27 percent of the small holders in Kenya (the Republic of Kenya, 1985) are managed by women. Women thus play a prominent role in land activities involving significant stakes in cultivation and husbandry of small stocks, crop management, processing, marketing, as well as the preparation of foodstuffs for both domestic and selling use (Republic of Kenya 1985).

Studies have shown that women in Ghana spend the majority of their incomes on food for their family members and then on health costs and other household products and inputs in their study of the way men and women share their incomes (IFAD 1997). Not only things such as oil and salt are foodstuffs women prefer to purchase. They also buy additional millet and other staples and buy vegetables if they have not planted enough. Research has found that food security is as good as cash income for many poor women in Ghana (IFAD, 1998).

Certain women's groups buy food or pay a portion of the food created by the women's groups for each member of the group. This allows women's households to benefit from this initiative and does not redirect the cash received to non-essential costs (IFAD, 1998). This article demonstrates how women make their investment in Ghana a priority in order to fulfill their fundamental needs. Fatma (2009) argues that food safety not only depends on adequate supply of food but also on sustainability of access to food. It also argues that women contribute more than has traditionally been acknowledged to agricultural production, particularly food production.

The truth is that female agricultural workers often remain invisible, because their work products primarily serve domestic consumer needs and cannot achieve a market economy, in most sub-Saharan African nations such as Tanzania and Kenya. For example, data from Sudan shows that 60% to 70% of food production in most rural areas is produced by rural women (Fatma, 2009).

Price and Sidney (1990) argue that enhancing household food security in Africa requires women to focus on their positions as food producers and as family incomes because they play a critical role. In Africa, efforts to boost household food security will not be successful unless these women's productivity is increased. In turn, the increase of women farmers and entrepreneurs' development and productivity means eliminating the barriers to their work and improving their access to services or knowledge to assist them.

In precise, women should not be marginalized, but should be included in economic and social life, so as to completely leverage their productive capabilities and contribute to their families and nations' well-being (Price & Sidney 1990). In the past females historically play a major role in housekeeping, as well as agricultural and non-agricultural jobs, and do the most work required to operate households (Price & Sidney, 1990).

Women's rights to land must also be taken into account because of the ongoing significance of land to incomes, jobs and food security. Some areas that need desperate attention are the important roles that women play in farm production, the deficiency of their formal land claims and their obvious vulnerable nature to land losses as they become scarce. Gender structures, which only ensure rights of resource

access instead of providing recipients with opportunities to manage and own resources, thus continue to cause gender disparity (Price & Sidney, 1990).

FAO (2007) indicates it can have a beneficial effect on the alleviation of hunger, food security and the distribution of rural population if agriculture is properly handled. In addition, indirect agricultural contributions to welfare, which are seldom analyzed in the sense of development, are not fully understood and rarely expressed in national policy and rural development (FAO 2007). In addition, farm incomes grow compared to the total income of the household and indicate that farming remains a major source of revenue even though the household derives a large part of its non-farm revenue.

Udry and Hoddinott (1995) indicted that there are social and economic problems affecting food security that have a major impact on women's vulnerabilities of agriculture in sub-Saharan Africa, including Kenya. For example, farmers have less access to information, technology, property, input and credit in terms of quantitative and qualitative terms.

Policymakers, administrators, agents and farm service stakeholders are usually men who are ignorant of the particular issues and needs of women farmers not always adequately well (Udry & Hoddinott, 1995). Consequently, information and extension programs are usually targeted at male farmers, believing that women receive a call. However, there is evidence that this is not necessarily the case (Udry & Hoddinott, 1995).

Lack of women's access to credit is a significant obstacle to increasing their productivity in farming, as women farmers cannot purchase or employ workers without credit, such as seeds, fertilizers and enhanced technologies (Daman, 2003). Women can manage far less marketable assets because their autonomy is limited, and

thus there is little chance of creating independent credit worthy reputation (Daman 2003).

Lynn (2001) states that food insecurity triggers a large rise in poverty. An individual's buying power influences food safety as much as food availability. Hunger is simultaneously a product of inefficient, morally reprehensible behavior and corruption in both the developed and the undeveloped countries. Factors of social-culturalism and the possibility of malnutrition may also cause a surge in hunger level. All social and cultural factors that may lead to malnutrition and poverty are: lack of status and control on women, food taboos, inadequate training of women on nutritional matters, widely spread illiteracy and insecurity (Lynn, 2001).

Women's households are more vulnerable to food insecurity and the non-income forms of poverty have been widely argued (Kabeer, 1990). Cultural limits on women's ability to participate completely in food production activities in some of South Asia's poorest regions, for example, made women particularly vulnerable in times of economic crisis (Kabeer, 1990).

McLanahan (1985) found that the socioeconomic achievement rates for children in women's households are lower than those of men's households. When women's household is using all available outlets to help schoolchildren thrive, they end up with low levels of education and thus a higher likelihood of conveying poverty and food insecurity to their next generation (McLanahan, 1985).

Different food safety pillars were examined by various researchers. For example, the determinants of three food security elements, food availability, access to, and absorption, have been analyzed in rural Pakistan by Khan and Gill (2009). They alert that if household members have ample money to purchase food, access to food is

achieved. Food absorption/use is safe and needs enough energy from a proper diet, access to clean water and sanitation.

In addition, they found that the increased production of crops and animal products required the availability of food. With regard to the component of food accessibility, they found out that electrification and adult literacy positively contribute to food accessibility, while land marginalization contributes to food inaccessibility. For food absorption, children were vaccinated, women learned about literacy, healthy drinking water, and importance of hospitals (Khan & Gill, 2009).

Suda (1991) states that women are key links in food security and that land is a major factor in the household food safety equation. Food production would influence the ability to contribute to household food safety if promoting agricultural policies one must understand this crucial connection between women and food production. However, some cultural factors continue to prevent women in the agriculture sector from benefiting from their expanded power as small holder' managers.

These factors include the lack of land control, which restricts women's ability to make significant decisions on management, such as land as a collateral for the safeguarding of farming credit, training, extension services, marketing and membership of Saccos that are often skewed towards masculine landowners (Suda, 1991).

Poverty is inversely connected to the possession of household land. Landless people, especially in hunger, are more vulnerable and have a higher mortality rate for children (Agnes & Ruth, 2001). Women and children are unreasonably surprised by the mediation by men of the right to family resources, including land. Direct access to land decreases the chances of women's impoverishment and thus increases their

children's physical well-being. Even in small areas natural resources are available, which contribute to women's survival, security and economic status.

Further, given that many types of development experts only pursue safe tenure heads of households, direct access to land often indirectly promotes accessibility to support services on farmers (Agnes & Ruth, 2001). The 2007 Agriculture Economic Analysis shows that approximately one third of Kenya's population is deemed to suffer food insecurity. Currently food shortage affects more than 10 million people in Kenya and two to four million people at all times are in need of emergency food aid (GOK, 2008). Almost 30% of children are malnourished and deficiencies in micronutrients are common.

Hence the crucial task of maintaining food security and nutrition in Kenya. Insecurity in food and nutrition is closely related to poverty. Some half of Kenya's populations fell under the poverty line (GOK, 2008). Some are living in severe poverty. This condition has significant repercussions for people's food security as chronic food shortage arises from severe poverty. The deceptive growth of agricultural production is linked to a rising problem of food and food insecurity in Kenya.

The country's population is about 80 percent in rural areas dominated by agriculture (GOK, 2008). While agricultural production has generally increased favorably in the last four decades, the agriculture sector has decreased seriously in the 1980s and 1990s, with many periodic food deficits and acute nutritional deficiencies (GOK, 2008).

From production of food to revenue management, it is clear that, despite the undisputed essential roles in childbearing, rearing and feeding families, women's positions within subsistence economies become increasingly uncertain (Daman 2003).

The income in women's hands is tending to be linked to improving the family, particularly child welfare. However, the income of men seems to raise the proportion of household spending on goods primarily purchased by men (Davies, 1993).

Women's failure to engage and influence important decisions about family life has a dire impact on their ability to provide food adequately for the family (Daman, 2003). In view of women's historically restricted positions in domestic, village, and national decision-making roles in the majority of cultures, their needs, desires, and limitations often are not expressed in policy-making and legislation relevant to poverty reduction, food protection, and the sustainability of the environment (Daman 2003).

Chinery (2011) argues, in particular among poor households, that disregarding women as agricultural producers and resource management impedes achieving food protection. For example, in order to achieve one of the Millennium Development Goals (MDGs), marginalized rural women need more access to education, information, credit, appropriate technology, and other tools which can reduce their present work burdens and ensure the health of their families and themselves (Ellis, 2000).

To be fully successful, women must eradicate sexism and encourage the importance of their positions if they are to contribute to food and nutrition protection. In addition, policy changes are required to encourage equal opportunities for men and women (Daman, 2003). Gender disparity has its origins in firm beliefs, cultures and market forces. Political responsibilities at the highest international and national levels are also important for enforcing policies that can cause social change, and for allocating the necessary resources to achieve gender equality and women's empowerment for food safety.

2.5 Study Gap

Most study in Women Land Rights was tried and exposed, concentrating only on land laws and arrangements. An exploration of women's land rights in Kakamega County (Kenya), by Mwagae (2013) focused on variables. Women Land Rights and Tenure Protection were investigated by Gaber (2013). The difference between the possession and culture of the women's land in Kilimanjaro was investigated by Hemingway (2009). In addition, several variables that facilitate women's access to land have been expounded.

Along these lines, there is a need to study factors that keep on undermining Women's land rights in Kenya. This exploration combined with auxiliary quantitative information may help in including observational learning base Women's land possession concentrating on the financial elements that influence acknowledgment of the equivalent and the genuine measurements that have prompted gender gaps in land proprietorship. Additionally, these has set up the connection between gender gaps in land proprietorship and food security in Kenya. It is not enough to have the narrative well put together, it is, therefore, important to statistically analyze the reason why there are gender gaps in Land ownership and how this affects food security.

CHAPTER THREE

METHODOLOGY

3.0 Introduction

This chapter addresses the methods of research that was employed to gather data for the study. They include the research design, study area, target population, data collection technique and ethical considerations involved in this chapter.

3.1 Research Design

In carrying out this analysis, the researcher used descriptive research design. The descriptive research design helped to test and gain a detailed understanding of the subject. The design of the study was acceptable as the descriptive survey design describing the current conditions and attitudes is needed for thorough analysis of particular issues.

The report explains current conditions, analyzes key problems and makes sound suggestions in the field chosen. Important gender problems have been discussed in the guidelines, which could lead to the values of gender understanding. The study design was exploratory in nature rather than explanatory for this research. In this step, a variety of information from different sources was collected using quantitative as well as qualitative methods of analysis and central to this was for triangulation purposes.

3.2 STUDY AREA

The study area was the republic of Kenya. There is about 582,646km² of land in Kenya and the population is estimated at 48million people per square kilometer by 2009, reflecting a general population density of 82. About 80% of the land may have very low agricultural potential as arid and semi-arid. As a result, only about 20 percent of the land mass (considered as medium to high potential) is cultivated. In addition, nearly 70% of the land is owned and used by communities, while 10% is known as government land/reserves, with just 20% private property under statutes.

3.3 Target Population

The target population for the study was the population of Kenya and more specifically women in Kenya both urban and rural areas.

3.4 Data Collection Technique

The researcher used secondary data because the nature of this research included a wide region, which would cost a lot of money and take a long time to collect primary data. In light of this the researcher did a desktop review collecting data from sources that were mainly reference books, technical reports such as World Bank reports, KNBS reports, KDHS reports, FIDA reports and journals as well as official statistics from various other government agencies and bureaus. Materials that had been written by renowned authors and academicians, in the field of gender, land ownership and food production were also analyzed.

3.5 Data Analysis and Presentation

Data analysis is the entire process which begins immediately after data collection and ends at the point where data are interpreted and processed. Quantitative data were generated. Qualitative data depending on the content of the topics were

analyzed. Popular subjects or patterns have been classified into consistent categories. The data was later presented in pros.

3.6 Ethical considerations

The researcher used secondary data for the study. All the ethical principles, rules and conventions in conducting social science research were observed. The researcher observed ethical considerations of writing including acknowledging authors whose work was referred to and the researcher avoided plagiarism and ensured to properly acknowledge source used.

CHAPTER FOUR

DATA ANALYSIS, PRESENTATION AND INTERPRETATION

4.1 Introduction

This chapter presents analysis and findings of the data analysis on the gaps that exist in land acquisition by women, the causes of the gaps existing in land acquisition by women, how the gaps impact on land use and food production and the mitigating factors available for addressing the gaps.

4.2 Gaps in the Kenyan Law on Land Acquisition

Upon perusal of several FIDA reports the study established that there are several land laws in Kenya that are discriminative and which prevent women from owning or controlling land. These include the Land Adjudication Act, the Trust Land Act, the Land Consolidation Act, the Land Disputes Tribunals Act and which fall under the customary law. Owing to this law, women only have the right to land ownership and even then, still require permission to access as they are dependent on men (FIDA, 2016).

The study further established that women are deprived of their land rights through informal pressure to give up land even if the law entitles them to it. Despite the Law of Succession Act providing for all the children, women and inclusive of daughters the right to inheritance of property, some retrogressive socio-cultural factors deter them from enjoyment of their rights.

The study further established that there exists a contradiction of customary legal systems which discriminates against women inheriting and owning land which prevent them from improving their socio-economic status. Some provisions for inheritance in family and marriage, like culture and customs still continue to support

male inheritance rights to land, since women are regarded as strangers both in their birth and marital homes.

The adjudication process is still being conducted in favor of the already established male inheritance rights and therefore discriminating against women in relation to family land. Customary laws still favor men over women. Gaps existing in the Kenyan marriage and divorce law have contributed to legal decisions undervaluing and denying women's contributions to their families and households. The rights to equal possession, control and management of matrimonial property are then left to women without any legal structure.

4.2.1 Knowledge and Information Gap on Land.

The study established from the FIDA reports that most women lack awareness on land ownership rights because of their education level and lack of exposure (FIDA, 2013). FIDA-Kenya (2013) handbook points out that not only do women lack awareness on land ownership rights, they are also characterized by ignorance of several laws governing the purchase or acquisition of land or land registration processes. Widows do not know how to legally engage in intricate succession and are therefore left vulnerable and taken advantage of regarding the land and other property left by deceased husbands.

Illiteracy, coupled with the complex nature of laws and how the law is in itself drafted using technical language discourage women from participating in, or initiating any land purchase processes. This makes them depend on their husbands or male relatives who may end up purchasing the land under their names without the knowledge of the wives. According to FIDA-Kenya (2013), many women not only do not have access

to the constitution that guarantees them rights in land ownership but also do not know how to read.

Legal knowledge in matters surrounding land rights control and ownership still remain little understood by most women in the rural areas. The report by FIDA showed that women have little or no knowledge of the existing land laws and rights and seldom have means to enforce it (Maneno, 2017). The study also found that majority of women are also ignorant of laws generally relating to the purchase and acquisition of land, the land registration process or alternative dispute resolution processes.

The findings from the study indicate that most women face a lot of difficulty upon being widowed since they lack legal knowledge of the succession procedures. The study found that women are often unaware of their rights, and so only a few of them will object to customary laws that are against their rights. The study found that even the women who are legally literate still have to struggle and fight largely the conservative and older leadership in their communities which often leads to ostracism. The lack of legal knowledge could therefore be a contributing factor to women not standing for their rights in regards to land ownership.

4.3 Existing Gaps in Land Acquisition by Women in Kenya.

The existing gaps were as a result of different factors that culminated in the creation of the gaps in Land acquisition by Women in Kenya. Some of the factors include Male dominance, beliefs and customs, socio-economic status and lack of political goodwill.

4.3.1 Male Dominance

From the Federation of Women Lawyers-Kenya (2017) reports, the study established that women make significant contribution to the income derived from agriculture. They provide 80% of agricultural labour and 60% of farm- derived income. Ironically, only 5% of land in Kenya is jointly registered by men and women and only 1% is registered by women alone.

The study further established that in most communities, land is registered under men given the patriarchal nature of these communities. From the FIDA-Kenya (2009) the study established that, men have control, access and ownership of land and can decide to chase away women residing on or using the land.

This concurs with the findings of Holden, (2018) who averred that the traditional land tenure system is patrilineal in nature (from father to son) and virilocal (upon marriage the wife moves to the husband's home and lives there). Bride wealth is commonly used, and girls are seen as the property of the husband and his clan. If the husband dies, his wife is still the property of the clan and the brothers to the deceased husband will become the new husband to the wife.

4.3.2 Beliefs and Customs

The study established that few women were aware of their inheritance rights and few have followed up to ensure inheritance is passed from the father to them. Daughters are treated differently from sons depending on their marital status. Unmarried daughters are more likely to inherit land than the married daughters, although in such cases the land title remains under the custody of the male with the lineage (brother or father).

Married women or daughters are never permitted to inherit land since it is seen to diminish their brother's access to patrilineage land. This is in line with Chopra (2010) who avers that married daughters are not considered as part of their natal family, and may not even bother attempting to claim inheritance, since the exclusion is seen as traditional and impossible to overcome.

The cultural barrier is viewed as the major discriminant against women. Women are the most disadvantaged in succession matters and whenever crucial decisions on land ownership are being made. This is because crucial decisions concerning land ownership, management, disposal, or purchase are still dominated by men because of cultural practices and patriarchal beliefs (Maneno, 2017).

As revealed by FIDA-Kenya (2013), cultural beliefs are depicted as having deep roots in land access, control and ownership. Males/sons are the only heirs who can inherit land, with the notion that sons remain with the natal families while daughters get married and leave. Because of patriarchal practices, women are not allowed to own land, widows are forced to remarry and if they attempt to challenge the traditions they often invite violence and other forms of aggression.

The study further established that widows in some parts of Kenya are forced to engage in harmful traditional practices in order to keep the land left by their deceased husbands. They are forced to have sex with a social outcast before being inherited by the late husband's brother or a male relative. In the past, wife inheritors were mainly the in-laws who would do it for companionship. Recent studies such as Perry *et al.*, (2014), however, show that in-laws are becoming less willing to inherit wives left by their kin. This forces such widows to look for inheritors to protect and provide for them. The widows who chose not to be inherited risk losing land and other properties.

4.3.3 Socio-economic Status

The study also established that poverty leads both to women's access to land and, eventually, their security of tenure. Even where no legal or customary obstacles allow women to own land, there is still an obstacle in the absence of economic capital necessary to secure access to land and property, in particular where money is the principal determinant of access. Women remain based on the informal labor market and participate in work that is less stable and less productive in its entirety.

4.3.4 Lack of Political Goodwill.

From the FIDA reports the study established that political temperature remained overwhelmingly patriarchal, with politicians mostly being men and not interested in making laws for women. Like the legislature, the judiciary has slowly introduced customs reforms which will allow women to possess land. This is obvious from the court decisions which refused, when granting marital property, to recognize the indirect contributions of women to property ownership

4.4 Mitigating Factors Available for Addressing the Gaps

In a study by FIDA respondents were asked to suggest factors they thought can promote women land ownership. Table 4.1 below shows the findings which shows that more than a half (56%) of the respondents pointed out that training on women rights would promote women land ownership, 22% mentioned marriage certificate as a means to women land ownership, while 13% believed that land inheritance by women from their parents would allow many women to own land. However, 9% of the respondents suggested that women should strive to purchase their own land.

Table 4.1: Mitigating Factors Available for Addressing the Gaps

Factors	Frequency	Percentage
Training on women rights	25	56
Marriage certificate	10	22
Inheritance	6	13
Buying land	4	9
Total	45	100

4.5 Food Security Status

Table 4.2 below presents the KDHS findings on the percentage of households reported lack of food or money to buy food in the seven days preceding the survey and their average coping strategy index based on the background characteristics of bad, borderline or reasonable food consumptions. “From the findings, majority (89%) of households in Kenya had acceptable food consumption scores. 2% had poor food consumption scores and 10% had borderline scores.

Rural households were more likely to have borderline scores (11%) than urban households (7%). Households in Nyanza were most likely (13%) to have borderline scores, followed closely by households in Rift Valley, Western, and Coast (all 11%). The proportion of households with borderline scores decreased with increasing household wealth.”

As per the findings, 31% households reported not having access to enough food/ money to buy food in the seven days preceding the survey. More than 3 in 10 rural households (36%) and Nyanza (42%), households in Western (45%), North Eastern

(38%), and Eastern (38%) reported lacking food or money to purchase food. As expected, the likelihood of lacking food or money to buy food decreased with increasing household wealth.

However, 13% of households in the highest wealth quintile did report not having food or money to buy food. Among households that reported not having food or enough money to buy food, the mean CSI score was 18.9. The mean score was highest in Rift Valley region (22.1) and lowest in North Eastern parts (15.4). Mean CSI scores decreased slightly with increasing household wealth.

Table 4.2: Food Security Status

Background characteristic		Food consumption score groups				No. of households with valid food consumption score	% of households that report lacking food or money to purchase food	Number of households	Mean coping strategy index	No. of households with total coping strategy index greater than
		Poor	Borderline	Acceptable	Total					
Residence	Urban	1.4	7.3	91.3	100.0	7,217	23.0	7,280	17.4	1,658
	Rural	1.7	11.4	86.9	100.0	10,041	36.2	10,080	19.6	3,645
Region	Coast	1.1	10.7	88.2	100.0	1,651	24.5	1,688	16.1	414
	North Eastern	1.9	8.5	89.6	100.0	342	37.8	344	15.4	130
	Eastern	0.8	8.0	91.2	100.0	2,510	37.5	2,516	20.0	942
	Central	1.3	5.8	92.9	100.0	2,391	17.4	2,400	16.7	418
	Rift Valley	2.3	11.4	86.4	100.0	4,387	25.4	4,406	22.1	1,119
	Western	1.4	10.8	87.8	100.0	1,720	44.6	1,726	17.3	769
	Nyanza	1.6	12.9	85.5	100.0	2,174	41.9	2,187	18.4	915
	Nairobi	1.6	7.5	90.8	100.0	2,085	29.1	2,093	18.3	597
Wealth quintile	Lowest	3.8	17.9	78.3	100.0	2,888	54.4	2,894	21.7	1,574
	Second	1.8	14.0	84.2	100.0	3,152	41.6	3,166	19.5	1,316
	Middle	1.1	9.8	89.1	100.0	3,244	32.6	3,262	17.4	1,061
	Fourth	0.8	6.2	93.0	100.0	3,913	21.1	3,948	16.3	824
	Highest	0.8	3.7	95.5	100.0	4,062	13.0	4,091	16.1	528
Total		1.5	9.7	88.8	100.0	17,258	30.7	17,360	18.9	5,303

Source: 2014 KDHS Report

CHAPTER FIVE

SUMMARY, CONCLUSIONS AND RECOMMENDATIONS

5.1 Introduction

This chapter summarizes the findings, makes conclusions and recommendations of the study based on the objectives of the study. The specific objectives were; to determine the gaps that exist in land acquisition by women, to establish the causes of the gaps existing in land acquisition by women, to evaluate how the gaps impact on land use and food production and to assess the mitigating factors available for addressing the gaps.

5.2 Summary of Findings

On gaps that exist in land acquisition by women, the study established that there are several land laws in Kenya that are discriminative and which prevent women from owning or controlling land. These include the Trust Land Act, the Land Adjudication Act, the Land Disputes Tribunals Act and the Land Consolidation Act, which fall under the customary law.

The study further established that women are deprived of their land rights through informal pressure to give up land even if the law entitles them to it whereby despite the Law of Succession Act providing for wives and all the children inclusive of daughters the right to inherit property, some retrogressive socio-cultural factors hinder them from enjoying their rights. The study further established that most women lack awareness on land ownership rights because of their education level and lack of exposure.

The study also found that majority of women are also ignorant of laws generally relating to the purchase and acquisition of land, the land registration process or

alternative dispute resolution processes. On causes of the gaps existing in land acquisition by women, the study established that male dominance hinders women acquisition of land. The study further established that in most communities, land is registered under men given the patriarchal nature of these communities. The study established that, men have control, access and ownership of land and can decide to chase away women residing on or using the land and that women are the most disadvantaged in succession matters and whenever crucial decisions on land ownership are being made.

The study also established that Males/sons are the only heirs who can inherit land, with the notion that sons remain with the natal families while daughters get married and leave. The study further established that poverty was both determinant and a contributing factor of women's access to land and eventually their tenure security. The study established that the political temperature had broadly remained patriarchal, with law-makers being mainly men and not being keen to make pro-women laws.

5.3 Conclusion.

To realize women land rights in Kenya, legislation alone is not important but looking into ways of implementing the same. This should be propped by awareness creation to enlighten women on their rights as provided by the law. Cultural practices are a big impediment to realization of women land rights. Communities should be enlightened on the importance of shunning retrogressive cultures that subordinate women.

Literacy is very important in realization of women land rights. Educated women are more conscious of their land rights and are less likely to be exploited when it comes to land issues. Literate women tend to have courage to stand for their rights as compared

to unschooled women. Poverty and ignorance also prove to be a barrier to women land ownership.

5.4 Recommendations.

Based on the findings, the researcher came up with the following recommendations:

- There is need for intensive trainings on women land rights. Awareness creation should be constantly carried out especially in the rural parts of the country.
- Women land rights topics should be incorporated in the learning materials in both primary and secondary level of education. This will inculcate a good culture among boys and girls which will help to abolish patriarchal attitudes at a tender age. Cultural practices like patriarchy and bride price payment should be done away with since they are the major barriers to women in realizing their land rights.
- Considering the contribution of customary practices to the issue of land and women owning land. There needs to be initiatives to reach out to community elders and Councils to enlighten and encourage communities to abandon patriarchal practices that oppressed women. This will in turn pave way for women to also inherit land and own land which will in general improve not just food production Aldo empower women economically.
- Women should be economically empowered to enable them acquire land or even be able to seek legal redress if their land rights are violated. Civil society organizations should focus on lobbying for free litigation services for women to increase access to justice.

5.5 Suggestions for Further Research

The study recommends that a similar study be conducted where comparisons will be made with other neighboring countries. Additionally, a study should be carried out examining the challenges faced in the effort to mitigate the effects of gender gaps in systems of land ownership in Kenya. In doing so the study should use primary data in order to get the actual picture on the ground.

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APPENDICES

Appendix I: KDHS cover





Kenya Demographic and Health Survey 2014



Kenya National Bureau of Statistics
Nairobi, Kenya

Ministry of Health
Nairobi, Kenya

National AIDS Control Council
Nairobi, Kenya

Kenya Medical Research Institute
Nairobi, Kenya

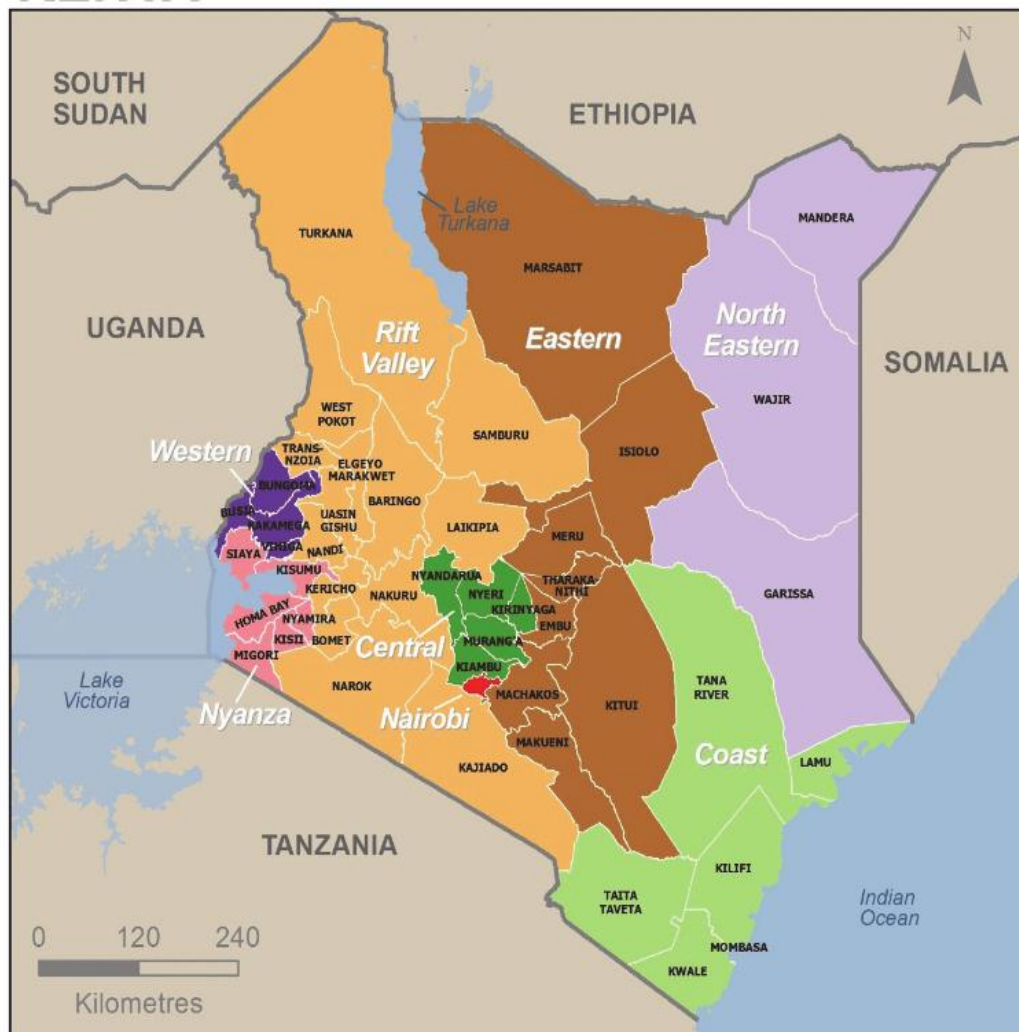
National Council for Population and Development
Nairobi, Kenya

The DHS Program, ICF International
Rockville, Maryland, USA

December 2015



Appendix II: Map of Kenya



Appendix III: Food Security Status

Background characteristic	Food consumption score groups			Total	Number of households with valid food consumption score	Percentage of households that report lacking food or money to purchase food	Number of households	Mean coping strategy index	Number of households with total coping strategy index greater than zero
	Poor	Borderline	Acceptable						
Residence									
Urban	1.4	7.3	91.3	100.0	7,217	23.0	7,280	17.4	1,658
Rural	1.7	11.4	86.9	100.0	10,041	36.2	10,080	19.6	3,645
Region									
Coast	1.1	10.7	88.2	100.0	1,651	24.5	1,688	16.1	414
North Eastern	1.9	8.5	89.6	100.0	342	37.8	344	15.4	130
Eastern	0.8	8.0	91.2	100.0	2,510	37.5	2,516	20.0	942
Central	1.3	5.8	92.9	100.0	2,391	17.4	2,400	16.7	418
Rift Valley	2.3	11.4	86.4	100.0	4,387	25.4	4,406	22.1	1,119
Western	1.4	10.8	87.8	100.0	1,720	44.6	1,726	17.3	769
Nyanza	1.6	12.9	85.5	100.0	2,174	41.9	2,187	18.4	915
Nairobi	1.6	7.5	90.8	100.0	2,085	29.1	2,093	18.3	597
Wealth quintile									
Lowest	3.8	17.9	78.3	100.0	2,888	54.4	2,894	21.7	1,574
Second	1.8	14.0	84.2	100.0	3,152	41.6	3,166	19.5	1,316
Middle	1.1	9.8	89.1	100.0	3,244	32.6	3,262	17.4	1,061
Fourth	0.8	6.2	93.0	100.0	3,913	21.1	3,948	16.3	824
Highest	0.8	3.7	95.5	100.0	4,062	13.0	4,091	16.1	528
Total	1.5	9.7	88.8	100.0	17,258	30.7	17,360	18.9	5,303

Note: The food consumption score reflects the quantity and quality of people's diet. The coping strategy index measures behaviours adopted by households when they have difficulties in covering their food needs.

Appendix IV: Questionnaire

NO.	QUESTIONS AND FILTERS	CODING CATEGORIES	SKIP
120	<p>How many acres or hectares of agricultural land do members of this household own?</p> <p>ACRES / HECTARES: IF 995 OR MORE, RECORD '995.0' IN APPROPRIATE BOX.</p> <p>PLOT SIZE (SQ FT): IF 99995 OR MORE, RECORD '99995.0' IN APPROPRIATE BOX.</p>	<p>ACRES 1 <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/></p> <p>HECTARES 2 <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/></p> <p>PLOT SIZE (SQ FT) 3 <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/></p> <p>DONT KNOW 9999998</p>	
121	Does this household own any livestock, herds, other farm animals, or poultry?	<p>YES 1</p> <p>NO 2</p>	→ 123
122	<p>How many of the following animals does this household own?</p> <p>IF NONE, ENTER '00'. IF 95 OR MORE, ENTER '95'. IF UNKNOWN, ENTER '98'.</p> <p>a) Local cattle (indigenous)?</p> <p>b) Exotic/grade cattle?</p> <p>c) Horses, donkeys, or camels?</p> <p>d) Goats?</p> <p>e) Sheep?</p> <p>f) Chickens?</p>	<p>a) LOCAL CATTLE <input type="text"/> <input type="text"/></p> <p>b) EXOTIC/GRADE CATTLE <input type="text"/> <input type="text"/></p> <p>c) HORSES/DONKEYS/CAMELS ... <input type="text"/> <input type="text"/></p> <p>d) GOATS <input type="text"/> <input type="text"/></p> <p>e) SHEEP <input type="text"/> <input type="text"/></p> <p>f) CHICKENS <input type="text"/> <input type="text"/></p>	
123	Does any member of this household have a bank account?	<p>YES 1</p> <p>NO 2</p> <p>DONT KNOW 8</p>	
123A	In the past 7 days were there days when your household did not have enough food or money to buy food?	<p>YES 1</p> <p>NO 2</p>	→ 123C
123B	How many days did your household have to:	<p>a) LESS PREFERRED FOOD <input type="text"/></p> <p>b) RELY ON BORROWED FOOD <input type="text"/></p> <p>c) REDUCE NUMBER OF MEALS <input type="text"/></p> <p>d) REDUCE SIZE OF MEALS <input type="text"/></p> <p>e) REDUCE QUANTITIES FOR ADULTS . <input type="text"/></p>	NUMBER OF DAYS
123C	How often does anyone smoke inside your house? Would you say daily, weekly, monthly, less than monthly, or never?	<p>DAILY 1</p> <p>WEEKLY 2</p> <p>MONTHLY 3</p> <p>LESS THAN MONTHLY 4</p> <p>NEVER 5</p>	
124	At any time in the past 12 months, has anyone come into your dwelling to spray the interior walls against mosquitoes?	<p>YES 1</p> <p>NO 2</p> <p>DONT KNOW 8</p>	→ 126
124A	How many months ago did someone spray your dwelling against mosquitos?	MONTHS AGO <input type="text"/> <input type="text"/>	