



# **Gender Aspects of Land Reform Constitutional Principles**



**Kenya Land Alliance**





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Gender Aspects of Land Reform

Published by

Kenya Land Alliance  
C.K. Patel Building,  
6th Floor, Kenyatta Avenue,  
P.O. Box 2177,  
Nakuru, Kenya  
Tel.: 254-37-41203/45279  
Email: klal@africaonline.co.ke

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First Published 2002

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## Acknowledgement

Kenya Land Alliance (KLA) takes this opportunity to thank those who contributed to this Pocket size Booklet. These includes, among others, those who took part in the Focused Group Discussion (FGD) that made useful inputs towards the compilation of this material in what it is today.

Special thanks go to Dr. Akinyi Nzioki of the Royal Netherlands Embassy who did the research work for the assignment. Thanks also to the Department for International Development (DFID) for their financial support towards the project and the publication of the booklet.

It is our sincere hope that this booklet makes a significant contribution towards creating a just, fair and equitable society in which women rights are more recognized and promoted with regards to land.

## Foreword

Kenya Land Alliance (KLA) has been in the forefront in championing the cause of women with regards to their property rights especially land. This stems from the premise that the society has been patriarchal, thus leaving women land issues to the abysses, a situation that has been exacerbated by gender discrimination. For example, less than five (5) percent of land is registered in the names of women, yet they play a pivotal role in agricultural development in Kenya, which to date is the main stay of Kenya's economy. Hence, land and women discussion have often evoked domination and discrimination of women from ownership and use of land as compared to men.

The situation is however promising in the other East African countries where policies on land are being formulated in favour and support of women. This has in turn had an attendant consequence of increased women's involvement in activities that are geared towards utilization of land as one of the critical factors of production.

It is against this back drop, among other reasons, that KLA commissioned a study on *Gender Aspects of Land Reform: Constitutional Principles* to carry out an investigative study and provide recommendations that will make a significant contribution by rectifying the situation.

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Throughout this pocket size booklet, Land Reform Volume 4, KLA proposes that collectively as a nation, and especially during this time of the constitutional review process, the principles outlined be embraced with the purpose of providing women a deliberate opportunity to engage in decision-making as regards land-use, management and ownership.

The booklet presents some of the salient land issues with regards to women and key tenets of constitutional principles that touch on critical issues such as; discrimination on the basis of sex, land tenure reform, land ownership, trust land (community, public lands), rights of inheritance, succession and matrimonial property, land distribution and re-settlement schemes, land markets, institutional arrangements and the national land policy. By addressing all these concerns, KLA hopes that women will have been provided with an opportunity to contribute towards national development more effectively and by extension posterity.

Odenda Lumumba,  
National Co-ordinator,  
Kenya Land Alliance,  
2002.

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