

# Gender Dynamics and Land Ownership: Implications for Food Security in Migori County

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## ABSTRACT

Land ownership, a critical factor in food security, is particularly significant in sub-Saharan Africa, where agriculture is the primary source of income and sustenance for many. This study, which focused on Migori County, Kenya, examined the gender dynamics of land ownership and their impact on food security. Anchored on the sociological institutionalism theory, the study used a mixed-methods approach, combining quantitative data from a household survey (n=250) with qualitative data from in-depth interviews with key informants (n=20) and Focus Group Discussions (FGDs) (n=4). The paper delves into how cultural norms, inheritance practices, and a weak legal framework perpetuate these inequalities. The study's findings, which reveal a persistent gender gap in land ownership, with men disproportionately controlling land titles and decision-making power, are essential. This patriarchal land system restricts women's access to land, hindering their agricultural productivity and contribution to household food security in particular and human security in general. The study recommends legal reforms to entrench women's right to land ownership and use, cultural sensitization programs, and promotion of innovative land access models such as joint titling and land leases. These recommendations can potentially make a tangible difference in the lives of women in Migori County, significantly improving their food security.

**Keywords:** Gender, Land Ownership, Human Security, Food Security and Sociological Institutionalism

## INTRODUCTION

Gender dynamics and land ownership have profound implications for food security worldwide (Westholm & Ostwald, 2020). Women, despite being crucial to agricultural production, often face systemic barriers to land ownership. This discrimination can limit their access to resources, credit, and decision-making power, hindering their ability to invest in sustainable agricultural practices. In many countries, women are disproportionately affected by land grabbing, displacement, and climate change, further exacerbating their vulnerability to food insecurity.

In Latin America, land reform policies have frequently fallen short in addressing gender disparities, leading to significant marginalization of women in the land distribution process (Tantoh, McKay, Donkor & Simatele, 2021). Despite the intent of these reforms to create a more equitable system, many policies have been implemented with insufficient consideration of gender-specific barriers and needs. This oversight often results in women being excluded from the benefits of land ownership and management, thereby perpetuating existing inequalities. Women may face additional obstacles such as legal and bureaucratic hurdles, social norms, and economic constraints that are not adequately addressed by the reform measures. Consequently, the intended benefits of land reforms are not equally shared, reinforcing gender-based disparities in access to and control over land resources.

Women in India according to Choithani (2020), frequently encounter discriminatory land inheritance laws that severely limit their ability to own or inherit land, despite their substantial contributions to agricultural labor.

Choithani (2020) highlights that these legal constraints are deeply rooted in historical and cultural practices, where traditional patriarchal norms prioritize male heirs over female ones. As a result, women are often excluded from formal land ownership, which undermines their economic security and perpetuates gender inequality. This legal disenfranchisement persists even as women play critical roles in agricultural production, reflecting a broader systemic issue where their labor is undervalued and their rights to land and resources remain restricted.

In various regions of Africa, women frequently face denial of inheritance rights, leaving them without land to cultivate, as noted by Slavchevska, Doss, de la O Campos, and Brunelli (2021). This exclusion from land ownership hinders their ability to engage in agricultural activities and impedes their economic independence and social empowerment. The persistence of such gender-biased inheritance practices reflects entrenched cultural and legal barriers that marginalize women, despite their crucial role in agriculture and food security. Consequently, this systemic inequality contributes to broader socioeconomic disparities and limits women's opportunities for advancement and self-sufficiency.

Food security, defined as the availability, accessibility, utilization, and stability of food (FAO, 2020), is a major component of human security and remains a significant challenge in sub-Saharan Africa. Despite decades of economic expansion, Kenya continues to have vulnerable areas, especially in rural areas where agriculture is the primary source of income (World Bank, 2022). Migori County in the southwestern region of Kenya is one area facing urgent food insecurity challenges. Factors such as climate change and unpredictable rainfall patterns play a significant role in exacerbating food insecurity. The region is particularly vulnerable to erratic weather conditions, which lead to poor harvests and food shortages. However, a critical underlying issue that aggravates the situation is the unequal distribution of land ownership, especially the marginalization of women's land rights.

In Migori County, traditional customs and legal barriers often prevent women from owning and inheriting land despite their crucial role in agricultural production. Women constitute the majority of the farm workforce, yet they rarely have control over the land they cultivate. This lack of land ownership limits their ability to make decisions about crop production, access credit, and invest in sustainable agricultural practices, reducing overall productivity and resilience to food insecurity. It also leads to land-related conflicts within the families, further affecting personal security. The study looked at how land ownership patterns differ by gender and how they affect food security in Migori County and argues that the sociological institutionalism perspective, which emphasizes the role of social structures and institutions in shaping access to resources, provides a valuable lens for understanding these dynamics which align with findings by Hodson and Dwyer (2020).

## LITERATURE REVIEW

The global commitment to food security through the Sustainable Development Goals (SDGs), progress in developing nations, has been slower than expected (Sachs *et al.*, 2022). The Food and Agriculture Organization (FAO, 2021) highlights that food accessibility remains a critical issue for millions, predominantly in Latin America, Asia and Africa. Previous global initiatives like the Millennium Development Goals (MDGs) had notable successes in reducing extreme poverty and undernourishment, demonstrating that targeted global efforts can achieve significant progress (FAO *et al.*, 2021). However, the persistent challenges in meeting SDG targets, especially in sub-Saharan Africa, indicate that further action is necessary. This suggests that land tenure reforms and improved agricultural practices are essential for a broader strategy to enhance food security and meet SDG objectives.

Venezuela has witnessed significant shifts in land ownership and gender dynamics following the Bolivarian Revolution (Marquina & Gilbert, 2020). The government's agrarian reform initiatives aimed to redistribute land to marginalized communities, including women. However, implementation challenges and the complex interplay of social and economic factors have often hindered women's effective access to and control over land. Despite the policy changes, traditional gender norms and patriarchal structures continue to limit women's

land ownership rights and their participation in agricultural decision-making. This has implications for food security, as women's access to land is crucial for their ability to produce food and ensure household sustenance.

Socio-cultural land tenure practices shape food security by influencing land access and control, affecting agricultural investment and productivity. Zhou, Li, and Liu (2020) explored the impact of land consolidation in China, noting its crucial role in increasing available arable land, boosting rural agricultural output, and creating job opportunities. Their study highlights how land consolidation, driven by increased population pressure, enhances food security by improving land use efficiency and agricultural productivity (Zhou et al., 2020). This finding underscores the importance of land management practices in addressing food security challenges in densely populated regions. However, while the study demonstrates significant benefits, it does not address potential social and environmental trade-offs associated with land consolidation, suggesting a need for a balanced approach to land management.

In Nepal, socio-cultural factors and government policies have deeply influenced land tenure systems since 1951. Research by Budhathoki and Zander (2020) provides historical perspectives on how cultural practices shape land tenure and agricultural use. However, these studies fail to analyze the mechanisms through which contemporary cultural factors impact land tenure and food security. A nuanced understanding of how traditional customs affect modern land management practices is critical, as these factors can facilitate and hinder effective agricultural production (Budhathoki & Zander, 2020). This gap highlights the necessity of integrating cultural considerations into land tenure reforms to ensure that policies support sustainable food security outcomes.

Alwedyan and Taani (2021) investigated land privatizations' influence on citrus growers' agricultural practices in Jordan. Their findings show that privatization has led to adopting sustainable farming methods, such as improved irrigation and soil analysis, which have enhanced agricultural productivity (Alwedyan & Taani, 2021). This study illustrates how land privatization can positively impact agricultural efficiency and food security. Conversely, in Zambia, Bwalya (2022) identified challenges associated with formalizing land rights, particularly the conflict between customary and privatized land tenure systems. This highlights a broader issue in African contexts, where land privatization must be carefully managed to harmonize with traditional land rights and prevent adverse impacts on food security.

Land tenure systems significantly impact food security in Kenya due to their influence on agricultural practices and livelihoods. According to K'oyoo and Breed (2023), Kenya's land tenure is divided into communal, public, and private categories, with private land further categorized into freehold and leasehold. The predominance of subsistence agriculture among Kenyan farmers highlights the direct link between land access and livelihoods. While private land ownership can potentially enhance agricultural investment and productivity, it is influenced by broader socio-cultural factors that affect land use and distribution. Leasing arrangements may offer small-scale farmers more access to land, suggesting a possible pathway for improving agricultural outputs and food security (K'oyoo & Breed, 2023). This complexity underscores the need for tailored land reforms that address formal and informal tenure systems to bolster food security.

The relationship between land tenure security and agricultural productivity is well-documented but remains underexplored in specific contexts such as Kenya. Studies show that secure land tenure can boost agricultural investment and productivity by giving farmers the confidence to invest in land improvements (Feder & Onchan, cited in Singirankanbo & Ertsen, 2020). However, gaps remain in understanding how land tenure arrangements influence food security outcomes, particularly in regions with complex land tenure systems (Singirankanbo & Ertsen, 2020). This highlights a need for further research to identify effective policy interventions and address the specific mechanisms through which land tenure impacts agricultural productivity and food security. Comprehensive studies are essential to develop effective land tenure policies that support food security and agricultural development in Kenya and similar contexts.

## Research Gap

The correlation between gender, land ownership, and food security has been acknowledged in research,

although there is a significant gap in understanding the specific dynamics of these relationships within the context of Migori County. While there are challenges of food insecurity in the region, the role of land ownership lacks a deeper exploration of the nuanced ways in which gender intersects with these issues. For instance, there is a need for more in-depth research on the specific legal, cultural, and economic barriers that prevent women from securing land rights in Migori County. Additionally, the impact of these barriers on women's agricultural productivity, income, and overall food security requires further investigation. Furthermore, there is a need for a more granular analysis of the different categories of women within the county, such as age, marital status, and ethnic affiliation, to understand how these factors influence their access to and control over land. By delving deeper into these areas, researchers can provide more targeted recommendations for addressing gender inequalities in land ownership and their implications for food security in Migori County.

### **Theoretical Framework**

The study was guided by three theoretical frameworks: sociological institutionalism, institutional analysis, and development frameworks. Sociological institutionalism by Peters (2022) posits that social structures and institutions, including cultural norms, legal systems, and property rights regimes, shape human behaviour and resource access (Peters, 2022). This perspective is particularly relevant to understanding gender and land ownership in Africa, where customary laws and patriarchal norms often disadvantage women. In Migori County, as in many parts of Africa, gender dynamics intersect with land ownership patterns to profoundly affect food security. As Peters (2022) posited, sociological institutionalism underscores the significance of social structures and institutions in shaping human behaviour and resource access. Within this framework, gendered power dynamics play a pivotal role, often perpetuating inequalities in land ownership and consequently impacting food security outcomes. Customary laws and patriarchal norms are prevalent in many African societies and tend to favour men in land ownership and control, marginalizing women and limiting their access to productive resources.

The implications of these gendered land ownership dynamics for food security in Migori County are multifaceted. Firstly, unequal land distribution reinforces existing gender disparities in agricultural productivity. With limited access to land, women farmers are often constrained in their ability to engage in farming activities and invest in agricultural inputs, resulting in lower yields and reduced household food production. Secondly, women's exclusion from land ownership exacerbates their vulnerability to food insecurity, as they lack control over critical resources necessary for food production and livelihood sustenance. This perpetuates cycles of poverty and food insecurity within female-headed households, which are prevalent in many rural communities in Migori County.

Moreover, gendered land ownership patterns intersect with broader socio-economic factors to shape food access and consumption patterns. Women's limited land rights contribute to their economic dependency on male household members, constraining their ability to make decisions about food purchases and dietary diversity. Consequently, women and their dependent children often bear the brunt of food insecurity, facing higher risks of malnutrition and related health issues. Addressing these gender disparities in land ownership and their implications for food security requires multifaceted interventions that challenge patriarchal norms, promote women's land rights, and enhance their participation in decision-making processes related to land management and agricultural production.

Institutional Analysis and Development (IAD) paradigm advanced by Heikkila and Andersson (2021), highlights the significance of analyzing the interactions between actors, rules, and physical conditions within a given context to understand and predict the outcomes of institutional arrangements. The framework is nested within sociological institutionalism and provides tools to analyze the interaction between different levels of influence, the operational, the collective action, and the constitutional choice (Heikkila & Andersson, 2021). In Migori County, Kenya, the intricate interplay between gender dynamics and land ownership significantly impacts food security, a critical concern for the region's inhabitants. Applying the IAD framework unveils the

complex web of interactions shaping this scenario. At the operational level, individual actions and land use and access decisions are influenced by prevailing gender norms and power dynamics. Women, often marginalized in land ownership structures, may face barriers to accessing and utilizing land for agricultural purposes, limiting their contribution to household food production.

Moving to the collective action level, community norms and rules further exacerbate gender disparities in land ownership and its implications for food security in Migori County. Traditional customs and practices may reinforce the unequal distribution of land rights, favouring male household heads while marginalizing women and other vulnerable groups. Moreover, community-level decision-making processes related to land management may systematically exclude women, perpetuating their subordinate status and hindering their ability to advocate for their rights and interests in securing food resources.

At the constitutional choice level, formal laws and policies regarding land tenure and property rights are crucial in shaping gender dynamics and food security outcomes. Existing legal frameworks in Migori County may lack gender-sensitive provisions or enforcement mechanisms, thereby failing to address the root causes of land inequality. Without adequate legal safeguards and institutional support, women continue to face systemic barriers in accessing and owning land, impeding their ability to participate in agricultural pursuits and support the food security of households. Therefore, a comprehensive analysis of these institutional arrangements through the lens of the IAD framework is essential for designing targeted interventions and policy reforms to promote gender equity in land ownership and enhance food security outcomes to ensure human security.

## METHODOLOGY

The study utilized a descriptive survey research design with a mixed-methods approach, combining qualitative and quantitative data collection techniques to understand the dynamics of land ownership and food security within households across the county. The descriptive survey research design was chosen to gather comprehensive data on gender dynamics, land ownership, and food security. The mixed-methods approach allowed for a deeper understanding of the complex interplay between these factors, combining quantitative data to measure the extent of the issues and qualitative data to explore the underlying reasons and experiences. In the study, Migori County had a household population of 240,168 according to Kenya National Bureau of Statistics (2019). With the aid of the Yamane Formula where  $e = \sqrt{((240168 - 250) / (250 * 240168))}$  a sample size of  $n=250$  was attained.

As part of the study's quantitative component, a household survey with a sample size of 250 respondents who were selected through a random sampling method from four sub-counties within the county to ensure a representative sample. The purpose of the survey questionnaire was to gather comprehensive data on a range of criteria, including demographic characteristics, land ownership status, levels of agricultural production, household food security indicators, and the power dynamics related to household decision-making concerning land use. This approach allowed the study to gather a broad range of data to quantify the extent and nature of these issues within the community.

In addition to the quantitative survey, the qualitative component of the study involved semi-structured, in-depth interviews with 20 key informants. These informants were purposively selected to include diverse perspectives, drawing from local government officials, agricultural extension officers, community leaders, and representatives from civil society organizations focusing on gender and land rights. Purposive sampling ensured the study captured expert insights and experiences relevant to land ownership and food security. The in-depth interviews aimed to probe further into the nuances of gender norms, inheritance practices, and the specific challenges women face in accessing land, providing a more affluent, contextual understanding of the quantitative findings.

Furthermore, to complement the in-depth interviews, the study conducted four FGDs, each comprising 10

participants. To guarantee a diverse range of viewpoints and experiences, a mix of men and women from different age groups and socioeconomic backgrounds participated in these sessions. The FGDs provided a platform for participants to express their views and experiences regarding gender norms and land ownership, discuss the barriers women face in accessing land, and share their experiences related to food security. This qualitative data added depth to the survey results, highlighting personal and communal narratives that numbers alone could not convey.

The quantitative analysis of the data was done with the Statistical Package for Social Sciences (SPSS) software. This software facilitated the generation of descriptive statistics, which provided a clear overview of the demographic and socioeconomic characteristics of the survey respondents and was used to identify correlations between key variables, such as the relationship between land ownership status and household food security. This analysis was crucial in quantifying the extent of the issues and identifying patterns and trends that could inform policy and intervention strategies. A thematic analysis approach was employed for qualitative data. This approach involved systematically coding the data from interviews and FGDs to identify recurring themes and patterns. The thematic approach, combining qualitative and quantitative data, allowed the examination of participants' experiences, informing the validity and reliability of the study's findings.

### Data Analysis

The quantitative data analysis revealed gender disparity in land ownership. The study revealed that 82.4% of land ownership was held by male spouses, with 17.6% held by joint spouses, as revealed in Figure 1.

#### Land Ownership by Spouse

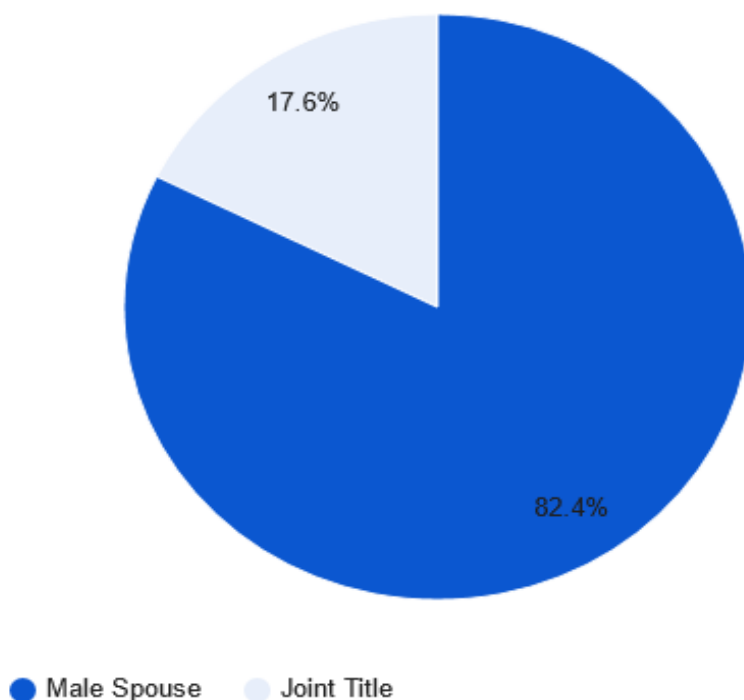


Figure 1: Land Ownership

Women reported feeling insecure about their access to land, mainly widows and daughters who faced challenges inheriting land due to customary practices favouring the male. Respondents outlined a correlation between land ownership and food security indicators by noting that households where women had some control over land use decisions, either through joint titles or influence within the household, reported higher dietary diversity and a lower prevalence of food insecurity compared to households where the male solely controlled land use decisions.

Thematic analysis of the qualitative data provided rich insights into how social and cultural factors influence gender and land ownership. The research area's land ownership and inheritance procedures are greatly influenced by cultural norms. Participants in various discussions and studies consistently highlighted the deep-rooted patriarchal norms that dictate land ownership and inheritance primarily pass through the male lineage. This tradition, entrenched over generations, often excludes women from owning or inheriting land, regardless of their substantial contributions to agricultural production and the overall economy.

In the study area, the study established that land is a symbol of power and economic stability. As such, it is traditionally passed from father to son, reinforcing that men are the primary breadwinners and decision-makers within families and communities. This gender-biased practice is upheld by legal systems and customary laws that favour male heirs, leaving women at a significant disadvantage. Even when women are heavily involved in farming and contribute significantly to the household's agricultural output, their efforts often go unrecognized regarding property rights. Women may manage and work on the land but typically do not own it. This lack of ownership limits their ability to make decisions about the land, access credit, or invest in improvements, perpetuating a cycle of dependency and economic vulnerability.

Moreover, these norms can lead to broader social and economic implications. For instance, women's inability to own land can impede their ability to receive health and educational services for both themselves and their children, perpetuating gender inequality across multiple generations. It also restricts their participation in community decision-making processes, further marginalizing their voices and perspectives in agricultural and developmental policies. Efforts to challenge and change these norms are often met with resistance due to the deep-seated nature of these beliefs. However, increasing awareness and advocacy for women's land rights, legal reforms, and community-based initiatives are essential to achieving gender equality. Empowering women with land ownership rights enhances economic security and promotes sustainable agricultural practices and community development.

Inheritance practices present significant challenges for women, considering that traditional norms and customs influence who inherits the property. Interviews with women illuminated these challenges, shedding light on their difficulties during the inheritance process. Widows often face substantial pressure to relinquish control of their deceased husband's land to his male relatives. This pressure can be subtle and overt, manifesting through social expectations, familial coercion, or legal obstacles. In many cases, the deceased husband's family views the land as part of the broader family estate, meant to remain within the male lineage. As a result, widows are frequently denied the right to maintain ownership and control of the land, regardless of their role in managing and working on it during their husband's lifetime. This practice not only strips widows of their livelihood and security but also places them in a vulnerable position, potentially dependent on their in-laws for support, hence undermining their personal and economic security.

On the other hand, daughters often face cultural barriers that prevent them from inheriting land. Sons were deemed the rightful heirs and expected to continue the family lineage and legacy. Daughters, even those who have contributed significantly to the family's agricultural work, were often overlooked in inheritance matters. This cultural bias stems from deep-rooted beliefs about gender roles and the perception that women, upon marriage, become part of their husband's family and thus should not inherit land from their birth family. These practices have far-reaching implications, perpetuating gender inequality and economic disparity. Women's inability to inherit land restricts their economic independence and limits their opportunities for development and empowerment. It also reinforces the cycle of poverty and dependency, as women without land cannot leverage property to access credit or invest in their future.

Participants in various FGDs consistently raised significant concerns regarding the weak legal framework surrounding women's land rights. These concerns highlight a complex issue where the primary focus is limited awareness and enforcement of laws to guarantee women's access to land ownership and inheritance. Despite legislative measures intended to protect women's land rights in many countries, these laws often remain underutilized and poorly enforced, creating a considerable gap between the theoretical legal provisions and

practice. This gap leaves many women without the rights and protections they are theoretically entitled to, perpetuating gender inequalities and economic disparities.

One of the significant issues identified was the pervasive lack of awareness about these legal protections among women. In rural areas, where patriarchal norms are deeply entrenched, women often remain uninformed about their legal rights to own and acquire land. Numerous reasons can be blamed for this ignorance. Firstly, low literacy rates in these regions contribute significantly to this issue. Education levels are generally low, and women, in particular, have less access to educational opportunities compared to men. This educational disparity results in a lack of knowledge about legal rights and available resources. Secondly, there is inadequate outreach by governmental and Non-Governmental Organizations (NGOs) tasked with disseminating information about women’s land rights. Outreach efforts are often limited by resource constraints, geographic barriers, and sometimes a lack of prioritization of women's issues. Lastly, persistent patriarchal attitudes play a significant role. These attitudes discourage women from seeking information about their rights, as they are socialized to accept traditional roles and may not question the status quo, which relegates them to a secondary status in land ownership and inheritance. Consequently, many women may not even realize that they have legal recourse when their rights are violated, leading to a perpetuation of the status quo.

Even when women were aware of their legal rights, pursuing land ownership claims was cumbersome and expensive, discouraging many from taking action. Legal procedures involved in asserting land rights can be complex, lengthy, and financially draining, presenting several barriers that are particularly insurmountable for women. The complexity of legal procedures requires a significant understanding of legal processes, which can be daunting for those without formal education or legal training. This often means that women must rely on legal representation, which is costly. The high cost of legal representation is a significant obstacle, as hiring a lawyer, paying court fees, and covering other related expenses can be prohibitively expensive. These financial barriers are particularly acute for women who are already economically disadvantaged, thereby further entrenching gender inequalities. The time-consuming nature of these processes also means that legal battles over land rights can drag on for years, requiring sustained commitment and resources that many women do not have. As a result, many women are discouraged from initiating or continuing legal action, leaving their land rights unclaimed and unenforced. The study drew on results on the impact of the weak legal framework on women’s land rights, as illustrated in Figure 2.

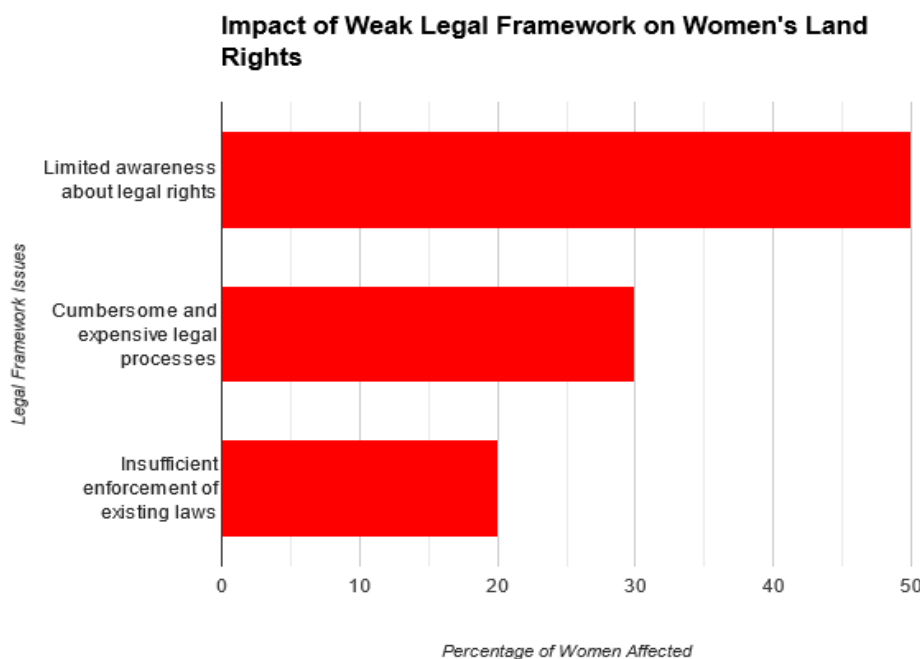


Figure 2: Impact of Weak Legal Framework on Women’s Land Rights



In addition to the barriers, the study established that enforcing existing laws intended to protect women's land rights is frequently insufficient. Several factors contribute to this enforcement gap. Local authorities and judicial systems cannot often effectively uphold women's land rights due to inadequate training, resources, or infrastructure. This lack of institutional capacity means that even when women take legal action, they may not receive the support they need from local authorities to see their claims through. Moreover, entrenched cultural biases within local governance and judicial systems often result in prioritizing customary practices over statutory laws. Male-dominated local governance structures may be resistant to change and may not take women's legal claims seriously, further hindering the enforcement of women's land rights. Corruption within legal and administrative systems also impedes women's land rights enforcement. Practices such as bribery and favouritism lead to biased decisions that favour male relatives over women, even when the law supports the latter's claims. As a result, women's legal claims are often sidelined in favour of traditional inheritance norms, perpetuating a cycle of exclusion and disenfranchisement.

The study recognized that the consequences of these weak legal frameworks and the ineffective enforcement of women's land rights are profound and far-reaching. When women are unable to own or inherit land, it perpetuates gender inequality and economic disparity. The lack of land ownership limits women's economic independence and ability to invest in their future, which has several critical implications. Firstly, economic disempowerment is a significant issue. Land is a valuable economic asset that provides security, generates income, and can be used as collateral for loans. Without land ownership, women are often economically dependent on male relatives, limiting their financial autonomy and opportunities for economic advancement.

In the study, limited access to resources was a critical implication of women's lack of land ownership.

Women who do not own land are significantly less likely to have access to essential agricultural inputs such as seeds, fertilizers, and tools necessary for productive farming. Land ownership often serves as collateral for loans; without it, women find it challenging to obtain credit. This financial exclusion prevents them from investing in their farms, buying high-quality inputs, or adopting improved farming techniques. Consequently, their agricultural productivity remains low, limiting their contribution to agricultural output and food security. Moreover, the lack of land ownership also restricts women's access to extension services and training programs, which are crucial for enhancing farming skills and knowledge. These programs often prioritize landowners, leaving non-landowning women out of the loop. This exclusion perpetuates a cycle of low productivity as women cannot benefit from advancements in agricultural practices and technologies. Furthermore, women have limited bargaining power and influence within their communities without land ownership. They are often excluded from decision-making processes related to land use and agricultural policies, further marginalizing their role in agriculture. This lack of agency and resources hampers their ability to contribute fully to agricultural productivity and food security, ultimately affecting their communities' economic stability and development.

Marginalization in decision-making processes was identified in the study as a significant consequence of women's lack of land ownership. As a result, women who do not own land are often excluded from critical decision-making processes that impact land use, agricultural practices, and community development. Women have limited standing in communal discussions and governance structures without land ownership. They are frequently not consulted or allowed to decide how land is allocated, what crops are planted, and how agricultural resources are distributed. This exclusion means that their needs and perspectives are often overlooked, leading to decisions that may not be beneficial or sustainable for the community. Moreover, women's exclusion from these processes perpetuates gender biases and reinforces patriarchal norms. When only men participate in decision-making, the resulting policies and practices are more likely to reflect male priorities and interests, further marginalizing women and entrenching existing inequalities. The lack of women's voices in decision-making affects community development.

In the study, the inability of women to inherit land was noted to perpetuate gender inequality across generations significantly. Land inheritance is a primary means of wealth transfer and economic stability. When

daughters are excluded from inheriting land, they are deprived of a crucial asset that could provide them economic independence. This exclusion has far-reaching implications, as land ownership is often linked to financial security, social status, and the ability to access credit and other resources. Without land, women can invest less in income-generating activities, start businesses, or leverage property for loans. This financial dependence on male relatives' fathers, brothers, or husbands limits their ability to make autonomous economic decisions and restricts their participation in the broader economy. As a result, women are more likely to remain in a cycle of poverty and dependence, unable to break free from economic marginalization. Moreover, this inheritance bias perpetuates gender inequality by passing it down to the next generation. Daughters who do not inherit land face similar economic hardships as their mothers, continuing a legacy of financial instability and limited opportunities. This generational transmission of inequality undermines efforts to achieve gender parity and hampers societal progress as a whole.

## DISCUSSION

The findings from this study resonate with existing literature on gender and land ownership in Africa (Carney, 2020). The persistent gender gap in land ownership in Migori County, as evidenced by the quantitative data, aligns with the patriarchal norms and inheritance practices highlighted in the qualitative interviews and FGDs. These findings support the application of sociological institutionalism, where social structures and institutions perpetuate land access inequalities. The study's quantitative findings revealed a concerning gender imbalance in land ownership. 82.4% of surveyed households reported solely male ownership of land titles, with only 17.6% reflecting joint spousal ownership. This disparity translates into insecurity among women regarding land access, particularly for widows and daughters facing challenges due to customary practices favouring male heirs (Errico, 2021). Furthermore, the analysis identifies a correlation between land ownership and dietary diversity. Households where women exerted some control over land use through shared titles or influence within the household exhibited higher dietary variation and lower food insecurity than those with sole male control (Baye, Laillou & Chitekwe, 2024). Following the study, cultural norms and patriarchal traditions significantly shape land ownership and inheritance practices in many societies, leading to the exclusion of women despite their substantial agricultural contributions. Deep-rooted patriarchal norms often position men as the primary heirs and owners of land, reinforcing gender inequalities in economic stability and power dynamics. This male-centred inheritance system is deeply embedded in societal structures, where land is not just an economic asset but also a symbol of power and status (Slavchevska, Doss, de la O Campos & Brunelli, 2021).

Patriarchal traditions dictate that land passes through the male lineage, marginalizing women from owning or inheriting property. This exclusion is often institutionalized through legal and customary practices that prioritize men's rights to land over those of women, according to Gaddis, Lahoti and Swaminathan (2022). Consequently, women's contributions to agriculture and their roles in food security are overlooked and undervalued, perpetuating gender disparities (Gaddis, Lahoti & Swaminathan, 2022). The cultural perception that men are the rightful landowners stems from historical practices and societal beliefs that view men as the heads of households and primary economic providers, further entrenching gender biases. These practices are evident in various regions, where laws and customs systematically deny women access to land, thereby limiting their economic opportunities and reinforcing their dependency on male relatives. Efforts to reform these practices face significant resistance due to the entrenched nature of these patriarchal norms. Nonetheless, challenging these traditions is crucial for promoting gender equality and empowering women, particularly in rural areas where land is vital for livelihoods and development (Slavchevska, Doss, de la O Campos & Brunelli, 2021).

Legal frameworks and enforcement gaps frequently favour male heirs, placing women at a significant disadvantage regarding land ownership and inheritance rights. Many legal systems and customary laws are structured to prioritize male succession, systematically excluding women from property rights despite their substantial contributions to agricultural production, according to Asegie and Ayele (2023). This legal bias is not merely a reflection of cultural norms but also a manifestation of institutionalized gender discrimination

that perpetuates women's economic vulnerability and dependence. When women lack ownership of the land they work on, their contributions are undervalued, and their agricultural productivity is not adequately recognized. This lack of legal ownership directly impacts their decision-making power and restricts their access to crucial financial resources such as credit. Without property to use as collateral, women are often unable to secure loans needed for investment in agricultural improvements, further perpetuating a cycle of economic disadvantage (Aghemwenhio, 2024). Moreover, enforcing gender-equitable land laws is often weak or inconsistent, exacerbating the issue. Even in regions where progressive legal reforms exist, traditional practices and local customs frequently override formal laws, ensuring that male heirs continue to receive preferential treatment. This discrepancy between legal frameworks and their enforcement creates significant barriers for women, limiting their ability to achieve economic stability and independence.

Inheritance practices pose significant challenges for women, particularly in patriarchal societies, as elicited by Hillesland, Swaminathan and Grown (2022). Widows frequently encounter significant pressure to relinquish control of their deceased husband's land to male relatives, a vulnerability exacerbated by societal expectations, familial coercion, and legal obstacles. This pressure can manifest in various forms, from subtle societal cues to overt demands driven by the pervasive belief that land is a male-dominated asset. As a result, widows are often marginalized and excluded from property ownership, which further entrenches their economic vulnerability, according to Hillesland, Swaminathan and Grown (2022). In the same view, societal expectations play a crucial role in shaping the experiences of widows regarding land ownership. In many cultures, the land is perceived as part of the broader family estate rather than the widow's property. This perception leads to a situation where the deceased husband's family may feel entitled to claim the land, viewing the widow's control as temporary and conditional. Such cultural norms are deeply embedded and difficult to challenge, especially for widows who may lack the social power or legal knowledge to assert their rights effectively. Consequently, familial coercion also significantly impacts widows' land rights. Often, the deceased husband's relatives may pressure the widow to cede the land, using both psychological and sometimes physical means. This coercion can be compounded by legal obstacles, such as laws that inadequately protect widows' rights or customary practices that override statutory protections. Legal systems in many regions fail to enforce equitable inheritance laws, leaving widows without recourse to claim ownership or control of their husband's land (Hillesland, Swaminathan & Grown, 2022).

Cultural barriers often prevent daughters from inheriting land, perpetuating gender inequality in many societies. Sons are typically seen as the rightful heirs charged with continuing the family lineage and maintaining the family estate. This patriarchal norm disregards daughters' significant contributions to agricultural work, as societal beliefs dictate that daughters will join their husband's family upon marriage and, therefore, do not need to inherit land from their natal family (Moghadam, 2024). The perception that sons are the legitimate heirs is deeply ingrained in many cultures and is reinforced by legal and customary practices. These norms dictate that land should remain within the male lineage, excluding daughters from ownership and inheritance rights.

The exclusion is not only a cultural artefact but also an institutionalized practice that perpetuates women's economic dependency and marginalization. Despite their labour and contributions to family agriculture, daughters are often seen as temporary members of their natal families, destined to leave upon marriage. Furthermore, the exclusion of daughters from inheritance has far-reaching implications. Without land ownership, women lack the collateral necessary to access credit and make significant agricultural investments, limiting their economic opportunities and autonomy. This systemic exclusion reinforces the cycle of poverty and dependency among women, as they are deprived of vital economic resources that could enhance their livelihoods and contribute to their empowerment, as revealed in a study by Moghadam (2024).

Regarding concerns about the weak legal framework surrounding women's land rights. Key issues include limited awareness about legal protections for women, particularly in rural areas where patriarchal norms are deeply entrenched. Many women remain unaware of their legal rights to land and property due to low literacy rates and insufficient outreach by relevant organizations. This lack of awareness hinders their ability to assert

their rights and access resources that could improve their socioeconomic status, according to Doss and Njuki *et al.* (2023). In rural areas, patriarchal traditions often dominate, and women's roles are primarily confined to the domestic sphere. This cultural context and limited educational opportunities result in low literacy rates among women, further restricting their access to information about legal rights and protections. Without the ability to read and understand legal documents, women are less likely to be informed about their entitlements and the legal avenues available. Additionally, the outreach efforts by governments and NGOs to educate women about their rights are often inadequate. These organizations frequently lack the resources or the strategic focus necessary to penetrate rural areas effectively. As a result, many women continue to operate within the confines of traditional practices that deny them land ownership and inheritance rights (Doss and Meinzen-Dick, 2020).

Costly and complex legal procedures significantly discourage women from pursuing land ownership claims, even when they know their rights. The intricacies of the legal system and the high expenses associated with legal representation form substantial barriers, especially for economically disadvantaged women (Sukhera & Koczberski, 2014). Navigating legal procedures often requires a high level of legal literacy and familiarity with bureaucratic processes, which many women, particularly in rural areas, do not possess. The complexity of these procedures can be daunting, deterring women from initiating claims. Even if they manage to begin the process, the prolonged nature of legal battles, which can stretch over the years, further dissuades them from continuing their pursuit.

Further, according to Sukhera and Koczberski (2014), financial barriers are another critical factor. The cost of legal representation, court fees, and other related expenses can be prohibitively high for many women. Those from economically disadvantaged backgrounds are particularly vulnerable, as they may lack the resources to afford these costs. This economic hurdle is compounded by the opportunity cost of time spent away from income-generating activities, which many women cannot afford. Moreover, the lack of accessible legal aid exacerbates these issues. Legal aid services are often limited, and where they exist, they may be overwhelmed and underfunded, unable to provide adequate support to all who need it. This scarcity of affordable legal assistance leaves many women without viable options to assert their land rights.

The enforcement of laws designed to protect women's land rights is often ineffective, undermining efforts to achieve gender equality in land ownership. Several factors contribute to this insufficiency, including inadequate training of local authorities, resource constraints, and entrenched cultural biases within legal systems. These issues collectively hinder the effective implementation and enforcement of legal protections, according to Meinzen *et al.* (2017). Local authorities, critical in enforcing land rights, frequently lack the training to handle these issues adequately. Without proper education and resources, these officials may not fully understand the laws designed to protect women's rights or how to apply them effectively. This lack of knowledge can lead to misapplication of the law or neglect of women's claims, perpetuating the marginalization of women in land ownership.

Resource constraints further exacerbate the problem. Many legal systems, particularly in developing regions, suffer from underfunding and lack the infrastructure needed to support effective law enforcement. This scarcity of resources means that even well-intentioned legal frameworks cannot be appropriately implemented, leaving women without the protection these laws are supposed to afford. Cultural biases entrenched within the legal system also play a significant role. Many legal practitioners and local authorities may hold traditional views that favour male inheritance, thus resisting the enforcement of laws that support women's land rights. These biases can result in discriminatory practices undermining women's legal protections (Meinzen *et al.*, 2017). Additionally, corruption within legal systems further impedes women's claims. Corrupt practices, such as bribery and favouritism, can skew the enforcement of land rights in favour of those who can afford to pay, often leaving economically disadvantaged women at a significant disadvantage.

Regarding the consequences of gender disparity, land ownership is a crucial asset that offers security and income generation and serves as collateral for loans essential for financial autonomy and economic

advancement. For women, the lack of land ownership often translates to economic dependency on male relatives, significantly limiting their financial independence and opportunities for advancement, as opined by Shibata, Cardey and Dorward (2020). Owning land provides a stable foundation for economic activities. It allows women to engage in agriculture, knowing their efforts will benefit them and their families. This security is not just about having a place to live or farm but also about the ability to plan long-term investments and improvements that can increase productivity and income. Moreover, land ownership is directly linked to access to credit. Financial institutions typically require loan collateral, and land is one of the most accepted forms. Without land, women often lack the necessary collateral, restricting their access to financial services to start or expand businesses, invest in agricultural inputs, or cover emergency expenses. The absence of land ownership perpetuates a cycle of economic dependence and vulnerability. Women who do not own land often rely on male relatives for financial support, limiting their ability to make independent economic decisions. This dependency hinders their economic advancement, as they cannot invest in education, health, and entrepreneurial activities that could improve their socioeconomic status (Shibata, Cardey & Dorward, 2020).

Women who do not own land face significant barriers in accessing essential agricultural inputs and credit, which hinders their productivity and contribution to food security (Quisumbing *et al.*, 2021). Land ownership is often a prerequisite for obtaining agricultural inputs such as seeds, fertilizers, and equipment and securing loans to purchase these inputs. Without land as collateral, women are frequently excluded from financial services, limiting their ability to invest in and improve their agricultural activities. Quisumbing *et al.* (2021) noted that this lack of access extends to extension services and training programs, which are crucial for enhancing agricultural productivity. Extension services typically target landowners, assuming they are the primary decision-makers in agriculture. Consequently, these programs often overlook women who do not own land, missing out on vital information about new farming techniques, pest management, and crop diversification. This exclusion perpetuates a cycle of low productivity, as women cannot apply modern agricultural practices that could increase yields and improve food security. Moreover, the limited access to resources and training further entrenches gender disparities in agriculture. Women's contributions to food production are undervalued, and their potential to enhance food security is not fully realized.

Women who lack land ownership often find themselves excluded from essential decision-making processes regarding land use, agricultural practices, and community development (Meinzen *et al.*, 2014). As key stakeholders in agriculture and rural communities, their exclusion from these processes overlooks their needs and perspectives and undermines the sustainability of decisions. This exclusion reinforces existing gender biases and hampers women's ability to contribute meaningfully to community development. According to Meinzen *et al.* (2014), land ownership is intricately linked to community power dynamics, with landowners typically holding more influence over decision-making processes. In patriarchal societies, where land ownership is predominantly male-dominated, women often face systemic barriers to participating in these processes. Their exclusion perpetuates the marginalization of women's voices and experiences, leading to decisions that may not reflect the diverse needs and interests of all community members. Furthermore, the lack of participation from women in decision-making processes concerning land and community development hinders the realization of sustainable development goals. Women bring unique perspectives and priorities, including considerations for environmental conservation, social equity, and intergenerational well-being. Without their input, decisions may overlook critical factors necessary for long-term sustainability and resilience.

The inability of women to inherit land perpetuates gender inequality across generations, creating a cycle of disadvantage that replicates the experiences of their mothers (Leight, 2021). When daughters are denied inheritance rights, they are deprived of a critical asset for financial security and economic independence. This deprivation translates into limited opportunities for income generation, access to credit, and participation in the broader economy. Land ownership is a symbol of wealth and a means of generating income and securing livelihoods. Without land, women face significant barriers to economic empowerment. They may struggle to access resources needed for agricultural production or business ventures, hindering their ability to generate income and improve their socioeconomic status. Furthermore, according to Leight (2021), the lack of land

ownership limits women's access to credit, as land is often used as collateral for loans. Without this asset, women are less likely to qualify for loans or may face higher interest rates, further constraining their economic opportunities. Consequently, women who are unable to inherit land are more likely to remain trapped in a cycle of poverty, perpetuating intergenerational inequality.

## CONCLUSION

The study examined the gender dynamics of land ownership and their implications for food security in Migori County, Kenya. By adopting a sociological institutionalism perspective and employing a mixed-methods approach, the research revealed a persistent gender gap in land ownership and its negative impact on household food security. The findings highlight the need for multi-pronged interventions, including legal reforms, cultural sensitization, and promoting innovative land access models, to achieve gender equity in land ownership and enhance food security in Migori County and similar contexts across Africa, as summarized in Table 1.

Table 1: Summary of the Findings on Land Rights

Aspect	Key Findings	Chart
Land Ownership Rates	- 82.4% of land titles solely under a male spouse/head of household – 17.6% of households with joint titles for both spouses	Figure 1
Women's Land Security	- Widows pressured to relinquish land to male relatives - Daughters face cultural barriers to inheritance	
Cultural Norms	- Deep-rooted patriarchal norms favour male land ownership/inheritance - Land is seen as a symbol of power passed from father to son	
Legal Framework	- Weak legal framework with limited awareness and enforcement - Legal protections exist but underutilized	Figure 2
Barriers to Claiming Land Rights	- Lack of awareness about legal rights (low literacy, limited outreach) - Complex and expensive legal procedures	
Ineffective Enforcement	- Local authorities cannot uphold women's rights - Cultural bias prioritizes customary practices over law - Corruption hinders enforcement	
Consequences of Limited Land Ownership	- Economic disempowerment: limited access to resources, credit, and decision-making - Lower agricultural productivity - Marginalization in community development	
Perpetuating Inequality	- Inability to inherit land traps women in poverty - Creates a cycle of gender inequality across generations	

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## RECOMMENDATION

Based on the findings, the study recommends the following:

- Strengthening the legal framework surrounding land ownership. This entails advocating for revising and harmonizing existing land laws to ensure women are granted equal rights to land ownership and inheritance. Concurrently, investing in legal aid services is paramount to support women in navigating the legal system and claiming their rightful land entitlements. By bolstering legal support mechanisms, women can be empowered to assert their land rights more effectively.
- In addition to legal reforms, cultural sensitization initiatives are crucial for challenging deeply entrenched gender norms perpetuating land ownership inequalities. Implementing educational programs and fostering community dialogues can help dismantle traditional beliefs undermining women's land access. It is imperative to actively engage community leaders and religious institutions in advocating for women's land rights, leveraging their influence to promote more equitable community practices.
- Moreover, promoting innovative land access models is essential for ensuring women have secure tenure over land. Encouraging the adoption of joint titling and land lease agreements can provide women with tangible pathways to land access and ownership, even in cases where formal ownership may be challenging. These alternative models safeguard women's rights and support broader efforts to foster sustainable land management practices.
- Furthermore, investing in women's empowerment initiatives is integral to unlocking the full potential of women as landowners and agricultural stakeholders. Providing women access to credit, agricultural training, and extension services can equip them with the skills and resources needed to utilize land and enhance agricultural productivity effectively. Prioritizing women's empowerment paves the way for long-term economic growth and development and addresses immediate land ownership disparities.
- Lastly, enhancing data collection on gender and land ownership is essential for monitoring progress and informing evidence-based policy interventions. Regularly collecting and analyzing gender-disaggregated data can shed light on existing disparities and identify areas where targeted interventions are needed most. By prioritizing data-driven approaches, policymakers can better understand the complex dynamics surrounding women's land rights and tailor interventions accordingly, ensuring more impactful and sustainable outcomes.

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