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ANNUAL WORLD BANK CONFERENCE ON LAND AND POVERTY
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WOMEN AND LAND: A CONFLICT OF CULTURE AND LAW.

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ABSTRACT

Kenya is a diverse country with about 42 tribes, each bearing its own cultural laws. According to the Constitution 2010 cultural practices and customs are a source of law, in so far as they are not repugnant to justice and morality. It is paramount that a balance be struck between the two to avoid either offending the other. This paper seeks to; synchronize the existing land laws with the customary laws relating to land so as to create a convergence of the two and to help strike a balance between culture and women land rights. It also seeks to recommend reforms and policy change such as codification of the current customary laws so as to ensure that the retrogressive laws are done away with and only those that are progressive and accommodate women land rights are maintained. This will all be with an aim of realization of Kenya's vision 2030.



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KEY WORDS¹

Conflict of Laws

An opposition, conflict, or antagonism between different laws of the same state or sovereignty upon the same subject-matter.

Customs

A practice that by its common adoption and long, unvarying habit has come to have the force of law.

Succession

The act or right of legally or officially taking over a predecessor's office, rank, or duties or the acquisition of rights or property by inheritance under the laws of descent and distribution.

¹ As defined in the Black's Law Dictionary (8th ed. 2004)



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1.0 INTRODUCTION

The importance of women's land rights has been ignored over time. For one to understand this clearly, they have to interrogate the relative ease with which women have made some gains in education, access to formal employment and participate in politics, achievements in land rights has however been difficult. Because of the male-centered nature of land tenure systems in many societies, particularly customary tenure, a lot of agencies including governments have been gradual if not reluctant in their approach to fight for women's land rights.

A World Bank study on regional patterns of gender inequalities in basic rights and in access to and control of resources shows that disparities exist all over the world and no woman in the developing regions has equal rights with man². These differences are reflected in marriage, inheritance, property ownership and management, in household and community activities and even in decision-making. Deprivation of women's land rights through customary practices regarding land inheritance and property distribution after divorce and in succession is becoming a norm in the society. Land is a basis for shelter, food, economic activities, and is the most significant employer of women's labour.³ It is for this reason therefore that access to, ownership and use of land remains a right for women.

Land is recognized as a measure of wealth, social status and power in many African states, due to the patriarchal nature of society, women are denied the opportunity to own, access and make decisions pertaining to land. Arguments raised on women's land rights in the course of the 1990s that influenced international discourses on gender equality is well established as basic component of policy nowadays.

This study will be divided into five parts. Part one contains a general background of land as a basic human right and the position of women in regard to land. Part two will look at a general framework of the extent to which the African culture affects women land rights. Part three shall

²World Bank Annual Report, 2001 available at <http://documents.worldbank.org/curated/en/624991468764410016/Year-in-review> as of 20th September, 2018

³Kabonesa, K (2002), "Gender relations and Women's rights to land in Uganda: A study of Kabarole district, Western Uganda", East African Journal of Peace and Human Rights; Vol. 8, no. 2, 2002.



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focus on Kenya's current position with regard to women's cultural land rights. It will interrogate the legal framework and precedents on what the courts have declared with regard to the position of women's cultural land rights. Part four of the study shall give a comparative study of Kenya and other countries examining the position of women's cultural land rights and the conflict between law and culture, as well as looking at international human rights laws touching on women's land rights. This paper shall close in part five by giving recommendations on ways in which the gap between culture and women's right to land can be bridged.

2.0 PROBLEM STATEMENT

In Kenya under *Article 2* of the constitution of Kenya, 2010, Customary Law is recognized as a source of law, provided that it is consistent with provisions of any other written laws or the Constitution of Kenya. Unfortunately, customary laws in Kenya remain not written, change with circumstances, and majorly discriminate against women. In the case of *Re Estate of Solomon Kariuki (deceased) (2008) eKLR*, Justice Makhandia affirmed this position by stating that most of the Kenyan customary laws are always biased against women and tend to bar married daughters from inheriting from their deceased parents' estate. Justice Kimaru, in *Peter KarumbiKeingati & 4 others vs. Dr. Ann NyokabiNguthi & 3 others* made similar observation; customary laws can be unfair to women.

The Kenyan law of Succession recognizes customary laws, especially in relation to land rights. This action contravenes the provisions of the Constitution since most cultural laws are discriminatory to women's land rights. The cultural laws are retrogressive and a hindrance to the realization and development of women's land rights. Further, application of cultural laws creates contradiction and/or conflict with other written laws as prescribed.

The rural woman in Kenya will always be at a loss, because of the customary laws, there access to justice is limited and they are unable to fight for the realization of their land rights. Despite



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being the majority and main workforce behind production of land produce, women rarely own any reasonable forms of property.⁴

3.0 LAND AS A BASIC HUMAN RIGHT.

Land is not merely a commodity but an essential element for realization of many human rights.⁵ In most circumstances, land directly impacts the enjoyment of other human rights. It is in most cases a source of livelihood and at the central to economic rights especially in Africa where agriculture is the main economic activity. Land is the primary employer of women in the community particularly in the rural set up. Women are able to provide for their families by engaging in agricultural activities such as farming and selling the farm produce in a bid to sustain themselves, this ensures food security.

Land is also often linked to peoples' identities, and so is tied to social and cultural rights.⁶ This is particularly seen in matters of succession within the African community where there are cultural rights observed upon the demise of a person. Ordinarily, a deceased person is buried on their ancestral home or on his individually owned land. In the case where the deceased person is a married woman, she is buried at her husband's home and for an unmarried woman; she is buried at her father's homestead. Where the deceased person has no parcel of land, then a dilemma arises as to the site of burial. Further, most African communities in the rural set up use land as their homes. Those without any land are squatters and can be rendered homeless and destitute when the rightful owner of the property comes up to claim their land.

Human rights aspects of land affect a range of issues including poverty reduction and development, peace building, humanitarian assistance, disaster prevention and recovery, urban and rural planning, to name but a few. For instance, in regard to peace building, it has been seen that disputes in land between communities could easily spark unrest and breach the peace. In

⁴ Patricia Kameri- Mbote, *The Land has Its Owners! Gender Issues in Land Tenure Under Customary Law* (2005)

⁵ United Nations, *Land and Human Rights Standards and Application* (2015)

⁶ Available at <https://www.ohchr.org/en/issues/landandhr/pages/landandhumanrightsindex.aspx> as accessed on 3rd February, 2019



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Kenya, the Samburu and Turkana are constantly at logger heads due to the uncertainty of land ownership. The conflict always arises when either community accuses the other of entering into their grazing land. The conflict normally goes on for an extended period of time and affects the lives of many. Women and children are caught up in the conflict and suffer great loss.

Emerging global issues, such as food insecurity, climate change and rapid urbanization, have also refocused attention on how land is being used, controlled and managed by States and private actors. While an explicit universal right to land under international human rights law has not been recognized, courts have dealt with cases where land is intrinsically linked to the enjoyment of several human rights, including the rights to adequate housing, food and an adequate standard of living.⁷

4.0 CULTURE AND WOMEN LAND RIGHT

The Kenyan Constitution, 2010, provides for customary law as a source of law in Kenya as long as it is not repugnant to law and morality. Customary law emerge from unwritten social rules derived from community values, beliefs and traditions. Customary law, which often discriminates against women and limits their land and property rights, governs at least 65% of land in Kenya, and the patriarchal nature of the Kenyan society often limits the rights of even those women not living on land governed by custom.⁸

In the pre-colonial era, women's access to most property was through male relatives; usually husbands, fathers, brothers, or sons.⁹ Though control of land was not heavily emphasized, land was considered to belong to the elders and women had a right of user against the said land. Land in particular could not be transferred without approval of clan elders, who were always men.¹⁰

Despite being the majority and/ or main workforce behind production of land produce, women rarely own any reasonable forms of property. They have, little to no access to the same, neither

⁷ United Nations, Land and Human Rights, Annotated Compilation of Case Law (2015)

⁸FIDA Kenya, Women's Land and Property Rights in Kenya (2009)

⁹ Human Rights Watch, Double standards: Women Property Violation in Kenya (2003).

¹⁰ Human Rights Watch, Human Rights World Report (2003)



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do they make any decisions pertaining to any dealings in land, whether in terms of use, allocation or disposal. Control over the land was not heavily emphasized as to belonging to either the man or women but to the elders. Everyone thus accessed land at will. In most ethnic groups in those times just like it is today, inheritance was patrilineal. Married women did not inherit from their parents as it is assumed that it is the husband's family responsibility to provide for her.¹¹ Among farming communities where the basic property is land, women's access to it is determined by men as a matter of patriarchal cultural traditions.¹²

Within the Kenyan set up, women's land rights are mainly affected at the point of separation from her spouse and during succession not only of a spouse but also of a parent. Amongst the Maasai community within Kenya, a married woman is not allowed to inherit her deceased father's property. The reasoning behind this is that, she will inherit from her husband's home. If she is to inherit from her father's estate as well, she will have inherited twice, having an unfair advantage over her brothers. A cultural assumption is made that every man of marriageable age is a land owner and therefore the culture is silent on what happens to a man from a humble background who inherited nothing from his parents, neither has he acquired any land of his own. Should the matter be presented before the community elders to make a decision on who has a right to inherit the deceased parent's land, culture will carry the day and the woman's right to land will be infringed?

In the matter of *the Estate of MunkayoTorornkeiTatek (deceased)*, the sons of the deceased had disinherited the daughters sighting that they had been married and therefore under the Maasai Customary law were not entitled to inherit from their deceased father's property. They sought that the same customary law be upheld by the Honorable Court and the daughters be denied an opportunity to inherit from their late father's estate. The court however dismissed the said submission and allowed the daughters inherit from their late father's estate.

Amongst the Luo community an inherited wife, can only inherit from her 'new' husband if her first husband left her no property to inherit. In the event that he left her some property, then, she

¹¹ Eileen WakeshoMwagae, Factors Hindering Realization of Women Land Rights; A case of the Luhya Community in Kakamega, Kenya. (2013)

¹² Patricia Kameri- Mbote, *The Land has Its Owners! Gender Issues in Land Tenure Under Customary Law (2005)*



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will not be allowed to inherit from the deceased's property. This is despite the fact that she may have contributed towards its acquisition. Further still, under the customary laws it is believed that if a married daughter to the deceased is to inherit from his property it would invite a curse to the family. This was as seen in the arguments of the Petitioner in the matter of *the Estate of NyachawoOjwando (deceased)*, who had died intestate. The Petitioner's presented before the court three elders from the Luo community who affirmed the position of daughters to the deceased in succession.

Islamic sharia law is considered as one of the sources of law in Kenya under *Article 2* of the Constitution of Kenya 2010. Under Sharia law, where a woman who does not profess the Islamic faith is bereaved of her husband who during the time of his life professed Islamic faith, she would not be entitled to inheriting from his estate. This is as seen in the holding of Etyang, J, in the matter of *the Estate of Ishmael JumaChelanga*. This leaves wives who probably were wholly dependent on the deceased destitute as they have no right to any property. They are left vulnerable and susceptible to poverty. Further still, children born out of wed-lock under Islamic Sharia law are not entitled to inherit from the deceased's estate, this includes daughter who are then introduced into the cycle of poverty in the even that their mother is unable to provide for them and ensure that they live a comfortable life.

In light of the above it is obvious that customary law does not protect women's right to land. In any event it frustrates any efforts set out to protect women land rights.

5.0 KENYAN LEGAL FRAMEWORK OF WOMEN LANDS RIGHTS.

5.1 The Constitution of Kenya, 2010

The 2010 Constitution under *Article 40* states that every person has the right, either individually or in association with others, to acquire and own property. The Kenya legal framework on land is undergoing a fairly comprehensive overhaul following promulgation of the 2010 Constitution. While some laws have already been enacted, notably the Land Act, Land Registration Act and National Land Commission Act, others such as Law on Community land are yet to be finalized.



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There are also court precedents that have made a mark in the Kenyan land regime and have gone ahead to protect women land rights.

Article 27 of constitution provides for equality and protection from discrimination. It further provides for the drafting of laws that will protect women against discrimination. *Article 68* gives parliament the mandate to revise, consolidate and rationalize existing laws and enact legislations to regulate the recognition and protection of matrimonial property and in particular the matrimonial home during and after termination of marriage.

5.2 Statutes

The National Land Policy, which was developed through a multi-year consultative process, provides a vision to guide the country towards efficient, sustainable and equitable use of land for prosperity and posterity. It specifically cites the need to protect women's right to inherit land, protect the land rights of widows and divorcees and establish a matrimonial property framework that provides equal rights to land for men and women during marriage and upon dissolution of the marriage.¹³ It also distinguishes married and unmarried women's inheritance rights, directing the government to secure the inheritance rights of unmarried daughters.¹⁴

The Land Act No. 6 of 2012, provides the overarching legal framework for the governance of land in Kenya, based on principles established in the constitution. In relation to women and land rights, *section 2* of the Act defines marriage as inclusive of civil, customary and religious marriages and matrimonial home as any property that is owned or leased by one or both spouses and occupied by the spouses as their family home. *Section 79 (3)* of this act provides that there must be spousal consent from either spouse when disposing off or registering an encumbrance on the matrimonial property as defined within the act. This equalizes both partners in marriage and ensures that a wife is not left destitute when the husband decides to sell the property either during or after the subsistence of their marriage.

The Land Registration Act No. 3 of 2012 provides for a unified land title registration system in Kenya. Section 91 of the act includes strong protection for the land rights of spouses by allowing

¹³ Paragraph 225, Sessional Paper No. 3 of 2009 on National Land Policy

¹⁴ Paragraph 223, Sessional Paper No. 3 of 2009 on National Land Policy



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joint tenancy. This allows two or more parties have rights over land, creating an opportunity for husbands and wives to jointly own property. It also includes a presumption of joint tenancy for any land obtained for co-ownership and use by both spouses, granting spouses a legal interest in land held in one spouse's name where the other has contributed to it through his or her labour. Further under *Section 93*, the act makes it mandatory for spousal consent for the disposition of any land or dwelling. It gives both man and woman equal rights to the land.

Under the Matrimonial Property Act No. 28 of 2016, property acquired during the subsistence of a marriage should be shared between parties to a marriage. Under *sections 12(1) and section 12(5)* of the Matrimonial Properties Act, matrimonial property cannot be charged or mortgaged without the consent of either spouse. This further protects women's land rights and promotes land tenure security. This in turn ensures that women fully enjoy their right as stipulated in the bill of rights.

5.3 Judicial Decisions

The Judiciary has made significant effort to ensure that women's right to land is protected and that women are not discriminated upon by virtue of their gender by rendering judgments that favor women's land rights and condemn the patriarchal customary laws. In the case of *Re Estate of Solomon Kariuki (deceased) (2008) eKLR*, Justice Makhandia affirmed the position that customary laws discriminate against women by stating that most of the Kenyan customary laws are always biased against women and tend to bar married daughters from inheriting from their deceased parents' estate. Justice Kimaru, in *Peter Karumbi Keingati & 4 others vs. Dr. Ann Nyokabi Nguthi & 3 others* made similar observation; customary laws can be unfair to women. In the same matters, both judges pronounced themselves and stated that the law cannot be applied selectively and discriminatively contrary to *Article 27* of the Constitution 2010. This was further held by Mrima, J, in *the Estate of Nyachawo Ojwando*.

In regard to division of matrimonial property, the manner in which property should be shared is yet to be prescribed. It is most of the time at the courts discretion. Courts have often chosen to share the property according to contribution. This is as seen in the case of *Priscilla Echaria vs. Peter Mburu Echaria*. There are however those of the opinion that property should be shared



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equally amongst the parties as was held in the case of *Kivuitu vs. Kivuitu*. FIDA Kenya has filed an appeal at the Court of Appeal on the issue of distribution after having their petition seeking equal distribution of matrimonial property after dissolution of a marriage being dismissed by the High Court of Kenya.

Most recently, in the case of *In the Estate of Ibrahim Wathuta Mbacki* the court found that, married daughters are dependents and beneficiaries of the deceased and qualify to inherit and are also entitled to benefit from the deceased's estate.

Although Kenya's legal framework is progressive in its support of women's land rights, patriarchal social and customary norms continue to limit women's ability to exercise and enforce their rights to land. Significant efforts will be needed to ensure that provisions of the constitution and other laws guaranteeing gender equality are implemented across the country, including by traditional dispute resolution mechanisms.



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6.0 A COMPARATIVE STUDY OF WOMEN LAND RIGHTS AND CULTURE.

6.1 International Instruments

Most countries being party to the UN have ratified different international treaties and conventions as part of their laws. These international treaties provide for the protection of women land rights. Regardless of marital status, the right of every woman to acquire, hold, use and deal with land should be to the same extent and subject to the same restrictions be treated as a right of any man.

Article 15 of Convention on the Elimination of All forms of Discrimination Against Women (CEDAW), requires party states to give women equal rights to administer property. Further, *Article 3* of the International Covenant on Economic, Social and Cultural Rights (ICESCR), provides that women have a right to own, use or otherwise control land and property on an equal basis with men.

Under *Article 160* of CEDAW party states have a duty to ensure equal rights for both spouses in respect of the ownership, acquisition, management, administration, enjoyment and disposition of property. *Article 23* of the ICCPR similarly requires party states to take appropriate steps to ensure equality of rights during marriage and its dissolution.

6.2 Women's Land Rights in Uganda.

Uganda's Constitution prohibits discrimination based on gender and accords men and women the same status and rights under *Article 21*. It further provides for the right of every person to own property and guarantees women equal rights with men as stipulated in *Articles 26 and 33* respectively. Under *Article 33* the Constitution of Uganda any customary laws, traditions, or customs that discriminate against women are prohibited.

The Constitution of Uganda, 1995, and the 1998 Land Act, are the primary laws that govern land in Ugandan. With an estimated 80% of all land in Uganda held under customary tenure, customary rules for land governance play a major role in determining women's land and property rights.¹⁵ While customary tenure systems vary, in many societies women's rights over land and natural resources are subordinate to those of men in that daughters do not inherit land and if they

¹⁵ Leslie Hannay, Women's Land Rights in Uganda, (2014)



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do, it is not comparable to the sons' portion. Land gifted to daughters by their fathers is often given to the sons once they are married as they are considered to belong to their husbands' community. In the new community these women only have access to land through their husbands; such limitations have a negative impact on the lives of women and children. This is despite the constitution making provisions that where customary laws inhibit the rights of women to land, the constitutional provisions shall override the customary laws and also against provisions of the succession act which stipulate that widows have a right to inherit from their deceased husbands' estate.

Research shows that Ugandan women in Acholi, Langi and Iteso societies have significant land rights under customary tenure arrangements,¹⁶ unlike the customary laws and cultural practices in Kenya. Many, however, face challenges in realizing their rights. Despite formal laws that forbid discrimination against women, significant disparities between the rights of men and women arise from violation of customary law. The power of the clan authorities to enforce rules governing customary tenure have eroded over time, such that clan elders now often fail in their traditional duty to protect women and children this could be attributed to the competition for land and natural resources.

6.3 Women's Land Rights in South Africa.

In South Africa, the Constitution and other pieces of legislation protect the rights of women in regard to land and make an emphasis on inclusion of women and gender equality in the access, use and ownership of land. The Bill of Rights, of the 1996 Constitution of the Republic of South Africa, places an obligation on the government to take reasonable legislative and other measures within its available resources to ensure that equality includes the full and equal enjoyment of all rights and freedoms it also prohibits unfair discrimination on several grounds, including gender.¹⁷ In the South African court case *Shilubana v Nwamitwa* the Court found that it was important to respect the right of communities that observe a system of customary law to develop

¹⁶ Peter Viet, Focus on Land in Africa, Brief: Women and Customary Land Rights in Uganda available at <http://www.focusonland.com/fola/en/countries/brief-women-and-customary-land-rights-in-uganda/> as accessed on 9th February, 2019

¹⁷The Constitution of the Republic of South Africa, 1996, 2.25.5, 2.9.2 and 2.9.3 as quoted in Women, Patriarchy and Land Reform in South Africa available at http://wiredspace.wits.ac.za/bitstream/handle/10539/275/22_chapter10.pdf as accessed on 10th February, 2019



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their law, particularly if the initiative comes from them. This therefore means that, customary laws are a source of law.

Just like Kenya and Uganda, customary laws are often biased towards women especially towards women in the rural setting. In South Africa, rural women do not enjoy similar rights to those women living in urban areas.¹⁸ In communal land tenure systems, women generally access land through their relationships with male relatives. Women's lack of authority in society also limits their control over the land resources that they are able to access¹⁹

In succession, just like most African customary cultures, customary Laws apply. Where the deceased has died intestate, the principle of male primogeniture, where the eldest male son to the deceased inherits all the property to the exclusion of his younger siblings whether male or female applies. Where the deceased had no son, any male who is closely related to the deceased head of house, will qualify to be the deceased's heir.²⁰ Section 23(1) of the Black Administration Act thus expressly made provision for all estates to be administered according to "black law and custom". Section 23(2) specifically provided that the land of an individual would devolve to one male person in accordance with "black law and custom". This thus validates the use of male primogeniture.

In the *Bhe* decision the Court did not apply the male primogeniture rule to determine whether the male heir was truly entitled to inherit. The court looked at the principle of male primogeniture objectively. This basically means that should a party successfully inherit according to the principle of male primogeniture, it should be determined whether this inheritance is in line with the constitution or not. It was concluded that the implementation and practice of this rule unfairly discriminated against one of the parties to the dispute and was thus declared unconstitutional and invalid.

¹⁸Ameera Daniels; South Africa: Women: Focus on Land (2016) available at <https://landportal.org/news/2016/07/south-africa-women-focus-land> as accessed on 9th February, 2019.

¹⁹ Women, Patriarchy and Land Reform in South Africa available at http://wiredspace.wits.ac.za/bitstream/handle/10539/275/22_chapter10.pdf as accessed on 10th February, 2019.

²⁰ T P Wallis, Primogeniture and ultimogeniture under scrutiny in South Africa and Botswana (2016)



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Currently in South Africa, *The Reform of Customary Law of Succession and Regulation of Related Matters Act 11 of 2009*, abolishes the customary rule of primogeniture in as far as it applies to the law of succession, and further extends the application of the *Intestate Succession Act 81 of 1987* to the deceased estates of Africans who die intestate and provides guidelines for interpreting the Intestate Succession Act in order to give effect to the new provisions and to ensure the protection of the rights of women to inherit.²¹

Significant strides have been made in the pursuit of equal women land rights, there is however need to put in more effort to ensure its realization. Failing to realize and protect women rights could result in increased levels of poverty and suffering within the community, this is because most women depend on land for their source of livelihood, denying them the opportunity to realize their land rights would be denying them means to fend for themselves.

7.0 RECOMMENDATIONS.

It is evident that there has been an effort to protect women land rights however there is room for improvement as a conflict is evident in relation to women land rights. To ensure that there is no conflict between culture and law in relation to land rights there are steps that could be taken in ensuring that women land rights are protected.

There is need for sensitization and empowerment of the community including local leaders such as the chiefs and council of elders. This is in a bid to change the mindset of the community to encourage them embrace women land rights. The local leaders and council of elders would be a specific target group as they directly handle land disputes within the community and determine land disputes at the grassroot level, decisions of which have severally been adopted by the courts.

Parliament should endeavor to synchronize the existing land laws with the customary laws relating to land so as to create a convergence of the two and to help strike a balance between

²¹The Evolution of Women's Property Rights available at <https://propertyfox.co.za/evolution-womens-property-rights/> as accessed on 12thFebruary, 2019



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culture and women land rights. This has worked well in South Africa where the *Reform of Customary Law of Succession and Regulation of Related Matters Act 11 of 2009*, was enacted to align the customary laws to the provisions of the Constitution of South Africa and the existing land laws.

It also seeks to recommend reforms and policy change such as codification of the current customary laws so as to ensure that the retrogressive laws are done away with and only those that are progressive and accommodate women land rights are maintained. This will be with an aim of realization of Kenya's vision 2030. An appraisal of the customary laws would enable stakeholders sieve out the good customary laws from those that are retrogressive to women land rights in turn creating a comprehensive record of the law.

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2. Thomas Tito Nyachawo vs. Judith Akinyi Ndege (2016) eKLR
3. Re the Estate of Ishmael Juma Chelanga (2002)eKLR
4. Priscilla Echaria vs. Peter Mburu Echaria (2007)eKLR
5. Kivuitu vs. Kivuitu (1991) LLR 1411 CAK
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9. Peter Karumbi Keingati & 4 others vs. Dr. Ann Nyokabi Nguthi & 3 others (2014) eKLR.
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2. The Matrimonial Properties Act, 2013



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3. The Land Reform Act, 2012
4. National Land Policy, 2012
5. Reform of Customary Law of Succession and Regulation of Related Matters Act 11 of 2009
6. Intestate Succession Act 81 of 1987
7. Convention on the Elimination of all forms of Discrimination against Women (CEDAW)

Constitution

1. Constitution of Kenya, 2010
2. Constitution of Uganda, 1995
3. The Constitution of the Republic of South Africa, 1996