



Bridging Policy–Practice Gaps: Women’s Land Rights, Tenure Insecurity, and Sustainable Agricultural Land Management in Kenya

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Abstract: *Despite the proliferation of gender-responsive land policies and constitutional guarantees of equality, women in Kenya continue to experience constrained and insecure access to agricultural land, undermining both social equity and sustainable land management outcomes. This study examines how leadership and governance dynamics shape the persistent policy–practice gap in women’s land rights and its implications for sustainable agricultural land management. Anchored in the Feminist Political Ecology framework and enriched by classical anthropological perspectives on kinship, lineage systems, and customary tenure, the study employs a systematic desk review of policy documents, institutional reports, and empirical literature. It interrogates how formal land governance structures intersect with socio-cultural institutions to shape women’s land access. The study advances scholarly debates by conceptualizing the policy–practice gap as a multi-level governance challenge emerging from the interaction between statutory, customary, and socio-cultural systems, where patriarchal authority, embedded in lineage-based organization, continues to mediate control over productive resources. Findings reveal that, despite progressive legal and policy reforms, implementation remains weak due to fragmented institutional leadership, limited accountability, bureaucratic inefficiencies in land administration, and low levels of legal literacy among women. The coexistence of plural legal systems further entrenches tenure insecurity and reproduces structural inequalities. The study argues for transformative land governance that integrates gender-responsive leadership, strengthens institutional accountability, harmonizes plural tenure systems, and enhances women’s participation in decision-making to support sustainable agriculture and rural development in Kenya.*

Keywords: Women’s Land Rights, Policy–Practice Gap, Land Governance, Sustainable Agriculture

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1. Introduction

Land ownership constitutes a foundational pillar of socio-economic transformation, structural equity, and sustainable rural development. Yet, across diverse geographical and governance contexts, women’s access to, control over, and ownership of land remains persistently constrained by entrenched socio-legal, cultural, and institutional barriers.

This persistent inequity continues to undermine women’s agency, productivity, and their meaningful participation in sustainable land-based livelihoods (FAO, 2021; World Bank, 2023). Despite progressive global, regional, and national legal frameworks promoting gender equality in property rights, a pronounced disjuncture persists between formal statutory provisions and their practical realization on the ground (UN Women, 2023). Empirical estimates indicate that women globally own approximately 10–20%

of agricultural land, underscoring the enduring structural asymmetries embedded within land governance systems.

Comparative evidence across regions further illustrates the complexity and persistence of this challenge. In Asia, women's land ownership remains relatively low, typically ranging between 10–15%, largely attributable to entrenched patrilineal inheritance systems, restrictive statutory interpretations, and socio-cultural norms that privilege male lineage ownership (Agarwal, 2021). In Europe, despite comparatively advanced gender equality regimes, women's ownership of land varies between 10–30%, with higher levels observed in Northern and Western Europe due to robust institutional enforcement mechanisms, while Southern and Eastern Europe continue to experience constraints shaped by traditional inheritance regimes and socio-cultural inertia (Eurostat, 2022). In the Americas, women's land ownership demonstrates moderate improvement, with approximately 30% in North America and 15–25% in Latin America; however, structural constraints such as limited access to credit markets, productive resources, and agricultural finance continue to inhibit substantive control over land assets (Deere & León, 2020; World Bank, 2023). In Oceania, particularly Australia, New Zealand, and Pacific Island states, customary tenure systems and indigenous governance structures remain significant determinants of land allocation, often constraining women's ownership and decision-making authority (FAO, 2022).

Within the African continent, women's land ownership remains largely within the 10–20% range, albeit with notable heterogeneity across national contexts. While progressive reforms in countries such as Rwanda and Ethiopia particularly through joint land titling and systematic land certification have enhanced women's formal tenure security, structural inequalities persist in the form of socio-cultural norms, institutional weaknesses, and uneven enforcement of gender-responsive land policies (Ali et al., 2021; Holden & Tilahun, 2021). Across much of Sub-Saharan Africa, patriarchal land tenure systems, legal pluralism, and weak administrative capacity continue to mediate women's exclusion from substantive land rights (African Union, 2022).

In Kenya, despite a constitutionally anchored commitment to gender equality and progressive legislative instruments including the Constitution of Kenya (2010), the Land Act (2012), and the Community Land Act (2016) the operationalization of women's land rights remains constrained by implementation deficits, institutional fragmentation, and the persistence of customary governance systems that privilege male ownership and lineage-based control. Consequently, women's land access is frequently indirect, mediated through male relatives, thereby limiting their tenure security, bargaining power, and participation in land governance processes (Kenya

Land Alliance, 2023; UN Women, 2023). These realities underscore a critical governance paradox: the coexistence of robust legal frameworks alongside weak institutional enforcement and enduring socio-cultural constraints.

Parallel to these dynamics, Sustainable Land Management (SLM) has emerged as a central policy and analytical construct in addressing land degradation, enhancing agricultural productivity, and strengthening resilience to climate variability. SLM is integrally linked to the achievement of the Sustainable Development Goals (SDGs), particularly SDG 2 (Zero Hunger), SDG 5 (Gender Equality), SDG 13 (Climate Action), and SDG 15 (Life on Land) (UNCCD, 2022; FAO, 2023). Within this paradigm, secure and equitable land tenure is recognized as a critical determinant of sustainable land use outcomes, as it directly influences investment decisions in soil conservation, agroforestry systems, and climate-adaptive agricultural practices.

Comparative policy evidence from Rwanda and Ethiopia demonstrates that gender-responsive land governance interventions particularly joint land titling and systematic certification can significantly enhance women's tenure security while simultaneously improving land productivity and sustainability outcomes (Ali et al., 2021; Holden & Tilahun, 2021). Similarly, experiences from Latin America and Southeast Asia illustrate that integrated approaches combining legal reform, institutional strengthening, and socio-cultural transformation yield more sustainable and inclusive land governance outcomes (FAO, 2022; World Bank, 2023).

Against this analytical backdrop, this study interrogates the intersection between women's land rights and sustainable agricultural land management, with a specific focus on Kenya. It situates this inquiry within broader global and regional debates on gendered land governance, sustainability transitions, and institutional reform. The subsequent section presents the literature review and theoretical framework that underpin the analytical architecture of this study.

Statement of the Problem

Despite extensive policy reforms at global, regional, and national levels aimed at strengthening women's land rights, a persistent and well-documented disjuncture remains between formal legal provisions and their substantive realization in practice, particularly in settings characterized by plural land tenure systems. In Kenya, although the constitutional and legislative framework provides for gender equality in land ownership, inheritance, and control, the operationalization of these provisions continues to be constrained by weak institutional enforcement, limited administrative capacity, inadequate legal awareness, and deeply embedded patriarchal and customary norms that

continue to structure land access and control in favor of men. This enduring policy–practice gap has significant implications for sustainable development outcomes. Women’s continued tenure insecurity, especially in rural agrarian contexts such as Kisii County, where land access is predominantly mediated through male lineage and customary arrangements, limits their effective control over productive resources. Consequently, this constrains their capacity to participate meaningfully in agricultural decision-making and undermines their ability to invest in long-term sustainable agricultural land management practices, including soil conservation, agroforestry, and climate-resilient farming systems.

While policy instruments such as joint land titling, gender-responsive land administration reforms, and integration of customary and statutory systems have been introduced to address these inequalities, their effectiveness remains uneven, weakly enforced, and insufficiently assessed at the local level. More critically, existing scholarly and policy literature remains fragmented, with limited synthesis on how women’s land tenure security translates into tangible sustainable land management outcomes within rural Kenyan contexts. This is particularly evident in desk-based evidence, where empirical linkages between land governance reforms and environmental sustainability outcomes remain under-theorized and insufficiently consolidated. Against this background, there exists a clear analytical and evidence gap in understanding the extent to which women’s land rights influence sustainable agricultural land management outcomes, and how existing gender-responsive land governance interventions can be more effectively integrated within Kenya’s dual legal and customary land tenure systems. This study, therefore, addresses this gap through a systematic desk-based review, synthesizing existing evidence to generate a coherent understanding of the intersection between women’s land rights and sustainable agricultural land management in Kenya, with particular reference to Kisii County.

2. Literature Review

2.1 Theoretical Framework: Feminist Political Ecology, Classical Anthropology, and Governance Perspectives

This study is grounded in Feminist Political Ecology (FPE), supported by insights from classical anthropology and leadership and governance theories. Together, these frameworks provide a holistic way of understanding how women’s access to land is shaped and how this influences sustainable agricultural land management. Feminist Political Ecology (FPE), developed in the 1990s by scholars such as Rocheleau, Thomas-Slayter, and Wangari, explains that access to land, control over it, and decisions

about how it is used are deeply influenced by gender relations embedded in society, politics, and institutions. Land is not only an economic asset but also a socially and culturally constructed resource shaped by norms, laws, customs, and governance systems (Sundberg, 2019; Elmhirst, 2022).

From this perspective, men and women do not experience land systems in the same way. Their positions within agricultural and rural structures differ, and this creates unequal access to land, resources, and decision-making power. These inequalities directly influence how land is used and whether sustainable practices are adopted. FPE emphasizes that sustainable agricultural land management depends not only on environmental conditions but also on whether women have secure land rights, meaningful participation in decision-making, and recognition of their knowledge and contribution to farming systems (Sultana, 2020). Where women lack secure tenure or authority over land, their ability and motivation to invest in long-term practices such as soil conservation, agroforestry, and land restoration becomes limited (Nightingale, 2021).

Classical anthropology adds another important layer of understanding by showing how land is often governed through kinship and lineage systems. In many rural societies, land rights are tied to family structures, inheritance rules, and membership in lineage groups. These systems tend to favor male inheritance and control, especially in patrilineal communities, which often leaves women dependent on fathers, husbands, or male relatives for access to land. Even when formal laws promote equality, customary systems continue to shape everyday realities of land ownership and use. This helps explain why legal reforms alone do not always lead to real changes in women’s land rights.

Leadership and governance theories further explain how institutions and state systems influence these outcomes. These theories focus on how policies are made, implemented, and enforced, and how institutional capacity affects results. In many cases, weak governance structures, poor coordination between institutions, corruption, and limited accountability reduce the effectiveness of land reforms. As a result, even well-designed policies may fail to reach women at the community level. Land governance therefore becomes a process shaped by interactions between the state, customary authorities, and local institutions, all of which influence who gains access to land and under what conditions.

FPE also highlights the role of institutions in either reinforcing or reducing inequality. When land policies ignore gender realities, or when statutory and customary systems operate in parallel without coordination, women are often left disadvantaged. In such situations, women may have little incentive or authority to invest in improving land, even when they are the primary users. At the same

time, FPE is not without criticism. Some scholars argue that its focus on gender, power, and intersectionality can make it difficult to apply in empirical research, especially when outcomes need to be measured clearly (Nightingale, 2021). Others caution that focusing too strongly on gender may overlook broader forces such as markets, state power, and global agricultural systems unless these are explicitly included in the analysis (Sundberg, 2019). Even with these limitations, FPE remains highly useful for explaining why inequalities in land access persist and how they affect sustainability outcomes.

2.2 Policy-Related Challenges Affecting Women's Land Access

Across the world, many countries have introduced laws and policies aimed at improving women's access to land. However, there is often a clear gap between what the law says and what happens in practice. In India, for example, laws guaranteeing equal inheritance rights exist, but many women still do not own land because cultural norms discourage them from claiming it and enforcement remains weak (Agarwal, 2021). In Brazil, land titling programs have improved women's legal rights on paper, but weak monitoring systems and limited gender-sensitive data make it difficult to know whether women control the land they are registered to own (Deere & León, 2020).

Even in high-income countries, similar challenges persist. In the United States, women are increasingly becoming landowners, but they still face barriers such as limited access to credit and gender bias in agricultural financing systems (World Bank, 2023). In Sweden, despite strong equality policies, differences remain due to inheritance practices and structural inequalities in access to productive resources (Eurostat, 2022). These examples show that legal equality does not automatically translate into real equality in land ownership and use. Another common challenge globally is the weak connection between land policies and other development sectors such as agriculture and climate change. In Australia, for example, even though laws support gender equality in land ownership, limited coordination between land governance and agricultural support systems reduces the impact of these policies on productivity and sustainability (FAO, 2022). This shows that land reforms are often implemented in isolation, which limits their overall effectiveness.

In Africa, the situation is more complex because statutory land laws often exist alongside strong customary systems. In Ghana, most land is still controlled by customary authorities, and women's access is usually mediated through male relatives, even though legal protections exist (Doss et al., 2021). In Nigeria, women face additional barriers such as high land registration costs, bureaucratic delays, and corruption, which make it difficult for them to

secure formal ownership (World Bank, 2023). In South Africa and Zimbabwe, despite progressive constitutions, traditional leadership structures and political dynamics still limit women's independent access to land (UNECA, 2023; Mulusew & Mingyong, 2023).

Some countries have made progress, but challenges remain. In Rwanda, joint land titling has improved women's legal ownership, yet household power relations and cultural expectations still limit their real control over land (Ali et al., 2021). In Ethiopia, land certification has strengthened tenure security, but uneven implementation and weak institutional capacity reduce its impact in some regions (Holden & Tilahun, 2021). These cases show that policy reforms alone are not enough without strong implementation systems and social change. A further challenge is the lack of reliable, gender-disaggregated data. Without accurate data, governments struggle to track progress or design effective interventions for women's land rights (FAO, 2023). In addition, many women have limited awareness of their legal rights or face social pressure not to claim land, as seen in Uganda (FAO, 2022).

Policy fragmentation is another major issue. In countries such as Malawi and Tanzania, land reforms are not well connected to agricultural services like credit, extension support, and climate-smart agriculture. This weak integration reduces women's ability to turn land access into productive and sustainable use of land (FAO, 2023; World Bank, 2023). In Kenya, these challenges are evident despite strong legal frameworks such as the Constitution (2010), the Land Act (2012), the Community Land Act (2016), and the Matrimonial Property Act (2013). In practice, however, customary systems still dominate land governance in many rural areas, limiting women's independent access and control over land (Kenya Land Alliance, 2023; UN Women, 2023). Women often access land through male relatives, which weakens their tenure security and decision-making power.

Other challenges include weak enforcement of joint land ownership policies, limited institutional capacity, poor digitization of land records, and lack of gender-disaggregated land data (World Bank, 2024). At the local level, such as in Kisii County, most women do not own land independently and depend on male relatives for access (Nyang'au et al., 2023). This dependence reduces their willingness and ability to invest in long-term sustainable practices such as soil conservation, agroforestry, and climate adaptation. There is also weak integration between land governance and environmental sustainability policies. Although national policies recognize sustainability, gender considerations are often not fully incorporated. This limits women's participation in climate adaptation and environmental conservation initiatives (FAO, 2023). Overall, literature shows a consistent pattern: legal reforms are important but not sufficient on their own. Real progress

in women's land rights requires stronger institutions, better coordination between policies, cultural transformation, improved data systems, and more inclusive governance approaches that connect land access to sustainable agricultural development.

3. Methodology

This paper employed a systematic desk review design to critically examine policy-related challenges influencing women's land access and sustainable agricultural land management in Kenya, as conceptualized in the study *"Bridging Policy–Practice Gaps: Women's Land Rights, Tenure Insecurity, and Sustainable Agricultural Land Management in Kenya"*. The design was deemed appropriate for synthesizing existing empirical and policy evidence without primary data collection, thereby enabling a comprehensive and comparative analysis of land governance dynamics across statutory, customary, and institutional domains. A structured and systematic document retrieval strategy was applied to enhance rigor and transparency. Literature was sourced from peer-reviewed journal articles, official government policy and legal documents, including the Constitution of Kenya (2010), the Land Act (2012), and the Community Land Act (2016), as well as reports from authoritative development and research organizations such as the Food and Agriculture Organization (FAO), the World Bank, UN Women, the United Nations Economic Commission for Africa (UNECA), the Kenya Land Alliance, and FIDA Kenya.

The review covered literature published between 2010 and 2025, a period selected to capture the post-2010 constitutional and land reform era in Kenya, which marked significant legal and institutional transformations in land governance and women's land rights. The authors however, have included some pre-2010 citations that are classical for cross-references and strengthening the study. Inclusion criteria focused on materials directly addressing women's land rights, tenure insecurity, land governance systems, and sustainable agricultural land management, with emphasis on both Kenyan and broader Sub-Saharan African contexts. Exclusion criteria eliminated non-scholarly sources, opinion-based publications, and studies lacking methodological clarity or relevance to the study objectives. A systematic keyword search strategy was applied across academic databases and institutional repositories using terms such as *"women's land rights," "land tenure insecurity," "customary land governance," "land reform in Kenya,"* and *"sustainable agricultural land management."*

The study was grounded in the Feminist Political Ecology framework, which was complemented by classical anthropological perspectives on kinship, lineage systems, and customary tenure, as well as institutional governance

theory. This integrated theoretical approach facilitated a multi-level analysis of land governance systems, capturing the interplay between gendered power relations, socio-cultural norms, institutional arrangements, and statutory legal frameworks. Data were analyzed using thematic content analysis, following a structured process of familiarization with literature, generation of initial codes, development of themes, and interpretive synthesis, as guided by Braun and Clarke (2006).

Key themes identified included policy–practice gaps, institutional fragmentation, legal pluralism, patriarchal land governance structures, and sustainability outcomes in agricultural land use. The analysis emphasized iterative comparison across sources to ensure depth, consistency, and conceptual coherence. To enhance trustworthiness, triangulation was applied across multiple data sources and theoretical perspectives, thereby strengthening the credibility and confirmability of the findings. Reflexivity was also maintained throughout the analytical process to minimize researcher bias and ensure balanced interpretation of the evidence. Ethical considerations were observed in line with academic standards for secondary research. These included proper citation of all sources, intellectual honesty in interpretation, and adherence to responsible scholarship practices in synthesizing and presenting existing literature.

4. Results and Discussion

4.1 Global Policy–Practice Gaps in Women's Land Rights Governance

The global discourse on women's land rights reveals a persistent contradiction between normative legal reforms and lived realities, reflecting what development scholars describe as a "implementation deficit" in gender-responsive governance systems. Despite widespread ratification of international frameworks such as the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) and global policy alignment with Sustainable Development Goal 5 on gender equality, women's access to land remains structurally constrained. This contradiction reflects what Ostrom (1990) conceptualizes as the gap between *"formal rules-in-use"* and *"rules-in-form,"* where institutional design does not translate into practice due to weak enforcement ecosystems.

From a classical anthropological perspective, this gap can also be interpreted through the lens of kinship-based property relations. Early anthropological scholarship by Bronisław Malinowski demonstrated that land access in traditional societies is rarely individualistic but embedded within systems of reciprocity, obligation, and descent. Similarly, A. R. Radcliffe-Brown emphasized that social structure, particularly kinship networks, functions as a

regulatory mechanism for resource distribution. In contemporary contexts, these insights remain relevant, as women's land access continues to be mediated by household and lineage-based authority structures rather than formal legal entitlements. Empirical evidence from countries such as India, Brazil, and the United States shows that although statutory frameworks recognize gender equality, institutional bottlenecks significantly reduce their effectiveness (Agarwal, 2021; Deere & León, 2020; World Bank, 2023). In India, for example, land inheritance laws formally guarantee daughters equal rights, yet customary patrilineal norms and administrative inefficiencies limit enforcement (Agarwal, 2021). This reflects what North (1990) describes as "institutional path dependency," where historical norms continue to shape contemporary governance outcomes despite legal reform.

Similarly, in Latin America, Deere and León (2020) show that agrarian reforms and titling programs have not fully translated into women's ownership due to market-based land consolidation and gendered barriers in credit access. In the United States, structural inequalities persist through discriminatory access to agricultural subsidies and land markets, particularly affecting minority women farmers (USDA reports; World Bank, 2023). These global patterns indicate that gender-neutral policy design often masks deep structural inequalities. A key explanatory factor is the persistence of bureaucratic governance failures. Weberian administrative theory suggests that modern states rely on rational-legal authority; however, in practice, land administration systems are frequently characterized by inefficiency, corruption, and procedural complexity. Women disproportionately experience these barriers due to lower access to financial resources, documentation, and institutional networks. High transaction costs and complex registration systems function as informal exclusion mechanisms that reproduce gender inequality even in legally progressive contexts.

From a feminist political ecology perspective, this reflects the intersection of gender, power, and environmental governance. As Rocheleau et al. (1996) argue, resource access is shaped by "*gendered power geometries*," where women's relationship to land is structured through intersecting economic, political, and ecological constraints. In this sense, land is not merely a physical asset, but a socially constructed resource embedded in power relations. Moreover, classical anthropological theories of patriarchy and authority structures remain relevant. In lineage-based systems described by Evans-Pritchard's work on African political systems, authority over land is often vested in male elders who function as custodians of lineage property. These structures persist in modified forms even within modern legal systems, illustrating what Sahlins later described as the "continuity of indigenous social logics under modernity."

Consequently, women often rely on informal access arrangements such as secondary user rights through husbands, fathers, or male relatives. While these arrangements provide short-term access, they lack legal protection and are highly vulnerable to dispossession, widowhood, divorce, or intra-family disputes. This reinforces what Agarwal (1994) terms "*effective versus formal ownership*," where legal recognition does not translate into actual control. The implications for sustainable land management are significant. Secure land tenure is widely recognized as a prerequisite for long-term investment in soil conservation, agroforestry, and climate adaptation strategies (FAO, 2023; UNCCD, 2022). Without tenure security, women are less likely to invest in land improvements due to uncertainty over future benefits. This creates a direct link between governance failure and environmental degradation.

In conclusion, the global policy–practice gap reflects not merely technical implementation failures but deep structural tensions between modern legal frameworks and enduring socio-cultural institutions. Bridging this gap requires more than legal reform; it demands institutional transformation that integrates formal governance systems with an understanding of kinship-based authority, gendered power relations, and historical institutional legacies.

4.2 Legal Pluralism and the Statutory–Customary Governance Divide

The coexistence of statutory and customary land tenure systems remains one of the most persistent structural challenges shaping women's access to land globally. This phenomenon, commonly described in legal anthropology as legal pluralism, refers to the simultaneous operation of multiple normative orders within a single social field. As Merry (1988) argues, legal pluralism is not merely the coexistence of different legal systems, but a dynamic arena of contestation in which power determines which norms prevail in practice. In the context of women's land rights, this duality produces a governance paradox: while statutory frameworks increasingly guarantee gender equality, customary systems continue to regulate everyday access to land in ways that often reinforce patriarchal authority.

Classical anthropological theory provides a critical lens for understanding this persistence. The work of E. E. Evans-Pritchard on African political systems demonstrated that authority in many precolonial societies was decentralized and embedded in kinship and lineage structures rather than codified law. Land, in this context, was not an individual commodity but a collective resource managed through descent groups. This historical institutional arrangement continues to shape contemporary tenure systems,

particularly in Africa and parts of Asia, where customary authorities retain legitimacy in land allocation and inheritance decisions. Similarly, the structural-functional tradition associated with A. R. Radcliffe-Brown emphasizes that social institutions persist because they perform essential functions in maintaining social order. Customary tenure systems, despite their gender biases, continue to be reproduced because they regulate access, resolve disputes, and reinforce social cohesion within communities. However, from a feminist perspective, these same structures embed gender hierarchies that systematically disadvantage women, particularly in patrilineal societies where land rights are transmitted through male lineage.

Empirical studies from Ghana, Nigeria, and India demonstrate that statutory reforms often fail to displace customary norms in practice (Doss et al., 2021; Agarwal, 2021). In Ghana, for instance, customary landholding systems controlled by chiefs and family heads continue to dominate land allocation, even in areas where statutory law recognizes equal inheritance rights. Similarly, in India, daughters' legal rights to inherit land are frequently undermined by social pressure, informal mediation, and patriarchal family structures that encourage renunciation of claims. This tension reflects what legal anthropologists describe as the "interface problem" between formal and informal systems. Griffiths (1986) argues that legal pluralism becomes problematic when state law assumes monopoly over authority, while in reality, non-state normative orders retain significant regulatory power. Women navigating land systems often encounter conflicting norms: statutory law grants rights, but customary norms determine legitimacy and social acceptance of those rights.

From a governance perspective, this duality produces what can be described as institutional incoherence. State institutions such as land registries operate under rational-legal authority, while customary institutions operate under lineage-based authority. The result is fragmented governance where enforcement is uneven, and rights are contingent on social recognition rather than legal entitlement. This fragmentation is particularly detrimental to women, who often lack bargaining power within customary systems and face social sanctions for asserting statutory rights.

Feminist Political Ecology further deepens this analysis by highlighting how gendered power relations are embedded in environmental and resource governance systems. As Rocheleau et al. (1996) argue, access to resources such as land is mediated through "*networks of power*" that operate at multiple scales from household to state level. In this framework, women's exclusion from land rights is not accidental but structurally produced through intersecting institutions of kinship, patriarchy, and state governance. In

addition, classical anthropological insights into kinship systems remain highly relevant. Studies of lineage-based societies show that land rights are often tied to membership in descent groups, which are typically patrilineal. This means that women's access to land is frequently mediated through male relatives' fathers, husbands, or brothers rather than being independently secured. Even where women have use rights, control rights are often retained by male kin, limiting their autonomy in decision-making.

The persistence of customary authority is also reinforced by its embeddedness in everyday social life. Unlike statutory systems, which require formal documentation and institutional interaction, customary systems are relational, accessible, and socially legitimized. This makes them particularly resilient, especially in rural contexts where state presence is limited. As Scott (1998) notes, informal institutions often endure because they are "legible" to local populations in ways that formal bureaucratic systems are not. However, this resilience comes at a cost. The coexistence of plural legal systems creates ambiguity in enforcement, enabling selective interpretation of rules and reinforcing elite capture. Local power holders such as elders, chiefs, or male household heads often mediate access to land in ways that reproduce gender inequality. Women who attempt to assert statutory rights may face social exclusion or familial conflict, further discouraging formal claims.

From a sustainable land management perspective, this governance fragmentation has significant implications. Secure tenure is essential for long-term environmental investment, yet legal uncertainty reduces incentives for women to engage in soil conservation, agroforestry, and climate adaptation practices. In effect, legal pluralism becomes not only a governance challenge but also an environmental constraint. In conclusion, the statutory–customary divide reflects deeper historical and socio-cultural structures that cannot be resolved through legal harmonization alone. Drawing on classical anthropology and contemporary governance theory, it becomes evident that land rights are embedded in enduring systems of kinship, authority, and social legitimacy. Addressing women's land insecurity therefore requires not only legal reform but also transformation of the underlying normative orders that govern land access in practice.

4.3 Gendered Land Governance and Implications for Sustainable Land Management

The relationship between land governance, gender, and environmental sustainability has increasingly become a central concern in development studies, particularly within the Sustainable Development Goals (SDGs) framework. SDGs 2 (Zero Hunger), 5 (Gender Equality), and 15 (Life

on Land) explicitly recognize that equitable access to productive resources is essential for sustainable development. However, empirical evidence consistently demonstrates that gendered inequalities in land governance remain a major constraint to achieving these goals. Women's marginalization in land tenure systems directly affects their capacity to invest in sustainable agricultural practices, thereby linking governance failure to environmental degradation and food insecurity.

From a theoretical perspective, this relationship can be understood through the lens of feminist political ecology, which emphasizes that environmental outcomes are shaped by gendered power relations embedded in institutions, markets, and cultural systems. As Rocheleau, Thomas-Slayter, and Wangari (1996) argue, access to natural resources is not simply a matter of ecological necessity but is deeply structured by social hierarchies and power asymmetries. In this sense, land is not merely an economic asset but a socio-political resource whose distribution reflects broader systems of gender inequality.

Classical anthropological insights further deepen this understanding by highlighting how resource governance is historically embedded in social organization. Early anthropological work by Bronisław Malinowski demonstrated that economic behavior in traditional societies is not purely rational or market-driven but embedded in social obligations, reciprocity, and kinship relations. Similarly, A. R. Radcliffe-Brown emphasized that social institutions function to maintain equilibrium within social systems, including mechanisms of resource allocation. In many agrarian societies, these institutions are structured in ways that privilege male authority over land, thereby shaping women's access and use rights.

Empirical evidence across Africa and other developing regions shows that secure land tenure is a critical determinant of sustainable land management practices. Studies by FAO (2023) and UNCCD (2022) confirm that farmers with secure land rights are more likely to invest in soil conservation, agroforestry, irrigation systems, and climate adaptation strategies. Conversely, insecure tenure discourages long-term investment, leading to land degradation and reduced agricultural productivity. Women, who constitute a significant proportion of smallholder farmers in Sub-Saharan Africa, are disproportionately affected by tenure insecurity, limiting their contribution to environmental sustainability. In countries such as Malawi, Tanzania, and Ethiopia, research shows that women often cultivate land without formal ownership rights, relying instead on secondary access through male relatives (World Bank, 2023; FAO, 2023). This arrangement creates uncertainty over future access, discouraging investment in land improvement. It also limits women's access to credit, as land titles are often required as collateral for agricultural financing. As a result,

women remain trapped in cycles of low productivity and resource insecurity.

From a governance perspective, this reflects what institutional economists describe as a failure of incentive alignment. When users lack secure rights, they have limited motivation to invest in resource conservation. However, this economic frame alone is insufficient. Feminist political ecology critiques such approaches for ignoring the social and power dimensions of resource access. Instead, it argues that tenure insecurity is not only an economic issue but also a manifestation of gendered power relations that determines who has authority over land-use decisions.

Classical anthropological perspectives on kinship and authority further illuminate these dynamics. In many lineage-based systems described in African anthropology, land is controlled by male elders who act as custodians of ancestral property. Women's access is often mediated through marital or natal family ties, meaning that their land rights are derivative rather than autonomous. This structural dependency limits their ability to make independent long-term land-use decisions, reinforcing gendered patterns of resource control. The intersection of governance and sustainability is also evident in the role of institutions. Weak land governance systems characterized by corruption, limited administrative capacity, and poor enforcement mechanisms undermine both equity and environmental outcomes. Where institutions fail to protect women's land rights, they also fail to regulate land use effectively. This creates a dual crisis of governance and sustainability, where social exclusion and environmental degradation reinforce each other.

Furthermore, the underrepresentation of women in land governance institutions exacerbates these challenges. Evidence from FAO (2023) and UNECA (2023) shows that women's participation in land boards, committees, and decision-making structures remains limited. This exclusion reduces the incorporation of gender-sensitive and locally grounded ecological knowledge into land management policies. Studies in environmental anthropology suggest that women often possess detailed knowledge of soil fertility, crop diversity, and water management practices, which are critical for sustainable agriculture. Their exclusion therefore represents not only a governance failure but also a loss of ecological knowledge systems.

The implications for sustainable land management are profound. Without secure tenure and meaningful participation in governance, women are unable to fully contribute to land restoration, climate adaptation, and food security initiatives. This undermines national and global sustainability agendas, particularly in regions where women constitute the majority of agricultural labor. In conclusion, gendered land governance is a central determinant of sustainable land management outcomes. Integrating feminist political ecology with classical

anthropological insights reveals that tenure insecurity is not simply a legal or administrative issue but a deeply embedded socio-cultural and institutional phenomenon. Addressing it requires transformative governance reforms that secure women's land rights, enhance institutional accountability, and recognize the importance of gendered ecological knowledge in sustainable development.

4.4 Regional Dynamics in Sub-Saharan Africa: Legal Pluralism, Institutional Fragility, and Gendered Land Governance

Sub-Saharan Africa presents a particularly complex and uneven landscape of land governance shaped by the coexistence of statutory frameworks, customary tenure systems, and evolving decentralization reforms. While many countries have undertaken progressive legal reforms aimed at strengthening women's land rights, the implementation environment remains constrained by institutional fragility, entrenched patriarchal norms, and persistent legal pluralism. This produces a governance landscape where formal rights and lived realities often diverge significantly.

A defining feature of land governance in the region is the persistence of legal pluralism, where state law operates alongside customary norms that retain strong legitimacy at community level. In countries such as Ghana, Nigeria, South Africa, and Zimbabwe, customary authorities continue to play a decisive role in land allocation and inheritance decisions. Despite statutory recognition of gender equality, customary systems frequently privilege male lineage in land succession, effectively excluding women from ownership and control rights (Doss et al., 2021; World Bank, 2023; UNECA, 2023).

From a governance theory perspective, this reflects a fragmented institutional environment where authority is distributed across overlapping systems with limited coordination. As North (1990) argues, institutional outcomes are shaped not only by formal rules but by historically embedded informal norms that structure incentives and behavior. In many African contexts, informal institutions such as chieftaincy systems and lineage councils remain more influential than statutory agencies in regulating land access.

Reform-oriented countries such as Rwanda and Ethiopia provide important counterpoints. Rwanda's post-genocide land tenure regularization program introduced systematic land registration and joint spousal titling, significantly improving women's legal recognition. Similarly, Ethiopia's land certification reforms have expanded women's documented access to land (Ali et al., 2021; Holden & Tilahun, 2021). However, empirical studies show that legal recognition does not automatically translate

into substantive control. Women may hold titles jointly or individually yet still lack decision-making authority within households due to enduring socio-cultural norms.

This distinction between formal rights and effective rights is central to understanding gendered land governance. As Agarwal (1994) argues, effective control over land depends not only on legal ownership but also on bargaining power within households and communities. In many cases, intra-household dynamics continue to reflect patriarchal authority structures, limiting women's autonomy even where legal reforms have been implemented. Institutional fragility further complicates implementation across the region. Land administration systems in many countries are under-resourced, with inadequate staffing, weak monitoring mechanisms, and limited digital infrastructure. These weaknesses create opportunities for corruption, elite capture, and administrative inefficiency, which disproportionately disadvantage women due to their lower access to financial and social capital. In addition, decentralization reforms in several African countries have transferred land governance responsibilities to local governments without corresponding capacity strengthening. This has resulted in uneven policy implementation, where rural and marginalized regions experience weaker enforcement of land rights compared to urban areas. The outcome is a geographically uneven realization of women's land rights.

From a feminist political ecology perspective, these governance challenges are not neutral but gendered. Women's exclusion from decision-making bodies such as land boards and customary councils limits their influence over resource allocation and policy interpretation. This exclusion also reduces the incorporation of gender-sensitive ecological knowledge into land governance systems, undermining sustainable land management outcomes. The sustainability implications are significant. Where women lack secure tenure, their incentives to invest in long-term land improvement practices remain limited. This contributes to land degradation, declining soil fertility, and reduced agricultural productivity. In agrarian economies where women constitute a substantial proportion of the agricultural labor force, this represents a critical constraint on both food security and environmental sustainability. In conclusion, Sub-Saharan Africa's land governance landscape is characterized by a complex interplay of legal pluralism, institutional weakness, and gendered power relations. Addressing women's land insecurity in this context requires more than formal legal reform; it demands institutional strengthening, harmonization of plural legal systems, and transformation of deeply embedded socio-cultural norms that shape land access and control.

4.5 Gendered Tenure Insecurity and Environmental Sustainability Outcomes

A growing body of literature in development studies and environmental governance demonstrates a strong and consistent relationship between land tenure security and sustainable natural resource management. In agrarian economies, secure access to land is widely recognized as a foundational condition for long-term investment in soil conservation, agroforestry, water management, and climate adaptation strategies. However, when tenure is insecure particularly for women this relationship is disrupted, producing negative environmental and productivity outcomes. From a sustainability science perspective, land users are more likely to invest in long-term ecological improvements when they are confident in future returns from their investments. Secure tenure therefore operates as an incentive mechanism that aligns individual livelihood strategies with broader environmental goals. Conversely, tenure insecurity creates short-term exploitation incentives, as users prioritize immediate returns over long-term land stewardship. This dynamic is especially pronounced among women farmers in Sub-Saharan Africa, who often cultivate land without formal ownership rights.

Feminist political ecology provides a critical lens for interpreting this relationship. It argues that environmental outcomes are deeply shaped by gendered power relations that determine access to and control over natural resources. As Rocheleau et al. (1996) emphasize, environmental management cannot be understood outside the social relations that govern resource distribution. Women's marginalization from land ownership therefore represents not only a social justice issue but also an ecological governance challenge. Empirical evidence from Malawi, Tanzania, and Ethiopia demonstrates that women frequently rely on secondary or derived land rights through male relatives, such as husbands or fathers (FAO, 2023; World Bank, 2023). These arrangements are inherently unstable, particularly in cases of widowhood, divorce, or intra-family disputes. As a result, women often lack the security required to undertake long-term land improvement investments such as terracing, irrigation infrastructure, or soil fertility restoration.

Environmental anthropology helps explain how these patterns are embedded in social organization. In many agrarian societies, land is not simply an economic asset, but a socially embedded resource governed through kinship, inheritance, and customary authority systems. These systems often prioritize male lineage in land transmission, meaning that women's access is contingent rather than autonomous. This structural dependency limits women's ability to make independent decisions about land use and environmental management.

In Malawi, studies show that despite women constituting a large proportion of the agricultural workforce, their limited land ownership constrains adoption of climate-smart agricultural practices (FAO, 2023). Similarly, in Tanzania, tenure insecurity has been linked to low uptake of soil conservation technologies and reduced participation in agricultural extension programs (World Bank, 2023). In Ethiopia, while land certification reforms have improved formal recognition, intra-household bargaining dynamics continue to limit women's effective control over land-use decisions (Holden & Tilahun, 2021). From a governance perspective, this reflects a misalignment between policy intent and implementation outcomes. Land policies may formally recognize gender equality, but without enforcement capacity and institutional accountability, they fail to translate into behavioral change at household and community levels. This highlights the importance of distinguishing between legal recognition of rights and practical realization of rights, a distinction that is central to gender and development theory.

The consequences of tenure insecurity extend beyond household welfare to broader ecological systems. Land degradation in Sub-Saharan Africa is closely linked to unsustainable land-use practices, including nutrient depletion, deforestation, and over-cultivation. When women who are central to smallholder agriculture lack secure rights, their capacity to participate in sustainable land management is significantly reduced. This creates a structural link between gender inequality and environmental decline. Climate change further intensifies these dynamics. As rainfall variability increases and soil productivity declines, the need for adaptive land management becomes more urgent. However, adaptation requires investment, planning, and institutional support, all of which are constrained by insecure tenure. Women farmers, who are often responsible for household food security, are disproportionately affected by these constraints.

In addition, the exclusion of women from formal land governance structures limits the integration of local ecological knowledge into environmental decision-making. Research in environmental anthropology has shown that women often possess detailed knowledge of soil conditions, seed diversity, and water conservation practices developed through daily interaction with agricultural ecosystems. Excluding this knowledge from formal governance systems reduces the effectiveness of sustainability interventions. Institutional weaknesses further exacerbate these challenges. Weak enforcement of land rights, corruption in land administration, and limited access to dispute resolution mechanisms reduce the reliability of tenure systems. These governance failures disproportionately affect women due to their lower bargaining power and reduced access to formal legal systems.

In conclusion, gendered tenure insecurity operates as a critical mediating factor between governance systems and environmental outcomes. It shapes not only who has access to land, but also how land is used and managed over time. Addressing this challenge requires integrated reforms that strengthen land governance institutions, secure women's land rights, and incorporate gendered ecological knowledge into sustainability planning frameworks. Without such reforms, efforts to achieve sustainable land management and climate resilience will remain structurally constrained.

4.6 Kenya Case Study: Policy Progress versus Local Realities

Kenya presents a particularly illustrative case of the paradox between progressive legal frameworks and persistent gendered inequalities in land access. Over the past decade, the country has enacted a series of landmark legal and institutional reforms aimed at strengthening land governance and promoting gender equality. These include the Constitution of Kenya (2010), which guarantees equality and non-discrimination; the Land Act (2012); the National Land Commission Act (2012); the Community Land Act (2016); and the Matrimonial Property Act (2013). Collectively, these instruments establish one of the most gender-progressive legal regimes in Sub-Saharan Africa.

However, despite this normative progress, empirical evidence consistently shows a significant gap between legal provisions and lived realities, particularly for rural women. This disconnect reflects what institutional theorists describe as a failure of implementation fidelity, where formal rules exist but are weakly enforced due to administrative, political, and socio-cultural constraints. In Kenya, this gap is most visible in rural and semi-rural regions such as Kisii County, where customary tenure systems remain deeply influential in shaping land ownership and inheritance practices. From a governance perspective, this situation reflects a dual system of authority in which statutory institutions coexist with customary structures that retain strong social legitimacy. While formal land governance is vested in state agencies such as the Ministry of Lands and the National Land Commission, actual land allocation and inheritance decisions in many rural communities are still mediated through patriarchal family structures and elders' councils. This duality produces a fragmented governance environment in which legal rights are often subordinate to customary norms in practice.

Feminist Political Ecology provides a useful analytical lens for understanding these dynamics. It highlights that land governance is not gender-neutral but embedded within power relations that shape access, control, and decision-

making. In the Kenyan context, these power relations are strongly influenced by patriarchal norms that position men as primary landholders and decision-makers. As a result, women's land rights are frequently secondary, derived through marital or familial relations rather than independently held. Classical anthropological insights into kinship and descent systems further illuminate these patterns. In many Kenyan communities, land inheritance is organized through patrilineal descent, where property is transmitted through male lineage. This system, while socially embedded and historically resilient, continues to shape contemporary land relations despite formal legal reforms. Women's access to land is therefore often contingent upon their roles as daughters, wives, or widows, rather than as independent rights holders.

Empirical studies in Kenya confirm this disconnect. Reports by FIDA Kenya (2022), UN Women (2023), and the Kenya Land Alliance (2023) indicate that women rarely hold formal title deeds, and when they do, ownership is often joint or mediated through male relatives. In many cases, women access land informally without documentation, exposing them to tenure insecurity in cases of divorce, widowhood, or intra-family disputes. This reliance on informal access mechanisms reflects both structural inequality and institutional inefficiency. One of the most persistent challenges identified is weak enforcement of land laws. Although legal frameworks provide clear provisions for gender equality in land ownership, enforcement mechanisms remain fragmented, under-resourced, and inconsistently applied across counties. This reflects what public administration theory describes as a breakdown in vertical coordination, where national policies fail to be effectively implemented at sub-national levels due to capacity gaps and institutional fragmentation.

The introduction of devolved governance under the 2010 Constitution was intended to enhance service delivery and local accountability. However, in the land sector, devolution has produced uneven outcomes. While some counties have strengthened land administration systems, others continue to struggle with limited technical capacity, inadequate staffing, and weak monitoring systems. This has resulted in policy incoherence between national frameworks and county-level implementation, further complicating women's access to land rights. Bureaucratic barriers also play a significant role in limiting women's land access. Complex land registration procedures, high transaction costs, lack of documentation, and limited access to legal aid services create structural obstacles that disproportionately affect women, particularly those in rural areas with lower income levels and lower literacy rates. These administrative constraints function as informal exclusion mechanisms within ostensibly neutral systems.

From a sustainable land management perspective, these governance failures have direct ecological consequences. In Kisii County, women play a central role in agricultural production, yet they often lack secure tenure necessary to justify long-term investments in land improvement practices such as terracing, agroforestry, and soil fertility enhancement. This leads to short-term land use strategies that prioritize immediate subsistence needs over long-term sustainability. The exclusion of women from formal land governance structures further limits the integration of indigenous and local ecological knowledge into land-use planning.

Environmental anthropology suggests that women often possess detailed experiential knowledge of soil conditions, crop diversity, and micro-ecological variation, developed through daily agricultural practices. However, this knowledge is rarely incorporated into formal land governance systems, resulting in missed opportunities for more context-sensitive and sustainable land management strategies. Overall, the Kenyan case illustrates that legal reform alone is insufficient to transform gendered land relations. The persistence of customary authority, weak institutional enforcement, bureaucratic inefficiencies, and socio-cultural norms collectively sustain a gap between policy and practice. Addressing this challenge requires not only strengthening legal frameworks but also transforming institutional cultures, improving administrative capacity, and engaging with deeply embedded socio-cultural systems that govern land access at the community level.

4.7 Implications for Sustainable Agricultural Land Management in Kisii County

Sustainable agricultural land management in Kisii County is deeply intertwined with patterns of land tenure security, gender relations, and local governance structures. As a predominantly highland agricultural region in Kenya, Kisii is characterized by high population density, smallholder farming systems, and intensive land use practices. These conditions make land sustainability highly sensitive to governance arrangements and tenure security, particularly for women who constitute a significant proportion of the agricultural labor force. From a sustainability science perspective, land degradation is often linked to the absence of secure property rights and weak incentives for long-term investment in soil conservation and land restoration. Secure tenure provides a foundation for farmers to adopt environmentally sustainable practices such as terracing, agroforestry, intercropping, and soil fertility management. However, in contexts where tenure is insecure or informal, agricultural decision-making tends to prioritize short-term subsistence needs over long-term ecological sustainability.

In Kisii County, women play a central role in agricultural production, yet their land rights remain largely informal, secondary, or derived through male relatives. This reflects what feminist political ecology identifies as gendered access to environmental resources, where women's relationship to land is mediated through patriarchal household and lineage systems. As a result, women often lack the authority to make independent decisions regarding land use, crop selection, or long-term land improvement investments. Environmental anthropology further helps explain how these patterns are embedded in local socio-cultural systems. In many Kisii communities, land is not only an economic resource but also a culturally embedded asset tied to family lineage, inheritance traditions, and social identity. These kinship-based arrangements historically prioritize male inheritance, meaning that women's access to land is often contingent upon their marital status or familial relations. This structural dependency limits women's ability to plan for long-term agricultural improvements, as land access may be withdrawn or renegotiated within household power dynamics.

Empirical studies in Kenya confirm that women's insecure land tenure significantly affects agricultural productivity and sustainability outcomes. Research by Nyang'au et al. (2023) shows that women farmers in Kisii are less likely to invest in soil conservation technologies such as terracing and manure application when land ownership is not formally secured. Similarly, studies by Ochieng et al. (2024) indicate that tenure insecurity reduces access to agricultural credit, further limiting women's capacity to adopt climate-smart agricultural practices. From a governance perspective, this situation reflects weak alignment between land administration systems and agricultural development policies. While land governance institutions focus primarily on registration and legal ownership, agricultural extension systems emphasize productivity without adequately addressing tenure constraints. This institutional fragmentation reduces policy effectiveness and weakens the sustainability of agricultural interventions.

The exclusion of women from land governance structures further exacerbates these challenges. In Kisii County, women are underrepresented in land boards, dispute resolution committees, and local decision-making institutions. This limits their ability to influence land-use policies and reduces the integration of gendered ecological knowledge into land management strategies. Environmental anthropology emphasizes that such knowledge developed through daily interaction with soils, crops, and local ecosystems is critical for adaptive and sustainable land use systems.

Climate variability further intensifies these challenges. Kisii County has experienced increasing rainfall variability

and soil erosion pressures, which demand adaptive land management strategies. However, adaptation requires long-term planning, investment, and institutional support which are constrained by insecure tenure. Women farmers, who are often responsible for household food security, are disproportionately affected by these environmental stresses but have limited capacity to respond effectively due to structural constraints.

From a livelihood systems perspective, land insecurity also reinforces cycles of vulnerability. When women lack secure access to land, they are less able to diversify income sources, invest in productive assets, or participate in formal agricultural value chains. This perpetuates rural poverty and reduces community resilience to environmental and economic shocks. In addition, the intergenerational implications of insecure land tenure are significant. Without secure land rights, women are unable to transmit land or agricultural knowledge effectively to future generations, weakening the continuity of sustainable farming practices. This disrupts what development theorists describe as intergenerational ecological stewardship, a key component of long-term sustainability.

Overall, the findings from Kisii County demonstrate that sustainable agricultural land management cannot be achieved without addressing gendered inequalities in land tenure. Secure land rights for women are not only a matter of social justice but also a critical determinant of environmental sustainability, agricultural productivity, and rural resilience. Transforming land governance systems to recognize and strengthen women's rights is therefore essential for achieving both development and ecological sustainability objectives in the region.

4.8 Reflections: Multi-Level Governance and Structural Constraints

The findings of this study collectively demonstrate that women's land rights and sustainable agricultural land management are shaped by a complex interplay of legal, institutional, socio-cultural, and environmental factors operating across multiple levels of governance. Rather than being a problem of legal absence, the persistence of gendered land inequality reflects a deeper structural challenge of multi-level governance fragmentation, where formal statutory systems, customary institutions, and socio-cultural norms coexist but remain poorly integrated. From a governance perspective, this fragmentation reflects what institutional theorists describe as weak alignment between formal rules and informal norms. While statutory frameworks in Kenya and other contexts establish formal equality in land ownership, their implementation is constrained by weak enforcement mechanisms, limited administrative capacity, and inconsistent coordination between national and sub-national institutions. Devolution, while intended to enhance local responsiveness, has in

many cases reproduced uneven capacities across counties, resulting in differentiated outcomes in women's land access.

Leadership plays a critical role in shaping these outcomes. Weak institutional leadership within land administration systems undermines accountability, transparency, and enforcement of gender-responsive policies. In contrast, effective governance requires transformative leadership that can bridge statutory frameworks and community-level norms, ensuring that policy intent is translated into practice. Without such leadership, legal reforms remain largely symbolic. Classical anthropological insights into kinship, descent, and authority structures further illuminate the persistence of customary governance systems. Early anthropological scholarship on social organization highlights that land in many agrarian societies is historically embedded in lineage-based systems of inheritance and collective ownership. These systems continue to influence contemporary land governance, where authority over land allocation is often exercised through male-dominated kinship structures. This creates structural constraints for women, whose access to land is frequently mediated through marital or familial relationships rather than independent rights.

Feminist Political Ecology provides a unifying analytical lens for interpreting these dynamics by emphasizing that environmental governance is fundamentally shaped by gendered power relations. Women's exclusion from land governance institutions not only limits their access to resources but also restricts their ability to influence decisions on land use, conservation, and sustainability strategies. This exclusion undermines the incorporation of local ecological knowledge, which is critical for adaptive and context-sensitive land management.

The study further demonstrates that tenure insecurity is a central mediating factor linking governance systems to environmental outcomes. Where land rights are insecure, farmers particularly women are less likely to invest in long-term soil conservation, agroforestry, or climate adaptation practices. This creates a direct pathway through which governance failures translate into environmental degradation, reduced agricultural productivity, and weakened rural resilience. At the intersection of statutory and customary systems, the persistence of legal pluralism generates institutional incoherence. This incoherence produces uncertainty, selective enforcement, and unequal access to justice, disproportionately affecting women. Rather than functioning as complementary systems, statutory and customary frameworks often operate in tension, with customary norms frequently overriding formal legal protections in practice.

The study therefore argues that addressing women's land insecurity requires a transformative governance approach that goes beyond legal reform. Such an approach must

integrate institutional strengthening, harmonization of plural legal systems, and socio-cultural transformation. It must also prioritize inclusive leadership that enhances women's participation in land governance structures at all levels. From a sustainability perspective, these governance reforms are not optional but essential. Secure land tenure for women is directly linked to improved soil conservation, sustainable agricultural practices, and climate resilience. Conversely, continued exclusion of women from land governance systems undermines national and global sustainability goals, including food security and environmental restoration.

In conclusion, women's land rights in Kenya and comparable contexts are best understood as a multi-dimensional governance challenge embedded in historical, institutional, and socio-cultural structures. Resolving this challenge requires a shift from narrowly legalistic reforms toward holistic governance transformation that integrates leadership, institutional accountability, gender equality, and recognition of embedded socio-cultural land systems. Only through such an integrated approach can sustainable agricultural land management and equitable rural development be fully realized.

5. Conclusion and Recommendations

5.1 Conclusion

This paper set out to examine the policy-related challenges influencing women's land access and their implications for sustainable agricultural land management in Kenya, with a particular focus on Kisii County. The findings demonstrate that despite progressive legal and institutional reforms, women's access to land remains significantly constrained by a complex interplay of governance failures, socio-cultural norms, and institutional weaknesses operating across multiple levels. The paper shows that the persistence of gendered land inequality is not merely a legal issue but a structural governance challenge embedded in the interaction between statutory frameworks, customary tenure systems, and deeply rooted kinship-based authority structures.

Drawing on feminist political ecology and anthropological insights on kinship and lineage systems, the study reveals that land governance in practice continues to be shaped by patriarchal norms that limit women's autonomy and decision-making power over productive resources. A key conclusion is that tenure insecurity among women directly undermines sustainable agricultural land management. Insecure access to land discourages long-term investments in soil conservation, agroforestry, and climate adaptation, thereby contributing to land degradation and reduced agricultural productivity. The study further concludes that weak institutional leadership, fragmented governance systems, and limited enforcement of existing legal

frameworks exacerbate these challenges. Overall, the study establishes that addressing women's land rights requires more than legal reform; it demands a comprehensive transformation of governance systems, institutional capacities, and socio-cultural norms that govern land access and control.

5.1 Recommendations

1. The government should strengthen the enforcement of existing land laws, particularly those enshrined in the Constitution of Kenya (2010), the Land Act (2012), and the Community Land Act (2016). This includes closing the gap between legal provisions and implementation through enhanced monitoring, accountability, and compliance mechanisms.
2. Institutional capacity within land administration bodies should be enhanced through increased funding, digitization of land records, and training of personnel. Strengthening coordination between national and county governments is essential to reduce policy incoherence under the devolved system.
3. Efforts should be made to harmonize statutory and customary land tenure systems through inclusive dialogue with traditional leaders, community elders, and local governance structures. This will help reduce contradictions between formal legal rights and customary practices.
4. Women's participation in land governance institutions, including land boards, dispute resolution committees, and community decision-making structures, should be actively promoted. Leadership programs aimed at empowering women in governance should be prioritized.
5. Public legal education programs should be expanded to improve women's awareness of land rights and procedures for formal land registration. Legal aid services should be made more accessible, particularly in rural areas such as Kisii County.
6. Agricultural extension services should integrate land tenure considerations into sustainability programs. Women farmers with secure land rights should be supported to adopt climate-smart agriculture, including soil conservation, agroforestry, and water management technologies.

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