

ABSTRACT

Land Tenure is a collection of relationships which exist between members of a society by virtue of their occupation and use of land. These relationships are dynamic and change with cultural and societal developments. It is therefore evident that the growth of land tenure systems in Kenya is indeed related to changing human-land relations, historical developments and changing political circumstances. Knowledge of such changes greatly assists in understanding current land policy issues and the impact of such changes on society at large. This work examines the history of land tenure reforms and food production among the Abagusii in the former colonial Kisii District from 1895 to 1963. In this effort, the effects of land tenure reforms on the Abagusii traditional methods of acquiring land is explored. This is done in order to illustrate that colonial land tenure reforms changed the methods of acquisition of land in Gusiiland since the pre-colonial period leading to social differentiation and decline in food production. The study examined the pre-colonial Gusiiland land tenure systems, the colonial land tenure practices in Gusiiland and the impacts of the colonial land tenure systems on the Abagusii customary land tenure systems. The study employed purposive sampling technique to reach out the informants, who together with the archival records were sourced for primary data. Corroboration was done in the two sources for authenticity and validity. Data was collected between December 2014 and February 2015 in Kisii County and Nyamira County. The work involved 61 Key Informants including 8 clan elders, 31 sub-clan elders, 10 Members of County Assemblies, 10 chiefs and 10 Assistant Chiefs. These were identified through the use of purposive and snowballing sampling techniques. The key informants were interviewed using interview guides. Two Focus Group Discussions were done consisting of 12 members from the selected clans and sub-clans. Articulation of modes of production theory was used to guide this study. Historical data was collected and analyzed qualitatively based on thematic analysis. The study found out that, Abagusii customary land tenure in the pre-colonial period was dynamic and accommodated all the community members, based on their traditions. However, the coming of the Europeans and the introduction of the western land tenure systems resulted into landlessness, land disputes, increased poverty, land fragmentation and alienation of women and children from this valuable commodity. Thus, even though colonialism introduced significant changes like introduction of cash crops in Gusiiland, reforms in land tenure system contributed to decline in the overall crop production among the Abagusii. It also introduced new class formations of the landed, the land poor and the landless. The landed class was able to fit in the new capitalist system while the land poor and the landless acquired new roles of wage earners. The new capitalist system of acquiring land by use of money and mechanization in production significantly changed the whole process of production. The study recommends that given the great diversity of local contexts, there is no blueprint solution to secure evolving land rights in Gusiiland. Rather, emphasis should be on the process to design and implement context-specific solutions. This raises the need to properly understand the changing dynamics of customary land tenure in each specific context; to fully take account of these dynamics, and of the diversity and often overlapping nature of land rights, in devising tailored policy interventions; to tackle power imbalances at the national as well as at the local level; and to establish processes for accountability and transparency in both policy design and implementation.