

**SMALLHOLDINGS IN KENYA'S LAND POLICY: Proprietary
Structures and Tenorial Practices in the Nyanza Sugarbelt.**

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Abstract

Smallholdings occupy an important place in Kenya's policy and strategy on agricultural development, contributing at least 75 per cent of the country's total value of agricultural output (67% of which is average marketed output between 1992 and 1999) and providing slightly over 85 % of rural employment.

Land tenure patterns and proprietary structures are important elements of agrarian systems but these are normally overshadowed by policy considerations regarding agricultural land use, farming systems and cropping variety.

This paper reports the findings of a research done in the sugarcane growing regions in Nyanza province, Kenya on the nature and trends of landholding practices of the smallholder farmers especially how interests in land are passed between living persons and from one generation to another.

The paper argues that informal interests created (such as user rights for undefined periods) may result in land disputes after the death of the contracting parties as new users seek to establish their rights on traditional grounds against claims by the family of the donor or other parties.

Policy on smallholdings therefore needs to recognise that the landholding structure is an interface between the traditional and statutory requirements even in the sugarcane cash crop regions in Kenya.