

# Demarcation and Food Security

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## INTRODUCTION

Land is critical to the economic, social and cultural development of Kenya. It is crucial to the attainment of economic growth, poverty reduction and gender equity. Its importance is recognized by various Government initiatives including the initial Poverty Reduction Strategy Paper (PRSP), political party manifestoes and the Economic Recovery Strategy for Wealth and Employment Creation (2003-2007). Land was a key reason for the struggle for independence and Land issues remain politically sensitive and culturally complex.

The Republic of Kenya has an area - approximately 582,646 sq.km comprising of 97.8% land and 2.2% water surface. Only 20% of the land area can be classified as medium to high potential agricultural land and the rest of the land is mainly arid or semiarid. Forests, woodlands and national reserves and game parks account for ten percent (10%) of the land area, i.e. 58,264 sq. km. Approximately seventy five per cent (75%) of the country's population lives within the medium to high potential (20% of land area) and the rest in the vast Arid and Semi-Arid Lands (ASALs).

One consequence of this is that size and distribution of land varies quite widely just as population density which ranges from as low as 2 persons per sq. km. in the ASALs to a high of over 2000 in high potential areas. This leads uncontrolled subdivision of agricultural land, hence a likelihood of food insecurity. As the old saying goes, 'the devil is in the detail' - in our case DEMARCATION.

### **Sustainable Production Principles.**

Key problems that need to be resolved at the level of policy and law include:

- a) Underutilisation of land particularly in large farms;
- b) Land deterioration due to population pressure, massive soil erosion and variability in climatic patterns among other things;
- c) Poor infrastructure leading to abandonment of agricultural activities;
- d) Emergence of land use conflicts as a result of competing land uses;
- e) Uncontrolled subdivision of agricultural land;
- f) Indiscriminate sale and purchase of land;
- g) Overstocking in rangelands; and
- h) Limited extension services and shortage of agricultural finance.

The Government shall ensure that all land is put into productive use on a sustainable basis by facilitating the implementation of key land policy principles on sectoral land use, productivity targets and guidelines as well as conservation of land quality.

### **Land and Agricultural Development**

For the time being Africa remains predominantly rural. Poverty is concentrated amongst rural people and the rural poor continue to depend substantially on agriculture and related natural resources for their livelihoods. Across sub-Saharan Africa 78.6 percent of exports are primary natural resource products, providing 21.2 percent of GDP and much more in some West and Central African countries.

In practice, smallholders make an immense contribution to agricultural output, generally holding land under customary tenure systems. African agriculture faces many challenges in a globalizing world with increasing competition and barriers to both local and global markets and the difficulties are particularly acute for smallholders.

Cheap foodstuffs produced by heavily subsidized farmers are dumped in Africa's domestic markets, displacing local produce, which is unable to compete.

In European and US markets, imports from Africa are facing rising barriers, through imposition of new standards and regulations by governments, and private sector actors. Smallholders, although central to the agricultural economies of most African nations and very responsive to new markets and opportunities, are unable to guarantee production at sufficient scale, quality and regularity to meet the needs of global markets dominated by supermarket chains. Despite the advantages of agribusiness in terms of market integration, smallholder farming makes efficient use of labour, generates the bulk of produce in many countries for domestic and regional markets especially for food crops, and, in the absence of widespread industrialization, provides a critical source of employment and the foundation of food security.

### **Legal Issues/Dilemmas**

Land-use regulations are generally established either through an Act of Parliament or local bylaws. In most of post independence Africa, land-use regulations were inherited from the colonial era (Shivji et al., 1998; Okoth-Ogendo, 1991) and enshrined in the country constitutions

at independence. For example, in the Kenyan constitution, there were a series of safeguards that permitted settlers to convert all agricultural leases into freehold, made property sacrosanct and outlawed expropriation except on payment of prompt and full compensation. The issue in the Kenyan case, continuity of the system into the post independence period was granted through the inclusion of elites who had already started to identify with the system's basic principles, even before independence, in the Swynnerton Plan. "The act -African participation in estate farming in the highlands, for example, was a purely elitist exercise, is evident in the fact that the new settlers were almost exclusively local and national level politicians, civil servants, businessmen, the managerial cadres in private industry and later, the armed forces." (Okoth-Ogendo 1991:163). Demarcation:

### **Family Ventures**

Families now need to be encouraged to run their land parcels as trusts or businesses. This can be enabled by formulation of better land policies towards that end. The African governments could for instance, make huge subsidies to farmers as a way of motivating them to efficiently manage the use of land .this would be a real incentive.

In most of Africa, land-use regulations and planning frameworks have been an ideological tool for maintaining the unequal distribution of land and inequitable security of tenure. The regulation of land-use is usually rationalized on the basis of the need to protect the public interest. While there is a legitimate public interest in the way land and the natural resource base is used, the application of

regulations to different tenure systems, and thereby to different land-use systems, is often unfair and inequitable. In analyzing the various forms and types of regulations governing land-use, it is important to go beyond the rationale and seek to uncover the origins and value systems implicit in such regulations. In many cases, the imposition of regulations is a way of protecting certain interests for which the claim of national or public interest is a smoke screen. In other cases, the regulations may, in theory, protect the public interest but, because of the nature of land distribution, the impact of such regulations might be to deny the legitimate rights of those affected.

#### **Population Increases vs. Need for food**

Rapid population growth, widespread poverty, persistent food insecurity, and alarming rate of environmental degradation have fueled an increasing debate on land tenure systems and land reforms in Africa. Some expert and donor circles have attributed the interrelated problems of rural poverty, poor agricultural performance and low levels of economic growth to the persistence of farming systems based on customary tenure. This view has inspired a variety of land reforms with a general trend toward market-oriented access to, and privatization of, land through private entitlement, on the premise that individualized tenure offers the best certainty in land rights, which provides incentive and facilitates access to credit for investment in agriculture and natural resources and, thereby, contributes to increasing agricultural productivity and improving natural-resource stewardship.

### **Rural-Urban migration**

Again, this is a scenario that governments ought to encourage. I am told that in the West, majority of citizens live in urban areas. This leaves on a few on the agricultural land to continue food production to feed the urban majority. My honest view is that this is way to go in Africa- a paradigm shift must take place immediately.

### **Land policies**

In Malawi for example, perennial hunger had reached unprecedented levels. There had to be a change in government policy. It is worth noting that President Bingu Wa Mutharika had to appoint himself Minister for agriculture in order to push the necessary reforms in food production. The situation in that country now is different- they are exporting maize! and a word has it that their reserves hold an amount that can last them seven years even if it were not to rain in that period.

### **Food Insecurity**

The communities in arid and semi-arid lands of the country are particularly vulnerable to food insecurity because of the recurring natural disasters of drought, livestock diseases, animal and crop pests, and limited access to appropriate technologies, information, credit, and financial services. Kenya's average poverty level exceeds the 50% mark. The number of the absolute poor increased from 10 million in 1994 to 13.4 million in 1997 and by the year 2000, the overall poverty situation in Kenya was 56% of a population estimated at 30 million people. The reasons for the worsening situation are many and varied. The causes of poverty and food insecurity in Kenya include low agricultural productivity, inadequate access to productive

assets (land and capital), inadequate infrastructure, limited well functioning markets, high population pressure on land, inadequate access to appropriate technologies by farmers, effects of global trade and slow reform process.

Poor planning results in available resources being directed to interventions that does not give sustainable impact. For example when North Eastern parts of the country experienced extended drought for four consecutive seasons, the Kenyan Government, United Nations Agencies and NGO.s spent a total of 27.2 billion Kenya shillings or US \$340 million, on the provision of famine relief food to the affected 4.1 million people from March 2000 to September 2002. Approximately 20% of the amount was spent on food distribution and logistics. Properly planned, this amount of money would go a long way in establishing sustainable food security measures in the country.

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