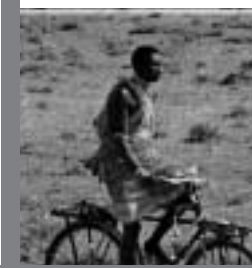


APPENDICES



Appendix 1 – Map of Kenya showing district boundaries and location of study site districts



Appendix 2 – Key informants at national level and at district government level

Carol Agengo, Federation of Women Lawyers
Michael Aronson, Njonjo Commission
Awadh Bamusa, Ministry of Lands and Settlement
Eric Bosire, Forest Action Network (FAN)
Ezekiel Idwasi, Njonjo Commission
Boniface Kilonzo, Muungano wa Wanavijiji (Association of Slumdwellers)
Odeno Lumumba, Kenya Land Alliance (KLA)
Joshua N'gelu, National AIDS Control Council (NACC)
Peter Kamau, District Development Officer, Embu District
John Karu, Ministry of Lands and Settlement
James Maweni, District Commissioner, Thika District
Leonora Obara, Women fighting AIDS in Kenya
Solomon Ouko, District Commissioner, Embu District
Christine Sadia, United National Development Fund for Women
Edward Too, District Officer 1, Bondo District

Appendix 3 – Recommendations

The following are the recommendations that were presented to the report-back workshops on 24 and 25 April, 2003, and which were also part of the Final Report. (The sequence and grouping have been changed.)

Legislative measures

1. Legislation should be enacted which protects the rights of occupancy of beneficial occupiers, to be defined in such a way as to include those residing on informal subdivisions within rural homesteads, and in particular wives and children living in their marital homesteads, but excluding renters and sharecroppers.
2. Legislation should be enacted which ensures that wives have automatic inheritance rights over land left by their husbands. Consideration should also be given to legislation which requires newly issued titles to be joint titles naming both spouses, or, more ambitiously, converts existing titles to joint titles or even family title.
3. The rights of lessees and lessors should be protected and their costs and risks reduced by developing standard forms for rental transactions under the authority of new land legislation. Such agreements could be registered with the local District Officer or Land Control Board for recording purposes.
4. In conjunction with the Ministry of Agriculture, examine the possibility of amending the *Coffee Act* such that it no longer impedes farmers from changing land use out of coffee.

Land administration

5. There should be a review of fees and administrative procedures according to which land is transferred, a policy instituted so that fees are fixed and posted publicly, and an examination of means to lower survey costs. In addition, land information should be made more readily available, in part by closing the geographical gap between the public and their records.
6. Land Control Boards should be retained but improved, following a review to determine how they should better be structured and made accountable. The criteria according to which Land Control Boards decide on applications should be reviewed to ensure they are appropriate, and applied nationally.
7. Formal land dispute resolution institutions need an overhaul to make them more accessible and rapid in their handling of cases. This should include consideration of introducing alternative dispute resolution mechanisms. Emphasis on dispute resolution at local level should be retained, with measures put in place to promote more transparency and accountability.
8. Procedures and guidelines should be established to improve the accountability of guardians of under-age orphans who also serve as land administrators. These procedures could involve local leaders and/or decentralised offices of the Public Trustee, who would both approve a person's status as guardian/administrator, and monitor that person's performance in those roles. Grandparents caring for their

orphaned grandchildren on the grandparents' own land should be excluded from these procedures.

Consciousness raising

9. A public information campaign should be designed and launched which focuses on land policies and land rights, so as to remove harmful misconceptions and to promote awareness among people as to their land rights and avenues of recourse.
10. Dispute resolution practices at local level need to be supported through a public information campaign which conveys basic information about the importance of protecting the land rights of vulnerable individuals and households, including AIDS-affected households and widows in particular. This implies the necessity of direct contact with elders, sub-chiefs, Chiefs, and District Officers. In addition, land dispute resolution practices should be subject to continuous monitoring to ensure compliance with gender fairness and other principles.
11. The ACU can co-ordinate a training and communications policy around HIV/AIDS and land rights, possibly in partnership with strengthened/revitalised CACCs. The Public Relations unit of the Ministry of Lands and Settlement should develop a proactive national communications strategy that can be rolled out into the districts. Civil society can also participate in a general process of consciousness-raising and public awareness around land.

Appendix 4 – Detailed tables based on in-depth interviews

Guide and key:

The tables that follow summarise the in-depth interviews. There are six tables in all, two for each site. For each site, the first table focuses on land use and tenure issues, and the second table focuses on HIV/AIDS-related information, to some extent in relation to land. Both tables have a certain amount of descriptive detail about the respondent and her/his household. Unlike the first table, the second table for each site only includes information about respondents from households known or suspected of being affected by HIV/AIDS.

Heavy horizontal lines separate respondents from different households, though in some instances they may still be related. Light horizontal lines separate respondents of the same household; where more than one member of a household is listed, some information is common to the household, and some is particular to the individual household members.

Specific points:

- 'HH' = household.
- 'H/AIDS' = HIV/AIDS.
- 'ALCOHOL/ABUSE' = whether a member of the household abuses alcohol and/or other abuse in household.
- 'WELFARE [SURVEY]; INCOME SOURCES' = Welfare status ('WORSE-OFF,' 'AVERAGE,' or 'BETTER-OFF') as reported for household in the household survey, followed by main sources of income reported in household survey.
- 'HOME' = where respondent lives – marital land, natal land, maternal land (where respondent is living with mother but not on respondent's natal land).
- Education – Since 1985 Kenya has had the '8-4-4 system,' comprising eight years of primary school (Standards 1 through 8), four years of secondary school (Grades 1 through 4) and four years for a university degree; between 1965 and 1984, a '7-6-4 system' obtained.
- '?' = indicates uncertainty as to the accuracy of the information or that the interpretation is somewhat speculative.
- Square brackets [...] indicate land where the respondent's rights are not realisable.
- 'TB' = tuberculosis.

Appendix 4.1: Embu (Kinithi) – land allocation, use and tenure issues

NAME, GENDER	WELFARE: HH SURVEY	AGE	EDUCATION	MARITAL STATUS	HOME	ALCOHOL/ABUSE	WELFARE (SURVEY) INCOME SOURCES	CURRENT LAND AND ACQUISITION	TITLE DEED	LAND ALLOCATION & USE	LAND DISPUTES
J, woman <i>mother of C</i>	Yes	53	Std 5	Widow (2nd marriage)	Marital	Yes. J left school because teacher harassing. Husbands abusive. 2nd husband alcoholic, reformed.	Average Agriculture: cash & food crops.	8 acres (1970); 15 acres in ASAL area. [Co-wife has another 5 acres, allocated to husband by his clan.] J has no plans to sell as land is 'not enough' & daughters 'not getting married these days'.	J's deceased husband – J had no money to report his death so unable to arrange transfer of title.	J & C live on 8 acres, with 7 sons of J & C's daughter. Co-wives & sons share use of this land. Adult children 'shown' what to use. J & C have 2 acres under coffee. [Co-wife has subdivided 5 acres in 2.]	Tensions wives/sons re lack of sub-division. (Husband was delaying sub-division till all school fees for all his children paid.) Some tensions between co-wives re coffee harvest, but not serious.
C, woman <i>daughter of J</i> + 7 sons & step-sons of J + daughter of C		24	Std 4	Single	Natal						
AK, woman <i>mother of P</i>	Yes	50	None	Separated, then widow	Marital	Yes. AK describes a history of abusive men, left to husband as help mother). some.	NO RECORD Agriculture, and casual labour; Coffee 'isn't much'. P does beer brewing – brings money but is risky as illegal. Describes bribing authorities.	2 ½ acre (originally 5); 1 acre at Gacavari. AK leases out land as required – 'can't sell land'. Husband sold 2, then ½ acre to finance sub-division & building.	AK's deceased husband – AK has copy of his title deed but can't afford to pay for transfer.	AK returned to land after husband's death. (Had separated as husband abusive.) AK wants to subdivide to her children to prevent future discord after she dies. Land at Gacavari is good but too 'far' to cultivate.	Husband/his father & brother re original sub-division of family land. AK fears future conflict among children if land not subdivided before she dies.
P, woman <i>daughter of AK + AK's 3 sons</i> + 2 other daughters		18	Std 4	Single	Natal (came home to help mother).						



APPENDICES

'NAME', GENDER	WELFARE: HH SURVEY	AGE	EDUCATION	MARITAL STATUS	HOME	ALCOHOL/ABUSE	WELFARE (SURVEY) INCOME SOURCES	CURRENT LAND AND ACQUISITION	TITLE DEED	LAND ALLOCATION & USE	LAND DISPUTES
M, woman + 2 sons + 1 daughter + grand-daughter	Yes	59	Std 1	Widow	Marital	Yes. Sons are abusive when drunk.	WORSE-OFF Agriculture: food crops. Coffee unprofitable – 'that one is a dead stone.'	2 acres. M has no plans to sell – says people only sell for 'greed' & beer. M leases in some land in ASAL as 2 acres not enough for food. 1 son bought own plot. Other sons lease in land.	M's deceased husband.	Land not transferred from husband, nor subdivided to children. Husband said land too small to subdivide, so children must find own agricultural land. Sons have built houses.	Tensions among M & sons re lack of subdivision. M fears that daughters will also lose access if she subdivides to sons.
E, woman <i>mother of V daughter of E</i> + E's daughter + 2/3 grand-daughters (V's children left with husband)	No	80		Widow	Marital	Yes. Sons drink, get abusive. E feels exploited – still cooks for sons though old & they not supportive.	AVERAGE Agriculture; casual labour. One acre under coffee but crop is neglected. Used to get 'a lot of money from coffee sales' & used money for school fees.	8 acres among family; 11 acres ASAL less portions sons sold. (Originally 14 acres but E sold 3 acres.) Sons are leasing out land. 1 son sold portion in ASAL for college, but wasted money. 1 son sold piece without E's consent.	? E's deceased husband.	E subdivided land to children but appears no title deeds issued. E did not allocate herself a portion as expected to stay with a son; she now regrets this. Sons have sold pieces.	Historical conflict between husband & his brother; husband was poisoned as result. Sons not supportive of E. V feels insecure in her access to land, which is a source of tension.



THE IMPACT OF HIV/AIDS ON LAND RIGHTS

'NAME', GENDER	WELFARE: HH SURVEY	AGE	EDUCATION	MARITAL STATUS	HOME	ALCOHOL/ABUSE	WELFARE (SURVEY) INCOME SOURCES	CURRENT LAND AND ACQUISITION	TITLE DEED	LAND ALLOCATION & USE	LAND DISPUTES
H, woman <i>mother of N</i>	Yes	56	None	Separated	Natal	Yes. H's husband violent & in-laws brought her back to parents. N's step-mother caned her.	WORSE-OFF Agriculture; N gets some income from hair styling. H got support from neighbours when daughter sick. N has 2 small children & no child support from their father.	1 acre – gift from H's father, in his compound. [(H's husband has 2 acres but no communication with his children.)] H has no plans to sell — land insufficient for needs. Leases in if money. N has no land of own.	H (Originally H's father's land – he got 6 acres of clan land. H's mother has 3 acres in the family compound & brother has the other 2 acres.)	Land given to H by her father in his compound. N re living with mother. Coffee in compound belongs to H's mother. H's adult sons are 'scattered' & have not built on her land.	H had dispute with her husband re H's land, which he wanted to sell. H's sons built on their father's land – he broke buildings & gave Chief money to drop case against him. No disputes in natal compound.
N, woman <i>daughter of H</i> + 2 daughters + 4 grandchildren		19	Std 4	Single	Maternal						
D, woman + husband + child	No	26	Form 4	Married	Marital	No	NO RECORD. Salary – husband a teacher & sends money. Agriculture difficult as D has a sickly child.	1 acre, subdivided by mother-in-law in husband's natal compound.	Husband	Land in husband's mother's compound, where D lives. Supportive mother-in-law.	Historically between D's separated mother & father re father's clan land – D's mother failed to get allocation.
R, woman + husband + 4 children	No	53	Std 6	Married	Marital	No – good marriage. (Mother-in-law was badly treated by	AVERAGE Salary from husband in Nairobi; R a successful & enterprising	2 acres, subdivided from husband's father. R's husband originally got 4 acres but subdivided to 2 married sons.	R's husband (2 acres), R (land she bought). R's husband	Land in husband's father's compound from husband's mother after his father died, which since subdivided with R's 2 sons. R very	None reported – R is close to her mother-in-law.



APPENDICES

'NAME', GENDER	WELFARE: HH SURVEY	AGE	EDUCATION	MARITAL STATUS	HOME	ALCOHOL/ ABUSE	WELFARE (SURVEY) INCOME SOURCES	CURRENT LAND AND ACQUISITION	TITLE DEED	LAND ALLOCATION & USE	LAND DISPUTES
JR, woman + ? sons + ? daughters + ? grand-children	Yes	50s?		Widow	Marital	Not discussed.	NO RECORD (but JR says she has similar problems as neighbours.) Agriculture, small business. Notes decline in crop yields since first married.	No details.	JR – did so after husband died, taking sons to office with her as witnesses.	JR took transfer when husband died; will subdivide to children when all school fees paid. Has shown married children where to cultivate & build.	JR says she has not heard of land disputes.
AA, woman + 3 sons Family compound AA's mother AA's 3 brothers AA's sister + her children + other sisters.	No. (AA had cancer which required extensive & expensive hospital care.)	36	University	Separated	Natal	Yes, reason for leaving husband. Now 'my pocket is empty but I have peace.'	BETTER-OFF Salary - AA is teacher. Also agriculture, including coffee and food crops. Family land that is distant is not cultivated as 'too far'.	Family: 3+3+25 acres; AA bought ½ acre for Kshs 70, 000 (from man who selling for drink) (AA's husband has land but she is unsure if their children will get	AA's mother holds the title for the family land. AA holds the title for the land she bought.	AA's mother will subdivide to her sons & needy daughters. As AA has bought land, unlikely she will get compound land as seen as provided for – may get distant	No family disputes. Has heard stories of disputes during allocation among clans, as well as stories of unequal allocations then.



THE IMPACT OF HIV/AIDS ON LAND RIGHTS

'NAME', GENDER	WELFARE: HH SURVEY	AGE	EDUCATION	MARITAL STATUS	HOME	ALCOHOL/ABUSE	WELFARE (SURVEY) INCOME SOURCES	CURRENT LAND AND ACQUISITION	TITLE DEED	LAND ALLOCATION & USE	LAND DISPUTES
							any.)			piece. Her siblings have been shown land on family compound. Other people are allowed to graze stock on family land which not cultivated, without lease.	
K, woman	Yes	49	Std 6	Widow (1976)	Marital	Yes - K's husband was alcoholic;	6 acres - family compound. [K's husband also had 15 + 18 acres which sold when L small - she says for alcohol. K got injunction against further sales.] 1 piece leased out for income.		K's deceased husband.	K allocated land to 3 sons after husband died but seems not formal. K wants to register a share for self as insecure. Rights in land of children of K's deceased son recognised.	Historically, K to Land Control Board to stop husband selling land when sick (1970s). Now tensions between K & K's sons.
L, woman		21	Std 7	Single	Natal	K's sons abusive to her.					
daughter of K + 2 sons + 2 grandchildren											
CC, man	No	54	College	Married	Marital /own	No	AVERAGE (self-assessment) Salaries;	3 acres, bought from man who needed repay sister's dowry; CC	CC; CC's father; U; ? CC and U jointly.	Not yet subdivided to children - 'make own way too'.	Siblings of CC disputing allocation of father's land - do
husband of U											
U, woman		53	Nurse	Married	Marital						
wife of CC											



APPENDICES

'NAME', GENDER	WELFARE: HH SURVEY	AGE	EDU-CA-TION	MARITAL STATUS	HOME	ALCOHOL/ABUSE	WELFARE (SURVEY) INCOME SOURCES	CURRENT LAND AND ACQUISITION	TITLE DEED	LAND ALLOCATION & USE	LAND DISPUTES
+ 3 sons + 1 daughter							agriculture.	has share in father's compound; 1 acre, gift from U's father to U; 3 acres bought by CC & U.		Will subdivide to daughters if need. C wants claim share in father's land for sister (single with 4 children).	not want their sisters to get. (CC disapproves of their attitude.)
AM, woman <i>mother of F</i>	No	52	Std 7	Widow	Marital	Yes – AM's husband died from poisoned alcohol.	AVERAGE Agriculture; casual labour.	3 acres – out of original 6 acres allocated to AM's husband by husband's grandfather.	Grandfather of AM's deceased husband. Transfer to husband was not done before grandfather died.	AM's husband was allocated 6 acres by his grandfather who raised him. After AM's husband won court case with clan over this land, he allocated 1 acre to his mother (separated from his father), 2 to his brother & kept 3. These were not formalised.	AM's husband's clansmen disputed allocation of land to him by his grandfather. Matter went to court, which ruled in husband's favour. Lengthy process.
+ 3 sons + 1 daughter + F's son + 2 grand-children							When AM's husband alive, he was employed & the family were better-off than currently.				
S, man <i>husband of E</i>	? Yes	56	Std 5	Married	Own	Yes – S drinks.	WORSE-OFF Agriculture	9 acres (originally 13 acres) – allocated. This includes a swampy portion	S	S allocated 13 acres by his father. S sold 2 acres and sold/sub-divided	No reference to disputes within family.
EE, woman <i>wife of S</i>		45	Std 1	Married	Marital	EE notes, resigned, that					



THE IMPACT OF HIV/AIDS ON LAND RIGHTS

'NAME', GENDER	WELFARE: HH SURVEY	AGE	EDUCATION	MARITAL STATUS	HOME	ALCOHOL/ ABUSE	WELFARE [SURVEY] INCOME SOURCES	CURRENT LAND AND ACQUISITION	TITLE DEED	LAND ALLOCATION & USE	LAND DISPUTES
+ 4 sons + 1 daughter						'wives are always beaten.'		which cannot be cultivated.		2, transfer not formalised. S's father had another 70 acres at Gacavari; he sold 10 & sub-divided 60 to S's mother & brothers.	
JJ, woman + 2 grand-children	No	70	None	Widow	Marital	Not discussed.	WORSE-OFF Agriculture; casual labour.	1 acre out of 7 which JJ sub-divided informally.	Son	JJ's husband's father allocated 7 acres to JJ's oldest son after JJ's husband died. Son kept 5 & allocated 1 to JJ, & 1 to his brother.	JJ unhappy re her allocation as she says it is too small, but she accepts it as she feels she has no option.
Y, woman + husband + 3 children	Yes?	30	Std 8	Married	Marital	No	BETTER-OFF Salary (husband) but pay is erratic; agriculture.	¼ acre; ¼ acre which Y bought from her grandmother. Leasing in 1 acre.	Y's father-in-law; ? Y	Y has been shown a small piece on in-laws' land to cultivate.	No disputes. Y is happily married.
Z, woman + husband + 1 son + ? daughters + 1 grand-	No	59	Std 3	Married	Marital	Not discussed.	NO REPORT Agriculture. (Selling food not successful.)	8 acres (Z's husband bought & sold 3 acres 1971 to finance building	Z's husband	Z was shown land by in-laws when first married. Will show unmarried	No disputes. Reports 'lots' at time of demarcation, including between Z's &



APPENDICES

'NAME', GENDER	WELFARE: HH SURVEY	AGE	EDU- CA- TION	MARITAL STATUS	HOME	ALCOHOL/ ABUSE	WELFARE (SURVEY) INCOME SOURCES	CURRENT LAND AND ACQUISITION	TITLE DEED	LAND ALLOCATION & USE	LAND DISPUTES
child								house.)		daughters piece as well if needed.	another clan which Z's clan won.
AB, woman + mother + 3 siblings.	? Yes	24	Uni- ver- sity	Single	Natal	No	AVERAGE Agriculture; coffee poor. (Father was in police — loss of his income felt.)	3 acres – bought by AB's father from his father's clan. Not enough land. Also 1 acre at Karurumo, bought by AB's father.	AB's father	AB's mother will subdivide to sons when they are older.	Over AB's grandfather's land – not transferred before he died. Also disputes among father's siblings over land. Sons of (mur- dered) neighbour unable agree on subdivision or sale of land.
Father died 2001.											
BB, man <i>husband of CC</i>	No	55	Tea- cher	Married	Own	No	AVERAGE (Self-assessment)	3 acres, bought from ill relative who needed cash, late 1970s.	BB	BB left family land as large family & insufficient land.	No personal stories.
CC, woman <i>wife of BB</i> + 3 sons + 3 daughters		50s	Col- lege	Married	Marital		Agriculture; BB is a retired teacher.	BB has interest in his father's land but not enforcing it. Leasing in 2 acres & sees trend to renting.	Bought at Kinithie as teaching in area.		

4.2: Embu (Kinthithe) – impact of HIV/AIDS on land use and tenure of affected households

'NAME', GENDER	WELFARE: HH SURVEY	AGE	EDU- CA- TION	MARRI- TAL STATUS	HOME	CURRENT LAND	OPEN RE AIDS?	HIV/AIDS IN HOUSEHOLD		LAND IMPACT	H/AIDS & TENURE CHANGE	
								DEATHS	HEALTH			CARE
J, woman <i>mother of C</i>	AVERAGE	53	Std 5	Widow	Marital	8 acres;	Yes	J's husband in 2000;	J not well & thinking about HIV test so can treat herself	J cared for sister; not knowing her HIV status.	J's nursing care meant agriculture declined. Disputes over land allo- cation after death	No. J says they can't sell as insufficient land. Land has not been transferred from husband because of cost. Orphans to aunt; land kept for them. 3 AIDS deaths known in village, 1 family.
C, woman <i>daughter of J</i>		24	Std 4	Single	Natal	not formally sub- divided.	No	J's daughter- in-law; J's sister; J's sister's husband; ? J's step-son (diabetes).	appropriately. ? J's youngest child is sickly.	Sister left 2 children with her hus- band's family. ORPHANS	J's husband since poor health has husband died has meant agricultural decline.	
AK, woman <i>mother of P</i>	NO RECORD	50	None	Sepa- rated, then widow	Marital	2½ acre; 1 acre. Leasing out as	No	? AK's husband in 2000 (stomach, back ache & malaria).	AK not well – flu, cough, pneumonia. P's youngest sister sickly.		AK's husband neglected coffee before died. Agricultural productivity has declined so less food. 2nd field fallow/leased out.	Yes. Husband leased out field before he died. AK leases out as required. P says she does not know of any H/A distress sales.
P, woman <i>daughter of AK</i>		18	Std 4	Single	Natal	needed.	No					
M, woman	WORSE-OFF	59	Std 1	Widow	Marital	2 acres. Leasing in.	No	? M's husband; ? M's son; ? M's daughter-in- law; ? M's son's 2 children.	M not well.	M cared for family mem- bers before they died. Son returned home from Nairobi when ill.	Cows sold when husband ill. Cow & bike sold when son ill. Death of husband led to loss agricultural help. Loans for	No. Insufficient land for sons to sell. Sons do lease in some land to supplement.



APPENDICES

'NAME', GENDER	WELFARE: HH SURVEY	AGE	EDU- CA- TION	MARTIAL STATUS	HOME	CURRENT LAND	OPEN RE AIDS?	HIV/AIDS IN HOUSEHOLD		LAND IMPACT	HIV/AIDS & TENURE CHANGE
								DEATHS	HEALTH		
H, woman <i>mother of N</i>	WORSE-OFF	56	None	Separated	Natal	1 acre. Leasing	Ambi- guous	H's daughter;	H not well – chest, head, back, malaria.	H diverted sav- ings from building her house to medi- cal costs. She sold beans & maize for daughter's treatment.	No. Very little land. H leases in if money; to grow food. H has heard of households closing. N has heard of 1 person selling land be- cause of AIDS to pay for treatment.
N, woman <i>daughter of H</i>		19	Std 4	Single	Maternal	in.	No	child a year later; ? H's son, 6 months after daughter died. AIDS a 'catastrophe on the loose'.	ORPHANS	grandchild till they died. H caring for daughter's surviving son (12 years old). ORPHAN	daughter-in-law's care. Pressure on M to subdivide to sons since her husband died. M can't work when she is sick.
JR, woman	NO RECORD	50s?		Widow	Marital	No details	No	? JR's husband, 1996.	JR has fallen sick every 2/3 months, for past 2 or 3 years. Has been diagnosed as having malaria or typhoid.		Yes. JR took trans- fer after husband died. JR heard of cases where people use title deeds to secure medical treatment. Says relatives do care for orphans & manage their land for them.



THE IMPACT OF HIV/AIDS ON LAND RIGHTS

'NAME', GENDER	WELFARE: HH SURVEY	AGE	EDU- CA- TION	MARITAL STATUS	HOME	CURRENT LAND	OPEN RE AIDS?	HIV/AIDS IN HOUSEHOLD		LAND IMPACT	H/AIDS & TENURE CHANGE	
								DEATHS	HEALTH CARE			
K, woman <i>mother of L</i>	WORSE-OFF	49	Std 6	Widow	Marital	6 acres	No	K's son; K's son's wife.	2 children of son who died stayed with K until other grandmother took them as she could see that K was not coping.	No land sold but cow, bicycle, radio sold. Cost of medical care meant L had to drop out of school as unable pay fees. No money also means K's sons can't get necessary treatment at times. K gets some help from church & villagers.	Yes. K has no plans to sell. L says her brother leased his land to get money for medicines before his death. Deceased son's children's land is recognized. K feels insecure as she does not have her own subdivision.	
L, woman <i>daughter of K</i>		21	Std 7	Single	Natal	Leasing out.	Yes, after prom- pt.					
S, man <i>husband of EE</i>	WORSE-OFF	56	Std 5	Married	Own	9 acres	Open re STDs.	None reported.	S has STDs & other symp- toms. EE is interested in HIV test.	S notes that some- times 'sickness' means one cannot work land, as can lack of money. EE confirms these problems.	No. No plans to sell.	
EE, woman <i>wife of S</i>		45	Std 1	Married	Marital		Partly - con- cern re AIDS.		Youngest children show symptoms.			
Y, woman	BETTER-OFF	30	Std 8	Married	Marital	¼ acre; ¾ acre.	No	Brother-in-law died of pneumonia - rumour of AIDS, which			No. Does not know of anyone selling land for AIDS care but also says illness	



APPENDICES

'NAME', GENDER	WELFARE: HH SURVEY	AGE	EDU- CA- TION	MARITAL STATUS	HOME	CURRENT LAND	OPEN RE AIDS?	HIV/AIDS IN HOUSEHOLD		LAND IMPACT	H/AIDS & TENURE CHANGE
								DEATHS	HEALTH CARE		
AB, woman	AVERAGE	24	Uni- ver- sity	Single	Natal	3 acres; 1 acre.	No	Y doubts	Father died ? 2001.	Loss of father's income has impacted on productivity.	will drive people to sell stock & land. No. No plans to sell.

Appendix 4.3: Thika (Gachugi) – land allocation, use and tenure issues

'NAME', GENDER, HH COMP.	H/AIDS AFFECTED?	AGE	EDUCATION	MARITAL STATUS	HOME	ALCOHOL/ ABUSE	WELFARE (SURVEY) INCOME SOURCES	CURRENT LAND AND ACQUISITION	TITLE DEED	LAND ALLOCATION & USE	LAND DISPUTES
F, woman <i>mother of W</i> + 1 daughter + 1 son + 1 daught.- in-law + 3 grand- children	Yes	52	Std 3	Widow	Marital	No	AVERAGE F has cow she uses for dairy and sells vegetables.	1 acre in 1 plot, or 2 acres in 2 plots (discrepant information).	Unclear: F says that held under joint title deed together with all of the land of late husband's siblings. Late husband's eldest brother is senior member of extended family. According to W however late father had title of own portion.	2 plots include land that was shown to 1 son who recently died of AIDS.	Discrepant information. According to F, brother-in-law is disinclined to subdivide because plots vary in fertility, but this has not been contentious, F has not felt threatened. But W reports that there was a dispute lasting from 1977–1994, eventually resolved in court, with title deeds awarded to father and siblings. Unclear whether dispute was between F's late husband and his siblings, or between them collectively and their father.
W, woman <i>daughter of F,</i> mother of 1 daughter	Yes	30	Std 7	Separated	Natal	No	However, accord- ing to W, life is very hard. W only returned to natal home 2 months previously after living in Nairobi and elsewhere for several years.				



APPENDICES

'NAME', GENDER, HH COMP.	H/AIDS AFFECTED?	AGE	EDU- CA- TION	MARITAL STATUS	HOME	ALCOHOL/ ABUSE	WELFARE (SURVEY) INCOME SOURCES	CURRENT LAND AND ACQUISITION	TITLE DEED	LAND ALLOCATION & USE	LAND DISPUTES
M, woman <i>mother of E</i> + 2 daughters + 2 sons + 2 grandchildren	Yes	?	?	Separated from husband 16 years ago.	Marital is 2nd wife	Yes, M used to be beaten by husband and is still harassed by him.	WORSE-OFF M states that lack of land to grow food is main problem.	0.1 acre in 1 plot.	In husband's name or husband's father's name.	The plot is part of M's homestead, and is very inadequate relative to her needs. Husband resides elsewhere, apparently with 1st wife.	Husband first attempted to put land up for auction, then later used as collateral for loan that he could not or would not repay. M averted loss by raising money to pay off loan herself.
E, man <i>son of M</i> + wife + 1 daughter + 1 niece	Yes	32	Form 3	Married	Natal	No	WORSE-OFF Relies on casual employment; has little land; house is not permanent.	0.5 acre in 1 plot.	In father's name.	Uses land for maize and beans; cannot afford to plant more remunerative crops.	Dispute not mentioned, but bitterness towards father for not allocating and formally subdividing more land.
G, woman + husband + 1 daughter + 1 son + 2 grand- children	No	57	Std 4	Married	Marital	No	AVERAGE Husband had a salary; is now retired?	? 0.5 acre in 1 plot.	? In name of husband's late father.	Some land has been allocated (shown) to adult son. Land used for coffee, food crops, and keep- ing of livestock, incl. dairy cows.	None.



THE IMPACT OF HIV/AIDS ON LAND RIGHTS

'NAME', GENDER, HH COMP.	H/AIDS AFFECTED?	AGE	EDUCATION	MARITAL STATUS	HOME	ALCOHOL/ ABUSE	WELFARE (SURVEY) INCOME SOURCES	CURRENT LAND AND ACQUISITION	TITLE DEED	LAND ALLOCATION & USE	LAND DISPUTES
H, woman + mother + 1 daughter + 2 sons	No	39	Form 6	Married	Natal	No	WORSE-OFF Main (only?) source of income is farming.	1.5 acres in 1 plot; plus rents in 0.5 acre plot.	In late father-in-law's name?	Children are still young.	None.
I, woman <i>? sister-in-law of L</i>	No	49	?	Widow	Marital	No		5.5 acres.			Land dispute involving extended family. Case started before husband's death and carried on afterwards. Appears to have related to contested adjudication.
L, woman <i>? sister-in-law of I</i> + 2 grandsons (1 of sons is divorced and has left children w/ L)	No	55	Std 6	Widow	Marital	No	BETTER-OFF Adult sons are employed.	2.5 acres in 1 plot.	Claims that has joint title deed with mother-in-law and brother-in-law.	Cannot use all of land for lack of money.	After husband's death in 1981, clan tried to take land back. She challenged in court and won.
O, man <i>father of P</i> + wife + 3 daughters + 2 sons	No	67	None	Married	Natal	No	WORSE-OFF Sometimes cannot afford school fees.	1.5 acres in 1 plot.	In own name.		



APPENDICES

'NAME', GENDER, HH COMP.	H/AIDS AFFECTED?	AGE	EDUCATION	MARITAL STATUS	HOME	ALCOHOL/ABUSE	WELFARE (SURVEY) INCOME SOURCES	CURRENT LAND AND ACQUISITION	TITLE DEED	LAND ALLOCATION & USE	LAND DISPUTES
P, man <i>son of O</i> + wife + 2 daughters + 2 sons	No	33	Std 7	Married	Natal	No	AVERAGE Has failed to get a job.	Discrepant information: in-depth survey – 1 acre; HH survey – 0.2 acre.	In father's name.	Food crops.	None.
D, man + wife + 1 daughter + 3 grandchildren	No	66	Form 4	Married	Natal	Yes 1 son is alcoholic, but doesn't burden DD.	BETTER-OFF D commercially-oriented farmer, previously had formal employment, has been able to purchase numerous plot of land to give to children.	9.7 acres in 10 plots; 2 inherited and 8 purchased, and most outside of the village. (These exclude plots he gave to adult children.)	All title deeds in own name. (Excludes plots given to children.) With D's help, D's late sister's 3 children have joint title to land sister had inherited.	Dairy, poultry, field crops, etc. Has felt need to shift to activities that do not require costly hired labour.	None.
N, woman <i>mother of J</i> + 3 daughters + 1 son = J	Yes	45	None	Widow	Marital	Yes late husb. & mo-in-law both phys. & emotionally abusive to N.	AVERAGE Horticulture and coffee.	0.2 acre in 1 plot.	In late father-in-law's name.	Point of contention between N on one hand, and in-laws and late husband on her behalf.	In-laws never willing to allocate N sufficient land, and late husband seldom tried to intervene on her behalf. Following his death, in-laws attempted to kick N off but failed.
J, man <i>son of N</i>		23	Std 8 + vocational	Single	Natal						



THE IMPACT OF HIV/AIDS ON LAND RIGHTS

'NAME,' GENDER, HH COMP.	H/AIDS AFFECTED?	AGE	EDU- CA- TION	MARITAL STATUS	HOME	ALCOHOL/ ABUSE	WELFARE (SURVEY) INCOME SOURCES	CURRENT LAND AND ACQUISITION	TITLE DEED	LAND ALLOCATION & USE	LAND DISPUTES
T, woman + 4 daughters + 8 grand- children	Yes	48	None	Widow	Marital	No	WORSE-OFF Cannot afford school fees for all kids; engaged in business but not clear what. Husband worked in Nairobi for many years prior to illness.	0.25 acre in 1 plot.	In name of late husband.	Unclear. States that she can no longer afford fertiliser and pesticides in order to grow tomatoes.	None.
R, woman + 2 grand- children	No	50	Std 6	Widow	Marital	No	BETTER-OFF Sons are employed; lives in permanent house; keeps 1 dairy cow and grow food crops.	0.25 acre in 1 plot.	Held by mother- in-law, but likely is in name of late father-in-law.	R's children are adults and do not stay at the homestead. She cultivates herself. divide only for lack of money.	None. R gets on well with mother- in-law, and has failed to sub- divide only for lack of money.
A, woman <i>daughter-in- law of B</i> + husband + 2 sons	Yes	31	Form 2	Married/ Separated	Marital	Yes, husband is alcoholic and abusive.	WORSE-OFF Cannot afford school fees, although husband works in Nairobi and remits some earnings.	1 acre in 1 plot.	With grandfather.	Uses land for food crops. Unclear if utilises fully.	None, except that failure to sub- divide among A's father-in-law and his brothers relates to their inability to agree regarding apportionment.



APPENDICES

'NAME', GENDER, HH COMP.	H/AIDS AFFECTED?	AGE	EDUCATION	MARITAL STATUS	HOME	ALCOHOL/ABUSE	WELFARE (SURVEY) INCOME SOURCES	CURRENT LAND AND ACQUISITION	TITLE DEED	LAND ALLOCATION & USE	LAND DISPUTES
B, woman <i>mother-in-law of A, sister-in-law of Q</i> + husband + 3 daughters + 1 grandson	Yes	50	Form 2	Married	Marital	No	BETTER-OFF Capable farmer-entrepreneur; sells passion fruit and tomatoes. Have good house.	1 acre in 1 plot.	With father-in-law.	Uses land commercially. Observed that focusing on cash crops allows her to purchase more food than she would have been able to produce herself.	None, except that failure to subdivide between B's husband and his brothers relates to their inability to agree regarding apportionment.
Q, woman <i>sister-in-law of B</i> + father-in-law + 1 daughter + ? grandchildren	No	50	None	Widow	Marital	No	BETTER-OFF (according to father-in-law) Q conducts business in hides and skins. Husband had been employed in Nairobi until 1996, died in 2001.	? 1 acre.	With father-in-law.	Unclear.	Q mentions dispute that lasted 25 years and was settled in the high court. Unclear if this is related to the problems mentioned by B and A, and what nature of dispute was, except Q suggests that in-laws tried to take her and her husband's land out of 'jealousy.'
S, woman + 2 daughters	No	48	Std 8	Widow	Marital	No	? WORSE-OFF S claims 'worse-	0.9 acre in 1 plot.	Title deed in S's own name;	Some land used for coffee and	Long-standing but obscure dispute



THE IMPACT OF HIV/AIDS ON LAND RIGHTS

'NAME', GENDER, HH COMP.	H/AIDS AFFECTED?	AGE	EDUCATION	MARITAL STATUS	HOME	ALCOHOL/ ABUSE	WELFARE (SURVEY) INCOME SOURCES	CURRENT LAND AND ACQUISITION	TITLE DEED	LAND ALLOCATION & USE	LAND DISPUTES
+ 3 sons + 2 grand-children							off' because she has difficulty affording fees for tertiary education.		similarly for her co-wife.	horticulture. Two married sons live and work in Nairobi, but have houses on the homestead land.	that went to high court but never resolved. Dispute involved late husband and late brother(s)-in-law. When they died in the 1980s, the dispute was effectively dropped, so that widows managed to carry on amicably.
X, woman <i>mother-in-law</i> of Y + 4 grand-children + 1 daughter who lives mainly in Nairobi	No	70	None	Widow	Neither (see right)	Y Son is alcoholic.	AVERAGE Because X is 'same as most people, who are poor.' Main source of income is agriculture. Recently retrenched from job as domestic.	1 acre in 1 plot.	Unclear. X and late husband were displaced during the Mau Mau, and were given land by gov't that had been reserved for cattle dip. Tenure status unclear, although X states that title in name of her son, though unclear which – Y's husband or late son?	Mainly uses land herself, as son and daughter-in-law not helpful.	Problem with owner of adjacent property who bought land from 'counsellor' to erect church on part of what X considers her land. X went to Thika District office to show her 'letter,' i.e. proving her ownership. Problem remains unresolved.



APPENDICES

'NAME', GENDER, HH COMP.	H/AIDS AFFECTED?	AGE	EDUCATION	MARITAL STATUS	HOME	ALCOHOL/ ABUSE	WELFARE (SURVEY) INCOME SOURCES	CURRENT LAND AND ACQUISITION	TITLE DEED	LAND ALLOCATION & USE	LAND DISPUTES
Y, woman <i>daughter-in-law of X</i> + husband + ? 5 children	No	32	Form 4	Married	Marital	Yes Husband is alcoholic.	? BETTER-OFF Answer in HH survey suggests doing well, but in in-depth complains about lack of money due to husband's laziness; husband does casual work despite technical skills.	0.8 acre in 1 plot.	? With in-laws. Seems to contradict what X states.	Field crops and vegetables.	None.
Z, man <i>husband of U</i> + wife + 2 sons	No	74	Form 4	Married	Natal	No	BETTER-OFF Main income is from farming and have a lot of land.	8 acres, 2 plots of 4 acres each. One plot at homestead, and was inherited. Other plot 90 minutes away, and was purchased in 1980.	Title deeds in Z's name.	Main enterprises are coffee and livestock.	None.
U, woman <i>wife of Z</i>		72	Std 5	Married	Marital						
AA, woman + husband + 1 son	No	59	Std 4	Married	Marital	No	AVERAGE Main source of income is farming. Son (37) was injured in car accident, which	2 acres in 1 plot. Husband inherited.	In husband's name. Formally subdivided in 1992.		None.



THE IMPACT OF HIV/AIDS ON LAND RIGHTS

'NAME', GENDER, HH COMP.	H/AIDS AFFECTED?	AGE	EDU- CA- TION	MARITAL STATUS	HOME	ALCOHOL/ ABUSE	WELFARE (SURVEY) INCOME SOURCES	CURRENT LAND AND ACQUISITION	TITLE DEED	LAND ALLOCATION & USE	LAND DISPUTES
BB, woman + 1 son (24)	Yes	42	Std 7	Widow	Marital	No	BETTER-OFF Late husband had well-paying job, but spent savings on health care prior to dying. BB does casual work and sells milk from 2 cows, and describes self as 'fortunate.'	1.5 acres in 2 plots, one inherited and one purchased for KShs 600, 000 in 1999, but payments were not complete by time husband died, and are still not.	1) 0.5 acre plot still in name of late husband's late father; 2) 1 acre plot held by BB in terms of joint title with late husband, but effective status unclear owing to outstanding debt.	Uses land herself but struggles to afford inputs.	None. BB expresses gratitude that she gets along well with in-laws.
CC, woman + 1 daughter (retarded) + 8 grand- children	Yes	59	?	Widow	Marital	Yes 4 sons are 'drunks,' don't help her 'at all.'	WORSE-OFF Relies on casual labour, struggles with school fees for grandchildren; 1 daughter needs care. Late daughter worked in Nairobi and sent money home, so her death is an economic blow for CC.	1.7 acres, formally apportioned and subdivided land to CC and sons, thus BB has title to her own plot.	In own name.	Field crops.	None.

Appendix 4.4: Thika (Gachugi) – impact of HIV/AIDS on land use and tenure of affected households

'NAME', GENDER	WELFARE: HH SURVEY	AGE	EDU- CA- TION	MARITAL STATUS	HOME	CURRENT LAND	OPEN RE AIDS?	HIV/AIDS IN HOUSEHOLD		LAND IMPACT	H/AIDS & TENURE CHANGE
								DEATHS	HEALTH		
F, woman <i>mother of W</i>	AVERAGE	52	Std 3	Widow	Marital	1–2 acres	Yes	According to F, her husband and son both died of AIDS.	F indicates that suspects N is ailing from AIDS, but N does not mention that she is unwell.	F mentions that other AIDS- affected house- holds in the area fail to use their land. However, she states that her problem is more lack of cash with which to buy fertiliser.	No.
W, woman <i>daughter of F</i>		30	Std 7	Sepa- rated	Natal		No	According to W, her father died of dia- betes, all of her brothers are still living.			
M, woman <i>mother of E</i>	WORSE-OFF	?	?	Sepa- rated from husband 16 years ago.	Marital	0.1 acre	Yes	Daughter, grand- daughter, and son-in-law died of AIDS.	Had cared for daughter and granddaughter before their deaths.	None. Land prob- lems are generally attributed to the estranged hus- band's selfishness and callousness.	No.
E, man <i>son of M</i>	WORSE-OFF	32	Form 3	Married	Natal	0.5 acre	Semi	E acknowl- edged death of sister but was very indirect that was likely AIDS.	E's household cares for sur- viving daugh- ter of late sister, who appears to be in good health. ORPHANS	None. E faults father for not allocating him more land, but is unrelated to health issues.	No.
G, woman	AVERAGE	57	Std 4	Married	Marital	0.5 acre	No	According to G's husband,	Daughter, who stays	None. Daughter's situation unclear.	No.



THE IMPACT OF HIV/AIDS ON LAND RIGHTS

'NAME', GENDER	WELFARE: HH SURVEY	AGE	EDU- CA- TION	MARITAL STATUS	HOME	CURRENT LAND	OPEN RE AIDS?	HIV/AIDS IN HOUSEHOLD		LAND IMPACT	H/AIDS & TENURE CHANGE
								DEATHS	HEALTH CARE		
								son-in-law died of AIDS.	away from daughter's health care; now 'sickly'; caring for daughter's 3 children. but G says generally when men die of AIDS, 'their wives follow'.		
L, woman	BETTER-OFF	55	Std 6	Widow	Marital	2.5 acres	No	Son-in-law died of TB.	Daughter returned home also ill; is now doing better. Grand- daughter also had TB.	Unclear.	? Yes. Circum- stances of daugh- ter returning home not clear.
O, man <i>father of P</i>	WORSE-OFF	67	None	Married	Natal	1.5 acres	No	P suspects brother who died in 1993		O's wife, P's mother, makes use of land of late sons.	No.
P, man <i>son of O</i>	AVERAGE	33	Std 7	Married	Natal	0.2-1 acre	Yes	died of AIDS. There are rumours that other brother who died in 2000 also died of AIDS, but P thinks this is not the case.			



APPENDICES

'NAME', GENDER	WELFARE: HH SURVEY	AGE	EDU- CA- TION	MARI- TAL STATUS	HOME	CURRENT LAND	OPEN RE AIDS?	HIV/AIDS IN HOUSEHOLD		LAND IMPACT	H/AIDS & TENURE CHANGE
								DEATHS	HEALTH CARE		
N, woman <i>mother of J</i>	AVERAGE	45	None	Widow	Marital	0.2 acre	Yes	N's late hus- band died of AIDS follow- ing illness of 2-3 yrs. J is aware of rumours that father died of AIDS, but rejects, and claims that father was ill for only 3 months.	N has AIDS. One of her daughters is also ill but no suggestion that it is AIDS-related.	Death of N's husband led to attempt by mother-in-law to oust her and her family. N successfully resisted this with assistance of local chief.	Yes. Relationship of HIV not obvious, but evidence that stigma resulted in less community support than might otherwise have been forthcoming. (See Case Study 1 in Chapter 6.)
J, man <i>son of N</i>		23	Std 8 + voca- tional	Single	Natal		No				
T, woman	WORSE-OFF	48	None	Widow	Marital	0.25 acre	N/Y	Initially T said husband died of typhoid, then stated that he died of AIDS. He died in 1997.			No.
A, woman	WORSE-OFF	31	Form 2	Married /Sepa- rated	Marital	1 acre	Yes	Husband and self are ill with AIDS, and A suspects that 2nd son (age 8) also has AIDS.		None discernible.	No.



THE IMPACT OF HIV/AIDS ON LAND RIGHTS

'NAME', GENDER	WELFARE: HH SURVEY	AGE	EDU- CA- TION	MARITAL STATUS	HOME	CURRENT LAND	OPEN RE AIDS?	HIV/AIDS IN HOUSEHOLD		LAND IMPACT	H/AIDS & TENURE CHANGE
								DEATHS	HEALTH		
Q, woman <i>sister-in-law of B</i>	BETTER-OFF	50	None	Widow	Marital	? 1 acre	n/a	Husband died in 2001, but unclear if was AIDS-related.		None (n/a)	No.
X, woman <i>mother-in-law of Y</i>	AVERAGE	70	None	Widow	Neither	1 acre	No	X's son, Y's brother-in- law, died of malaria in 1998 at age of 30. X's son-in- law also died recently, but details very sketchy.	X cares for daughters' children while daughter stays in Nairobi.	None.	No.
BB, woman	BETTER-OFF	42	Std 7	Widow	Marital	1.5 acres	Yes	Feels certain that her husband's death in 2001 was due to AIDS, even though he denied and produced a test result suggesting otherwise.	BB fears that she herself may be HIV+ because now showing certain symptoms; however, has not yet been tested.	BB still relies on agriculture to sustain herself, but feels need to hire in labour to assist. Cash constraints are such that hired labour mainly paid in-kind.	Yes. Inability to complete purchase of 2nd plot may mean that it is forfeited. Would be a blow, but she would not be homeless, nor landless, on account of inherited land which she considers secure.



APPENDICES

'NAME', GENDER	WELFARE: HH SURVEY	AGE	EDU- CA- TION	MARITAL STATUS	HOME	CURRENT LAND	OPEN RE AIDS?	HIV/AIDS IN HOUSEHOLD		LAND IMPACT	H/AIDS & TENURE CHANGE	
								DEATHS	HEALTH CARE			
CC, woman	WORSE-OFF	59	?	Widow	Marital	1.7 acres	Yes	Daughter died of AIDS, leaving CC to care for grandchildren in addition to those of other (retarded) daughter.	Fears that other D may also have AIDS but not certain.	While 1st D was ill in hospital, took eldest grand- daughter out of school to help care for.	None discernible.	No. However, CC feels shunned by community, feels no one prepared to help her. But land rights secure because of title deed.

Appendix 4.5: Bondo (Lwak Atemo) – land allocation, use and tenure issues

'NAME', GENDER, HH COMP.	H/AIDS AFFECTED?	AGE	EDU- CA- TION	MARITAL STATUS	HOME	ALCOHOL/ ABUSE	WELFARE (SURVEY) INCOME SOURCES	CURRENT LAND AND ACQUISITION	TITLE DEED	LAND ALLOCATION & USE	LAND DISPUTES
A, woman + 3 daughters + 2 sons + 1 grand- daughter	No	56	None	Widow	Marital	No	BETTER-OFF Ran nutrition centre in Lwak; late husband was a teacher.	8.5 acres in 3 plots; late husband inherited; thinking of selling 1 plot to help pay secondary school fees.	Joint title deed with deceased husband. However, B unaware – believes title deed is in late father's name.	Not yet allocated to children. Mainly food crops. Used to sometimes get assistance with weeding from church members. Sharecrop out land because do not 'have a plough'.	Longstanding conflict w/ rela- tives who had fewer sons and so were allocated less land from parents. Accord- ing to B, problem is that people believe 'we belong to the grandmother's side and not grandfather's side therefore we have no right to land.' Also, people tamper with boundaries of 2 out-lying fields.
B, man <i>son of A</i>		33	Voca- tional de- gree	Married	Natal	No	Agriculture				
D, woman + 2 sons + 1 daughter + 1 grand- daughter	Yes	43	Pri- mary	Widow (husband died in 1997)	Marital		AVERAGE Agriculture; late husband worked for railway.	6 acres in 2 plots (but according to household survey is only 2 acres); late husband inherited.	Title deed in name of late father-in-law; never formally subdivided among sons.	Not yet allocated to children. Mainly food crop production, some for sale.	Longstanding dispute between late husband and brothers re divi- sion; complicated by own hus- band's death and death of 1 brother-in-law.



APPENDICES

'NAME', GENDER, HH COMP.	H/AIDS AFFECTED?	AGE	EDU- CA- TION	MARITAL STATUS	HOME	ALCOHOL/ ABUSE	WELFARE (SURVEY) INCOME SOURCES	CURRENT LAND AND ACQUISITION	TITLE DEED	LAND ALLOCATION & USE	LAND DISPUTES
C, woman <i>step-mother to BB</i>	No	88	None	Widow	Marital	No	BETTER-OFF Agriculture and business.	5 plots, size not stated; late husband inherited.	Title deeds in own name; borrowed money to help pay for transfer.	Considering selling one plot. Uses mainly for food production. (According to BB, her efforts to sell land in the past were stopped by land control board.)	Two disputes. One case with Kisumu high court for over 20 years; nature of case not clear. Other prob- lem is that sons are trying to take land from me'. She consulted asst. chief and DO, but feels secure because she has the title deeds.
E, man	No	?	None	?	Natal	No	?	2.75 acres in 3 plots; inherited from other brother (father died when young).	Title deeds in own name.	Not yet allocated to children. Adult sons live away from home.	None.



THE IMPACT OF HIV/AIDS ON LAND RIGHTS

'NAME', GENDER, HH COMP.	H/AIDS AFFECTED?	AGE	EDUCATION	MARITAL STATUS	HOME	ALCOHOL/ABUSE	WELFARE (SURVEY) INCOME SOURCES	CURRENT LAND AND ACQUISITION	TITLE DEED	LAND ALLOCATION & USE	LAND DISPUTES
F, woman <i>wife of BB</i> + husband + 4 sons + 1 daughter + 16 adopted orphans	Yes	45	Std 7	Married	Marital	No	AVERAGE BB is teacher; agriculture.	About 1 acre in 2 plots; inherited by BB from father. In addition, land left by BB's late brothers.	Title deed for one plot in BB's name, and for other still in late father's name. Situation of late brothers' land unclear, probably in late father's name. BB holding informally for orphaned nephews until they come of age.	Children are mainly teenagers. Land used for food crops.	Disagreement with C, 2nd wife of late father-in-law, who claims land belongs to her. According to BB, she already took most of family's good land during adjudication. She has no children. Dispute is unresolved, stalemate.
BB, man <i>husband to F;</i> <i>stepson to D</i>		52	Form 4	Married (+ 2nd wife)	Natal						
G, man + 3 wives + 5 children	Yes	70	None	Married	Natal	No	WORSE-OFF Agriculture.	3.25 acres in 3 plots; 2 inherited from father. Third unclear – probably plot that G inherited from late husband.	2 plots in Y's own name (bro. used to work for Lands); 3rd plot unclear/contested.	Older sons have died, younger children and grandchildren not of age. Attitude to widowed daughters-in-law not clear. G's only child died in childhood. Stays effectively on her own and feels secure despite problems/threats from 'strangers'.	One dispute with nephew, who has allegedly illegally changed Y's land into own name at land office. 2nd dispute involves someone else who illegally changed ownership of other plot at land office. Person then mortgaged land and failed to pay. Case w/ high court in Kisumu.
H, woman <i>3rd wife of G</i>		60	None	Widow, then inherited by brother-in-law	Marital						



APPENDICES

'NAME', GENDER, HH COMP.	H/AIDS AFFECTED?	AGE	EDU- CA- TION	MARITAL STATUS	HOME	ALCOHOL/ ABUSE	WELFARE (SURVEY) INCOME SOURCES	CURRENT LAND AND ACQUISITION	TITLE DEED	LAND ALLOCATION & USE	LAND DISPUTES
I, man + mother + 2 brothers + 1 sister	No	26	Std 8	Single	Natal	Yes Left 2nd husband because	Agriculture.	9 acres in 3 plots; land under control of I's mother. One plot was given by J's paternal grand- father following decision to flee abusive situation in Kisumu. J then seemingly regis- tered in late hus- band's name.	One plot in late fathers'/husband's name, although actually natal land. Status of other plots unclear.	Two adult sons looking for work elsewhere, do not have families. J is prepared to subdivide in time. Daughter with child has epilepsy; not inclined to give land.	In-laws regularly plough her land. Efforts to stop them have failed. J has not gone to elders or anyone else. In-laws won't release her registration number to her.
J, woman <i>mother of I</i> + 2 sons + 1 daughter	?		None	Widow/ Divorced (Was inherited by bro-in- law, who she left.)	Natal	he was abusive.					
K, woman + 2 daughters	No	54	Std 7	Widow	Marital	No	AVERAGE Agriculture and business.	3.5 acres in 3 plots.	K transferred title deeds into own name following death of husband in 1993.	Sons live away from home, but prepared to subdivide if they return. Doesn't agree w/ idea of giving land to daughters but will consider if necessary.	Neighbour, who is extended relative, often farms over the boundary into her land. K has tried to resolve with person's father, but thus far no success.



THE IMPACT OF HIV/AIDS ON LAND RIGHTS

'NAME', GENDER, HH COMP.	H/AIDS AFFECTED?	AGE	EDUCATION	MARITAL STATUS	HOME	ALCOHOL/ ABUSE	WELFARE (SURVEY) INCOME SOURCES	CURRENT LAND AND ACQUISITION	TITLE DEED	LAND ALLOCATION & USE	LAND DISPUTES
L, woman + husband + 1 son + 1 daughter	No	49	Std 5	Married	Marital	No	WORSE-OFF Agriculture and casual labour.	1.25 acres in 2 plots. Husband inherited.	In husband's name.	Food production.	Dispute but nature unclear.
M, woman + husband + 3 children + 5 orphans	Yes	36	Form 2	Married	Marital	No	AVERAGE X is a teacher; agriculture.	2 acres in 2 plots. Smaller residential plot purchased; larger plot inherited by husband.	Larger plots in name of late father-in-law. X wants to transfer title of the 1 into his own name, but complicated by fact that late father's name was misspelled on the title deed. Alleges corruption at land office.	Food production. M states that land too small to subdivide further; sons will have to buy land elsewhere.	None, apart from grievance with land office.
X, man + 3 daughters	No	45	Form 6	Married	Natal	No	AVERAGE Had been headmaster at school; retired in 1995.	Status of 3rd plot left by late brother to X unclear; appears that late brother's wife has left but some children have stayed behind.	All titles in own name.	Not certain how to allocate land. Wants to 'help' unmarried daughter, but doesn't want to violate tradition.	None.
N, man + wife + 1 son + 3 daughters	Yes	65	Vocational	Married	Natal	No	AVERAGE Had been headmaster at school; retired in 1995.	Accounts disagree. According to HH survey (w/ wife respondent), 1.5 acres in 3 plots. According to in-depth interview, has 5 purchased plots and one inherited.	All titles in own name.	Not certain how to allocate land. Wants to 'help' unmarried daughter, but doesn't want to violate tradition.	None.



APPENDICES

'NAME', GENDER, HH COMP.	H/AIDS AFFECTED?	AGE	EDUCATION	MARITAL STATUS	HOME	ALCOHOL/ABUSE	WELFARE (SURVEY) INCOME SOURCES	CURRENT LAND AND ACQUISITION	TITLE DEED	LAND ALLOCATION & USE	LAND DISPUTES
O, woman + husband + co-wife + 3 orphans	Yes	~72	None	Married	Marital	No	NO RECORD Agriculture.	Altogether 5 acres. One plot for Q, one for co-wife, one plot shared between R and 2 brothers.	In P's name.	Food crops. O often sharecrops out some of land because of no oxen. Plot share by R and brothers subdivided informally.	None mentioned by O, but P describes ongoing struggle with 'sons' who insist on getting land. (Unclear if P means sons or grandsons.) 'Sons' went to elders 'to sue' P; P agreed to informally subdivide only. (R makes no mention of this conflict/tension.) Plus older boundary dispute with neighbour, also sorted out with assistance of elders.
P, man <i>husband to O</i>		72+	Std 2	Married	Natal						
Q, woman <i>daughter-in-law of P</i>		46	Form 2	Widow	Marital		NO RECORD Agriculture.				
+ 1 daughter (+ co-wife)											
R, man <i>step-son of Q; ? grandson of P</i>		26	Std 8	Widower	Natal			? 4 plot in 4 acres.			
+ 1 sister + 2 brothers											
S, woman + 3 sons	Yes	46	Std 6	Widow (husband died in 2000)	Marital	No	AVERAGE Agriculture (elder brother to Y employed as policeman).	Apart from resid. site, 3 plots. Two plots were inherited by S's late husband, and one recently acquired was occupied in his	After Y's father's death in 2000, Y was approached by uncles who claim father's land was never registered in his	Food crops, but land about which there is dispute being left fallow.	Dispute with S's brothers-in-law (Y's uncles) still not resolved. Seems never approached anyone to help resolve.
Y, man <i>son of S</i>		20	in Form 4	Single	Natal						



THE IMPACT OF HIV/AIDS ON LAND RIGHTS

'NAME', GENDER, HH COMP.	H/AIDS AFFECTED?	AGE	EDU- CA- TION	MARITAL STATUS	HOME ABUSE	ALCOHOL/ ABUSE	WELFARE (SURVEY) INCOME SOURCES	CURRENT LAND AND ACQUISITION	TITLE DEED	LAND ALLOCATION & USE	LAND DISPUTES
T, woman + 1 grand- daughter + 1 grandson	No	71	None	Widow (husband died 1971)	Marital	No	AVERAGE Agriculture. Used to trade fish.	after death of childless brother- in-law and his wife.	Contradictory info. In HH survey, T states that plots in name of 1st son; in in-depth inter- view, says that joint title between self and sons.	Food crops.	None mentioned.
U, woman + husband + 2 daughters + 4 sons	No	45	Std 4	Widow, then inherited by brother- in-law	Marital	No	AVERAGE Agriculture, petty retail.	3 acres in 3 plots. All inherited by first husband.	In name of late husband, i.e. first husband.	Food crops.	None.
V, woman + 2 daughters + 2 sons	Yes	43	Std 6	Widow	Marital	No	NO RECORD Agriculture.	3 acres in 2 plots. Husband inherited.	In late husband's name.	Food crops.	Nephew started farming portion of her land. V consulted brother-in-law, who took side of nephew. V ceded land to him.



APPENDICES

'NAME', GENDER, HH COMP.	H/AIDS AFFECTED?	AGE CA- TION	EDU- CA- TION	MARITAL STATUS	HOME ABUSE	ALCOHOL/ ABUSE	WELFARE (SURVEY) INCOME SOURCES	CURRENT LAND AND ACQUISITION	TITLE DEED	LAND ALLOCATION & USE	LAND DISPUTES
W, woman + 2 daughters + 1 son + 8 grand- children = orphans	Yes	56	Std 8	Widow (husband died in 1993)	Marital	No	AVERAGE Agriculture.	6.5 acres in 4 plots.	Joint title for 3 of the plots. 4th plot in name of late husband.	Food crops and some beans for sale, e.g. pay school fees.	None.
Z, woman <i>mother of AA</i> + 5 sons (husband works in Nairobi)	No	39	Std 7	Married	Marital	No	AVERAGE Z is a community health worker. Husband works in Nairobi; agriculture.	3.5 acres in 3 plots; inherited by Z's husband from his father. (Earlier in 2002 husband bought another plot for his 2nd wife, who stays with him in Nairobi. Plot is 1.5 acres, and cost KShs 45,000.)	Title deeds in name of Z's husband.	Food crops. Sometimes sharecrops out portion of land and/or hires labour in, depending on availability of cash.	None.
AA, man <i>son of Z</i>		19	Form 3	Single	Natal						

Appendix 4.6: Bondo (Lwak Atemo) – impact of HIV/AIDS on land use and tenure of affected households

'NAME', GENDER	WELFARE: HH SURVEY	AGE	EDU- CA- TION	MARRI- TAL STATUS	HOME	CURRENT LAND	OPEN RE AIDS?	HIV/AIDS IN HOUSEHOLD		LAND IMPACT	HIV/AIDS & TENURE CHANGE
								DEATHS	CARE		
A, woman <i>mother of B</i>	BETTER-OFF	56	None	Widow	Marital	3 acres	No	? A's husband (B's father) dies in 2000.	? A's daughter ill, goes to hospital for drugs, but no diagnosis. A has asthma. B of 'old age'.	None.	No. A not worried re threats: 'They know I would not spare them if they try.' According to B, 'nobody has come out outright to disenfranchise us.'
B, man <i>son of A</i>		33	Voca- tional deg- ree	Married	Natal	2.5 acres	No	According to A of cirrhosis; according to B of 'old age'.			
D, woman	AVERAGE	43	Prim- ary	Widow	Marital	2.5 acres 4.5 acres	No	? D's husband 1997 in Mombasa – cause not revealed; ? D's daughter dies age 22 in 2000, of unspec. resp. prob., leaving 1 child.	No mention of other illnesses.	None so far.	Unclear. Husband's death, likely due to AIDS, makes more vulnerable to brother-in-law who seeks to intimidate her.
F, woman <i>wife of BB</i>	AVERAGE	45	Std 7	Married	Marital	0.9 acre size of	Semi	? 6 deaths in past 6 years, of which 5 brothers-in-law and wives; not confirmed AIDS but suspected.	Not at present.	Using land belonging to late brothers-in-law; helping support orphans.	No. Dispute with late father-in-law's 2nd wife appears unrelated to deaths or their possible causes.
BB, man <i>husband of F; stepson to C</i>		52	Form 4	Married (has 2nd wife)	Natal	other mainly resident- ial plot not stated.					



APPENDICES

'NAME', GENDER	WELFARE: HH SURVEY	AGE	EDU- CA- TION	MARRI- AL STATUS	HOME	CURRENT LAND	OPEN RE AIDS?	HIV/AIDS IN HOUSEHOLD		LAND IMPACT	H/AIDS & TENURE CHANGE
								DEATHS	CARE		
G, man <i>husband of H</i>	WORSE OFF	70	None	Married	Natal	0.25 acre	Semi	? 2 elder sons died in last few years, no explanation.	G and 1st wife w/ various health problems, but prob. not HIV-related.	Impact on land use unclear.	? Yes. Disputes appear unrelated to sons' deaths, except possibly that absence of sons may have emboldened nephew.
H, woman <i>3rd wife of G</i>		60	None	Widow, then inheri- ted by brother- in-law	Marital	1 acre 2 acres (con- tested)		no indication of what; semi-acknowl- edged that died of AIDS. Left behind 2 minors, incl. 1 son and 1 daughter.		Land of late brother share- cropped out.	Circumstances of departure of one of late son's wife not clear; her sons remain but daughters left with her. Acting as guardian for son of late brother.
L, woman	WORSE OFF	49	Std 5	Married	Marital	0.5 acre 0.75 acre	n/a	Son died from complications from sports wound; daughter died in childbirth.			No. Nature of land dispute unclear. Unlikely related to deaths in household.
M, woman <i>wife of X</i>	AVERAGE	36	Form 2	Married	Marital	0.5 acre 1.5 acres	No	? Brother-in- law and sister (-in-law?)	Caring for 5 orphans left behind.	Unclear what is status of late brother-in-law's	No. Identities of late siblings not clear, but two



THE IMPACT OF HIV/AIDS ON LAND RIGHTS

'NAME', GENDER	WELFARE: HH SURVEY	AGE	EDU- CA- TION	MARITAL STATUS	HOME	CURRENT LAND	OPEN RE AIDS?	HIV/AIDS IN HOUSEHOLD		LAND IMPACT	HIV/AIDS & TENURE CHANGE	
								DEATHS	HEALTH CARE			
X, man <i>husband of M</i>		45	Form 6	Married	Natal			died, causes unspecified.	ORPHANS	land, though it appears that orphans being cared for by M and X either reside there or use that land.	were not a couple. Rather, following the brother-in-law's death, his wife left leaving some or all children; circumstances of her departure are unclear.	
N, man	AVERAGE	65	Voca- tional	Married	Natal	3 x 0.25 acres 1 x 0.75 acres. Two others?	No	? Daughter died in 1998 at age of 20 of 'diarrhoea'.	? Wife ill, but not related to HIV.	Need to hire in labour to compensate for wife's illness, but not related to HIV/AIDS.	No.	
O, woman <i>wife of P</i>	NO RECORD	~72	None	Married	Marital	About 2.5 acres?	No	? O has lost 6 adult children in last several years. Latest = son, daughter- in-law, and 1 of their child- ren ('no dis- ease was found'). Son of co-wife died at same time.	? Wife ill, but not related to HIV.	O cultivates land left by late son and daughter-in- law.	No.	
P, man <i>husband of O</i>		?	Std 2	Married	Natal	About 5 acres	No					ORPHANS



APPENDICES

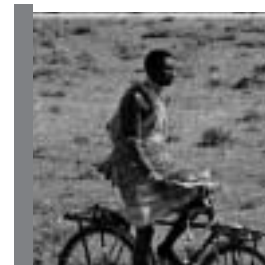
'NAME', GENDER	WELFARE: HH SURVEY	AGE	EDU- CA- TION	MARITAL STATUS	HOME	CURRENT LAND	OPEN RE AIDS?	HIV/AIDS IN HOUSEHOLD		LAND IMPACT	H/AIDS & TENURE CHANGE
								DEATHS	HEALTH		
Q, woman ? daughter- in-law of P		46	Form 2	Widow	Marital	About 3.5 acres between self and co-wife.	No	? One daugh- ter dies; one sister, brother- in-law, and nephew; all with character- istic AIDS symptoms.	? Other daughter ill.	Wants to sell one plot of land to raise cash.	No.
R, man step-son of Q; ? grandson of P		26	Std 8	Widow- er	Natal	About 2 acres shared with brothers	No	? Wife and baby died 2002, probably of AIDS. Father and 1 step-mother died in 1996 & 1998 resp., prob. also AIDS.	? Younger brother probably ill with AIDS.	? Caring for younger brother.	No.
S, woman mother of Y Y, man son of S	AVERAGE	46	Std 6	Widow	Marital	0.5 acre 0.5 acre 1 acre ?	No	? S's husband died in 2000 with diarrhoea, supposedly of typhoid; brother-in-law and wife shortly afterwards.		According to Y, compelled to leave some land fallow. Would like to acquire more land if could afford.	Yes. Unresolved tension with brothers-in- law/uncles; land stalemate.



THE IMPACT OF HIV/AIDS ON LAND RIGHTS

'NAME', GENDER	WELFARE: HH SURVEY	AGE	EDU- CA- TION	MARITAL STATUS	HOME	CURRENT LAND	OPEN RE AIDS?	HIV/AIDS IN HOUSEHOLD		LAND IMPACT	H/AIDS & TENURE CHANGE	
								DEATHS	HEALTH CARE			
V, woman	NO RECORD	43	Std 6	Widow	Marital	3 acres in 2 plots, not clear how divided.	Yes	? Husband died in March 2002, no diagnosis. Brother-in-law and wife die late 1990s, characteristic symptoms of AIDS.	? Daughter ill recently, but no diagnosis. 15) of late brother-in- law, but she decided to move to stay with other relatives.	Not clear.	Yes. Feeling insecure, in part due to episode with nephew. Before husband's death, he and she wanted to sell one plot to help pay for brother-in- law's memorial. But husband died first. Now V wants to still sell to also pay for husband's memorial and because needs cash; blocked by clan who will not allow her to sell.	
W, woman	AVERAGE	56	Std 8	Widow (hus- band died in 1993)	Marital	1 acre 1.5 acres 2 acres 2 acres	No	? Son, 38, dies 1998, possibly of stroke. Son's wife, 35, dies 2000, no clear diagnosis. Grandson, 4, dies 2000. Son- in-law dies 2000.	Nothing at present, except W suffers from arthritis and granddaughter has epilepsy.	W cares for 8 grandchildren she considers orphans.	No impact evident.	No.

REFERENCES



- Acholla-Ayayo ABC (1988) Cultural codes and population change in Kenya in SH Ominde (ed) *Kenya's population growth and development to the year 2000*. Nairobi: Heinemann Kenya.
- Boserup E (1965) *The conditions of agricultural growth: The economics of agrarian change under population pressure*. New York: Aldine Publishing.
- Brokensha D (1971) *Mbere clans and land adjudication*. Staff Paper No. 96, Institute for Development Studies, University of Nairobi.
- Bruce J & Migot-Adholla S (1994) *Searching for land tenure security in Africa*. Dubuque, Iowa: Kenadall/Hunt.
- Campbell C, Foulis CA, Maimane S & Sibiya Z (2003) 'I have an evil child at my house': *Stigma and the struggle against youth HIV/AIDS in Ekuthuleni*. Paper presented to the International Conference on Sex and Secrecy, University of the Witwatersrand, Johannesburg.
- Central Bureau of Statistics (CBS) (1983) *Population projections for Kenya 1980-2000*. Nairobi.
- CBS (2002) *1999 Housing and population census*. Nairobi.
- Constitution of Kenya Review Commission (CKRC) (2002a). *The People's Choice: The Report of the Constitution of Kenya Review Commission, Short Version*.
- CKRC (2002b) *Draft Bill: The Constitution of the Republic of Kenya*.
- Eilor EA & Mugisha M (2002) *Report of the study on HIV/AIDS and women's land rights in Uganda: A case study of selected individuals in Rukungiri and Kampala Districts*. Kampala: Eastern African Sub-Regional Support Initiative for the Advancement of Women (EASSI).
- Ellis F (1993) *Peasant economics: Farm households and agrarian development*. Cambridge: Cambridge University Press.
- Embu District (2002) *Embu Development Plan 2002-2008*. Embu: District Commissioner's Office.
- Forest Action Network (FAN) (2002) *The impact of HIV/AIDS on the land issue In Kenya*. Research report commissioned by the FAO.
- Gathenya G & Asanga F (n.d.) *Men, HIV and AIDS in Kenya*. Nairobi: SWAK (Society for Women and AIDS in Kenya) and The Panos Institute.
- Gray L & Kevane M (2000) Diminished access, diverted exclusion: Women and land tenure in sub-Saharan Africa, *African Studies Review* 42(2) 15-39.
- Haugerud A (1989) Land tenure and agrarian change in Kenya, *Africa* 59(1) 61-90.

THE IMPACT OF HIV/AIDS ON LAND RIGHTS

- Hayami Y & Ruttan V (1985) *Agricultural development: An international perspective*. Baltimore: Johns Hopkins University Press.
- Human Rights Watch (2001) In the shadow of death: HIV/AIDS and children's rights in Kenya, *Human Rights Watch* 13(4-A).
- Human Rights Watch (2003) Double standards: Women's property rights violations in Kenya, *Human Rights Watch* 15(5-A).
- Human Sciences Research Council (HSRC) (2002a) *The impact of HIV/AIDS on land: Case studies from Kenya, Lesotho and South Africa*. A synthesis report prepared for the Southern African Regional Office of the Food and Agricultural Organization of the United Nations.
- HSRC (2002b) *The impact of HIV/AIDS on land issues in KwaZulu-Natal Province South Africa: Case studies from Muden, Dondotha, Kwadumisa and Kwanyuswa*. Research Report commissioned by the FAO.
- Hunt D (2003) *The debate on land privatisation in sub-Saharan Africa: Some outstanding issues*. Discussion Paper 96, University of Sussex.
- IFAD & FAO (2002) *Labour saving technologies and practices for farming and household activities under conditions of labour stress: Bondo and Busia Districts, Western Kenya*. Project report.
- Institute of Economic Affairs (2002) *The little fact book: The socio-economic and political profiles of Kenya's Districts*. Nairobi: Institute of Economic Affairs.
- Kanyinga K (2000) *Re-distribution from above: The politics of land rights and squatting in coastal Kenya*. Research Report No. 115, Uppsala: Nordic Africa Institute.
- Kelley AC & Nobbe CE (1990) *Kenya at the demographic turning point? Hypotheses and a proposed research agenda*. World Bank Discussion Paper No. 107.
- Kenya Land Alliance (KLA) (2002) Land, environment and natural resources. Submission to the Constitution of Kenya Review Commission.
- KLA (2003) *Land Update*. Newsletter of the Kenya Land Alliance 2(3), July-September.
- Kyalo-Ngugi AM (n.d.) *The status of women and land in Kenya*. Paper prepared for the Eastern African Sub-Regional Support Initiative for the Advancement of Women (EASSI): Kampala.
- Lamb G (1974) *Peasant politics: Conflict and development in Murang'a*. London: Julian Friedmann.
- Lonsdale J (1992) The political culture of Kenya in BF Frederiksen & K Westergaard (eds) *Political culture, local government and local institutions*. Occasional Paper No. 7, International Development Studies, Roskilde University.

APPENDICES

- Mackenzie F (1989) Land and territory: The interface between two systems of land tenure, Murang'a District, Kenya, *Africa* 59(1) 91–109.
- Mamdani M (1996) *Citizen and subject: Contemporary Africa and the legacy of late colonialism*. Princeton: Princeton University Press.
- Manji A (1999) *Who's afraid of land rights? Women, AIDS and land reform in Tanzania*. Paper presented to a seminar on Gender, Property Rights and Development, Det Juridiske Fakultet, Universitetet 1 Oslo.
- Mbaya S (2002) *HIV/AIDS and its impact on land issues in Malawi*. Paper presented at the FAO/SARPN Workshop on HIV/AIDS and Land Tenure, Pretoria, 24–25 June 2002.
- Ministry of Finance and Planning (2000a) *Second Report on Poverty in Kenya: Volume I Incidence and Depth of Poverty*. Nairobi.
- Ministry of Finance and Planning (2000b) *Second Report on Poverty in Kenya: Volume II Poverty and Social Indicators*. Nairobi.
- Ministry of Health (2001) *AIDS in Kenya: Background, Projections, Impact, Interventions and Policy*. Sixth Edition. National AIDS and STD Control: Nairobi.
- Ministry of Lands and Settlement (2000) *Memorandum to the Commission of Inquiry into the Land Law System in Kenya*. Unpublished manuscript.
- Ministry of Lands and Settlement (2002). Land transactions data.
- Morgan WTW & Shaffer NM (1966) *Population of Kenya, density and distribution: A geographical introduction to the Kenya Population Census, 1962*. Nairobi: Oxford University Press.
- Muchunguzi J (2002) *HIV/AIDS and women's land ownership rights in Kagera Region – North Western Tanzania*. Paper presented at the FAO/SARPN Workshop on HIV/AIDS and Land Tenure, Pretoria, 24–25 June 2002.
- National AIDS Control Council, Office of the President (2000) *The Kenya National HIV/AIDS Strategic Plan 2000-2005, Popular Version*.
- National Council for Population and Development (NCPD), Central Bureau of Statistics (CBS), Office of the Vice President and Ministry of Planning and National Development (Kenya) & Macro International Inc. (MI) (1999) *Kenya Demographic and Health Survey 1998*. Calverton, Maryland: NCPD, CBS & MI.
- Netting R (1993) *Smallholders, householders: farm families and the ecology of intensive, sustainable agriculture* Stanford: Stanford University Press.
- Njonjo A (1978) *The Africanisation of the white highlands: A study in agrarian class struggles in Kenya, 1950–1974*. PhD dissertation, Princeton University.

THE IMPACT OF HIV/AIDS ON LAND RIGHTS

- Okoth-Ogendo WHO (1979) Imposition of property law in Kenya in B Harrell-Bond & S Burman (eds) *The imposition of law*. New York: Academic Press.
- Okoth-Ogendo WHO (1991) *Tenants of the Crown*. Nairobi: ACTS Press.
- Okoth-Ogendo WHO (1999) *Land issues in Kenya: Agenda items from the 21st century*. Unpublished manuscript.
- Omiti J & Omosa M (2002) *The impact of HIV/AIDS on rural livelihoods in Kenya: A desk review*. Study commission by Department for International Development on behalf of the AIDS Control Unit, Ministry of Agriculture and Rural Development.
- Platteau JP (1996) The evolutionary theory of land rights as applied to sub-Saharan Africa: A critical assessment, *Development and Change* 27(1) 29–86.
- Quan J (2000) Land tenure, economic growth and poverty in sub-Saharan Africa in C Toulmin & J Quan (eds) *Evolving land rights, policy and tenure in Africa*. London: DFID/IIED/NRI.
- Shipton P (1988) The Kenyan land tenure reform: Misunderstandings in the public creation of private property, in RE Downs & SP Reyna (eds) *Land and society in contemporary Africa*. Hanover and London: University Press of New England.
- Sorrenson MPK (1967) *Land reform in the Kikuyu country: A case in government policy*. Nairobi: Oxford University Press.
- UN Population Division (2003) *World population prospects: The 2002 Revision; Annex Tables*.
- UNAIDS/UNICEF/WHO (2002) Epidemiological fact sheets on HIV/AIDS and sexually transmitted infections: Kenya, 2002 update. Available at http://www.unaids.org/html/pub/Publications/Fact-Sheets01/Kenya_EN_pdf.htm
- Wanjala S (1996) *Recurrent themes in Kenya's land reform discourse since independence*. Paper presented at the Eastern and Southern Africa Regional Conference on Experiences, Perspectives and Strategies on Land Reform and Land Rights in Rural and Urban Settings, Johannesburg, June.
- Yamano T & Jayne TS (2002) *Measuring the impact of prime-age adult death on rural households in Kenya*. Working Paper 5, Tegemeo Institute of Agricultural Policy and Development, Nairobi.