

FINAL REPORT

The Government of the Republic of Uganda

LAND SECTOR ANALYSIS

**GENDER/FAMILY ISSUES AND LAND
RIGHTS COMPONENT**

GRANT NO. PHRD/02/04

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ABBREVIATIONS AND ACRONYMS

AIDS	Acquired Immune Deficiency Syndrome
DLB	District Land Board
DRB	Domestic Relations Bill
GDP	Gross Domestic Product
HIV	Human-Immune Deficiency Virus
LA98	Land Act 1998
LC	Local Councils
LRD	The 1975 Land Reform Decree
LSSP	Land Sector Strategic Plan
MOES	Ministry of Education and Sports
MTEF	Medium Term Expenditure Framework
MWLE	Ministry of Water, Lands and Environment
NAADS	National Agricultural Advisory Services
PEAP	The Poverty Eradication Action Plan
PHRD	Policy and Human Resources Development
PMA	Plan for the Modernisation of Agriculture
SPSS	Statistical Packages for Social Science

EXECUTIVE SUMMARY

This study reflects the research and findings of the gender/family issues and land rights study and will feed into the LSSP plan, as well as inform the work of the Plan for Modernisation of Agriculture (PMA).

Much of the literature on gender and access, ownership, and control of land comes to the same conclusions. While women provide from 70-80 percent of the agricultural labour, few have the rights to own (7%) or control use of land. Only 30 percent have access to and control over proceeds from land (*Ovonji-Odida, 2000*). There are “clear and constant gender-based distinctions in the rights to land of men and women throughout Uganda” (*Ovonji-Odida, 2000*). Regardless of tenure type, the basic differences between men and women in land access, ownership, and control exist. Both men and women have access to land, but ownership and control over land is ultimately with men.

Previous studies have shown that, particularly for rural women, inequality of access to the key productive asset is a fundamental determinant of poverty and social disadvantage. Yet recent legal changes under the Land Act aimed at strengthening the land rights of women, dependent children and orphans, through the requirement of consent to transactions on family land have had little effect on the ground.

The LSSP developers requested a systematic identification of the practical difficulties women face in accessing their land rights, and for recommendations of strategic actions, which can be taken to improve the impact of legal changes on the ground to ensure that the land sector is meeting the needs of women, men, children, and orphans.

Two study districts of Mpigi and Lira were selected for collection of primary data and were considered to be representative of the different tenure regimes in the country. Within each sample district, two sub-counties and two villages were selected with the help of the district leadership. In each of the sub-counties the team selected two villages for focus group interviews and two for the household survey. The purpose here was to ensure greater coverage of the districts and also capture different socio-cultural settings, and land tenure regimes.

Fieldwork, which consisted of use of rapid rural appraisal methods and a household survey, was conducted in each of the districts by both the consultants and research assistants. The research assistants administered a survey questionnaire.

The gender division of labour in Uganda is generally such that women provide most of the labour in planting, weeding, harvesting, processing and storage of food and cash crops, while men are mainly involved in initial opening up of land. Men also sell the produce as well as determine how income is spent. Women are the major agents in food security because they are the ones whose role it is to provide food for the family. They are more involved in growing food crops although men mainly make decisions on the use of land.

Though women are very involved in agricultural production, they are seldom trained by agricultural extension workers, are often uneducated, and have little access to agricultural or market information. While extension representatives we spoke to were interested in working with women, they found that women rarely participated. Women extension workers were the only workers who could work with other women in the field, but there are few women who are qualified to be extension workers. Primarily this is due to a lack of encouragement for women to enter science and agricultural fields of study.

Study findings in the two districts indicate that, very few women own land although a high percentage expressed the desire to own land and increase security of their access rights. The study found that the land rights of women, children and orphans were similar regardless of their land tenure type.

Religious/customary practices and marital status have a much greater impact on land rights for women, children, and orphans than land tenure type. Women in Muslim marriages felt less secure in accessing their land rights especially in Kibibi sub-county.

The biggest concern for women was property grabbing. In the focus group discussions conducted in this study more than half of the participants reported that property grabbing is a problem in their community. Property grabbing is a phenomenon whereby inherited property is taken from the surviving family members and heirs to whom it rightly belongs. Respondents observed that property grabbing after the death of a spouse is a greater problem for women, and orphans than it is for men because the man's relatives do not believe in the woman inheriting the land. Women are not regarded as part of the clan. A literature review study conducted confirms this result (*Gilborn, 2001*). It was reported that paternal relatives and clan members usually grabbed the land.

With inadequate rights of access to and control over land and, wage labour difficult to obtain and low paying at best, women do not have the means to meet subsistence needs for themselves and their families. Findings from this study confirm that men usually decide on the allocation of the proceeds, and do not necessarily share their income with the women in the household, creating a poverty trap: lacking rights, access to control over land and agricultural outputs women are economically dependent on their spouses or male relatives who, in turn choose to retain much of their earnings for their own enjoyment. In the case of divorce, desertion, separation or widowhood, without rights in or access to independent economic resources like land, women are extremely economically vulnerable.

However, legal change will not be sufficient. Women have very little power within families or communities and no legal change will have an impact on women if they cannot and do not exercise their legal rights. Women must be able to understand and be able to explain their rights; stand up for their rights; and have some power to insist on the exercise of their rights. Women are generally not aware of their legal rights. In our household survey, only 27.7% said they were aware and understood their rights under the Land Act. Further, women are more likely to be included in family decisions and

challenge men's ideas if they are themselves trained agriculturists and are able to increase productivity and add to the decision making process.

SUMMARY OF RECOMMENDATIONS:

Possible options	Activities	Responsible institution
Step One: Educate men regarding women's situation. Help men understand the link between sharing power within the relationship and productivity and increased economic benefit.	<ul style="list-style-type: none"> ◆ Radio campaigns ◆ Drama presentations ◆ Male gender workers (male) who are trained to work with the men and with the male leaders on women's legal rights and needs for increased productivity. ◆ Encourage male leaders (central leaders, local leaders, clan leaders) to take a stand for widow's ownership of land. 	Ministry of Lands, Water and Environment
Step Two: Empower women within their family relationships and their community.	<ul style="list-style-type: none"> ◆ Gender workers to work with women ◆ Incentives for women to study Agriculture ◆ Train non-college educated women in agricultural skills ◆ Provide counselling services – Paralegal Training 	<ul style="list-style-type: none"> ◆ NAADS ◆ Ministry of Education and sports ◆ NAADS ◆ Ministry of Gender, Labour and Social Development ◆ Civil society organisations e.g. Uganda Land Alliance, FIDA
Step Three: Provide women with tools to realise the benefits of legal rights.	<ul style="list-style-type: none"> ◆ Provide counselling services – Paralegal Training 	<ul style="list-style-type: none"> ◆ Ministry of Gender, Labour and Social Development / Civil society organisations e.g. Land Alliance, FIDA
Step Four: Legislative Changes	<ul style="list-style-type: none"> ◆ Formulation of Gender responsive land law. ◆ Involvement of women and gender responsive institutions 	<ul style="list-style-type: none"> ◆ Ministry of Lands, water and Environment ◆ Ministry of Gender Labour and Social Development ◆ Civil society organisations
Step Five: Use and Allocation of PMA Non-Sectoral Conditional Grants	<ul style="list-style-type: none"> ◆ Incentive programme to encourage districts to target women, and other vulnerable groups ◆ Dissemination of information on LSSP ◆ Capacity building for gender responsive planning in Agriculture at the district level 	<ul style="list-style-type: none"> ◆ PMA ◆ Ministry of Lands, Water, and Environment ◆ PMA
Step Six: Land Sector Strategic Plan	<ul style="list-style-type: none"> ◆ Awareness creation ◆ Paralegal training 	<ul style="list-style-type: none"> ◆ Ministry of Lands, water, and environment

CHAPTER ONE

1 INTRODUCTION

1.1 BACKGROUND OF THE STUDY

The Ministry of Water, Lands and Environment (MWLE) is developing a Land Sector Strategic Plan (LSSP) that will establish a strategic framework for the implementation of sector-wide reforms, including implementation of the Land Act. The LSSP is intended to guide the management and use of Uganda's land resources. The overall policy context for the LSSP is the Government of Uganda's domestic and international policy commitments, with their emphasis on poverty eradication, human, economic and social rights, democratisation and sustainable development.

The specific mission of the LSSP is to “create an enabling environment for the participation of all stakeholders in effective use and management of Uganda's land resources.” The mission will be achieved by pursuing six strategic objectives:

- i. to create an inclusive and pro-poor legal and policy framework for the land sector;
- ii. to put land resources to sustainable productive use;
- iii. to improve the livelihood of poor people through a more equitable distribution of land access and ownership and greater tenure security for vulnerable groups;
- iv. to increase availability, accessibility and use of land information in planning and implementing developing programs;
- v. to establish and maintain transparent, accountable and easily accessible institutions and systems for decentralised delivery of land services;
- vi. To mobilise and utilise public and private resources efficiently and effectively for the development of the land sector.

The Government of Uganda has commissioned three land sector studies (collectively referred to as the “Land Sector Analysis”) to assist in preparations for implementation of the LSSP. The three studies are:

1. The land market, land consolidation and land re-adjustment study;
2. The gender/family issues and land rights study; and
3. The common property regimes study.

This study reflects the research and findings of the gender/family issues and land rights study and will feed into the LSSP plan, as well as inform the work of the Plan for Modernisation of Agriculture (PMA). The PMA will be discussed further in section 1.3.2.

1.2 ORGANISATION OF THE REPORT

This report is divided into four main sections. The first section is an introduction to the study, including a literature review on the issues of gender and family issues related to land, a description of the conceptual framework, and the methodology for the study. The second section describes the research findings. Section three analyses these findings, and section four puts forth possible interventions to help meet the LSSP's six strategic objectives and the objectives of the PMA.

1.3 LITERATURE REVIEW ON LAND AND GENDER AND FAMILY ISSUES

1.3.1 HISTORICAL REVIEW ON LAND TENURE SYSTEMS IN UGANDA

Before colonialism, much of Uganda's land was held communally, except in areas where feudalism had begun. Women in the pre-colonial era were given land upon marriage on which they had the exclusive rights to cultivation in addition to owning the produce from the land (*Sebina-Zziwa, 1995*). In 1900, the Uganda Agreement parcelled out land in Buganda (Central Uganda). During the colonial period, land control shifted from clans to chiefs. Formerly free peasants became peasants on the land and were made to pay rent for using the land (*Kharono, 1998*). The King of Buganda, members of the royal family, and high-ranking chiefs received about 960 square miles of land as either official land or private estates. Chiefs and private landowners received some land, missionary societies received land, and the existing government received land. The remainder of the land was retained as Crown lands (*Musisi, 1986*).

Peasant farmers were allowed to farm on the land owned by the king and others, and in 1927 the rent and dues for farming this land were established at extremely low rates. Peasants had basically "free" occupancy rights and the owners were employed elsewhere and no longer farming for their living. Presently, the mailo owner has ownership but no incentive to invest in land he does not earn an income from, and the tenants has occupation but without any other long-term interest in the land.

In 1969, the Public Lands Act was passed making all former official estates in mailo tenure freehold estates. In present day Uganda, the majority of freehold land is mailo land.

In 1975 under Amin, the Land Reform Decree (LRD) was passed, which made all land in Uganda public land. All mailo and freehold land was abolished, and leaseholds were created out of these lands (*Musisi, 1986*).

The 1995 Constitution and the Land Act of 1998 reverse the 1975 Land Reform Decree and vests all land in the citizens of Uganda. There are four recognised forms of land tenure: customary, mailo, freehold, and leasehold tenure. Mailo tenure includes land that is held in perpetuity with full power of ownership and has its roots in the allotment of land under the 1900 Uganda Agreement. Mailo tenure separates ownership of land from occupancy rights. The holder's freehold rights are subject to the customary and statutory rights of those persons in occupation of the land and their successors at the time that the

tenure was created. Customary tenure is characterised by local customary regulation and management and includes communal ownership. Freehold tenure is registered land held in perpetuity with full powers of ownership. Leasehold tenure is created by contract or by operation of law and gives the tenant exclusive possession usually for a defined period and in return for rent. This report looks at women's rights and access to land under all four land tenure systems.

1.3.2 AGRICULTURAL POLICY IN UGANDA

Uganda's population is largely poor, with US\$330 as the average per capita Gross Domestic Product (GDP). At least 40 percent of the people live in poverty (NAADS). In 1997, the Government instituted the Poverty Eradication Action Plan (PEAP), and one of its key objectives was to raise the farm income of small farmers. The PEAP prioritises agricultural modernisation as a way of speeding up the process of economic development. Higher agricultural output and productivity are identified as essential for eliminating poverty.

The agricultural transformation envisioned under PEAP is guided by the Plan for the Modernisation of Agriculture (PMA). The PMA objective is to move agriculture from predominately subsistence farming to commercial farming in the hopes of improving input and output markets and remedying insecure land tenure rights. Two of the PMA's main objectives will require a change in family relations as they exist now. The first objective is to increase income and improve quality of life through increased productivity and increased share of market production. The second is to increase household food security through the market. For these objectives to be met, women who provide a majority of the farm labour must begin to participate in the market, rather than be forced to depend on subsistence farming as they are now by their lack of control over land and income from land.

1.3.3 GENDER PERSPECTIVES ON ACCESS, OWNERSHIP AND CONTROL OF LAND

Much of the literature on gender and access, ownership, and control of land comes to the same conclusions. While women provide from 70-80 percent of the agricultural labour, few have the rights to own (7%) or control use of land. Only 30 percent have access to and control over proceeds from land (*Ovonji-Odida, 2000*). There are "clear and constant gender-based distinctions in the rights to land of men and women throughout Uganda" (*Ovonji-Odida, 2000*). Regardless of tenure type, the basic differences between men and women in land access, ownership, and control exist. Both men and women have access to land, but ownership and control over land is ultimately with men.

The literature also finds that large numbers of land disputes relate to intra-family disputes, and many involve women, most especially widows and women involved in a polygamous relationship (*Ovonji-Odida, 2000*).

Bride price was often the reason women gave in our interviews for why they do not or should not own land. Payment of bride price simultaneously indicates respect and love

for the bride and deems her the property of her husband. Upon divorce, often women's families are expected to return the bride price and women are sent away with no marital property or wealth. In Appleton's nationally representative statistical study, he found that nationally 4 percent of households are headed by divorced or separated women, 10 percent headed by widowed women, 9 percent headed by women who are still married but living separately from their husbands, and 3 percent who were never married for a total of 27 percent of households headed by women (*Appleton, 1996*).

Few daughters inherit land, and those who do usually only retain the use of the land while they are living with their family and do not have the right to sell the land. Widows often may stay in their home and keep the land surrounding the home, but not the rest of the farming land. Widows generally have no right to sell the land. Women who are separated or divorce have no rights to land or property at all.

Property grabbing by the husband's family is widespread, and widows and orphans are the most vulnerable. In one study, out of 204 widows, 29 percent said that property was taken from them at the time of their husband's death. In addition, 21 percent of older orphans (13-18 years) reported that they also had experienced property grabbing (*Gilborn, 2001*). Widow-headed households are the most over-represented among the poor with 13 percent of the poorest quartile of the Ugandan population (*Appleton, 1996*).

1.3.4 GENDER AND AGRICULTURAL PRODUCTION

Women provide 80% of the labour in agriculture, over 90% in food production and processing and yet own only 7% of the land (*Asimwe & Nyakoojo, 2000*). Women provide the bulk of agricultural labour in food crop cultivation, although they also work on cash crops even though they receive no benefit from these crops. Women are likely to withhold labour from cash crop cultivation in response to conflict in the home (*Ovonji-Odida, 2000*). Women have little control over crop income and little control over decisions regarding which crops to plant. There is some evidence that the lack of tenure security, lack of input into decisions, and lack of control over income constrains women's incentives and ability to introduce new crops and adopt new technologies (*Ovonji-Odida, 2000*).

1.4 CONCEPTUAL FRAMEWORK

1.4.1 THE PROBLEM

Strategic Objective three of the LSSP is: "To improve livelihoods of poor people through a more equitable distribution of land access and ownership, and greater tenure security for vulnerable groups."

Previous studies have shown that, particularly for rural women, inequality of access to the key productive asset is a fundamental determinant of poverty and social disadvantage. Yet recent legal changes under the Land Act aimed at strengthening the land rights of women, dependent children and orphans, through the requirement of consent to transactions on family land have had little effect on the ground.

The LSSP developers requested a systematic identification of the practical difficulties women face in accessing their land rights, and for recommendations of strategic actions, which can be taken to improve the impact of legal changes on the ground to ensure that the land sector is meeting the needs of women, men, children, and orphans.

1.4.2 OBJECTIVES OF THE STUDY

There are five major objectives of this study:

- Identify factors inhibiting the land rights of women, children and orphans, under different land tenure systems and in different personal circumstances.
- Identify and assess the influence of these factors on production decisions, and ultimately on poverty levels in the household.
- Identify specific factors inhibiting women's and orphans' ability to access their land rights.
- Identify specific factors limiting women and orphans' ability to access and use the legal system.
- Develop practical strategies and specific actions, which could be pursued in order to improve women's, children's and orphans' de facto land rights

1.4.3 RESEARCH QUESTIONS

To establish women and families' rights to land within the four types of land tenure, the research questions will be:

- Do women and children ever have the right to own, rent, or use land and, if so, according to what conditions?
- To what extent do these land tenure systems provide opportunities for women and orphans to inherit land from their fathers or husbands, or to have access to land in case of divorce, separation, polygamy or bigamy?
- Do women have the right to make production decisions, to sell produce from their land, and to influence their well being and their family's well being through their rights to land?
- Do women ever participate or initiate land transactions? If the family has transacted in land, have the women in the family signed the consent form?
- Are there significant differences between Muslim women, Christian women, and women of other faiths in any of these aspects?

To identify the factors that inhibit the ability of women and orphans to realise their legal land rights, the study attempted to address the following questions:

- Within the four land tenure systems, what factors inhibit women's rights to land when they are married, widowed, head of the household, disabled, orphaned, divorced, separated, or a part of a polygamous or bigamous relationship?

- At what point do these inhibiting factors influence women's ability to make production decisions? When and how do the inhibiting factors affect the poverty levels in the household?
- What is the process of depriving women or orphans of land? Is the process a formal legal process (registration, court)? Is the process a customary process? Do women agree to give up their land? Why or why not? Are women taken care of in other ways by their family besides land ownership?

The study examined the following issues as a means of identifying the specific factors that limit the ability of women and orphans to access the legal system:

- The attitudes of judges, local officials, local leaders, and men in the community to women and orphans regarding land
- The remedies available to women and orphans who are deprived of land. What factors determine whether or not they avail themselves of these remedies? Is it shameful for women to ask for land?
- What are the variations in women's access to remedies regarding land rights? Do religion, availability of women leaders, attitudes of the informal system of elders, education levels, cause of death or divorce, etc. affect women's access to legal systems and remedies?
- Do women know the legal rules? How do they receive legal information?
- Are there any advocacy resources accessible? How do women access the courts?

Finally the study attempted to:

- Identify and describe interventions that women and orphans need to realise their rights to land.

1.5 METHODOLOGY

1.5.1 COVERAGE AND SETTING

The study team was required to identify factors that inhibit the land rights of women, children and orphans, and how they are able to access their rights under different land tenure systems, and in different personal circumstances. Two study districts of Mpigi and Lira were selected for collection of primary data and were considered to be representative of the different tenure regimes in the country.

Within each sample district, two sub-counties and two villages were selected with the help of the district leadership. The counties selected and visited by the team were:

Mpigi District: Kibibi Sub-county and
 Buwama Sub-county

Lira District: Dokolo sub-county and
 Kyoga sub-county

In each of the sub-counties the team selected two villages for focus group interviews and two for the household survey. The purpose here was to ensure greater coverage of the districts and also capture different socio-cultural settings, and land tenure regimes.

Fieldwork, which consisted of use of rapid rural appraisal methods and a household survey, was conducted in each of the districts by both the consultants and research assistants. The research assistants administered a survey questionnaire. The individual interviews were conducted at the household level, with both women and men. Due to the fact that the study was documenting factors inhibiting women, children and orphan's land rights, the team chose to interview more women than men (see appendix one for tables on methodology).

The household survey questionnaire was therefore administered to 114 women as compared to 46 men. In Mpigi where the study team was only able to administer the questionnaire to 10 men, most of the views from the men were collected through focus group discussions and key informant interviews.

1.5.2 DEMOGRAPHIC PROFILES OF HOUSEHOLD SURVEY

In the two study districts, the team talked to both women and men of different age groups, educational backgrounds and rural and urban locations. It is important to note that in order to get a broader picture of women's land rights, we did not treat them as a homogeneous group, hence the desegregation of data. Some research in African societies has argued that more elder women have rights and authority in the households than younger women. Hence in order to avoid coming out with biased findings, the study ensured that views of women in different age groups were captured so as to provide a holistic picture.

To indicate different personal circumstances, marital status, religion, and education were all considered. Although a majority of our respondents said they were married, it was also noted that some people found it difficult to say that they were cohabiting. In most cases, when there is a child, women consider themselves to be married.

Moreover, in the current debates about women's land rights in Uganda, there have been some assumptions that only educated women have been advocating for more rights to land. The team therefore set out to examine this assumption by desegregating the data by level of education, so as to assess what impact level of education may have over the desire for more land rights for women. And likewise for men, the team examined whether there were any differences in views between educated men and women.

Finally, studies have shown that religious practices have some effect on the rights of women. Hence the team examined the variations in land rights of women in Muslim and Christian households. We found that there were more Muslim communities in Mpigi than in Lira. The findings therefore relating to the Muslim women were drawn from our findings in Mpigi district.

It was rather difficult to specifically identify orphans and children and to interview them separately. Hence questions related to orphans and children were asked using the same questionnaires and further probing using the checklist. It should also be noted that in Uganda the definition of “an orphan” is a child under the age of 18, who has lost one parent, or both parents. So some of the orphans were interviewed as individuals within the household survey. In most cultures in Uganda, orphans are usually assigned guardians to take care of them and the clan and communities are aware of their situations. It was therefore possible to discuss issues related to orphans and children simultaneously. More information on the children and orphans was also accessed from secondary data.

1.5.3 RESEARCH TECHNIQUES

As mentioned earlier, the study team used rapid rural appraisal techniques and a household survey to gather primary data from the communities. The team spent three weeks in the field, conducting the household survey, interviewing key informants, local community leaders, women’s groups, women councillors, groups of village women, and other key district officials. In addition to the household survey questionnaire, the team also used a checklist to guide discussions and the key informant interviews.

Prior to the field work/ study in both districts, the team made a one-day pre-visit to each district. The purpose of the pre-visit was to make contact with the district authorities and to explain the purpose of the study to them. The pre-visit provided the study team with a general overview of the land rights issues in the district and the perceptions of the local governments towards women’s, children’s, and orphans’ land rights in the district. During this contact, the team was also able to work together with the district chief administrative officer and his staff to identify study sites. The selection of the study sites was based on the existing type of land tenure. The household survey and the focus group discussions were each conducted from different sites so as ensure a wide coverage of the districts.

The household survey-examined issues related to inheritance, ownership, rent, and use of land, for what purposes and under what conditions, and also investigated the influence of these factors on production decisions, and ultimately on poverty levels in the household. The structured questionnaires were administered over a period of seven days per district

The key informant interviews were to ensure identification of specific factors inhibiting women’s and orphans’ ability to access their land rights, including the legal rights conferred under the Land Act. The study team interviewed district civic leaders, heads of departments, extension staff, women groups and clan heads. Interviews with the key informants like the magistrates provided an overview of the attitude of the legal system towards the land rights of women, children and orphans. District introductory meetings clarified the objectives of the study, and enabled the selection of the two sub-counties and villages to be studied. This was particularly important for Lira where the communities had a general fear that there is a government plan to take their land. The study team spent

four days in each district holding focus group discussions and interviewing key informants.

Focus group discussions were held with both women and men in the selected communities. During the focus group discussions the team decided to hold separate group discussions with women and men. This was to enable women to speak out freely without being inhibited by the presence of their male relatives/men who knew them. In the case of Mpigi, the team was also able to hold joint focus group discussions with Men, women, children and orphans. The team also held separate discussions with Muslim women and men and also Christian women and men in Mpigi district, with the aim of making a comparative analysis between the Christian and Muslim community in relation to land rights.

The data collected through the household survey was checked for consistency and completeness, coded and entered into the computer. The data was then analysed using SPSS/PC Version 8.0 programme. The findings of the household survey and the rapid rural appraisal are similar.

CHAPTER TWO

2 RESEARCH FINDINGS

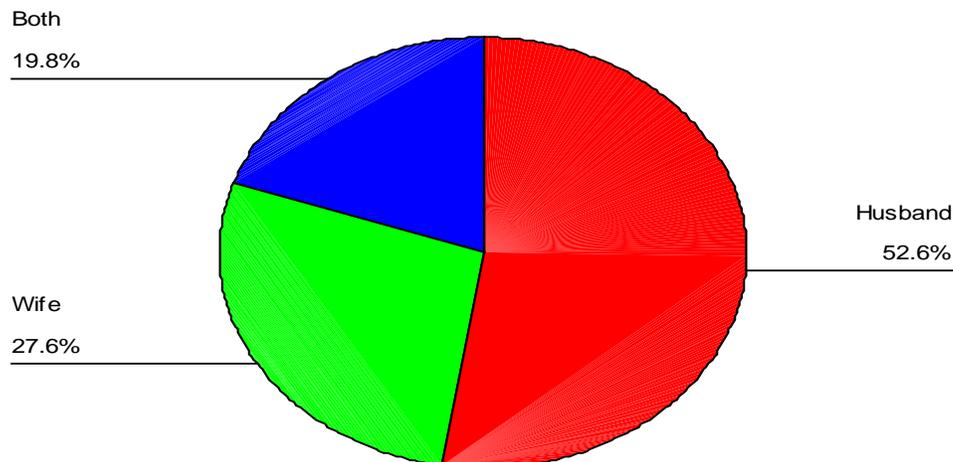
Our research findings fall into four main categories. First, we discuss women's involvement in agricultural production. Second, we discuss the impact of land tenure systems on women's rights to land in varying personal circumstances. Third we discuss land disputes and women's ability to use legal provisions to their benefit and the ability to have access to assistance regarding their rights to land. Finally, we discuss the opinions of women and men regarding land ownership and tenure security.

2.1 WOMEN AND AGRICULTURAL PRODUCTION

Women produce about 80% of agricultural produce and provide 70% of agricultural labour. These statistics are of special significance if we recognise that agriculture is the mainstay of Uganda's economy, contributing to 51% of the GDP, 90% of export earnings and 80% employment of the labour force. This is in comparison to manufacturing, which contributes to only 4% of the GDP and industry, which contributes 10% (*Uganda Convention Status Report*).

The gender division of labour in Uganda is generally such that women provide most of the labour in planting, weeding, harvesting, processing and storage of food and cash crops, while men are mainly involved in initial opening up of land. Men also sell the produce as well as determine how income is spent. Women are the major agents in food security because they are the ones whose role it is to provide food for the family. They are more involved in growing food crops although men mainly make decisions on the use of land. Both the focus group discussions and household survey findings revealed that men often decide on what to plant without input from women.

Who decides on the use of the land?



Women also do not participate equitably in the actual selling of the produce and deciding on how to utilise the proceeds from the sale. A majority of women in the focus group discussions in Mpigi stated that lack of participation in decision-making and lack of control over income were a disincentive to their ability to grow more crops. They stated that some women in Mpigi district have given up agriculture and gone into petty trade because they are disappointed by the treatment they get from their spouses after harvesting their crop and selling it. Some women said their husbands sent them out of the home after harvesting, and then later after sale of the crop, send apologies to get them back home after they have spent the money.

Though women are very involved in agricultural production, they are seldom trained by agricultural extension workers, are often uneducated, and have little access to agricultural or market information. While extension representatives we spoke to were interested in working with women, they found that women rarely participated. Women extension workers were the only workers who could work with other women in the field, but there are few women who are qualified to be extension workers. Primarily this is due to a lack of encouragement for women to enter science and agricultural fields of study.

Women in our focus groups were very interested in extension services by women, for women. Male groups mentioned one obstacle to extension for women. That is, extension participants receive an allowance, and men do not want to share this allowance with their wives. Moreover, men feel that they are the best suited to learn about new agricultural practices because they control the land.

2.2 LAND TENURE AND WOMEN AND CHILDREN'S RIGHTS TO LAND

Study findings in the two districts indicate that, very few women own land although a high percentage expressed the desire to own land and increase security of their access rights. The study found that the land rights of women, children and orphans were similar regardless of their land tenure type.

Changing laws, rapid population growth, and other economic, social and political developments have greatly influenced land tenure rights over time. Although the four land tenure systems legally recognised in the country are prevalent, there have been many changes from traditional practices causing changes in the assumed land rights under different forms of land tenure.

Notable in the earlier land reforms is the fact that unlike the Land Act, 1998 the previous reforms did not consider gender differentials in land rights. The land reform processes, land distribution and registration of titles, undermined women's rights. The study findings demonstrate that there is unequal treatment of women, children and orphans in all the land tenure systems. Gender discrimination in land use, access and ownership rights exist in all the four land tenure systems.

2.2.1 TYPES OF LAND TENURE SYSTEMS AND GENDER INEQUALITIES

The team examined different land tenure systems with the aim of identifying the land rights of women and orphans under these land tenure systems and in different personal circumstances. The prevalent land tenure type in Mpigi was mailo and freehold, while customary land tenure was dominant in Lira district. Leasehold land was found to be in both districts but mainly found to exist in urban areas and constituted about 14% of the study participants.

2.2.1.1 CUSTOMARY LAND TENURE

Both men (97.8%) and women (93.8%) in the household survey stated that under a customary land tenure system, both the men and women have user rights. They can cultivate the land and produce crops for their livelihood. However, the right to dispose land by both women and men was subject to the decision of the clan or community. In Kyoga sub-county, Lira district, it was also noted that under customary tenure, access, acquisition, holding and use are subject to authority other than the individuals concerned. Both women and men in the focus group discussions stated that usufructary rights in land, ownership, control over holding use and transfers are all subject to the superior right of the family, group, clan or community. They also noted that, the transfer of land is done according to the customary laws of inheritance. The ownership of a particular parcel may be “owned” by a family as in the case of some families in Dokolo, and Yoga sub-counties in Lira district, but the community or clan exercises control. The practice precludes the exercise of individual rights and claims to land. The women of Buwama and Kibibi sub-counties in Mpigi district made similar observations regarding kibanja tenure (use rights on mailo land). They mentioned that, given the polygamous nature of most of the marriages in the village, the land belongs to the men. Men determine user rights for women and children. It is not automatic that when a woman marries, she can access land for production.

With regards to inheritance, a similar practice was observed in Lira and Mpigi districts. Land is regarded as men’s property. Men pay pride price, and women are regarded as part of the man’s acquired property. It is therefore unlikely that women inherit land. In a few cases sighted in Lira and Mpigi, girls were said to have inherited land from their fathers, but on close examination, these were mainly user rights, because they could not sell, or even make sole decisions on long-term investments without seeking permission from male relatives. Women also retained the right to such land as long as they were not married. Their children do not have inheritance rights over such land.

Usually land is bequeathed to a male heir, and the heir has the right to decide the use of the land. In Mpigi, specifically in Kibibi, Muslim women stated that under Sharia laws on inheritance of land and property, women only inherit household property, which is usually cooking utensils and not land.

Some widows in both districts had access rights to their husband’s land, but did not have the right to sell the land. Moreover, most of the land had been allocated to other male relatives in the clan or household, leaving them with a small parcel for growing food

crops only. When the husband's clan or male relatives takes back or takes over land that is not attached to the house, this is considered property grabbing and was consistently raised as the number one concern of women.

Although from both districts interviewees indicated that children are automatically considered upon the death of their father, to inherit land, there was also evidence that, due to population pressure, and land's increasing economic value, children and indeed orphans may not necessarily inherit land. Where they are given access, it is only for production and less likely for sale. In Lira district there was evidence that male youths were given consent by clan members to sell clan land to raise their bride price.

2.2.1.2 FREEHOLD AND LEASEHOLD LAND TENURES

In Mpigi district, which was our main focus for freehold land, access rights for women and children were similarly limited by patriarchal practices. Although women can acquire freehold land wherever it is available, the deciding factor is usually availability of money to purchase it and attitudes of others.

Household survey results indicate that women most often claimed that they could not acquire land because they lacked any of their own money.

Why do women find difficulty in acquiring land?	Frequency	Percentage
1. Lack of money	118	76.6
2. Fear of social pressure	15	9.7
3. Male opposition in the community to women's ownership of land	21	13.6
Total	154	100.0

As will be noted later on in this study, although most women expressed a strong will to own their land, these factors inhibit their purchase of land. Fear of social pressure for example has led some women to buy land and register it either in their children's names or in the names of male relatives for fear of victimisation by the community and their husband. In the case of the death of a husband or father under freehold and leasehold women and children's inheritance is still dependant on the decision of the clan in the absence of a written will by the deceased.

2.2.1.3 MAILO LAND TENURE

In Mpigi, both the key informants and participants in the focus group discussions (male and female) felt frustration over the limitations on their land rights and that of their children when they were kibanja users of mailo land. There are restrictions on what they plant, types of trees, etc.

Interviewees stated that mailo land is inherited and inherited land normally passes to a family heir upon the death of a family head. Heirs are in most circumstances male, though sometimes they are female. If female heirs are installed, they will hold the land

subject to control exercised by the family or clan. This is also the case when inherited land has been allocated to children who include females. This practice is meant to ensure that the family land does not come under the control of non-clan members when the female children are likely to marry.

2.2.2 RELIGIOUS PRACTICES AND MARITAL STATUS

Religious/customary practices and marital status have a much greater impact on land rights for women, children, and orphans than land tenure type. Women in Muslim marriages felt less secure in accessing their land rights especially in Kibibi sub-county. The Kibibi women expressed that women are regarded as part of a man's property. There were polygamous households where for example, five wives were married to the same man and lived in one house. The women received daily instructions on what work that they were to do. Muslim women in Kibibi were only allowed to work on the land when their husband instructed them to do so.

It was initially difficult to interview Muslim women, since they are confined to the household, and there was great resistance from their husbands and fathers. Many women wanted the government to help them out of their situation. When a woman is in a relationship with a man, either marriage or co-habitation, women generally have access to use of land for production of food for the family. However, women who are cohabiting were concerned in both Mpigi and Lira that if the man dies even their access rights will be withdrawn by the man's clan, since theirs is not a recognised union.

The Survey findings presented in the table below provide a summary of this situation especially when it comes to the right to sell and rent.

	What rights do you have over this land (by marital status)?					
	Use	Sell it	Children inherit	Rent out to users	No right to do any of them	All the rights
1. Married	97.1%	2.0%		1.0%		
2. Cohabiting	100.0%					
3. Single	100.0%					
4. Divorced	75.0%					25.0%
5. Separated	85.7%		14.3%			
6. Widowed	92.3%			7.7%		
7. More than one wife	83.3%		8.3%		8.3%	
Total	94.7%	1.3%	1.3%	1.3%	0.7%	0.7%

Children of cohabiting parents may inherit from their father in the case of freehold, leasehold and customary land tenure in Mpigi. In Lira however, women who were cohabiting would go back to their paternal home and still have access to their father's land to cultivate food for herself and her children. In Lira, the children of women who return home to their father may inherit user rights through their mother.

Women who are separated, divorced, or abandoned generally lose all their rights to their land, their children, and their house. No law protects them. No women interviewed had voluntarily chosen to leave her husband because economically it is not a viable option.

Yet, a significant portion of women falls within this category. Of the women interviewed in our household study, all of which were randomly chosen, 9.6 percent were single or divorced. Many women see widows as the most vulnerable group. While widows were generally able to keep their home and the surrounding land, land that was at a distance from the home was often taken over by a male relative.

2.3 LEGAL RIGHTS AND LAND DISPUTES

The literature on land disputes in Uganda indicates that land disputes are an impediment to social and economic development. Land that is the subject of dispute may be left underdeveloped and may fall out of the land market for a long time. Often times, litigation concerning land is protracted, thereby wasting both time and the resources that would have been used for its development. The productivity of land and social advancement of the people must depend on clear and effective land laws and policies that prevent land disputes (*Kigula, 1993*).

Land disputes described to us related to women and children's rights to land included:

- Disputes between sons when the father has died, and there is a disagreement about the role of the heir
- Relatives wanting to grab the land and property of a widow
- Men selling land without the consent of their wives and children
- Children sending their mother away from the land after the death of their fathers
- Disputes over the individual boundaries of land

A 1993 study on land disputes in Uganda found that in Kabale and Mbale Districts, land shortages, rising populations and polygamy (allocation of land to multiple children and more than one wife) lead to a predominance of intra-familial land disputes (*Kigula, 1993*).

However in our focus groups, the biggest concern for women was property grabbing. In the focus group discussions conducted in this study more than half of the participants reported that property grabbing is a problem in their community. Property grabbing is a phenomenon whereby inherited property is taken from the surviving family members and heirs to whom it rightly belongs. Respondents observed that property grabbing after the death of a spouse is a greater problem for women, and orphans than it is for men because the man's relatives do not believe in the woman inheriting the land. Women are not regarded as part of the clan. A literature review study conducted confirms this result (*Gilborn, 2001*). It was reported that paternal relatives and clan members usually grabbed the land.

A widow may retain the right of access to all of the land after the death of her husband if the husband left a will in favour of his wife. She cannot sell or transfer the land ownership however, unless the title is in her name.

The HIV/AIDS epidemic in Uganda has contributed to the increase in the number of widows, and the epidemic has led to women being widowed and becoming household heads at much younger ages than before. Consequently, women are dispossessed of their means of production exactly at the point when they and their children have the greatest need and are most vulnerable to the consequences of economic dispossession. However, older women are also being profoundly affected, as the responsibility for supporting children orphaned by AIDS often falls on the shoulders of elderly grandmothers (Gilborn, 2001).

The other aspect that was identified in Mpigi district was the case of sale of land and property by husbands when they realised they are HIV/AIDS positive. The study team came across two interesting cases. In both cases the men sold off the land without the consent of their family members because they were sick. One of the women said,

“I was a shocked and disappointed by my husband’s act to sell the land and other property. I saw my husband had started getting sick frequently. Although we both new he was suffering from AIDS, I thought the best thing for us would have been to plan for our three children. However, my husband sold off all the land, leaving only ¼ an acre were the family house is. When I got to know and asked him, he retorted that, after all we were both going to die, so why leave the land for other people and in any case he needed money for getting medical care.”

The sale of land and other property to raise money for medical care is not an option generally open to women. Women stated that they do not have the right to sell land unless they had bought that land in their own names, which was rare. One of the women who participated in the focus group discussion in Mpigi district informed the team that she was a widow and currently in need of health care. She noted that she does not have the right to sell land in order to raise money, yet this is the only way she could get the money she needed.

“My husbands’ relatives can not let me sell even a small piece of land. I am sick and poor with no other source of income. I wanted to sell just a small piece of land, ¼ of an acre out of the 15 acres of land my husband left with me. But as I talk my brothers in law have already allotted this land to themselves. They told me I have no authority to sell this land. In fact I am told they wish I could die soon so that they can take over the land. To make matters worse, I have no children of my own.”

Participants in the focus group discussions expressed fears that the denial of inheritance rights to women have caused many women and their families to descend into poverty upon the death of a husband or father.

2.3.1 ORPHANS AND PROPERTY GRABBING

The focus groups noted that there has also been an increase in land grabbing by the customary heir. The heirs are usually meant to be a custodian of the late-man's property and to administer the estate on behalf of the family. However, some of the heirs grabbed land, others sold and misappropriated the money from sale of the orphans' land.

In a study conducted in Luwero and Tororo districts, by Makerere University in Kampala and the Washington based organisation, Horizons, land grabbing of property that belonged to orphans was of great concern to the people in the two districts. The situation was captured using the following table (*Gilborn, 2001*).

Table: Property grabbing

	Percentage
1. Parents with written wills	10.2
2. Parents without written wills	89.8
3. Widowed men who experienced property grabbing	7.1
4. Orphans who experience property grabbing	20.1
5. Widowed women who experienced property grabbing	28.8

Source: Baseline Findings from Operations Research in Uganda, 2001

2.3.2 DISPUTES

Our household survey indicated that despite the government structure set-up for hearing land disputes, the elders most commonly heard them.

	Where was the land dispute heard?		
	Mpigi	Lira	Total
1. Elders	62.2	75.3	70.4
2. Magistrate	27.6	13.6	18.8
3. Muslim leader	-	0.6	0.4
4. Local council	8.2	10.5	9.6
5. FIDA	2.0	-	0.8
Total	60.2	61.1	60.8

Moreover, there is an informal system of assistance for individuals engaged in disputes.

	Are there any women or men in the community who help when there is dispute?			
	Yes	No	Don't Know	Total
1. Male	82.6%	10.9%	6.5%	100.0%
2. Female	81.4%	10.6%	8.0%	100.0%
Total	81.8%	10.7%	7.5%	100.0%

These customary systems appear to be comfortable for people, even if they are not always unbiased toward women.

2.3.3 IMPLEMENTATION OF THE LAND ACT

Very few women have lodged complaints to the authorities against their husband's sale of land. In Mpigi however, focus group respondents cited a few cases. In one case a woman placed a caveat against her husband selling land. She won the case, but was branded by the community and abandoned by her husband. The Local Council Authorities, who believe land belongs to the men, had handled other cases. They usually decided the cases in favour of the man.

In spite of the Land Act provisions, the household survey findings indicated that almost half of women respondents said that they could not stop the sale of land by their spouses.

	Can you stop your spouse from selling land (by gender)?		
	Male	Female	Total
1. Yes	75.6%	46.8%	55.1%
2. No	22.2%	48.6%	41.0%
3. Don't Know	2.2%	4.5%	3.8%
Total	100.0%	100.0%	100.0%

One woman in Buwama sub-county told the team that in most cases when men want to sell the land there was a tendency for fellow men to support him. She quoted what a local council leader in one of the meetings said to the woman complainant:

“Omukyala ayagala kii? Muleke (omusajja) atunde akoleyo ebirala.”

What does the woman want? Let the man sell the land so that he can do something else.

Lack of knowledge of the provisions in the Land Act hinders women, children and orphans from access to their land rights. The table below illustrates the level of awareness of the Land Act.

	Are you aware of the LA98 or the law requiring that family/spouses consent before land is sold?		
	Male	Female	Total
1. Yes	21.7%	27.7%	25.9%
2. No	43.5%	41.1%	41.8%
3. Yes but do not understand	34.8%	29.5%	31.0%
4. Yes but it is not followed in the village	-	1.8%	1.3%
Total	100.0%	100.0%	100.0%

Similarly the implementation of the consent clause within the Land Act is partly hindered by those who are aware of the Land Act but try to circumvent it. Women in urban Mpigi informed us that some men even went to the extent of using their sisters and girlfriends in the pretext that these were their wives giving consent. In other cases, consent was merely informing wives that a transaction had taken place.

The household survey indicated that most often officials did not require a spouse's signature before registering a sale.

	Do registration officials require a spouses' signature before registering a sale?		
	Male	Female	Total
1. Yes	15.6%	34.8%	29.3%
2. No	17.8%	44.6%	36.9%
3. Don't know	66.7%	20.5%	33.8%
Total	100.0%	100.0%	100.0%

2.4 ATTITUDES TOWARDS WOMEN/ CHILDREN AND ORPHANS AND LAND RIGHTS

This study tries to gage both the practice on the ground and the attitudes of leaders and villagers in relation to women, children, and orphans rights to land. In general when asked about land, the response from both women and men was that land issues are male issues.

Our survey tried to determine whether attitudes differed based on education, gender, age, or tenure type. In response to the question of whether women should be allowed to own land, level of education had little effect.

	YES	NO	TOTAL
1. No education	85.7%	14.3%	100%
2. 0-7 Primary school	73.3%	26.7%	100%
3. O'level standard	84.4%	15.6%	100%
4. A'level	71.4%	28.6%	100%
5. Post secondary	83.3%	16.7%	100%
Total	78.7%	21.3%	100%

The fact that education had no significant effect on attitudes regarding women's land ownership contradicts an argument of those opposed to the feminist lobby and advocacy that has been ongoing in the country. Those opposed to women's ownership of land have been claiming that it is only the educated/elite women who want to "grab men's land and property." However, almost 86% of the respondents with no education stated that they thought women should own their own land.

Other characteristics listed above also had little impact on attitudes toward women owning land, with the exception of gender. When the question of whether women should own land was looked at from the gender perspective, significantly more women (89%) than men (54.3%) responded in the affirmative. Men generally stated that when women own land, they are likely to be more economically independent and may not be “loyal” to their husband.

However, there were differences depending on the marital status of women. Generally both men and women were most favorable about widows owning land.

	Should widows be allowed to buy and own land?		
	Male	Female	Total
1. Yes	71.1%	100.0%	91.8%
2. No	28.9%	100.0%	8.2%
Total	100.0%	100.0%	100.0%

When the question was asked regarding married women, however, men answering in the affirmative dropped significantly below 50% and only a slight majority of women answered affirmatively.

	Should married women be allowed to buy and own land?		
	Male	Female	Total
1. Yes	30.4%	55.3%	48.1%
2. No	69.6%	44.7%	51.9%
Total	100.0%	100.0%	100.0%

CHAPTER THREE

3 ANALYSIS

3.1 GENDER AND LAND RIGHTS

In Uganda like in many African countries, rights to access, control and ownership of land is a determining factor in overall living conditions. It is essential to every day survival, economic security and physical safety for women, children and orphans. It is the most critical factor in women's empowerment and struggle for equality in gender relations. Women's reliance on land, for economic security and survival is only deepening as the number of women headed households and children headed households increases in number. In Uganda it has been observed that the life expectancy for men is 42 as compared to women 58, hence leaving widows, children, and orphans. With a high illiteracy rate among women, women find it difficult to seek for other employment; they find agriculture as the only possible source for their livelihood and that of their children.

Despite the importance of land to women, children and orphans the study findings indicate that, the overriding feature of their relationship to land is the lack of security of tenure. This is largely a result of economic and social discrimination against women, children and orphans, more particularly, gender biased laws, policies and traditional practices which prevent women from renting, owning, and inheriting land independently and which renders their access to and control over land, production and proceeds from sale of produce, dependant on their link to men.

Women's lack of access to and control over productive resources such as land is directly related to women's poverty. For women, children and orphans land serves as security against poverty – a means to basic needs. Rights to land have direct and indirect bearings on poverty. The direct advantages stem from production possibilities and indirect advantages include facilitating access to credit from institutional and private sources and serving as an asset that can be sold. Ownership of land increases a woman's status within her community and increases her bargaining power within her household.

With inadequate rights of access to and control over land and, wage labour difficult to obtain and low paying at best, women do not have the means to meet subsistence needs for themselves and their families. In turn, women have to rely on the goodwill of their spouses or male relatives to share their earnings and household resources. This rarely works to women's advantage, as an intra-household inequality in sharing of benefits from the household resources is common. Findings from this study confirm that men usually decide on the allocation of the proceeds, and do not necessarily share their income with the women in the household, creating a poverty trap: lacking rights, access to control over land and agricultural outputs women are economically dependent on their spouses or male relatives who, in turn choose to retain much of their earnings for their own enjoyment. In other words, the risk of poverty and the physical well-being of a woman and her children could depend significantly on whether or not she has direct access to income and productive assets such as land, and not just access mediated through her

husband or other male family members. This is particularly so in the case of divorce, desertion, separation or widowhood where, without rights in or access to independent economic resources like land, women are extremely economically vulnerable.

Women's lack of rights in, access to and control over land can also contribute to women's experiences of violence. Participants in the stakeholder workshop indicated that during times of harvest, it has been observed that cases of domestic violence have been seen to increase in the countryside. The most likely reason here is that after harvesting the men want to take control of the produce, sell it as they wish without their wife's consent. Hence when the women challenge this, it usually leads to wife battering and abuse. Women in the focus group discussions in Kibibi sub-county in Mpigi district intimated that usually women try to hang on to their marriages because they know whatever they do, the land belongs to the man and his decisions are final. Leaving the marriage puts poor women at a similar disadvantage – once they leave they can not easily get access to land from their parents neither be able to purchase their own. Hence without security of tenure it is difficult for women to leave abusive and violent households.

3.1.1 LEGAL RIGHTS

Before addressing the research findings, it is important to analyse the legal framework for women's, children's, and orphans' rights to land. While the Constitution provides broad protections for these groups, the implementing legislation is much weaker.

The Constitution of Uganda (1995) sets out the following rights for women in Article 33:

- Guarantees women equal rights on a par with men
- Provides special help/protection for mothers and women because of previous historical discrimination against women
- Prohibits any customary laws, traditions or customs that discriminate against women.

The rights of children under the Constitution include the right to know and be cared for by their parents or guardians and the right of special protection for orphans. These principles for both women and children are broad and comprehensive, equal rights for women, no discrimination based on custom and special protection for women and orphans.

The Land Act of (1998) relates this non-discrimination clause to women and children's land rights within the household and provides that any decisions related to customary land tenure, which are based on the customary traditions and practices of the community are void if the decision denies women, children or the disabled the right to ownership or occupation of land. (Land Act § 28)

The draft Land Bill, 1998 made some provisions for women's land rights. However, the issue took on a momentum of its own following further demands by various interest groups during the law making process. As part of the public debate on the Bill, women

NGOs initiated public dialogue and advocacy mainly in relation to the landless poor and marginalised groups. They developed an agenda more closely focused on issues of women's land rights. Different women's groups made submissions to the parliamentary Sessional Committee on Lands, water and Environment, which sought to influence the committee to adopt a clause on co-ownership of the matrimonial home in its report and the draft Bill to be debated in the full house, the Bill as presented to the full house however, did not include this provision. At the second reading of the Bill in the house, Honourable Miria Matembe expressed her intention to move an amendment to introduce it (Ovonji-Odida, 2000).¹

The amendment as recorded in Parliamentary Hansard, 1998, is as follows:

1. 'Where land is acquired by either spouses before or during a marriage, on his or her own behalf, and where that property is not the normal abode of the household or the only or main source of production, supporting the family, then it will be regarded as the property of the spouse who acquired the land';
2. 'Where the land is held or acquired for joint occupation and use of the spouses, the spouses will hold the land as joint owners and the record shall register the spouses accordingly';
3. 'In case of polygamous union each wife shall jointly own with her husband, the piece of land on which she resides and works';
4. 'In cases where the wives occupy and work on the same piece of land, they shall hold the land jointly with their husband'.

The Speaker to parliament instructed that these principles be taken for drafting into the appropriate language. There were differing opinion among lawmakers and the public over whether the amendment was passed or not. A year after the passage of the Bill into law (2 July 1998), the Speaker ruled that the amendment had never been passed by Parliament, due to a procedural omission during the Land Bill debate. Therefore, an amendment would need to be made to the Land Act, 1998 for it to enter law.

In light of this the women's groups continued to lobby with the Ministry of Lands and together with the Law reform Commission agreed on a new text quoted below;

"40 (A)

- (1) *Land acquired by a person before the marriage of that person or by that person after the marriage of that person shall be and remain in the ownership of that person during the marriage unless, on and after the second day July 1998-*
 - a. *It is or becomes during the marriage the principle place of residence of the family; or*
 - b. *It is or becomes the principal source of income or sustenance of the family; or*

¹ Irene Ovonji-Odida and Frank E. Muheraza, Land, Gender and Poverty Eradication, 2000

- c. That person freely and voluntarily agrees that the land shall be bought within the scope of subsection*
- (2) *On and after the second day of July 1998, where land acquired by a spouse individuals or by spouses jointly is used as the principle place of residence or becomes the principle source of income or sustenance of the family or where a spouse freely and voluntarily agrees that land to which paragraph © of subsection (1) applies shall be treated in accordance with this section, there shall be an irrefutable presumption that such land is and shall accordingly be treated by the Spouses, notwithstanding any statement in any document relating to the acquisition of that land to the contrary.*
- (3) *On land after the second day of July, 1998 in polygamous marriage, where:-*
- a. Land is used by the husband and one or more of his wives as the principle place of residence of the family or as the principal source of income or sustenance of the family, there shall be an irrefutable presumption that such land is and shall accordingly be treated for every purpose as land owned in common by that husband and that wife or, as the case may be, those wives, notwithstanding any statement in any document relating to the acquisition of that land to the contrary;*
- b. Land acquired by the husband is used by a wife as her principal place of residence or as her principal source of income or sustenance, either with or without the husband using that land, there shall be an irrefutable presumption that such land is and shall accordingly be treated for every purpose as land owned in common by that husband and wife, notwithstanding any statement in any document relating to the acquisition of that land to the contrary.*
- (4) *Where land or any interest in land is owned in common or jointly under this section, both or as, the case may be, all parties owning the land or the interest in land must either,*
- a. Sign each and every document relating to any transaction with that land or that interest in land; or*
- b. Sign document, which shall be witnessed by his or her behalf.*
- (5) *Any transaction to which subsection (4) applies in respect of which one or more of the parties does not either sign each and every document or sign a document to which paragraph (b) of subsection (4) applies shall be void.*
- (6) *For the purpose of this section, the principal place of residence of a family shall be taken to be the home where the spouses and their dependant, children, if any are living on. Where the spouses are living a part, the home where the spouses and their dependant children, if any, used to live as a family.*
- (7) *For purposes of this section, land shall be taken to be the principle source of income or sustenance of the family when it provides substantially for the livelihood of that family.*
- (8) *In any case where there is a dispute between the parties as to whether a home is or is not the principal place of residence of a family or that any*

*particular plot of land is not a principal source of income or sustenance of a family, the burden of proof shall lie on the person who alleges that the home is not the principal place of residence or; as the case may be, the principal place of residence or; as the case may be, the plot of land is not a principal source of income of the family”.*²

However, the Cabinet decided that the co-ownership clause would be better placed in the proposed Domestic Relations Bill (DRB). To date no action has been possible to address this problem.

In the current law, the details of how non-discrimination will be achieved stop short of non-discrimination and equal rights. The consent clause requires that:

- *No one can transfer land without the prior written consent of the spouse if: (1) the spouse ordinarily resides on this land and (2) the spouse derives sustenance from this land (Land Act § 40).*
- *Transfer includes: sale, exchange, transfer, pledge, mortgage, lease or inter vivo gift - or enter into a contract for these purposes.*

For children the consent clause states that:

- *No one can transfer land that he ordinarily resides on with his dependant children (of any age) without the prior written consent of the dependant children (if they are adults) or the prior written consent of the Land Committee (if they are minor children)(§ 40)*
- *No one can transfer land that a minor orphan ordinarily resides on without the prior written consent of the Land Committee.*

For spouses, the consent clause can be read to apply only to land that is *both* residential land and land used for sustenance, and not to plots of land farther from the house. Many landowners have several plots of land, and most of these plots are at some distance from the house. This interpretation, while legally viable for Article 40, is not sufficient for women’s needs and does not provide equal rights under the constitution. In relation to orphans, dependent children, and adult children, the consent clause refers only to residential land and is not sufficient for tenure security on land used for sustenance. Field research indicated that women were most concerned that their husbands would sell land without their permission that was at a distance from the house.

The Land Act only deals with land within a marriage or family situation. For widows and orphans, the Succession Act and the Succession (Amendment) Decree, No. 22 of 1972 apply.

If a man dies intestate all of his property (except his residential holding) is distributed as follows: (Sec. 28(1)(a))

² Co-ownership of Land by spouses, 2000 A resource book and Reference book compiled from Research by Paradigm Consult and Policy Analysis Advocacy Center (PACE). Uganda Land Alliance

- Children receive 75%, shared equally.
- Wives receive 15% of the estate, shared equally.
- Dependant relative(s) receive 9%, shared equally.
- Customary heir receives 1%.

For residential holdings under the Succession Act,

- The spouse and minor children have the right to occupy any residential holding and to continue cultivating land adjoining the house.
- If an orphan is entitled to occupy the residential holding, the guardian can occupy the holding with the orphan and cultivate the attached land.

Again under the Succession Act, residential holdings and the land immediately adjoining the holding are protected, but women only have the right to occupy their house and adjoining land (schedule 2, para. 1). To other property, including other plots of land, spouses only have the right to share 15%. Moreover, the right to occupy is quite limited. Widows and widowers must farm the land, cannot cut down trees, cannot erect or change buildings, and cannot use land for other purposes (schedule 2, para. 7). Widows have no right to sell land.

This legal analysis indicates that the land grabbing as described in the literature review and in our field study is not actually illegal. Generally orphans and widows are left with their residential holding, but other land used to sustain the family is taken from them by their husband's or father's relatives.

- Under the Marriage, Divorce and Adoption Rules (1998), separated and divorced women have no legal rights to land or property that was acquired during their marriage.
- Orphans have a limited right to stay in their home and adjoining land and have the right to consent to transfer of the home only. However, orphans do have the right to future inheritance, if the land remains in the family.

The Land Act, therefore, only protects women within a marriage relationship and orphans and only to the extent of their residence and the land immediately surrounding the residence. The legal framework for equality and non-discrimination is lacking. While the co-ownership clause would help all women who are married, widowed, divorced, or separated, the legal change alone would not significantly impact rural women unless other steps are taken.

The Domestic Relations Bill (DRB) is a piece of legislation that has been in the offing for quite a long time and is intended to deal with some of these issues. It seeks to address and rationalise all laws to be in conformity with the national constitution that outlaws discrimination on the basis of gender/sex. However, because most of the issues the Domestic Relations Bill addresses are related to the social cultural aspects of life, such as marriage, rights within it and at its dissolution, provisions in the DRB have generated a

lot of controversy. The bill is being resisted because the issues it addresses are sensitive, despite its overall importance with regard to the protection of children and women and their maintenance. The DRB would cover laws on marriage, child custody, property rights, maintenance and divorce, and inheritance.

3.2 ANALYSIS OF RESEARCH FINDINGS

As the findings have indicated, even though legal principles require that customary rules no longer discriminate against women, customary rules that discriminate against women are the primary rules governing society throughout Uganda. Moreover, generally neither women nor men have the knowledge or understanding of how to effectuate change.

Women understand that a change is necessary. Even women from the most remote areas want legal changes to be made. The number one concern of women is for widows and orphans because they are the most vulnerable members of society. Women were less likely to want rights of ownership within their marriage as long as they had access to land, although a majority of women thought that married women should have the right to buy and own land.

Female Responses to the question, should these women be able to buy and own land?

	MARRIED WOMEN	WIDOWED WOMEN	SINGLE WOMEN
1. Yes	55.3%	100%	96.5%
2. No	44.7%	0%	3.5%

There is also the greatest support from men for widows to buy and own land.

Male Responses to the question, should these women be able to buy and own land?

	MARRIED WOMEN	WIDOWED WOMEN	SINGLE WOMEN
1. Yes	30.4%	71.7%	67.4%
2. No	69.6%	28.9%	32.6%

However, legal change will not be sufficient. Women have very little power within families or communities and no legal change will have an impact on women if they cannot and do not exercise their legal rights. Women must be able to understand and be able to explain their rights; stand up for their rights; and have some power to insist on the exercise of their rights. Further, women are more likely to be included in family decisions and challenge men's ideas if they are themselves trained agriculturists and are able to increase productivity and add to the decision making process.

Women are generally not aware of their legal rights. In our household survey, only 27.7% said they were aware and understood their rights under the Land Act; 41.1% were not aware of the Land Act, and 29.5% were aware of the Land Act but did not understand their rights.

Moreover, women are not included in extension services because there are not enough female extension agents and men exclude women due to the allowances given by the extension workers and men's feeling that they are in control of the farming activities. We were cautioned at our stakeholder workshop that if women had increased power and increased their productivity, there would be an increase in abuse at harvest time. This warning is something to be taken seriously in thinking about recommendations, but it should be noted that women themselves asked for female workers to work directly with them.

A first step in empowering women is to educate men about the necessity of women gaining knowledge, power and control over land that they farm and the income from that land. Women will not be able to fully participate in training programs without support from their husbands. To gain support, men must be trained to understand the link between women's rights to land and income and increased productivity. We interviewed very few men who understood the situation in the community as it relates to women. Moreover, women specifically requested that men be educated both intellectually and empathetically regarding their lack of control over decisions regarding the land, their desire to be more involved in decision making about money decisions, and their need for further training.

CHAPTER FOUR

4 CONCLUSIONS AND RECOMMENDATIONS

4.1 CHALLENGES AND OPPORTUNITIES

The challenge of dealing with gender and family issues is that relationships within the family are embedded in customs. Legislation cannot eliminate customs or even have an impact on customs if those who practice the customs do not know of the legislation, understand its value and meaning, or have an interest in change. Therefore, interventions must take into account which changes are most likely to be accepted, and start with those interventions. The process of changing cultural values will take a long time, as cultural values are inter-connected and changes affect many different aspects of life. Programs aimed at making change may require some trial and error.

The possible options for interventions take into account the slowness of the process and the timing of what must happen first. While it is tempting to begin immediately with legislative change, legislative change should parallel education and information, and the first effort at education must be with the men who are the keepers of custom and traditional values.

4.2 OPTIONS FOR MEANINGFUL CHANGE

This report has identified six steps toward practical changes. These options have come from the women interviewed both in the focus groups and in the household surveys.

Step One: Educate men regarding women's situation. Help men understand the link between sharing power within the relationship and productivity and increased economic benefit.

- Women suggested that a gender worker (male) from outside the community who is older and trained come to the community to work with the men and with the male leaders on women's legal rights and needs for increased productivity (sensitisation). The trainers would discuss with men the value of including women in extensions service, the value of women starting and participating in women's self-help groups, and the value of including women in the decision making process and control over income within the family. The trainer would also discuss widows and orphans in the village and how the community has treated them. What was the outcome of this treatment in terms of their well being? Women in remote areas suggested that this direct contact by another male would be more effective than a media campaign.
- Encourage male leaders (central leaders, local leaders, clan leaders) to take a stand for widow's ownership of land, including land that is not surrounding the house but has been used for subsistence by the family. Consider a media campaign including such leaders. Women closer to Kampala were interested in a widespread radio and television campaign including such leaders. The starting place for a media campaign

should be an area of change where there is the most agreement among men and women. Such a media campaign may be both politically feasible and have the greatest impact on the biggest problem. Later campaigns could take on the more difficult issues related to gender and family relationships.

- Consider a weekly question and answer radio call-in show regarding gender and family and land issues. Concerned and progressive government officials could answer call-in questions from the communities. Community members could use a toll-free number
- Consider a television soap opera format to cover some of the gender and family issues discussed in this paper. Such a format has worked well in other countries where difficult issues needed to be discussed and understood by villagers who were uneducated or under-educated.

Step Two: Empower women within their family relationships and their community.

To empower women, women must have training on several different levels. First, they must understand their rights under the law and how to exercise those rights. Second they must be trained in skills that will help them in their agricultural work, in marketing their produce, and in increasing the livelihood of the family. Women must be taught to use new technology and tools that will reduce their workload, while at the same time increase production. Finally, women must be encouraged to gain some economic independence. Women interviewed saw economic independence as the only way to gain permanent access to land.

Possible interventions include:

- Set-up a program that provides gender workers to villages to work specifically with women. Women stated that for gender workers working with women, age is not as important as knowledge and leadership ability. The gender workers could provide training on legal issues that affect women and discuss options for exercising legal rights. Gender workers should also be aware of government programs, grants and loans available, and other options for women to improve their economic situation. World Bank projects in other parts of the world have such gender advisors who are very effective in more remote villages.
- Encourage women extension agents to focus on working with women on increasing production and new techniques for reducing workload.
- Increase incentives for women to study agricultural sciences. Provide scholarships to women who agree to work in extension for two years following graduation.
- Train non-college educated women in specific agricultural skills and have them work with women within extension services. This will require a new system within extension, but might be a feasible option in the short-term due to the lack of women extension workers.

- Re-think the new extension program (NAADS) being developed in Uganda, which is demand driven. Women will be much less likely to be reached under a system that requires group decision making. Even if women participate in the group, they will not speak independently in front of the male participants. Few women are being reached under the current system, and fewer still are likely to be reached under a demand driven system where valuable resources will go to the village, based on the decision of a large farmer's group.
- ◆ Also under NAADS, farmers are to access extension services through farmers associations. These associations may be based on production of specific agricultural products, most of which will be cash crops. It should be noted that women as do not have the right to decide on particular crops to grow. It is also important to note that women mainly cultivate food groups.
- ◆ At a minimum, NAADS should develop an incentive programme to be introduced to encourage private service providers to target women. The incentives could also be targeted to communities to ensure women's participation in farmer groups.
- Ask women about the effects of their empowerment within their families, and be willing to provide counselling and other assistance to families where violence or unanticipated negative affects occur.
- Consider a government program to establish women's self-help groups in rural areas.

Step Three: Provide women with tools to realise the benefits of legal rights.

In addition to knowing their rights, women must be able to realise their rights to land. There are few legal aid services available, and those that are available are not always accessible to remote locations. Women do go to the probation officers, the clan leaders, the magistrates and the Local Councils with problems, but most of these leaders also do not know what legal rights exist or how to deal with family conflicts. The elders who most often hear land conflicts do not necessarily know and understand the law and do not necessarily understand the need for women to have independent access to land. While probation officers are often most effective, there is only one per district and therefore cannot deal with all the disputes that arise. There are usually women advocates within the villages who play an intermediary role, but these advocates also have limited understanding, knowledge, and advocacy skills.

While the Land Act provides that women must be members of the local councils, women interviewed who are council members did not feel like they had any influence over the decisions of the council. Women council members lack training, and they are a part of customary system that does not encourage women to speak or act independently. Women leaders lack information and advocacy skills.

Once women understand their rights, they must be able to meaningfully exercise those rights. Free legal aid programs can be very effective in changing community dynamics as has been seen in many countries in the former Soviet Union. Legal aid programs that use local lawyers who live in the rural Centre and go out to villages to train villagers and to answer legal questions, provide legal advice, and take cases to court or to clan leaders can be very inexpensive and powerful tools for change.

Possible interventions include:

- Train local leaders to be advocates for women at the level of the clan or the LC 1. Train both men and women leaders. This training should be done under the LSSP.
- Provide free legal aid services to both men and women in rural areas where legal aid is not available.
- Distribute laws in local languages to clan leaders, LC 1 counsellors, and others who are involved in dispute resolution.

Step Four: Legislative Changes

There are four areas of legal change that are necessary for women's equality in the area of land.

- First, widows and orphans must be able to continue using and farming all of the land they had been using during their husband or father's life. Widows and orphans who are of age should be able to inherit this land and use it to the same capacity that the male head of household used the land, including improving and selling the land. Change the succession law to allow women and children, at a minimum, to continue using all of the land used for sustenance and cash by the family.
- Draft measures to demarcate the land belonging to widows to minimise conflicts from relatives.
- Second, clarify the scope of the consent clause to clearly include all land from which the spouse derives sustenance as well as the land on which the spouse ordinarily resides. Currently the Land Act can be read to refer to only land where the spouse both resides and derives sustenance, eliminating fields that are not near the house from the consent clause. While a co-ownership and/or family title clause in the Domestic Relations Bill would be extremely valuable, the automatic creation of co-ownership may be too much too soon to have a real affect on rural women in the near term. Amending the consent clause at the same time may reach the rural women's needs more quickly.
- Third, separated and abandoned women must be considered in land or family legislation. These women currently have no rights to land or property and no rights to compensation for the value of the land or property. Consider options to assist women

who are abandoned or separated due to abuse to receive a portion (half) of the land of the family or the value of that land.

- Encourage voluntary co-ownership. Provide in regulations that to receive micro-credit or a reduced interest rate on loans, land must be held in co-ownership. Use programs that benefit families as incentives to encourage co-ownership of land.

Step Five: Use and Allocation of PMA Non-Sectoral Conditional Grants

As the findings suggest, women farmers in particular are critically disadvantaged in various ways, leading high poverty levels among women. The team observes that a gender responsive implementation of PMA activities would provide an opportunity for the empowerment of women to be able to negotiate for their rights to land and also enhance the plan to modernise agriculture.

Central to the PMA is the introduction of the PMA grants (NSCG) at sub-county level to empower the local communities financially to address poverty-focused constraints within their localities. This will enhance the two-way planning and budgeting process that integrates Sub-county and district development plans within the Medium Term Expenditure Framework (MTEF). The grants are non-sectoral in a sense that their use is not tied to any sector. The Sub-counties will use the resources to finance PMA priority poverty reduction interventions of their choice provided they follow appropriate guidelines and accountability.³

Our understanding of this grant is that, the funding is in support of rural livelihoods, which is most appropriately channelled to the lowest levels of local government. The existence of gender disparities in poverty levels and the impact of the gender relations on land use, decisions and agricultural production as a whole, points to the need for Gender mainstreaming to be in the Centre of the non-conditional grants under the PMA. Specific effort should be made to:

- a. Set up a strategy to ensure that women benefit from activities funded by these grants.
- b. Using the grant to address capacity needs, e.g. training women in agricultural techniques, sensitising both women and men on the implications of women's limited access to land and lack of insecurity of tenure.
- c. This fund could also be used to provide incentives to joint ownership of land by spouses and increased access, control and ownership of land for orphans and children.
- d. The fund could also be used for dissemination of information on the relevant provisions in the Land Act and implementation of the LSSP, and the significant of these to the agricultural production.

³ From the PMA launch advertisement (Sunday Monitor, 10 December 2000) in the interim report on a Study to define Modalities for the Proposed PMA "Non-Sectoral Conditional Grant", 17 December 2000.

It is our observation that unless the PMA allocates specific funds to address the gender concerns in land tenure and agricultural production as stated above, it is unlikely that the objectives that the PMA have set may be fully achieved, especially that of poverty alleviation and increased food security.

Step Six: Land Sector Strategic Plan

Under the Land Sector Strategic Plan (LSSP), the government is committed to “protection of the rights of women and vulnerable groups through mainstreaming their concerns throughout the LSSP (policy, law, and techniques such as planning, and land readjustment, and systematic demarcation)”. Although this sounds very gender responsive in principle, the implementation of this will most likely be problematic. For women, orphans and other vulnerable groups to benefit from the land sector strategy, technical backstopping should be sought from gender and social development experts and in the design and implementation of the policy and the law. Likewise in the monitoring process of the LSSP, gender responsive indicators need to be formulated to ensure a gender responsive approach to the needs of women, orphans and other vulnerable groups.

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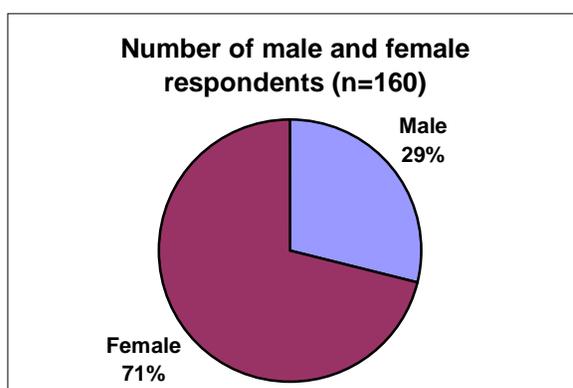
6 APPENDICES

APPENDIX 1: TABLES ON GENDER LAND SECTOR ANALYSIS

Introductory note

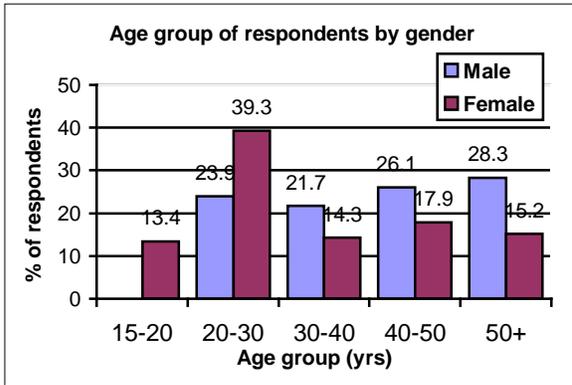
The data presented in the tables below was collected using structured question. The questionnaires were checked for consistency and completeness, coded and entered in to the computer. The data was cleaned and analysed using SPSS/PC ver 8.0. Two districts (Mpigi in Central Uganda and Lira in northern Uganda) were selected for interview. A total of 160 respondents were successfully interviewed. Their responses are presented in the tables/charts below.

TOTAL NUMBER OF MEN/WOMEN INTERVIEWED



Number of respondents by district and gender

	Male	Female	Total
Mpigi	10	50	60
Lira	36	64	100
Total	46	114	160



Age group of the respondent by gender

Age (years)	Male	Female	Total
15-20		13.4%	9.5%
20-30	23.9%	39.3%	34.8%
30-40	21.7%	14.3%	16.5%
40-50	26.1%	17.9%	20.3%
50+	28.3%	15.2%	19.0%
Total	100.0%	100.0%	100.0%

Any Differences In Education Level And Knowledge Of The Land Law?

Level of education	Awareness of the Land Act 1998 or the law requiring that family/spouses consent before land is sold				Total
	Yes	No	Yes, but do not understand	Yes but it is not followed in this village	
No education	22.9%	54.3%	22.9%		100.0%
0-7 primary	27.3%	41.6%	29.9%	1.3%	100.0%
O'level standard	29.0%	25.8%	41.9%	3.2%	100.0%
A'level	14.3%	57.1%	28.6%		100.0%
Post secondary	33.3%	33.3%	33.3%		100.0%
Total	26.3%	41.7%	30.8%	1.3%	100.0%

OTHER BASIC CHARACTERISTICS OF RESPONDENTS

Marital status of respondents by gender

	Male	Female	Total
Married	87.0%	60.5%	68.1%
Co- habiting	4.3%	6.1%	5.6%
Single	4.3%	3.5%	3.8%
Divorced		3.5%	2.5%
Separated		6.1%	4.4%
Widowed	2.2%	10.5%	8.1%
More than one wife	2.2%	9.6%	7.5%
Total	100.0%	100.0%	100.0%

Level of education of respondents by gender

	Male	Female	Total
No education	9.1%	28.1%	22.8%
0-7 primary	61.4%	43.9%	48.7%
O'level standard	15.9%	21.9%	20.3%
A'level	4.5%	4.4%	4.4%
Post secondary	9.1%	1.8%	3.8%
Total	100.0%	100.0%	100.0%

Religious practice of respondents by gender

	Male	Female	
Christian	91.3%	72.8%	78.1%
Muslim	8.7%	26.3%	21.3%
Other		.9%	.6%
Total	100.0%	100.0%	100.0%

ANY DIFFERENCES IN EDUCATION LEVEL AND OPINIONS REGARDING WOMEN'S LAND OWNERSHIP

Respondents who said women, widows and married women should be allowed to buy and own land (by level of education)

	Women	Widows	Married Women
No education	85.7%	94.4%	47.2%
0-7 primary	73.3%	90.8%	48.1%
O'level standard	84.4%	96.9%	56.3%
A'level	71.4%	85.7%	42.9%
Post secondary	83.3%	83.3%	33.3%
Total	78.7%	21.3%	48.7%

Should single women be allowed to purchase land in their names (by level of education)?

	Yes	No	Total
No education	91.7%	8.3%	100.0%
0-7 primary	81.6%	18.4%	100.0%
O'level standard	96.9%	3.1%	100.0%
A'level	100.0%		100.0%
Post secondary	100.0%		100.0%
Total	88.5%	11.5%	100.0%

DIFFERENCES BETWEEN CHRISTIANS AND MUSLIMS REGARDING THEIR RIGHTS TO LAND AND THEIR OPINIONS ABOUT RIGHTS TO LAND

Can you sell the land (by religious practice)?

	Christian	Muslim	Other	Total
Yes	16.1%	3.2%		13.3%
No	83.9%	96.8%	100.0%	86.7%
Total	100.0%	100.0%	100.0%	100.0%

What rights do you have over this land (by religious practice)?

	Religion practice			Total
	Christian	Muslim	Other	
Use	95.0%	93.3%	100.0%	94.7%
Sell it	1.7%			1.3%
Your children inherit	.8%	3.3%		1.3%
Rent out to users	1.7%			1.3%
No right to do any of them	.8%			.7%
All the above rights		3.3%		.7%
Total	100.0%	100.0%	100.0%	100.0%

PERCENT OF FAMILIES THAT HAVE ORPHANS? DIVIDE BY DISTRICT AND TOTAL

Number of Orphans in the household by district

		Mpigi	Lira	Total
	0	90.0%	84.0%	86.3%
	1	8.3%	12.0%	10.6%
	2	1.7%	3.0%	2.5%
	3		1.0%	.6%
	Total	100.0%	100.0%	100.0%

DIFFERENCES BETWEEN POLYGAMOUS AND MONOGAMOUS RELATIONSHIPS IN RELATION TO WOMEN'S RIGHTS TO LAND AND THEIR OPINIONS ABOUT RIGHTS TO LAND

Can you sell the land (by marital status)?

		Yes	No	Total
	Married	17.5%	82.5%	100.0%
	Co- habiting		100.0%	100.0%
	Single		100.0%	100.0%
	Divorced	25.0%	75.0%	100.0%
	Separated		100.0%	100.0%
	Widowed	7.7%	92.3%	100.0%
	More than one wife		100.0%	100.0%
	Total	13.3%	86.7%	100.0%

What rights do you have over this land (by marital status)?

		Use	Sell it	Children inherit	Rent out to users	No right to do any of them	All the rights
	Married	97.1%	2.0%		1.0%		
	Co- habiting	100.0%					
	Single	100.0%					
	Divorced	75.0%					25.0%
	Separated	85.7%		14.3%			
	Widowed	92.3%			7.7%		
	More than one wife	83.3%		8.3%		8.3%	
	Total	94.7%	1.3%	1.3%	1.3%	.7%	.7%

Who decides on the use of land (by marital status)?

	Husband	Wife	Both	Total
Married	54.4%	13.6%	32.0%	100.0%
Co- habiting	71.4%		28.6%	100.0%
Single	20.0%	80.0%		100.0%
Divorced		100.0%		100.0%
Separated	14.3%	71.4%	14.3%	100.0%
Widowed	23.1%	69.2%	7.7%	100.0%
More than one wife	45.5%	45.5%	9.1%	100.0%
Total	47.3%	27.3%	25.3%	100.0%

Is the land farmed together or divided among household members?

	Farmed together	Divided among household members	Total
Married	88.6%	11.4%	100.0%
Co- habiting	85.7%	14.3%	100.0%
Single	100.0%		100.0%
Divorced	100.0%		100.0%
Separated	83.3%	16.7%	100.0%
Widowed	84.6%	15.4%	100.0%
More than one wife	72.7%	27.3%	100.0%
Total	87.2%	12.8%	100.0%

Do women ever work communally or only within their family (by marital status)?

	Communally	Only within their family	Total
Married	63.2%	36.8%	100.0%
Co- habiting	42.9%	57.1%	100.0%
Single	66.7%	33.3%	100.0%
Divorced	50.0%	50.0%	100.0%
Separated	14.3%	85.7%	100.0%
Widowed	30.8%	69.2%	100.0%
More than one wife	9.1%	90.9%	100.0%
Total	53.2%	46.8%	100.0%

**NUMBER OF CUSTOMARY, MAILO, FREEHOLD AND LEASEHOLD ANSWERS
(RESPONDENTS) (HOW MANY EACH)?**

Type of land tenure	Frequency	Percent
Mailo owner/ Kabaka's	5	3.4
Mailo Occupant (Kibanja)	16	10.8
Free hold	41	27.7
Leasehold	23	15.5
Customary	63	42.6
Total	148	100.0

Type of land tenure by gender of the respondent

	Gender of the respondent		Total
	Male	Female	
Mailo owner/ Kabaka's	2.2%	3.9%	3.4%
Mailo Occupant (Kibanja)	6.5%	12.7%	10.8%
Free hold	8.7%	36.3%	27.7%
Leasehold	17.4%	14.7%	15.5%
Customary	65.2%	32.4%	42.6%
Total	100.0%	100.0%	100.0%

Type of land tenure by district

	Mpigi	Lira	Total
Mailo owner/ Kabaka's	9.8%		3.4%
Mailo Occupant (Kibanja)	31.4%		10.8%
Free hold	41.2%	20.6%	27.7%
Leasehold	15.7%	15.5%	15.5%
Customary	2.0%	63.9%	42.6%
Total	100.0%	100.0%	100.0%

WHAT LAND RIGHTS DO THE DIFFERENT TENURE SYSTEMS PROVIDE FOR CHILDREN

What rights do children/orphans have on the land? Can they,						
Type of land tenure	What rights do children/ orphans have on the land?					Total
	Use	Own	Inherit	None of the above	Use, own and inherit.	
Mailo owner/ Kabaka's	100.0%					100.0%
Mailo Occupant (Kibanja)	75.0%	18.8%		6.3%		100.0%
Free hold	97.4%		2.6%			100.0%
Leasehold	95.2%	4.8%				100.0%
Customary	92.1%	1.6%	4.8%		1.6%	100.0%
Total	92.3%	3.5%	2.8%	.7%	.7%	100.0%

Can you sell the land (by type of tenure)?

	Yes	No	Total
Mailo owner/ Kabaka's		100.0%	100.0%
Mailo Occupant (Kibanja)		100.0%	100.0%
Free hold	12.2%	87.8%	100.0%
Leasehold	8.7%	91.3%	100.0%
Customary	21.0%	79.0%	100.0%
Total	13.6%	86.4%	100.0%

What rights do you have over this land (by type of tenure)?

	Use	Sell it	Your children inherit	Rent out to users	No right to do any of them	All the above rights	Total
Mailo owner/ Kabaka's	80.0%			20.0%			100.0%
Mailo Occupant (Kibanja)	93.8%				6.3%		100.0%
Free hold	92.7%	4.9%		2.4%			100.0%
Leasehold	95.5%		4.5%				100.0%
Customary	98.4%					1.6%	100.0%
Total	95.2%	1.4%	.7%	1.4%	.7%	.7%	100.0%

HAVE ANY DAUGHTERS INHERITED LAND?

What would happen to household land in case of death by gender

	Male	Female	Total
Divided between wife and children	80.0%	44.7%	55.4%
Goes to wife only	4.4%	14.6%	11.5%
Goes to children only	2.2%	4.9%	4.1%
Inherited by oldest sons	15.6%	34.0%	28.4%
Inherited by daughters		1.0%	.7%
Depends on the will	2.2%	1.0%	1.4%
Taken by clan		1.9%	1.4%

Note: This is a multiple response table.

Does any of the household land belong to daughters?	Frequency	Percent
Yes	5	31.3
No	11	68.8
Total	16	100.0

Does any of the household land belong to sons?	Frequency	Percent
Yes	19	44.2
No	24	55.8
Total	43	100.0

ARE THERE ANY DIFFERENCES IN LAND RIGHTS OF WOMEN DEPENDING ON WHEN THEIR LAND WAS ACQUIRED?

Can you sell the land (by when the land right was acquired)?

Can you sell the land?		Always had it	0-5 years ago	5-10 years ago	More than 10 years ago	Total
Male	Yes	16.7%	33.3%		50.0%	100.0%
	No	9.1%	21.2%	12.1%	57.6%	100.0%
	Total	11.1%	24.4%	8.9%	55.6%	100.0%
Female	Yes		50.0%		50.0%	100.0%
	No	2.3%	29.5%	17.0%	51.1%	100.0%
	Total	2.1%	31.3%	15.6%	51.0%	100.0%

What rights do you have over this land (by when land rights were acquired and gender)?

		When was the land right acquired?				Total
		Always had it	0-5 years ago	5-10 years ago	More than 10 years ago	
Male	Use	11.4%	25.0%	9.1%	54.5%	100.0%
	Rent out to users				100.0%	100.0%
	Total	11.1%	24.4%	8.9%	55.6%	100.0%
Female	Use	2.2%	34.4%	15.6%	47.8%	100.0%
	Sell it				100.0%	100.0%
	Your children inherit			100.0%		100.0%
	Rent out to users				100.0%	100.0%
	No right to do any of them				100.0%	100.0%
	All the above rights				100.0%	100.0%
	Total	2.1%	32.3%	15.6%	50.0%	100.0%

When was land right acquired by who decides on the use of the land?				
When was the land right acquired?	Who decides on the use of land			Total
	Husband	Wife	Both	
Always had it	71.4%	14.3%	14.3%	100.0%
0-5 years ago	45.0%	22.5%	32.5%	100.0%
5-10 years ago	26.3%	15.8%	57.9%	100.0%
More than 10 years ago	51.4%	31.9%	16.7%	100.0%
Total	47.1%	26.1%	26.8%	100.0%

NUMBER OF MEN, WOMEN AND JOINT DECISIONS MADE REGARDING USE OF LAND



NUMBER OF ORPHANS WHO HAVE RIGHT TO INHERIT/NOT INHERIT

What rights do children/ orphans have on the land?

	District		Total
	Mpigi	Lira	
Use	86.3%	94.9%	92.0%
Own	7.8%	1.0%	3.3%
Inherit	2.0%	4.0%	3.3%
None of the above	2.0%		.7%
Use, own and inherit.	2.0%		.7%
Total	100.0%	100.0%	100.0%

NUMBER OF RESPONDENTS AND THEIR KNOWLEDGE ABOUT THE LAND ACT

Are you aware about the Land Act 1998 or the law requiring that family/spouses consent before land is sold?

	Male	Female	Total
Yes	21.7%	27.7%	25.9%
No	43.5%	41.1%	41.8%
Yes but do not understand	34.8%	29.5%	31.0%
Yes but it is not followed in the village		1.8%	1.3%
Total	100.0%	100.0%	100.0%

WOMEN WHO CAN/CANNOT STOP THEIR HUSBANDS FROM SELLING LAND

Can you stop your husband from selling land (by gender)?

	Male	Female	Total
Yes	75.6%	46.8%	55.1%
No	22.2%	48.6%	41.0%
Don't know	2.2%	4.5%	3.8%
Total	100.0%	100.0%	100.0%

Do registration officials require women's signature before registering a sale?

	Male	Female	Total
Yes	15.6%	34.8%	29.3%
No	17.8%	44.6%	36.9%
Don't know	66.7%	20.5%	33.8%
Total	100.0%	100.0%	100.0%

Who receive the money and makes decisions about the use of money from the sale of land?

	Male	Female	Total
Husband	57.8%	56.4%	56.8%
Wife		14.5%	10.3%
Both	42.2%	29.1%	32.9%
Total	100.0%	100.0%	100.0%

TABLES OF WHO DOES WHAT ON AGRICULTURAL LAND (ACTIVITIES IN AGRICULTURE)

Who opens land for cash crops by district

	District		Total
	Mpigi	Lira	
Alone		1.0%	.6%
Children		1.0%	.6%
Children & hired labour		1.0%	.6%
Hired labour	8.3%	6.0%	6.9%
Men		35.0%	21.9%
Men and women	1.7	23.0%	14.9%
Myself		16.0%	10.0%
Woman and children	3.3%	1.0%	1.9%
Women		4.0%	2.5%

Who plants cash crops by district

	District		Total
	Mpigi	Lira	
Hired labour	5.0%	3.0%	3.8%
Hired labour, wife	1.7%	4.0%	3.1%
Men		17.0%	10.6%
Men and women		28.0%	17.5%

Who weeds cash crops by district

	District		Total
	Mpigi	Lira	
Both women and men		13.0%	8.1%
Hired labour	6.7%	3.0%	4.4%
Hired labour, wife	1.7%	1.0%	1.3%
Men and women		29.0%	18.1%

Who harvests cash crops

	District		Total
	Mpigi	Lira	
Not stated	90.0%	12.0%	41.3%
Both		12.0%	7.5%
Hired labour	5.0%		1.9%
Hired labour, wife		1.0%	.6%
Husband		14.0%	8.8%
Myself		16.0%	10.0%

Who opens land for food crops?

	District		Total
	Mpigi	Lira	
Not stated	5.0%	1.0%	1.9%
Both		13.0%	8.1%
Children wife	6.7%		2.5%
Farmer	8.3%	4.0%	5.6%
Hired labour, wife	1.7%	14.0%	9.4%
Husband and worker		1.0%	.6%

Who plants food crops

	District		Total
	Mpigi	Lira	
Alone		11.0%	6.9%
Children & widow	5.0%	19.0%	12.8%
Family members		13.0%	8.1%
Farmer	1.7%	16.0%	10.6%

Who weeds food crops

	District		Total
	Mpigi	Lira	
Alone		12.0%	7.5%
Children & widow	8.4%	1.0%	3.8%
Family members	8.3%	6.0%	6.9%
Farmer	1.7%	16.0%	10.6%

Who harvests food crops

	District		Total
	Mpigi	Lira	
Alone		10.0%	6.3%
Children & widow	8.4%	1.0%	3.8%
Family members	10.0%	5.0%	6.9%
Farmer	1.7%	17.0%	11.3%

TYPES OF LAND DISPUTES AND LAND DISPUTES RESOLVED IN FAVOR OF WOMEN. OF THE LAND DISPUTES, WHAT PERCENTAGE IS RESOLVED IN FAVOUR OF WOMEN.

Have you had any cases of land dispute in the village?				
	Yes	No	Don't know	Total
Male	87.0%	6.5%	6.5%	100.0%
Female	74.3%	23.9%	1.8%	100.0%
Total	78.0%	18.9%	3.1%	100.0%

Any cases where women or orphans are involved in land dispute?				
	Yes	No	Don't know	Total
Male	68.9%	13.3%	17.8%	100.0%
Female	70.0%	23.0%	7.0%	100.0%
Total	69.7%	20.0%	10.3%	100.0%

Who was a party to the dispute?					
	Family members	Other community members	Husband's family	Others	Total
Male	69.8%	20.9%	9.3%		100.0%
Female	67.4%	17.4%	14.1%	1.1%	100.0%
Total	68.1%	18.5%	12.6%	.7%	100.0%

How was land dispute resolved?				
	Favor of woman	Favor of the other party	Don't know	Total
Male	32.6%	25.6%	41.9%	100.0%
Female	58.5%	20.2%	21.3%	100.0%
Total	50.4%	21.9%	27.7%	100.0%

Is it socially acceptable for women to be involved in land dispute?				
	Yes	No	Don't know	Total
Male	41.3%	45.7%	13.0%	100.0%
Female	53.2%	45.9%	.9%	100.0%
Total	49.7%	45.9%	4.5%	100.0%

WHERE DO PEOPLE GO FOR LAND DISPUTES – PERCENT OF EACH

Where was the land dispute heard?

	District		Total
	Mpigi	Lira	
Elders	62.2	75.3	70.4
Magistrate	27.6	13.6	18.8
Muslim leader		.6	.4
Local council	8.2	10.5	9.6
FIDA	2.0		.8
Total	60.2	61.1	60.8

Are there any legal advocates or services to help women go to court? Have you heard of lawyer e.g. FIDA, Legal Aid who assist in land dispute?				
	Yes	No	Don't know	Total
Male	48.9%	35.6%	15.6%	100.0%
Female	63.1%	20.7%	16.2%	100.0%
Total	59.0%	25.0%	16.0%	100.0%

Are there any women or men in the community who help when there is dispute?				
	Yes	No	Don't know	Total
Male	82.6%	10.9%	6.5%	100.0%
Female	81.4%	10.6%	8.0%	100.0%
Total	81.8%	10.7%	7.5%	100.0%

PERCENT OF RESPONDENTS WHO KNEW OF WIDOWS, SEPARATED WOMEN WHO LOST LAND

Are there widows who lost land in the village?		Frequency	Percent
	Yes	50	33.1
	No	70	46.4
	Don't know	31	20.5
	Total	151	100.0

Are there separated women who lost land in the village?		Frequency	Percent
	Yes	68	43.6
	No	56	35.9
	Don't know	32	20.5
	Total	156	100.0

PERCENT OF ANSWERS FOR EACH CATEGORY UNDER NN (DIFFICULT OF ACQUIRING LAND)

Why do women find difficulty in acquiring land?		Frequency	Percent
	Lack of money	118	76.6
	Fear of social pressure	15	9.7
	Greedy men who does not want women own any thing	21	13.6
	Total	154	100.0

PERCENT OF RESPONDENTS WHO SAID IT WAS NOT SOCIALLY ACCEPTABLE FOR WOMEN TO OWN LAND

Should women own and control land?

	Gender of the respondent		Total
	Male	Female	
Yes	54.3%	89.2%	79.0%
No	45.7%	10.8%	21.0%
Total	100.0%	100.0%	100.0%

FOR AAA – FFF: PERCENT IN EACH CATEGORY AND DIVIDED BY MEN AND WOMEN AS WELL

Do you think widows should be allowed to purchase land in their own names (by gender)

	Male	Female	Total
Yes	68.2%	98.2%	89.8%
No	31.8%	1.8%	10.2%
Total	100.0%	100.0%	100.0%

Do you think married women should be allowed to purchase land in their own names?

	Male	Female	Total
Yes	46.5%	69.5%	62.3%
No	53.5%	30.5%	37.7%
Total	100.0%	100.0%	100.0%

Do you think orphans should be allowed to purchase land in their own names?

	Male	Female	Total
Yes	89.1%	89.2%	89.2%
No	10.9%	10.8%	10.8%
Total	100.0%	100.0%	100.0%

Do you think children should be allowed to purchase land in their own?

	Male	Female	Total
Yes	79.5%	70.1%	73.3%
No	20.5%	29.9%	26.7%
Total	100.0%	100.0%	100.0%

Do you think single women should be allowed to purchase land in their own?

	Male	Female	Total
Yes	66.7%	98.2%	89.1%
No	33.3%	1.8%	10.9%
Total	100.0%	100.0%	100.0%

Should widows be allowed to buy and own land?

		Gender of the respondent		Total
		Male	Female	
	Yes	71.1%	100.0%	91.8%
	No	28.9%		8.2%
Total		100.0%	100.0%	100.0%

Should married women be allowed to buy and own land?

		Gender of the respondent		Total
		Male	Female	
	Yes	30.4%	55.3%	48.1%
	No	69.6%	44.7%	51.9%
Total		100.0%	100.0%	100.0%

Should single women be allowed to purchase land in their names?

		Gender of the respondent		Total
		Male	Female	
	Yes	67.4%	96.5%	88.1%
	No	32.6%	3.5%	11.9%
Total		100.0%	100.0%	100.0%

Should orphans be allowed to inherit or purchase land of their own?

		Gender of the respondent		Total
		Male	Female	
	Yes	93.5%	95.5%	94.9%
	No	6.5%	4.5%	5.1%
Total		100.0%	100.0%	100.0%

WOMEN WHO OWN LAND IN THE VILLAGE – PERCENT ANSWERED IN FAVOUR OF EACH CATEGORY KK

Are there women in the village who own land and who are they?				
	Yes	No	Don't know	Total
Married	21.2			18.7
Single	55.9	114.3	55.6	59.0
Widows	47.5	14.3	44.4	45.5
Separated/ divorced	11.0	28.6	11.1	11.9
Orphans	11.9			10.4

This is a multiple response table.

SUMMARY OF RECOMMENDATIONS FOR GOVERNMENT – DIVIDE BY MEN AND WOMEN

What recommendations would you like to give government in light strengthening the women, children and orphans rights to land	
Recommendations	Percent
Government should protect them	27.2
Set up law on property distribution to orphans	16.3
Government should give orphans right over land automatically	14.3
In acquiring land title both the wife and husband should sign	10.2
Sensitize people on land ownership and inheritance	10.2
Deceased wife should retain land and property	4.8
Widows and orphans should inherit the property	4.8
Land dispute should be settled at minimal costs	4.1
Land owned by widows and orphans should be sold if both consent	3.4
Punish severely those who grab land from orphans	2.7
Women should be allowed to buy and own land	2.0

Tables Related to Methodology

Age/years	Age of respondents by gender		
	Male	Female	Total
1. 15-20	-	13.4%	9.5%
2. 21-30	23.9%	39.3%	34.8%
3. 31-40	21.7%	14.3%	16.5%
4. 41-50	26.1%	17.9%	20.3%
5. 50+	28.3%	15.2%	19.0%
Total	100.0%	100.0%	100.0%

	Marital status of respondents by gender		
	Male	Female	Total
1. Married	87.0%	60.5%	68.1%
2. Cohabiting	4.3%	6.1%	5.6%
3. Single	4.3%	3.5%	3.8%
4. Divorced	-	3.5%	2.5%
5. Separated	-	6.1%	4.4%
6. Widowed	2.2%	10.5%	8.1%
7. More than one wife	2.2%	9.6%	7.5%
Total	100.0%	100.0%	100.0%

	Level of education of respondents by gender		
	Male	Female	Total
1. No education	9.1%	28.1%	22.8%
2. 0-7 primary	61.4%	43.9%	48.7%
3. Ordinary level standard	15.9%	21.9%	20.3%
4. Advanced level	4.5%	4.4%	4.4%
5. Post secondary	9.1%	1.8%	3.8%
Total	100.0%	100.0%	100.0%

	Religious practice of respondents by gender		
	Male	Female	Total
Christian	91.3%	72.8%	78.1%
Muslim	8.7%	26.3%	21.3%
Other	-	0.9%	0.6%
Total	100.0%	100.0%	100.0%

APPENDIX 2: TERMS OF REFERENCE FOR THE GENDER / FAMILY ISSUES AND LAND RIGHTS

Background

A Land Sector Strategic Plan is being prepared, which aims to provide a framework for enhancing the contribution of the land sector to poverty eradication and agricultural modernisation over ten years. The plan sets out objectives, activities and targets for the achievement of land sector development within the decentralised framework provided by the Constitution and LGA97.

Strategic Objective 3 of LSSP is:

“To improve livelihoods of poor people through a more equitable distribution of land access and ownership, and greater tenure security for vulnerable groups.”

Consultation and research has shown that the gender structure of land rights in Uganda varies across the country but in general is highly unequal, with women’s rights generally restricted to access while men are more likely to have ownership rights, and women’s rights being less secure than those of men. Evidence shows that, particularly for rural women, this inequality of access to the key productive asset is a fundamental determinant of poverty and social disadvantage. Without secure rights to land, women’s ability and incentives to participate in income-expanding economic activity are reduced. Among the priority concerns expressed about land through the UPPAP consultations were women’s lack of inheritance rights, their inability to prevent sales by men, the disincentives to develop the land they occupy, and the dis-inheritance of widows. Women are unable to participate fully in agricultural activity, particularly market-oriented activity, and are frequently unable to plant trees or income-generating crops, and do not share in the income generated from such crops.

The land rights of other family members may also be weak. In particular there is concern that the growing number of orphans are vulnerable to dis-inheritance, and that the rights of child-headed households are insecure.

Recent legal changes under the Land Act aimed at strengthening the land rights of women, dependent children and orphans, through the requirement for consent of spouses, dependent children, and the Land Committee in the case of orphans, to transactions in family land. In addition, discriminatory customary practices are outlawed. Forthcoming legislation seeks to address women’s lack of inheritance rights, and possibly to increase married women’s ownership stake in family property (proposed Domestic Relations legislation).

The situation of women’s, children’s and orphans’ land rights on the ground does not, however, appear to have been significantly affected by legal changes. The little research conducted to date suggests that while many people are aware of, and some support, the changes, this has not translated into improvements in the security of land rights of many women. There are a variety of possible reasons for this:

- inadequate support institutions
- fear of legal procedures
- lack of access to the legal system
- cultural resistance
- general beliefs about women's role in land management and ownership

There is need for systematic identification of the practical difficulties women face in accessing their land rights, and for strategic actions that can be taken to improve the impact of legal changes on the ground to ensure that the land sector is meeting the needs of women and men, children and orphans.

Purpose

“To improve livelihoods of poor people through a more equitable distribution of land access and ownership, and greater tenure security for vulnerable groups.”

Tasks

The consultant will:

- a) conduct a small household survey of the land rights of women, children and orphans, how they are able to access their rights under different land tenure systems, and in different personal circumstances. In the case of women, the survey will consider whether women are able to inherit, own, rent, or use land, for what purposes and under what conditions, and will investigate the influence of these factors on production decisions, and ultimately on poverty levels in the household. The survey will cover at least four areas exhibiting different tenure systems, and will include both quantitative and qualitative methodologies. Households will be selected purposively to include women in different marital circumstances, child headed households and households with orphans.
- b) Identify, through key informant interviews, specific factors inhibiting women's and orphans' ability to access their land rights, including the legal rights conferred under the Land Act. Rank these factors according to their significance for women interviewed.
- c) Identify, through the survey and key informant interviews, specific factors limiting women's and orphans' ability to access and use the legal system (cost, distance, fear, mistrust, lack of services etc.) Rank these factors according to their significance for women interviewed.
- d) Develop practical strategies and specific actions which could be pursued in order to improve women's, children's' and orphans' *de facto* land rights (i.e.: not legal reform), and assist them to access the legal system to protect and strengthen their rights (e.g.: legal aid, assistance with inheritance procedures, special courts, etc.)

Outputs

1. Survey methodology and instruments
2. A summary survey report covering the principal findings of the household survey, factors inhibiting land rights and access to the legal system, and recommendations on strategies and actions to enhance *de facto* land rights of the affected groups.
3. Diskettes of cleaned survey data (in SPSS ver.9, or MS Excel)

Modalities

Sites for the household survey will be selected jointly by the consultancy team and land sector institutions following presentation of the inception report.

Reporting

Reporting to the PS, Lands / Chair Land Act Steering Committee. Working closely with the Land Act Implementation Unit / Strategic Policy and Planning Unit, and the PMA Sub-Committee on Natural Resources. Inception paper to be presented after one week. Final report within 1 week of end of consultancy.

Team

A team of 2 or 3 local consultants with experience in the area of gender, land rights, and legal systems. The consultants should have five years experience in policy or academic work related to these issues.

Timing

6 weeks

APPENDIX 3: INTERVIEW LIST

- | | |
|--------------------------|--|
| 1. Mr. Bitretwa | Chief Administrative Officer, Mpigi District |
| 2. Mr. Odwedo, W | Chief Administrative Officer Lira District |
| 3. Ms. Carol Kego- Laker | Social Development Specialist, PMA Secretariat |
| 4. Mr. Opio Celistino | Lira District land Board |
| 5. Mr. Oyang Constantine | Lira District Land Board |
| 6. Mr. Oyoo Geoge | District Extension Services Co-ordinator - Lira |
| 7. Mr. Lubega John | Assistant Agricultural Extension Officer |
| 8. Ms. Ruth Ssesanga | District Women Council 5 |
| 9. Ms. Lwanga | Co-ordinator Mpigi Women's group (MWODET) |
| 10. Eng. Lugwago | Mpigi District Engineer – head of lands and Survey |
| 11. Mr. Wilbert Opio | Sub-county Chief |
| 12. Mr. Achol Yventino | Acting sub-county Chief |

Locations of Focus Group Discussions

1. Bwama Sub-County, Mawokota County, Mpigi district
2. Mpigi Town Council Community
3. Mpigi Women's Group (MWODET)
4. Kibibi Community, Butambala County, Mpigi district
5. Simba (a) Community, Mawokota County, Mpigi district
6. Mbizzinya Community, Bwama sub-county, Mpigi District
7. Dokolo sub-county Community, Lira district
8. Kyoga, sub-county community, Amoon village community