

UGANDA COUNTRY BRIEF: PROPERTY RIGHTS AND LAND MARKETS

Susana Lastarria-Cornhiel
Land Tenure Center, University of Wisconsin–Madison



Land Tenure Center

**Under Subcontract to Development Alternatives, Inc.
Financed by U.S. Agency for International Development,
BASIS IQC LAG-I-00-98-0026-0**

March 2003

Contents

	<u>Page</u>
1. INTRODUCTION	1
2. LAND TENURE IN UGANDA	1
2.1 Pre-Colonial Land Tenure	1
2.2 Colonial Impact on Land Tenure	2
2.2.1 Mailo Land	2
2.2.2 Titling and Registration	3
2.3 Independence and State Ownership of Land	3
3. PRIVATIZATION AND LAND MARKETS	4
3.1 Land Privatization and the Land Market in Central Uganda	4
3.2 Land Markets and Social Equity	6
3.3 The Land Titling Experience	7
3.4 Pastoralism and Land Tenure	8
3.5 Trees and Tenure	9
4. CONTEMPORARY LAND LEGISLATION	10
4.1 Contemporary Customary Tenure	10
4.2 The Land Act	11
4.3 Gender Issues in the Land Act	12
5. CONCLUSIONS	12
BIBLIOGRAPHY	13

UGANDA COUNTRY BRIEF: PROPERTY RIGHTS AND LAND MARKETS

Susana Lasterria-Cornhiel

1. INTRODUCTION

The purpose of this Country Brief is to assist in the assessment of USAID's investments in land markets and property rights in Uganda since 1980. The aim is to provide a summary of the available literature related to land market interventions and its impacts in Uganda. The preparation of this Country Brief follows the conceptual and methodological framework prepared by the Land Tenure Center (Stanfield and Bloch 2002) and the methodology consisted of a search, review and synthesis of relevant materials from USAID, the University of Wisconsin library and the Internet.

USAID-supported activities related to land issues in Uganda have included research and technical assistance in the areas of land policy and legislation, titling and registration, and natural resource management. The following section will briefly describe Uganda's formal and informal land tenure system.

2. LAND TENURE IN UGANDA

Uganda's formal land tenure system was initially established by the British during that country's colonial era. Since independence (1962), Uganda has reformed its formal legislation regarding property rights several times. The most recent is the 1998 Land Act. In addition to modifications in formal law, other processes have influenced land tenure systems, and consequently land markets, in Uganda: increasing population density and commercial agriculture.

2.1 PRE-COLONIAL LAND TENURE

Before colonial rule, land tenure in what is now the country of Uganda consisted of a number of customary tenure systems, both sedentary and pastoralist. In general, customary tenure in sedentary agricultural communities revolved around kings and chiefs who allocated land to clans and community households according to customary norms and practices. Every person and household had the right to access sufficient land for their subsistence; this right came either from the lineage or clan head or from the chief to whom the person pledged allegiance. Transfer (rent, sell, and sometimes inheritance) rights were not granted—land not used or wanted reverted to the land or chief. Since most lineages in Uganda are patrilineal, when land was handed down within a family, it passed from father to son.

In the semi-arid regions of the country, where transhumance was practiced, access to land by clans and households was generally based on agreements with other clans that permitted the movement of households and cattle during the year to areas where pasture and water were available. Thus, households did not seek access to a piece of land in particular community or lineage on which to build shelter and plant crops, but rather access to lands along their traditional cattle corridor.

2.2 COLONIAL IMPACT ON LAND TENURE

During the colonial period, occupation of land by non-Africans was kept at relatively low levels, compared with other African countries such as its neighbor Kenya and South Africa.

Consequently, freehold properties held by non-Africans were not as common as in other African countries, and customary tenure systems were permitted to continue functioning. This is not to say that they were not affected by colonial rule. The one major, and best known, intervention by the British was the introduction in 1900 of formalized individual private property ownership in the central region of Uganda (Buganda)—this region was not only one of the most important, it also contains some of the best agricultural land. Thus, the impact of the Uganda Agreement was significant in that it set in motion, firmly and steadily, the conversion within Ugandan communities of customary property rights towards individualized property rights (West 1972: 27). Similar interventions were carried out in other regions of the country such as instituting restricted freeholds¹ for local elites in Ankole and Toro, and the establishment of leasehold estates on Crown (public) land. Often these public land leaseholds were given to elites even though communities were already occupying these lands.

2.2.1 Mailo Land

As a result of the Uganda Agreement, the land tenure system in the Buganda area was formally transformed from a customary system based on a chief's domain over land and community members' rights to agricultural land, to a system approaching freehold tenure with one legislative decree, the Uganda Agreement of March 1900. The colonial government conferred to chiefs and other notable personages individual ownership rights to large extensions of land called *mailo* estates. Land not held under *mailo* or established customary tenure became Crown (public) land. Thus approximately half of Buganda (more than 8,000 square miles) became formally privatized.

These *mailo* estates were already settled by smallholders under customary tenure; however, their usufructory rights were not legally recognized. *Mailo* owners permitted their peasants to retain possession of the land (called *kibanja* land) they were occupying. *Mailo* tenure in effect converted them from customary usufructory holders into tenants on private property. Other persons who wanted to settle on *mailo* land had to approach the *mailo* owner and get permission to occupy a specific piece of land. Initially, most tenants paid little or no rent and labor services, particularly on large estates. *Mailo* owners were considered lords of their area and their tenants were their servants.

Although *mailo* tenants were legally tenants, these families continued to feel that they held customary rights to land; although they paid rent to the landowner, they considered themselves permanent holders of their land. Subsequent legislation in effect acknowledged these rights by making it very difficult to evict tenants. The result was a confusion of who holds what rights. Formally, landowners have legal private ownership rights to the land, but their tenants felt they have permanent usufructory rights to the land they held even though they paid rent. When the *mailo* owner sold land, for example, it was understood that its tenants remained on the land.

¹ In addition to instituting freehold in a number of geographic areas, land under freehold tenure was also granted to a limited number of persons, as well as religious and educational institutions.

With the commercialization of agriculture and growth of a market economy, the value of land as an asset motivated some *mailo* owners to begin charging high cash rents from their tenants. In the late 1920s, legislation was passed to protect these tenants from arbitrary eviction and specified the type and amounts of rent to be paid. It also laid out the rights and conditions of both tenant and landowner. Rent consisted of two types: *busuulu* and *envujjo* (in the literature, these are often called taxes). *Busuulu* rent was for the land itself and was a set amount for each *kibanja* held regardless of size; *envujjo* is paid on the production of cash crops (cotton, coffee, and maize) and certain other economic activities (such as beer production for sale). *Envujjo* consisted of a set cash payment per unit of production.

With regards to tenants' rights, legislation allowed eviction for a minimum of causes (such as failure to pay rent for three years) and only by court order, giving tenants permanent and secure usufructory rights to the land they held. These rights have been inheritable; tenants, however, could not transfer the tenancy nor sell the land to another person without consent of the landowner. Thus, while tenants were legally operating on private property, actual practice was based on customary norms, and 'rents' did not actually reflect the asset value of land.

Since law established the amounts of both these rental payments in the 1920s, over time their value eroded, eventually becoming quite small in real terms. Some landowners did not even bother to collect rents, particularly from poor farmers. Other landowners began to circumvent these limitations by not accepting new *busuulu* tenants, by granting short-term (several years) tenancies on a strictly sharecropping basis, by charging high initial premiums from new tenants, and charging extra fees for cash cropping.

2.2.2 Titling and Registration

Another major effort at privatizing land rights occurred in the late 1950s and 1960s. In 1955, the East Africa Royal Commission² issued the Land Tenure Proposals recommending, among other proposals, that land ownership be privatized and individualized and that land market transactions be facilitated. As a result of these recommendations, a pilot land titling and registration program was initiated in Uganda in the Kigezi District in 1958. Land titling and registration was implemented in a number of districts. Because of administrative problems and disruptions brought about by the onset of independence, the program was not extended to the entire country.

2.3 INDEPENDENCE AND STATE OWNERSHIP OF LAND

The Land Reform Decree of 1975 declared that all land belonging to the state, abolishing all other ownership rights including *mailo*, and repealing previous legislation, including legislation that protected *kibanja* tenants. Individuals occupying land, whether under customary or *mailo* tenure, could obtain long-term leases. Some major changes included no restriction on rents and greater flexibility for landowners to evict tenants. Some tenants banded together and successfully resisted the most abusive practices on the part of landowners (Opyene 1993). Rental arrangements in other parts of Uganda, such as in Bunyoro and Lango, are similar to the arrangements on *mailo* land in that tenants pay rents or have sharecropping arrangements with owners of relatively large estates. A tenure structure to codify the rights that persons had to land

² The East Africa Royal Commission prepared proposals for Britain's three east African colonies: Uganda, Kenya, and Tanganyika.

under the new ownership model was never fully implemented, and *mailo* owners and tenants continued to operate in the semi-customary arrangements they were practicing previous to 1975.

In the mid-1980s, Uganda realized that a new land law was needed to clarify and protect land rights. USAID supported research on de facto tenure systems and practices and provided assistance to policy makers interested in reforming land legislation. The next section will focus on land tenure systems and land markets in Uganda by synthesizing results from studies undertaken during the 1980s and 1990s. Many of these studies were supported by USAID.

3. PRIVATIZATION AND LAND MARKETS

The land tenure situation in contemporary Uganda, as can be concluded from the previous section, is a mixture of customary (called *kibanja*), freehold, leasehold, and *mailo* tenure systems. While most of the country operates under customary tenure (some scholars estimate 75%³), studies have demonstrated that two features of the land market are operative in most of Uganda: individualization of land rights and land transactions.

Central Uganda has the most active land market in the country. For that reason, a number of studies that examine land market operations and characteristics have been undertaken in that region. One of the features of Uganda's land market is that while land transactions between individuals are common, these transactions take into account certain customary rules. This is particularly true of rural and agricultural land. In other words, the buyer and seller enter into a land transaction with the support and consent of their surrounding community. This acknowledgement of the social relations by buyer and seller is recognition that not only social endeavors but also economic ones are dependent on collaborative ties with support groups, be they a lineage, clan, community, or agricultural association (Heck 1996).

The studies cited in this Country Brief provide valuable information on: (1) the types of rights that landholders on *mailo* and customary land enjoy, including transfer rights, (2) the effect of privatization and land market activities on equity; (3) the effects of the titling and registration efforts of the late 1950s; (4) the effect of privatization in pastoralist areas; and (5) the impact of individualized property on tree coverage.

3.1 LAND PRIVATIZATION AND THE LAND MARKET IN CENTRAL UGANDA

The bundle of land rights in any tenure regime consists of three types of rights: use rights,⁴ exclusion rights,⁵ and transfer rights.⁶ Troutt (1994) conducted a study on individualized land rights and the land market in central Uganda, where both *mailo* (freehold) and customary tenure regimes have been practiced since at least the early 1900s and where sedentary agriculture is practiced. The study explored differences with regard to these three sets of land rights between

³ Busingye (2002:2) asserts that over 75% of land in Uganda is held customarily.

⁴ Use rights in the Uganda context include, among others, planting and cutting of trees, burying of deceased, digging out sand, clay, and gravel for commercial sale.

⁵ Exclusion rights placed on other persons include: barring use of footpaths, collecting firewood and water, and grazing livestock.

⁶ Transfer rights include: giving (whether *inter vivos* or to heirs), renting out, pledging, and selling land to others.

mailo and customary regimes. Among the variables that Troutt utilized to predict differences, besides tenure regime, are level of individualization of rights, population density and commercial agriculture. The general hypotheses that guided the study are that increasing population density and the development of commercial agriculture drive the process of individualization of property rights. This in turn facilitates the functioning of a land market, resulting in land transactions (selling and renting) based on economic efficiency.

Troutt concluded that while increased population density and commercial agriculture did contribute to more individualized land rights, this process was not uniform in the sense that all landholders acquired the same rights as individualization deepened. For example, the right to plant and cut trees without authorization from someone else was acquired by landholders in some communities, while in other communities this right was not acquired but the right to exclude others from gathering firewood was. What was important, particularly for development of the land market, is that in most communities individual landholders did acquire the right to sell land.

Other results challenge the theory relating tenure security with individualized property rights, at least in the context of Uganda. Troutt found that there is no direct relationship between an individual's perceived tenure security and (1) the level of individualization of land rights and (2) whether the landholder purchased the land or acquired it through other means.

On the other hand, Troutt found that investments in agricultural infrastructure and practices that increase productivity were not related to land market activities. In other words, owners of both purchased parcels and of non-purchased parcels (such as inherited land) engaged in these investments at the same level.

What was striking in Troutt's study is the high level of individualization of land rights and land market transactions in customary areas of Uganda, not just in *mailo* areas. This finding suggests that customary tenure systems are capable of responding to and adjusting their norms and practices to accommodate changes such as increasing population density and development of commercial agriculture. Interestingly, however, when population density reach high levels and land (and resources) become scarcer, two of the processes appear to either slow down. Troutt found that land market activity decreases when population density reaches very high levels. Baland et al. (1999: 16) also found that population density influenced land market operations: as it increased, parcel size on the market decreased⁷ and land prices increased. Concomitant with this dynamic, Baland et al. (1999: 16) found that increased population density is also associated with increasing poverty, unless agricultural productivity is increased.

Another tendency as population density increases and land becomes scarce is for communities to revert to certain customary rules, particularly those that allocate some use rights such as the right to collect water or use footpaths, so that households without direct access to these resources are not prejudiced.

The Baland et al. (1999) study in central Uganda confirmed that rural land markets are very active in that region: almost half of the total land area owned in the sample had been purchased and half of the households owned at least one purchased land parcel. In distinction to Troutt's study, however, they found that land market activity does not necessarily increase with

⁷ Size decreases by 1.6 acres for each increase of 100 inhabitants per square kilometer.

population density: while some high density communities exhibited low purchase levels, other low density villages had high purchase levels.

3.2 LAND MARKETS AND SOCIAL EQUITY

Distribution of land (through allocation and inheritance of land under customary tenure) is affected by the process of individualization of property rights. Whether distribution becomes more or less equitable during this process has been debated. Since privatization increases individual property owners' exclusionary rights, one dynamic of individualization is that those persons with indirect and secondary rights to land (such as women, ethnic minorities, nomadic pastoralists) may lose them, particularly when land is formally privatized under titling and registration programs. Thus one impact of land titling to individual persons is to significantly decrease a customary community's ability to ensure the subsistence of all its members through land access.

Baland et al. (1999: 11-15) found that the land market permitted those households that had inherited little or no land to acquire land, often from those who had inherited sizable amounts of land. Thus, although these landless and land-poor households continued to have less land, the opportunity to buy (and rent) land did increase their landholdings, also improving equity with regard to land access. What Baland et al. (1999: 23) could not confirm from their findings is how landless families or those with low landholdings purchase land on the market. Households that purchased land were not necessarily those who had better access to non-agricultural or off-farm income opportunities, nor were they better educated.

Troutt (1944) also found that land markets increase access to land for certain types of persons who have difficulty acquiring land through customary mechanisms, such as inheritance and allocation by customary land authorities. The two groups that are of particular interest are women⁸ and commercial producers: this would suggest that land markets can improve social equity, at least with regard to gender, and increase agricultural production by allowing commercial farmers to acquire land for cultivation.

Another dynamic with regard to equity occurs when investments made in land improvements or agricultural operation significantly increase an individual's hold on land. In this case the causality between investment and tenure security is inverted: a person will invest on the land they hold under customary tenure in order to strengthen and increase the individualized rights they have to that land—in this case investment on the land leads to higher tenure security, not the inverse. Since wealthier households are able to make this type of investment, this particular individualization process favors them over less wealthy households. Baland et al (1999: 25-31) found that poorer household do engage in land improvement investments, particularly tree planting, in order to improve the tenure security and that wealthier households plant fewer trees. The study also found that population density correlated positively with tree planting, particularly under high population density.

Another study, however, found that gender equity with regard to land rights has not improved significantly. The findings of Kisamba-Mugerwa et al. (1989) with regard to gender and land rights are not heartening. One would expect that men and women would have equal

⁸ Nevertheless, and in spite of buying land on the market, women still have much less land than men.

rights to land within a freehold system, in contrast to customary tenure practices where “(g)enerally they could not even consider owning land but were assured of usufruct rights through marriage” (Kisamba-Mugerwa et al. 1989: 38). The study sample, however, included very few women who owned land. Inquiries about daughters and wives inheriting land suggested that younger households may be more inclined to pass land to their daughters, however landholders in general (75%) would not include their wives as inheritors of their land. The authors conclude that “there were no significant differences between the various modes of tenure over all these gender issues” (Kisamba-Mugerwa et al. 1989: 39).

3.3 THE LAND TITLING EXPERIENCE

In the late 1950s, the colonial government initiated several pilot schemes for titling and registration of individual landholders in areas under customary tenure outside of Buganda (where *mailo* ownership was in place), in an attempt to convert this land to freehold (individual private property). This attempt at individualizing property rights was different from the *mailo* experience—titled land, legally, had full freehold status. Pilot titling and registration were implemented in western Uganda. A study undertaken in the late 1980s (Kisamba-Mugerwa et al. 1989) to establish the impact of the titling on tenure security, agricultural production, and economic development produced results that support those found by other studies cited in this brief.

With regard to land rights and tenure security, persons with titled and registered land had a fuller set of rights than persons and households without titled land. Both sets of households had the same level of use and exclusion rights for their land; the principal difference between titled and untitled landholders was with regard to transfer rights. Those who did not have full transfer rights—this occurred with both titled and untitled landholders—felt they should obtain approval for land transactions from their family or lineage.⁹ Although sales of land occurred in both groups of landholders, sales and purchases were more frequent among titled landholders. Titled landholders also felt they were more protected in case of land disputes and evictions (Kisamba-Mugerwa et al. 1989: 34-35; Roth et al. 1993: 20).

The other finding of interest is that among the benefits of land titling, the least important was the right to mortgage, in other words, to use the land as collateral for credit. Roth et al. (1993: 22) asserts that credit use in the area is very low and is obtained mostly from informal lenders and family rather than commercial banks. In addition, most credit is utilized for non-farm purposes. The principal reason for ranking this benefit last is the low level of commercial transactions through financial institutions in the area. However, other reasons offered by the landholders include fear of losing their land and fear of getting into debt.

With regard to land improvement and investments, there were no significant differences in the number of improvements undertaken between titled and untitled land. What appeared to be

⁹ Since the overwhelming majority of titleholders, and therefore legal owners of land, are male heads of household, it is of interest to note the following statement by the study’s authors: “...landholders felt that it was necessary to gain approval of some sort before exercising transfer rights. The commonest source of approval is immediate members of the family. ... (M)any respondents with titled parcels are not aware that they have full transfer rights” (Kisamba-Mugerwa et al. 1989: 32). This statement reveals the belief that titling gives one person in the household full property rights, including the right to sell the land, for what is essentially household land. Titling in effect strips the majority of persons, mostly women, of any land rights.

more important than title when making the decision whether to invest in an improvement is the size of the parcel: smaller parcels were less likely to have improvements than larger parcels. Another difference found is that titled land was more likely to undertake permanent improvements (such as fencing and terracing), while untitled landholders carried out activities such as mulching and manure applications (Kisamba-Mugerwa et al. 1989: 40-45; Roth et al. 1993: 27-34).

In 1990, a study of the Land Registry (Greenwood 1990) found that the registry office was not functioning adequately and that many of the records were missing or in a state of decay. Greenwood also reported that a high proportion of land transactions is not recorded in the registry. Reasons given for this practice include ignorance of the law and high transfer costs. Non-registration of changes in property rights included inheritance cases—heirs are discouraged from registering inheritance transfers because of the cost and time needed to obtain probate.

It should be mentioned that almost 30 years after land titling, credit institutions did not yet operate in the area, nor was there adequate infrastructure for marketing such as roads, farm input stores, tractors for hire or rental, and agricultural extension services. It is not surprising, therefore, that few landholders, whether titled or not, used improved seeds, fertilizers, pesticides, or herbicides.

3.4 PASTORALISM AND LAND TENURE

Pastoral activities and the way of life based on pastoral livestock production assumes the movement of livestock and people to different geographical areas as ecological and climatic conditions vary during the year and over years. Livestock owners move their animals when the dry season arrives to an area where pastures and water are available. This may entail constant movement during the year (nomadism) or only several moves (transhumance). When drought conditions strike a region, pastoralists may be forced to move for several years to area outside their traditional zone. This movement presumes that arrangements and agreements regarding common property are made with communities living in the areas of movement. These arrangements and agreements involve issues of use rights (e. g., where and when) and resource management (e. g., how many animals, which resources). While the pastoralist system is a customary tenure system, it is quite different from customary tenure systems practiced by sedentary agricultural communities. The basic differences are spatial and temporal: agriculture needs relatively permanent (across time) rights for a fixed spatial area, where as pastoralism is based on temporary rights across a variety of spaces.

In Uganda a number of ethnic groups, such as the Bahima, Basongora, and Karimojong, practice pastoralism. About a quarter of the country is used for pastoralism. These areas are generally semi-arid or arid areas with varying ecosystems in the southwest and northeast regions.

Some policy makers and scholars assert that communal grazing practices result in overstocking and thus overgrazing, damaging pastures which leads to soil erosion and desertification. In addition, communal grazing has a high mortality rate and low productivity in comparison with livestock production in fenced pastures.

As we have seen, Uganda policy since colonial times has privileged individual private property. Freehold tenure and land markets have been put forward as progressive and efficient structures for economic development. Thus, customary tenure systems that permit traditional pastoralism have found their areas restricted as common grazing lands become individualized

private property. This tendency continued even under the Land Reform Decree of 1975 (that decreed all land to be state owned): no person could occupy public land by customary tenure except with the written permission of a state authority. This decree triggered the grabbing of grazing land by speculators through long-term leaseholds, especially in the southwest region.

A study on pastoralism (Kisamba-Mugerwa 1995) undertaken in the early 1990s looked at the level of individualization of communal grazing rights and its impact on pastoral communities and common property management of pasturelands. As in the studies in *mailo* areas, Kisamba-Mugerwa found that individualized property rights correlated positively with population density: population density was higher in areas with individualized rights than in customary tenure areas. As could be expected, grazing land was scarce in high population density areas. With regard to cattle acquisition, while most households in all areas inherited most of their herd, households under individualized tenure tended to buy a higher percentage of cattle than those under communal tenure. Individualized tenure households also had bigger livestock herds. This would suggest a higher commercialization of production for households with individualized tenure.

With regard to conflicts regarding property rights, access rights, and use of resources, there was a higher incidence among communal tenure households than among individualized tenure. In addition, respondents claimed that these conflicts are resolved at higher levels of authority than previously. This would suggest that as tenure rules are changing, there is an uncertainty about grazing rules.

With regard to investments and improvements, households with individualized tenure had a higher tendency to invest in the land (such as tree planting, planting pastures, drilling wells), but that household in both groups made similar investments (such as veterinary medicine, technical advice, salt) in keeping their livestock healthy.

Finally, of concern is the fact that as the better pastureland (better soils and water access) become individualized, pastoralists operating under communal grazing tenure are finding themselves pushed on to marginal, more arid areas. Consequences of this tendency are higher poverty levels for these households and degradation of marginal land.

3.5 TREES AND TENURE

Rights with regard to trees are numerous. Under private property, the landowner has the right to plant trees, pick fruit or gather leaves from trees, cut down trees, or gather firewood. Who has these rights varies under different customary tenure systems. In some communities, for example, persons are permitted to pick fruit from trees on communal land or to gather firewood in communal woods. No one is allowed to cut down a tree without permission from the appropriate authority. On lands allocated by the community to individual persons, that person can plant trees and cut them down if he wants. His wife, however, who is given use rights to cultivate that land may not plant trees, or cut down existing trees, without his permission: she may be allowed to harvest fruit or cut boughs for livestock.

What are the effects of increasing individualization of land rights on trees and tree cover? Place et al. (2001) report findings on the effect of tenure systems and population density on the management of land and tree resources. They found that population pressure significantly affects the conversion of woodland (and grazing land) to agricultural fields, although the rate of this conversion declines with increasing population pressure. This conversion from woodland to agricultural field was significantly higher in customary tenure areas than in *mailo* and public

land. This suggests that management of common resources is weaker in customary tenure areas than in individually and publicly owned lands. On the other hand, the study found that tree planting and tree conservation is occurring on individually owned and held land, whether it be customary, *mailo*, or public land. Thus, a significant change in tree cover has not occurred in spite of increasing population density.

These findings concur with other studies cited in this brief: landholders plant trees in part to increase their tenure security. This is one reason customary land tenure systems do not hinder the planting of and investment in trees.

4. CONTEMPORARY LAND LEGISLATION

In the mid-1980s, Uganda realized that a new land law was needed to clarify and protect land rights. USAID supported research on de facto tenure systems and practices and provided assistance to policy makers interested in reforming land legislation. Initially (1990), the Agricultural Policy Committee,¹⁰ recommended that the 1975 Land Reform Decree be abolished and that all land be privatized, that is, put under freehold tenure (Mwebaza 1999). With regard to *mailo* land, much of which is occupied by tenants, the recommendations proposed that tenants be given freehold rights to the land they hold as tenants, and that *mailo* owners be given freehold rights to the land they hold which is not rented out to tenants. As a result, a draft law was written and debated.

While this would have been in line with property rights development and practice in the central region, other regions still have strong customary tenure systems in place. In addition, some provisions in the 1995 Constitution made the land draft law unfeasible. The new Constitution recognized four land tenure forms: customary, freehold (individualized private property), *mailo* (approaching but not full freehold), and leasehold. The Constitution also repealed the 1975 law that had legally put all land under state ownership. For the first time in the history of Uganda, customary tenure was recognized by the Constitution; this meant that the majority of Ugandans who live on customary land were now recognized as landowners.

4.1 CONTEMPORARY CUSTOMARY TENURE

Customary tenure in Uganda has persisted for a long time despite its neglect by the legal regime. In contemporary Uganda, rights to control, use and ownership of customary land are derived from being a member of a given community and are retained by fulfilling certain obligations in the community. These systems of land allocation and land transactions are important in determining equity, land administration, and dispute resolution mechanisms within customary tenure communities. Two general customary systems can be distinguished.¹¹

¹⁰ This Committee reported its initial recommendations in “The Report of the Technical Committee on the Recommendations Relating to Land Tenure Reform Policy”; the report was subsequently revised in 1993. These policy recommendations were based on the report produced by the Makerere Institute of Social Research and the Land Tenure Center entitled “Land Tenure and Agricultural Development in Uganda” (Makerere Institute of Social Research 1989).

¹¹ This description of contemporary customary tenure is based on Busingye (2002).

Under the communal land system, primarily found in northern Uganda, the household is the primary owner of the land and may include extended members of the family. Communal land in Uganda includes gardens and pastures, grazing areas, burial grounds and hunting areas commonly known as common property regimes. The common property regime is especially utilized by the pastoralist communities in northern Uganda and parts of the cattle corridor in the West. User rights are guaranteed for farming and seasonal grazing, access to water, pasture, burial grounds, firewood gathering, and other community activities. No specific ownership rights of control are conferred on users. Control and ownership are through the family, clan, or community.

Under individual/family or clan customary tenure, emphasis is also placed on use rather than on ownership. Male elders are the custodians of customary land in most communities and determine distribution of the land. However the family rather than the community has more control in the land utilization, and individuals in the family are allocated land. Allocations are only made to male members of the household with very few exceptions. In many places in Uganda customary land has tended to become more individualized and though not initially acceptable, incidents of sale are very high. In many ethnic groups, before a sale is made clan members and family have to be consulted. However the institution of customary land is weakening in many places, people are poorer, and sales, mostly distress sales, have increased.

4.2 THE LAND ACT

The 1998 Land Act provides the administrative legislation to put into practice the land provisions of the 1995 Constitution (Uganda 1998). Rugadya (1999: 5) maintains that three principles guided the formulation of the 1998 Land Act:

- A good land tenure system should support agricultural development through the function of land market that permits those who have rights in land to voluntarily sell their land and for progressive framers to gain access to land.
- A good land tenure system should not force people off the land, particularly those who have no other way to earn a reasonable living or to survive. The land tenure system should protect people's rights in land so they are not forced off the land before there are jobs available in the non-agricultural sector of the economy.
- A good land tenure system should be uniform throughout the country.

With regard to customary tenure, the Land Act specifies that any person, family, or community holding land under customary tenure on former public land may acquire a certificate of customary ownership for that land. These certificates may be leased, mortgaged, and pledged in those communities that permit these practices. In addition, holders of customary ownership who want to use their land as a group can establish a common land association to manage and protect their interests in the communal land. In this way, communities that wish to continue to practice customary tenure, including pastoralist communities, are given legal recognition and are provided with the legal mechanism to do so.

While the Constitution and the Land Act recognize customary tenure, it would appear that the objective of policy makers and legislators was to also facilitate individualization of land rights and the functioning of land markets. In this vein, the Land Act provides for the conversion of customary tenure land into freehold. This can be done in either of two ways: the person,

family or community holding land under customary tenure can immediately register their land as freehold, or if they have a certificate of customary ownership, that certificate can later be converted into freehold tenure. Mwebaza (1999) acknowledges that the Land Act paves the way for converting customary tenure lands into private property, but whether this will actually happen depends not only on legislation but also on the culture and practices of communities.

For example, in semi-arid areas where pastureland and water is scarce, communal ownership of land is practiced and individual ownership is not permitted. It is felt that allowing individual ownership, with its exclusionary rights, would result in a relatively few number of persons controlling the fertile and watered areas needed for cattle grazing, leaving many families without access to these precious resources.

4.3 GENDER ISSUES IN THE LAND ACT

The 1998 Land Act has provisions that have potential impact with regard to gender equity in land rights. Section 40 requires that before any transaction takes place regarding land on which a family lives and/or provides its subsistence, the spouse and adult dependent children should be consulted. The Land Act, in accordance with the 1995 Constitution, also stipulates (Section 28) that any customary practices that deny women or children use of land are null and void. The local Land Committees set up in each parish are to ensure that these provisions are carried out and that vulnerable groups are protected.

What was perhaps the most disappointing event with regard to gender rights in the new Land Law was the concept of co-ownership of marital property. During the drafting of the law, the concept of co-ownership of property acquired during marriage was introduced, hotly debated, and finally approved. The article on co-ownership, however, was dropped from the bill during the final voting process by mis-use of a parliamentary procedure (Matembe 2002).

Other provisions in the Land Act would appear to discriminate against women and other holders of secondary land rights. In Section 23, the family is considered the legal owner of customary land and is represented by the head of the family. Since in most cases, the family head is a man, men have been given the legal power to make all transactions with respect to family land, including the option of converting it to freehold, making this person the owner of the property. Unfortunately, the law did not provide that all family members be written in any transaction on customary land.

5. CONCLUSIONS

The debate regarding land tenure issues in central Uganda during the 20th century not only centered on conflicts between *mailo* owners and tenants. There has also been tension between freehold (individualized) ownership and customary tenure. Clan and lineage leaders have retained some authority over property rights even as individualization of land rights and the land market develop, such as approving land rentals and sales as well as inheritances. On the other hand, land owners who feel that they have full freehold (individualized private property) rights resist these customary tenure practices. In addition, formal law, until the 1998 Land Act, did not recognize customary tenure.

Most studies undertaken during the last two decades have found individualized land rights and market activities in both freehold tenure (such as *mailo*) and customary tenure communities.

This finding suggests that customary tenure systems have been responding to and adjusting their norms and practices to accommodate changes such as increasing population density and development of commercial agriculture. What is interesting is that some customary practices continue in even in freehold areas. In part, this appears to respond to the need to provide access to some land and/or resources to all who need it. It also would seem to reflect the reality that even commercial activities need the assistance of others to be successful.

A number of commonalities were found across the different studies cited in this brief. Perhaps the most interesting one is that significant differences in agricultural productivity were not found between tenure systems: nearly all farmers employ low-input farming systems. The use of purchased inputs and long-term investments is very low across geographic regions and (customary, mailo, leasehold, and freehold) tenure systems. Although one could argue that tenure rights are ambiguous in Uganda because of changing legislation and overlapping tenure systems, the more compelling reason appears to be factor market and information constraints: poor input markets, lack of rural credit, poor market information.

BIBLIOGRAPHY

Adoko, Judy.

Did the constitution mean to legalise customary tenure or to lay foundation for the demise of customary tenure? Oxford: Oxfam, 1997. 5 p.

<http://www.oxfam.org.uk/landrights/UGACUST.rtf>

Aluma, John R. W, et al.

Settlement in Forest Reserves, Game Reserves, and National Parks in Uganda: A Study of Social, Economic, and Tenure Factors Affecting Land Use and Deforestation in Mabira Forest Reserve, Kibale Forest Reserve, and Kibale Game Reserve Corridor. Madison: Land Tenure Center, University of Wisconsin-Madison, 1989. ivx, 64 p. (Research paper, 98)

Appleton, Simon.

Changes in poverty in Uganda, 1992-1997. Oxford: Centre for the Study of African Economies, Institute of Economics and Statistics, University of Oxford, 1999. 43 p. (Working paper series, WPS/99-22)

<http://www.economics.ox.ac.uk/CSAEadmin/workingpapers/pdfs/9922text.pdf>

Baguma-Isoke, M.

“Land tenure policy and economic development: the Uganda experience.” (In: Land Tenure, Poverty and Sustainable Development in Sub-Saharan Africa (1999: Sunningdale Park Conference Centre, Berkshire, England). [Papers]. 1999, 5 p.)

Baland, Jean-Marie.

Poverty, tenure security and access to land in central Uganda: the role of market and non-market processes. Namur, Belgique: Facultés Universitaires Notre-Dame de la Paix, Faculté des Sciences économiques, sociales et de gestion, 1999. 39 p. (Cahiers de la Faculté des sciences économiques, sociales et de gestion - Namur. Série recherche, 216 - 1999/6. Collection “Développement”)

- Banana, Abwoli Y., and William S. Gombya-Ssembajjwe.
 “Successful forest management: the importance of security of tenure and rule enforcement in Ugandan forests.” (In: *People and forests: communities, institutions, and governance*. Cambridge, Mass.: MIT Press, 2000, p. 87-98)
- Banana, Abwoli Y., and Turiho-Habwe Godfrey Pereza.
 Potential for community-based forest resource management in Uganda: the case of non-gazetted forests of western Uganda. Kampala, Uganda; [Madison, Wis.]: Makerere Institute of Social Research, Makerere University: Land Tenure Center, College of Agricultural and Life Sciences, University of Wisconsin-Madison, 1996, 1998. 101 p. (Research paper / Access to Land and Other Natural Resources in Uganda: Research and Policy Development Project, 14)
- Barrow, Edmund, Helen Gichohi, and Mark Infield.
 “The evolution of community conservation policy & practice in East Africa.” (In: *African wildlife & livelihoods: the promise and performance of community conservation*. Cape Town; Portsmouth, NH: D. Philip: Heinemann, 2001, p. 59-73)
- Barrows, Richard L., and Kisamba-Mugerwa. W.
 Land Tenure, Access to Land, and Agricultural Development in Uganda. Madison: Land Tenure Center, University of Wisconsin-Madison, 1989. 39 p.
- Barrows Richard L., and Michael J. Roth.
 “Land tenure and investment in African agriculture.” (In: *AID Research and Development Abstracts*, 15:4, 1990, p. 42)
- Bazaara, Nyangabyaki.
 “Land reforms and agrarian structure in Uganda: retrospect and prospect.” (In: *Nomadic peoples*, 34/35, 1994, p. 37-53)
- Belshaw, Deryke, Peter Lawrence, and Michael Hubbard.
 “A decade of structural adjustment in Uganda: agricultural tradables, rural poverty and macroeconomic ‘success’.” (In: *The ‘market panacea’: agrarian transformation in developing countries and former socialist economies*. London: Intermediate Technology, 1997, p. 77-94)
- Bigsten, Arne, and Steve Kayizzi-Mugerwa.
 Crisis, adjustment and growth in Uganda: a study of adaptation in an African economy. Houndmills, Basingstoke, Hampshire; New York: Macmillan Press: St. Martin’s Press, in association with Centre for the Study of African Economies, University of Oxford, 1999. xix, 245 p. (Studies on the African economies)
- Bloch, Peter C., and Mark A. Marquardt.
 Tenure and Buffer Zones: Research Activities of the Land Tenure Center. Madison: Land Tenure Center, University of Wisconsin-Madison, 1993. 60 p.
 Prepared for NRM Collaborator’s Workshop, May 3-5, 1993

Bruce, John W., coordinator.

Country profiles of land tenure: Africa, 1996. Madison, Wis.: Land Tenure Center, University of Wisconsin-Madison, 1998. vi, 282 p. (Research paper, no. 130)

Bruce, John W., et al.

Land and Natural Resource Tenure on the Horn of Africa: Synthesis of Trends and Issues Raised by Land Tenure Country Profiles of East African Countries, 1996. Madison: Land Tenure Center, University of Wisconsin-Madison, 1996. 14 p.

Busingye, Harriet.

Customary Land Tenure Reform in Uganda: Lessons for South Africa. [Kampala: Uganda Land Alliance], 2002. 13 p.

Paper for International Symposium on Communal Tenure Reform: Land Reform in Africa: Lessons for South Africa, held in Johannesburg, South Africa, August 2002, and sponsored by Program for Land and Agrarian Studies (PLAAS), Cape Town, South Africa.

<http://www.oxfam.org.uk/landrights/ULAcltr.rtf>

CBR memorandum on the proposed Land Tenure and Control Bill in Uganda. Kampala, Uganda: Centre for Basic Research, [1992?]. 8 p. (Centre for Basic Research working paper, no. 33)

Coldham, Simon.

“Land reform and customary rights: the case of Uganda.” (In: Journal of African law, 44:1, 2000, p. 65-77)

Comparative and multidimensional analysis of communal and private property resources (land tenure and development in Uganda. 2nd draft. Arusha, Tanzania: Centre on Integrated Rural Development for Africa, 1993. xviii, 105 p.

Critchley, Will.

“Harnessing traditional knowledge for better land husbandry in Kabale District, Uganda.” (In: Mountain research and development, 19:2, 1999, p. 261-272)

Dijkstra, A. Geske, and Jan Kees van Donge.

“What does the ‘Show Case’ show?: evidence of and lessons from adjustment in Uganda.” (In: World development, 29:5, 2001, p. 841-863)

Eisenhauer, Janet M., and Olive Kyampaire.

Land registry baseline survey: an assessment of the land registry in Uganda. Draft. [S.l.: s.n.], 1996. iii, 33 leaves.

Feeney, Patricia.

Accountable aid: local participation in major projects. Oxford: Oxfam GB, 1998. 176 p. (Oxfam insights)

Final report, land tenure and soil conservation: report of Working Group 8, Agricultural Services Task Force. Kampala, Uganda: Government of Uganda/World Bank Agricultural Task Force,

1987. ii, 53 leaves.

Francois, Alain.

“Retour sur la privatisation des terres en Ouganda.” (In: *Etudes foncieres*, 78, 1998, p. 49-51)

Gombya-Ssembajjwe, William S., and Abwoli Y. Banana.

Property rights and the sustainability of forests in Uganda: (assessing conditions of tropical forests, a case study of mango forests in Uganda). [S.l.: s.n.], 1998. 35 p.

<http://www.indiana.edu/~iascp/Final/gombya.pdf>

Greenwood, D. W.

The rehabilitation of the Land Register, Ministry of Lands and Surveys, Uganda. [Suva, Fiji?: s.n.], 1990. vii, 219 p.

Hansen, Holger Bernt, and Michael Twaddle, editors.

Developing Uganda. Athens; Oxford; Kampala; Nairobi: Ohio University Press: James Currey: Fountain: E.A.E.P., 1998. 293 p. (Eastern African studies)

Heck, Simon.

Sales contracts and land tenure relations in Ankole, Western Uganda. Boston: African Studies Center, Boston University, 1996. 21 p. (Working papers in African studies, no. 205)

Hinchley, David.

“Assessment of experience gained in collaborative management of a protected area: Mount Elgon National Park, Uganda.” (In: *International Workshop on Community Forestry in Africa* (1999: Banjul, Gambia). *Participatory forest management, a strategy for sustainable forest management in Africa*. Rome: Food and Agriculture Organization of the United Nations, 2000, p. 193-200)

Hulme, David, and Mark Infield.

“Community conservation, reciprocity & park-people relationships: Lake Mburo National Park, Uganda.” (In: *African wildlife & livelihoods: the promise and performance of community conservation*. Cape Town; Portsmouth, NH: D. Philip: Heinemann, 2001, p. 106-130)

Iannotti, Lora.

Case study, Uganda: linking food security and nutrition. Madison, Wis.: BASIS, Broadening Access and Strengthening Input Market Systems, 1998. Computer data (1 file: 92KB displays as 33 p.).

<http://www.wisc.edu/ltc/live/bashorn9804c.pdf>

Infield, Mark, Agrippinah Namara, and Mark A. Marquardt.

The socioeconomy, natural resource use, and attitudes towards the park of communities living in and around Lake Mburo National Park: report of a rapid appraisal. Kampala, Uganda; [Madison, Wis.]: Makerere Institute of Social Research, Makerere University: Land Tenure Center, College of Agricultural and Life Sciences, University of Wisconsin-Madison, 1993,

1997. 23 p. (Research paper / Access to Land and Other Natural Resources in Uganda: Research and Policy Development Project, 2)

Kasfir, Nelson.

Land and peasants in western Uganda: Bushenyi and Mbarara districts. [London: James Currey, Ltd., 1988]. p. 158-175.

Kayabwe, Sam K.

A rapid rural assessment of pastoral grazing areas of Mpara and Rwebisengo sub-counties in Kabarole and Bundibugyo Districts. Kampala, Uganda; Madison, Wis.: Makerere Institute of Social Research, Makerere University: Land Tenure Center, College of Agricultural and Life Sciences, University of Wisconsin-Madison, 1996. 35 p. (Research paper / Access to Land and Other Natural Resources in Uganda: Research and Policy Development Project, 9)

Kigula, John.

Land disputes in Uganda: an overview of the types of land disputes and the dispute settlement fora. Kampala, Uganda; Madison, Wis.: Makerere Institute of Social Research, Makerere University: Land Tenure Center, College of Agricultural and Life Sciences, University of Wisconsin-Madison, 1996. 41 p. (Research paper / Access to Land and Other Natural Resources in Uganda: Research and Policy Development Project, 3)

Kisamba-Mugerwa, W.

Comparative and multidimensional analysis of communal and private property resources (land) tenure and rural development in Uganda. Kampala, Uganda; Madison, Wis.: Makerere Institute of Social Research, Makerere University: Land Tenure Center, College of Agricultural and Life Sciences, University of Wisconsin-Madison, 1996. 44 p. (Research paper / Access to Land and Other Natural Resources in Uganda: Research and Policy Development Project, 7)

Kisamba-Mugerwa, W.

The impact of individualisation on common grazing land resources in Uganda. Kampala, Uganda; Madison, Wis.: Makerere Institute of Social Research, Makerere University: Land Tenure Center, College of Agricultural and Life Sciences, University of Wisconsin-Madison, 1997. 139 p. (Research paper / Access to Land and Other Natural Resources in Uganda: Research and Policy Development Project, 12)

Kisamba Mugerwa W.

“Private and communal property rights in rangeland and forests in Uganda.” (In: Land Reform, Land Settlement and Cooperatives, 1, 1998, p. 95-104)

Kisamba-Mugerwa, W.

Rangeland tenure and resource management: an overview of pastoralism in Uganda. Kampala, Uganda; Madison, Wis.: Makerere Institute of Social Research, Makerere University: Land Tenure Center, College of Agricultural and Life Sciences, University of Wisconsin-Madison, 1996. 37 p. (Research paper / Access to Land and Other Natural

Resources in Uganda: Research and Policy Development Project, 1)

Kisamba-Mugerwa, W., Elijah S. K. Muwanga-Zake, and E Khiddu-Makubuya.

A Quarter-Century of Individual Title: An Analysis of the Rukumbura Pilot Land Registration in Uganda and Its Impact on Smallholder Agriculture. Madison: Land Tenure Center, University of Wisconsin-Madison, 1989. xvi, 149 p.

Lane, Charles R., editor.

Custodians of the commons: pastoral land tenure in East and West Africa. London: Earthscan, 1998. 238 p.

Larsson, Gerhard.

Rehabilitation and development of land survey and registration in Uganda: consultancy report. [Stockholm?: s.n.], 1990. 102 leaves.

Lufumpa, Charles Leyeka.

The nature and magnitude of poverty in Uganda. [Abidjan, Côte d'Ivoire]: African Development Bank, 1994. ix, 36, [20] p. (Environment & social policy working paper series, ESP-11)

Mamdani, Mahmood.

Ebauche d'une analyse de la question agraire en Ouganda. [Dakar: Council for the Development of Economic and Social Research in Africa, 1986]. p. 41-93.

Marquardt, Mark A.

Access to Land and Other Natural Resources: Research and Policy Development Project. Madison: Land Tenure Center, University of Wisconsin-Madison, 1997? 16, 10, 5, 16, 4.

Marquardt, Mark A.

"Access to land and other natural resources: research and policy development project (Uganda)." (In: Sub-regional Workshop on Land Tenure Issues in Natural Resources Management (1996: Addis Ababa, Ethiopia). Sub-regional Workshop on Land Tenure Issues in Natural Resources Management in the anglophone East Africa, with a focus on the IGAD region: Addis Ababa, 11 to 15 March 1996. Paris: OSS, Sahara and Sahel Observatory, 1997, p. 178-192)

Marquardt, Mark A.

Land Law Reform in Uganda: The Changed Role of the State. 1996. 11.

Marquardt, Mark A.

"Land policy issues in Uganda: collaboration with Makerere University." (In: LTC Newsletter, 73, 1995, p. 1-9)

Marquardt, Mark A.

"Settlement and Resettlement: Experience from Uganda's National Parks and Reserves." (In: Involuntary Resettlement in Africa: Selected Papers from a Conference on Environment and

Settlement Issues in Africa. Washington, D.C.: The World Bank, 1994, p. 147-159)

Marquardt, Mark A., Mark Infield, and Agrippinah Namara, contributor.

Socioeconomic survey of communities in the buffer zone of Lake Mburo National Park. Kampala, Uganda; [Madison, Wis.]: Makerere Institute of Social Research, Makerere University: Land Tenure Center, College of Agricultural and Life Sciences, University of Wisconsin-Madison, 1994, 1998. 120 p. (Research paper / Access to Land and Other Natural Resources in Uganda: Research and Policy Development Project, 11)

Marquardt, Mark A., Magdalene Nyiramahoro, and Rob Wild.

Bwindi Impenetrable National Park: settlement, socioeconomy, natural resource use, and attitudes of communities surrounding the park: report of a rapid rural appraisal. Kampala, Uganda; Madison, Wis.: Makerere Institute of Social Research, Makerere University: Land Tenure Center, College of Agricultural and Life Sciences, University of Wisconsin-Madison, 1996. 26 p. (Research paper / Access to Land and Other Natural Resources in Uganda: Research and Policy Development Project, 6)

Marquardt, Mark A., and Abby Sabina-Zziwa.

“Land reform in the making.” (In: Developing Uganda. Athens; Oxford; Kampala; Nairobi: Ohio University Press: James Currey: Fountain: E.A.E.P., 1998, p. 176-184)

Matembe, Miria R. K.

“Moment of Reality? The Land Act 1998.” (In: Matembe, Miria R. K. and Nancy R. Dorsey. Miria Matembe: gender, politics, and constitution making in Uganda. Kampala: Fountain Publishers, 2002, xxxic, 281 p.)

Maxwell, Daniel, and Kent Michael Elbow.

A Comparative and Multi-Dimensional Analysis of Private and Communal Land Tenure in Africa. Madison: Land Tenure Center, University of Wisconsin-Madison, 1995. 484 (wp51) / 457 (word). (Joint publication of FAO/Rome and LTC/Madison)

Muhereza, Frank Emmanuel.

“The struggle for land rights and the 1990 squatter uprisings in the former government ranching schemes in Uganda.” (In: Pastoralists and environment: experiences from the greater Horn of Africa: proceedings of the regional workshops on African drylands, Addis Ababa and Jinja. Addis Ababa: OSSREA, 2000, p. 127-156)

Mupada, Edward.

“Towards collaborative forest management in the conservation of Uganda’s rain forests.” (In: Limbe Conference (1997: Limbe, Cameroon). African rainforests and the conservation of biodiversity: proceedings of the Limbe Conference, Limbe Botanic Garden, Cameroon 17-24 January 1997. Oxford: Earthwatch Europe, 1997, p. 68-76)

Musisi, J. A. S.

“The legal superstructure and agricultural development: myths and realities in Uganda.” (In: Arntzen, Jaap W., L. D. Ngcongco, and S. D. Turner, editors. Land policy and agriculture in

eastern and southern Africa. Tokyo, Japan: United Nations University, c1986, p. 73-78)

Mutyaba, Benedict.

“Land law reform in Uganda: policy and legislative processes.” (In: Land Tenure, Poverty and Sustainable Development in Sub-Saharan Africa (1999: Sunningdale Park Conference Centre, Berkshire, England). [Papers].1999, 12 p.)

Mwebaza, Rose.

How to integrate statutory and customary tenure: the Uganda case . London: International Institute for Environment and Development, 1999. 11 p. (Issue paper / Drylands Programme, paper no. 83)

Mwebaza, Rose.

“Integrating statutory and customary tenure systems in policy and legislation: the Uganda case.” (In: Land Tenure, Poverty and Sustainable Development in Sub-Saharan Africa (1999: Sunningdale Park Conference Centre, Berkshire, England). [Papers].1999, 11 p.)

Nabuguzi, E. G., and David Edmunds.

Report on the rapid rural appraisal for the Kibale Forest. Kampala, Uganda; Madison, Wis.: Makerere Institute of Social Research, Makerere University: Land Tenure Center, College of Agricultural and Life Sciences, University of Wisconsin-Madison, 1996. 31 p. (Research paper / Access to Land and Other Natural Resources in Uganda: Research and Policy Development Project, 4)

Namara, Agrippinah.

Socioeconomic survey of fishing villages in the buffer zone of Lake Mburo National Park. Kampala, Uganda; [Madison, Wis.]: Makerere Institute of Social Research, Makerere University: Land Tenure Center, College of Agricultural and Life Sciences, University of Wisconsin-Madison, 1996, 1997. 23 p. (Research paper / Access to Land and Other Natural Resources in Uganda: Research and Policy Development Project, 15)

Naughtin-Treves, L.

“ Whose animals?: a history of property rights to wildlife in Toro, western Uganda.” (In: Land Degradation & Development, 10:4, 1999, p. 311-328)

Nsamba-Gayiiya, Eddie.

“The complexities of implementing land tenure reforms: tasks ahead for Uganda.” (In: Land Tenure, Poverty and Sustainable Development in Sub-Saharan Africa (1999: Sunningdale Park Conference Centre, Berkshire, England). [Papers].1999, 14 p.)

Nsamba-Gayiiya, Eddie.

Implementing land tenure reform in Uganda: a complex task ahead. London: International Institute for Environment and Development, 1999. 15 p. (Issue paper / Drylands Programme, paper no. 84)

Nsibambi, Apolo.

The land question and conflict. [S.l.: s.n.], 1989. p. 223-248.

Nsibambi, Apolo.

“Land tenure relations in Uganda.” (In: Sub-regional Workshop on Land Tenure Issues in Natural Resources Management (1996: Addis Ababa, Ethiopia). Sub-regional Workshop on Land Tenure Issues in Natural Resources Management in the anglophone East Africa, with a focus on the IGAD region: Addis Ababa, 11 to 15 March 1996. Paris: OSS, Sahara and Sahel Observatory, 1997, p. 119-142)

Nyamugasira W.

“Structural adjustment, land reform, and disenfranchisement in Uganda.” (In: Development In Practice: an Oxfam Journal, 6:4, 1996, p. 347-351)

Nyangabyaki, Bazaara Patrick.

Agrarian politics, crisis and reformism in Uganda, 1962-1996. Ann Arbor, Mich.: UMI International, 1999. 335 p.

Thesis (Ph.D.)—Queen’s University, Kingston, Ont., 1997

Nyiramahoro, Magdalene, and Mark A. Marquardt.

Report on the rapid rural appraisal undertaken in and around the Toro Game Reserve. Kampala, Uganda; Madison, Wis.: Makerere Institute of Social Research, Makerere University: Land Tenure Center, College of Agricultural and Life Sciences, University of Wisconsin-Madison, 1996. 25 p. (Research paper / Access to Land and Other Natural Resources in Uganda: Research and Policy Development Project, 4 [i.e. 10])

Odida, Irene Ovonji.

“Land law reform: challenges and opportunities for securing women’s land rights in Uganda.” (In: Land Tenure, Poverty and Sustainable Development in Sub-Saharan Africa (1999: Sunningdale Park Conference Centre, Berkshire, England). [Papers]. 1999, 21 p.)

Ogwang, David Abura.

Community participation in interactive park planning and the privatization process in Uganda’s national parks. [S.l.: s.n., 1992]. xiii, 86 leaves.

Opyene, James E.

Recent trends in the Lango land tenure system. Kampala, Uganda: Centre for Basic Research, [1993]. 59 p. (Centre for Basic Research working paper, no. 36)

Otim, Peter O.

Aspects of the land question in Mbale District. Kampala, Uganda: Centre for Basic Research, [1993]. 43 p. (Centre for Basic Research working paper, no. 35)

Otsuka, Keijiro.

“Land tenure and the management of land and trees in Asia and Africa.” (In: Japanese Journal

of Rural Economics, 1, 1999, p. 25-38)

Palmer, Robin H.

Oxfam GB's land advocacy work in Tanzania and Uganda: the end of an era? Oxford: Oxfam, 1998. 6 p.

Payne, Lina.

Rebuilding communities in a refugee settlement: a casebook from Uganda. Oxford, England: Oxfam GB, 1998. 190 p. (Oxfam development casebooks)

Pereza, Turiho-Habwe Godfrey.

A socio-economic analysis of communal resource use: the case of non-gazetted forests of western Uganda. Kampala, Uganda; Madison, Wis.: Makerere Institute of Social Research, Makerere University: Land Tenure Center, College of Agricultural and Life Sciences, University of Wisconsin-Madison, 1995. 52 p. (Research paper / Access to Land and Other Natural Resources: Research and Policy Development Project, 13)

Place, Frank.

The role of land and tree tenure on the adoption of agroforestry technologies in Zambia, Burundi, Uganda, and Malawi: a summary and synthesis. Madison, Wis.: Land Tenure Center, University of Wisconsin-Madison, [1995]. x, 105 p.

Place, Frank, and Keijiro Otsuka.

"Population pressure, land tenure, and tree resource management in Uganda." (In: Land economics, 76:2, 2000, p. 233-251)

Place, Frank, and Keijiro Otsuka.

The role of tenure in the management of trees at the community level: theoretical and empirical analyses from Uganda and Malawi. Washington, D.C.: CIGAR Systemwide Program on Property Rights Collective Action, International Food Policy Research Institute, 2000. 46 p. (CAPRI working paper, no. 9)
<http://www.cgiar.org/capri/pdf/capriwp09.pdf>

Place, Frank, Joe Ssentenza, and Keijiro Otsuka.

"Customary and private land management in Uganda." (In: Land tenure and natural resource management: a comparative study of agrarian communities in Asia and Africa. Baltimore: Johns Hopkins University Press, 2001, p. 195-233)

Report of the Technical Committee on Land Tenure Law Reform: final report, June 1993.

[Kampala]: Republic of Uganda, Agricultural Policy Committee: Agricultural Secretariat, Bank of Uganda, [1993]. ix, 97 p.

The report of the Technical Committee on the recommendations relating to land tenure reform policy: (final report). [S.l.: s.n.], 1990. vii, 124 p.

- Roth, Michael J., Jeffrey Alan Cochrane, and W. Kisamba-Mugerwa.
Tenure Security, Credit Use, and Farm Investment in the Rujumbura Pilot Land Registration Scheme, Rukungiri District, Uganda. Madison: Land Tenure Center, University of Wisconsin-Madison, 1993. iii, 46 p. (Research paper, 112)
- Roth, Michael J., Jeffrey Alan Cochrane, and W. Kisamba-Mugerwa.
“Tenure security, credit use, and farm investment in the Rujumbura pilot land registration scheme, Uganda.” (In: Searching for land tenure security in Africa. Kendall/Hunt Publishing Company; Dubuque, Iowa; USA, 1994, p. 169-198)
- Roth, Michael J., Keith Daniel Wiebe, and Steven W. Lawry.
“Land Tenure and Agrarian Structure: Implications for Technology Adoption.” (In: Workshop on Social Science Research and the CRSPs (1992: University of Kentucky). Proceedings of the Workshop on Social Science Research and the CRSPs, June 9-11, 1992, Carnahan Conference Center, University of Kentucky, Lexington, Kentucky. Washington, DC: USAID, Collaborative Research Support Programs, 1993, p. 157-180)
- Rugadya, Margaret.
Land reform: the Ugandan experience. [S.l.: s.n.], 1999. 12 p.
<http://www.oxfam.org.uk/landrights/Ugaexp.rtf>
- Scott, Penny.
From conflict to collaboration: people and forests at Mount Elgon, Uganda. Nairobi: IUCN Eastern Africa Regional Office, 1998. 149 p.
- Sebina-Zziwa, Abby J.
Gender perspectives on land ownership and inheritance in Uganda. Kampala, Uganda; Madison, Wis.: Makerere Institute of Social Research, Makerere University: Land Tenure Center, College of Agricultural and Life Sciences, University of Wisconsin-Madison, 1999. 133 p. (Research paper / Access to Land and Other Natural Resources: Research and Policy Development Project, 16)
- Security of tenure in Africa: a presentation to the Agency for International Development: findings of a program of comparative research and their policy and programmatic implications: agenda and briefing papers, Washington, D.C., 19-20 April, 1990. Madison, Wisc.: Land Tenure Center, University of Wisconsin- Madison, [1990?]. v, 19 leaves.
- Sibanda, Arnold E.
“Agrarian reform and rural development strategies in eastern and central Africa: Kenya, Uganda and Zimbabwe.” (In: Rural Development International Workshop (1996: Gödöllő, Hungary). Rural Development International Workshop: Gödöllő, Hungary, 9-13 April 1996. Rome: Rural Development Division, FAO, 1997, p. 239-256)
- Ssenkumba, John.
The land question and the agrarian crisis: the case of Kalangala District, Uganda. Kampala, Uganda: Centre for Basic Research, [1993]. 42 p. (Centre for Basic Research working paper,

no. 34)

Troutt, Elizabeth.

The Dynamics of the land market and the issue of compensation in Uganda. Kampala, Uganda; Madison, Wis.: Makerere Institute of Social Research, Makerere University: Land Tenure Center, College of Agricultural and Life Sciences, University of Wisconsin-Madison, 1996. 81 p. (Research paper / Access to Land and Other Natural Resources in Uganda: Research and Policy Development Project, 5)

Troutt, Elizabeth.

Rural African land markets and access to agricultural land: the central region of Uganda. Kampala, Uganda; Madison, Wis.: Makerere Institute of Social Research, Makerere University: Land Tenure Center, College of Agricultural and Life Sciences, University of Wisconsin-Madison, 1994. 155 p. (Research paper / Access to Land and Other Natural Resources in Uganda: Research and Policy Development Project, 8)
Reprint of the author's thesis (Ph.D.), 1994.

Troutt, Elizabeth.

Rural African land markets and access to agricultural land: the central region of Uganda. c1994. vii, 364 leaves.

Twinomukunzi, Charles.

“Política da terra e propostas para a reforma da posse da terra no Uganda.” (In: International Conference on Land Policy in Africa (1992: Maputo, Mozambique). A questão de terras: trabalhos apresentados no Seminário Internacional de Políticas de Terras em África. Maputo [Moçambique]: Centro de Formação Agrária e de Desenvolvimento Rural, 1992, p. 33-36)

Uganda.

The environmental impact assessment regulations, 1998. Entebbe: Government Printer, 1998. p. 45-71. (Uganda gazette; v. 91, no. 28. Statutory instruments supplement, no. 8)

Uganda.

The Land Act. Entebbe: Govt. Printer, 1998. 83 p. (Uganda gazette; v. 91, no. 41. Acts supplement, no. 11)

Uganda. Cabinet Committee to Inquire into the Eviction of Encroachers from South Kibale Forest Reserve and Game Corridor in Kabarole District.

A Report on the investigations into the manner in which the eviction of people from South Kibale Forest Reserve and Game Corridor was carried out. Kampala: Cabinet Committee, Republic of Uganda, [1992]. x, 90 p.

University of Wisconsin-Madison. Land Tenure Center.

Security of Tenure in Africa: Agenda and Briefing Papers. Madison: Land Tenure Center, University of Wisconsin-Madison, 1990. 19 p.

University of Wisconsin-Madison. Land Tenure Center, Makerere Institute of Social Research, and W. Kisamba-Mugerwa, team leader.
Land Tenure and Agricultural Development in Uganda. Madison: Land Tenure Center, University of Wisconsin-Madison, 1989. xix, 268 p.

West, Henry W.

Land policy in Buganda. Cambridge [Eng.]: University Press, 1972. xiv, 244 p. (African studies series, 3)

Wily, L. A.

“The democratization of forest management in Eastern and Southern Africa.” (In: International Forestry Review, 2:4, 2000, p. 287-294)

Workshop on Land Tenure, Resource Management and Conservation Studies (1989: Jinja, Uganda).

Proceedings and recommendations of the Workshop on Land Tenure, Resource Management and Conservation Studies, Jinja, 18-19 May, 1989. Kampala: Ministry of Planning and Economic Development: Agricultural Policy Committee, [1989]. 89 leaves.

Xavier, Nsabagasan.

Land privatisation, security of tenure and agricultural production: the Ugandan experience. The Hague: Publications Office, Institute of Social Studies, 1997. 67 p. (Working paper series, no. 263)

Zerihun, Tadesse.

Smallholder farmers and structural adjustment policy (SAP) in Uganda: response and impact of SAP on farmers. Uppsala: Sveriges lantbruksuniversitet, Naturresurs- och miljöekonomi, Institutionen for ekonomi, 1994. 48 p.