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Women's Rights to Land Ownership in Uganda: Policy and Practice

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Abstract

This article examines whether land rights granted to women by the legal and policy framework in Uganda translates into actual ownership. Land is an important resource for women given their role in agriculture. This article, however, argues that despite a relatively impressive list of existing laws that provide rights to land, actual ownership by women remains merely theoretical. The land tenure systems are embedded in a cultural and social system regulated along patrilineal lines. Women's participation in land management structures and dispute resolution is inadequate due to the dual legal system that blends formal and cultural laws. There is need for legislative reform, community engagement, and for strengthening the institutional framework in order to actualize women's land ownership rights.

Keywords: Women's rights; land ownership; Uganda.

Introduction

Land in Uganda is a critical factor of production because our economy is agriculture-based. Agriculture employs over 80% of the population, contributes 60-70% to the total annual exports (MOFPED, 2006) and 75% of the annual Gross Domestic Product (GDP) (Amotojo, 2005). Land is also crucial because many rights are landed. These include settlement (housing), livelihood (food), income, and social security. Additionally, land shapes individual and collective identity (Kindi, 2010;

LAW-U, 2011). Land ownership is, therefore, a significant policy issue.

Why focus on women's land rights in Uganda? Women in Uganda make up 51% of the population (UBOS, 2002) and provide over 70% of the labour for agriculture. Despite this statistics, women own only 7% of land as their rights to ownership is restricted both in the natal and matrimonial homes (Ellis et al., 2006). Women in rural areas are most vulnerable to this deprivation. They have no control over what they produce and the proceeds therefrom. There is inadequate literature on women's experiences in relation to land especially in rural Uganda. There is also lukewarm participation by civil society organizations in advocating for land rights for women. The situation of these women is worthy of close scrutiny and attention.

Methodological Approach

This article draws on a Social Policy Report submitted for a Masters course in Social Policy at University College Cork, Ireland in 2011. The report was completed through desk-based secondary research. The research involved a critical analysis of international, regional and national policy documents and other research literature on women and land rights. In certain cases, discourse analysis was employed to make meaning of perceptions on women and their rights. Text analysis was also employed in other cases to infer meaning from the documents under review.

Theoretical Framework

The relationship between women and land is commonly built on two theoretical scholarships; one based on human rights and the other on economic development, efficiency and poverty alleviation concerns.

Human Rights

This theory is based on the argument that all human beings are equal and should enjoy all rights equally (UDHR, 1948 Art. 2). Women in Uganda have made significant strides in achieving some rights to education, employment and participation in public affairs. However, achievements on women's land rights have remained minimal despite the Government's efforts to reform the laws and practices that govern it (UNECA, 2009; Kindi, 2010). This is attributed to the male-centred nature of land tenure systems in practice across the country. These systems favour men's ownership of land as women are mostly restricted to user rights. Women's decisions on inputs

into and proceeds from the land are thus not respected (Rugadya et al, 2004). This theory, though, generates a plethora of difficulties in trying to actualize it. Firstly, the rhetoric of rights conflicts with the cultural perception that land belongs to men. This reality is important because the right to land depends on whether one actually owns or possesses it. Those who just depend on it for survival may have no concrete claim (Rugadya, 2007). In Uganda, ownership and possession of land is dominated by men. This has increasingly put women at a disadvantage whenever they stake a claim to land. Secondly, land rights do not fit easily into the typological distinctions between civil and political rights on one hand, and socio-economic and cultural rights on the other (Kindi, 2010). The former set of rights is largely accepted. However, the socio-economic status of the family is still perceived as a man's duty and therefore many argue that women do not need land as much as the men.

Economic development, efficiency and poverty alleviation concerns

1. Economic Development

Rugadya (2004) and others recount that land rights in Uganda should not be seen as a women's, but rather a development, issue. Women only become the central focus because agricultural production in Uganda predominates the economy (WB, 2005), and women are responsible for agriculture. They provide up to 77% of the total labour in agriculture (Barnes et al., 2009; Tripp, 2009). International literature mirrors a similar situation; women produce 50% of all the food in the world and 60-80% of food in the developing countries (Giovarelli et al, 2011). Land also generates income in its own right through rent, sale or as collateral for credit. This income can be re-invested to either start or expand a business. Secure land rights enhance women's abilities to participate in formal trading and access higher income emerging markets. An example may include provision of rental housing in rural or slum areas (ibid). This income facilitates access to medical care, education, housing, clothing, electricity and others. Land provides social security and enhances women's participation in the community. A woman who has security of land can invest well in it without any fear. Such an investment provides security in old age, divorce or widowhood and prevents them from becoming economically vulnerable. It also improves their self-esteem, and leads to better participation in local communities, governance structures and the larger civil and political aspects of society. More importantly it can empower them to the point of sharing household decision-making with the male partner (ibid). Social

security and empowerment facilitates development. Women's land rights are, therefore, central to the survival of the rural economy and national development.

2. Efficiency

Women's lack of control and ownership of land constrains their development potentials. Firstly, women entrepreneurs cannot adequately access credit or premises to expand their investments because they lack collateral (Ellis et al., 2006). Secondly, it discourages them from confidently engaging in economic activities. The fear of a widow or divorcee losing her user, occupation and ownership rights is painful enough. It is more painful, however, to lose the rights after one has invested her lifetime developing such land. More often women decide to hold back their efforts when they are not sure of the security of land they intent to develop (Amotojo, 2005; UNECA, 2009). Studies in Uganda and Kenya show that women hold back their labour if they realize that they will not access or control proceeds from their work (Giovarelli et al, 2011). This reduces productivity and negatively affects development.

3. Poverty Alleviation

Land is a fundamental determinant of poverty and social disadvantage in Uganda. The Poverty Eradication Action Plan (1997 - 2007) – which was the national planning framework – recognised the need to address women's land rights in order to eradicate poverty and ensure sustainable livelihoods. Many women in Uganda lack land to provide food, social security and income from its rent or sale. Uganda's economy is agrarian in nature and most of its labour is women who are deprived of land yet it is a basic resource for agriculture. It is therefore, not a surprise that Uganda is one of the poorest countries in the world (UNDP, 2002, Cited by Amotojo, 2005). Moreover, 'poverty in Uganda has a predominantly female face' (Ellis et al., 2006). The discrimination of women in land issues makes them vulnerable to poverty, but also reinforces and perpetuates the socio-economic inequalities in place (Kindi, 2010). The human rights and development theories, therefore, argue for recognition and respect of women's rights to land ownership if a particular community is to progress. This calls for provision and observance of laws that protect these rights.

The Legal and Policy Framework

Women's land rights are internationally and nationally recognized. These rights are given legal and practical effect through the various legal and policy frameworks at work in Uganda.

International Legislation

Uganda is a signatory to a number of international legal/policy instruments that grant women rights to land ownership. This, therefore, obliges the country to domesticate the various laws and to implement them to great effect. They include the following;

1. Universal Declaration of Human Rights, 1948

This acknowledges both men and women as full human beings, with equal rights and freedoms and that they should be treated as such (Art. 2). The UDHR guarantees the right to ownership of property individually or with others; and crucially, protects that ownership against any arbitrary deprivation (Art. 17).

2. Convention on the Elimination of Discrimination against Women (CEDAW), 1979

The CEDAW urges State parties to provide legal protection for women's rights (Art. 2). It also enjoins States to modify social and cultural patterns that discriminate against women (Art. 5). Crucially though, it provides for same rights for men and women 'in respect of ownership, acquisition, management, administration, enjoyment and disposition of property, whether free of charge or for a valuable consideration' (Art. 16 (h)).

3. The African Charter on Human and Peoples' Rights (ACHPR), 1981

It guarantees the rights to property for all individuals (Art. 14). It proclaims equality, respect and rights for all people and out-laws the domination of a people by another (Art. 19).

4. The Protocol (Maputo) to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa, 2003

The Maputo Protocol provides a comprehensive set of laws that would ultimately protect women's rights to land if implemented. Firstly, it provides them protection in their natal estates by giving women and men the right to inherit, in equitable shares, their parents' properties (Art. 21 (2)). Secondly, it provides for women's interests in their matrimonial estates. It gives women rights to acquire, administer and manage their own property in marriage (Art. 6 (j)); but also equitable sharing of the joint property deriving from marriage, upon separation, divorce or its annulment (Art. 7 (d)). Thirdly, it protects the interests of widows by enjoining governments to prevent

their inhuman, humiliating and degrading treatment (Art. 20). I submit that deprivation of land is a very humiliating experience for such women since their livelihood depends on it. More specifically, it gives them rights to equitable share in the inheritance of property of her husband and to retain such land if remarriage occurs after her inheritance or ownership is confirmed (Art. 21 (1)). Lastly, it gives women rights to positive cultural context by way of participation in the determination of cultural policies (Art. 17).

National Laws

The above international instruments, or some of their provisions to be exact, have been domesticated in the national laws to give them legal and practical effect.

1. Constitution of the Republic of Uganda, 1995

This has been proclaimed as the most gender sensitive constitution in Sub-Saharan Africa since it protects women's rights. Firstly, the Constitution provides rights to equality and freedom from discrimination - including that based on sex (Art. 21), and guarantees rights for women (Art. 33). It entrusts to the State the responsibility to take steps that favour disadvantaged groups, women inclusive (Art. 32 (1)). One of these steps is to prohibit laws, cultures, customs and traditions which are against the dignity or interests of women (Art. 32 (2)). Secondly, Art. 26 (1) provides rights to all persons (including women) to own property individually or with others. One of the most vulnerable in this respect is widows, and the Constitution protects them by enjoining parliament to make laws which enable widows to inherit property of their dead spouses (Art. 14 (5)). Thirdly, it gives women the framework to challenge any violations of these rights in competent courts of law (Art. 50).

2. Land Act, 1998

The Land Act provides that women should comprise at least a third of the membership of land management bodies in the country. These include Communal Land Management Associations (CLMA), Uganda Land Commission (ULC), District Land Boards (DLB) and Area Land Committees (ALC) (Sections 16 (4-b), 47 (4), 57 (3) and 65 (2)). However, the District Land Tribunal (DLT), the highest possible appeals authority on land disputes in the district, has no such legal requirement. The Act also protects women's interests by nullifying decisions on customary tenure that denies women access to, ownership, occupation or use of any land (S. 27). In

marriage, it demands that the written consent of the resident spouse(s) be sought before the sale, mortgage and transfer of family land is concluded (S. 40).

3. *Succession Act, 1906*

The Act protects the family home for use by the widow and children of a deceased spouse, as long as she does not remarry, the daughter has not attained 21yrs of age and the son has not attained 18 years of age. The Succession (Amendments) Bill, 2006 seeks to entitle the widow to ownership of half of the matrimonial home and other assets on the death of her husband, instead of just retaining rights of occupancy and use.

4. *Domestic Relations Bill, 2003*

This proposed law provides for automatic co-ownership of property by spouses, especially family land. It recognizes that a wife makes substantial contributions to a matrimonial property. On this basis it provides for commonality in the ownership of the property (land). Secondly, it bans cultural practices that reduce women's inheritance rights; these are widow inheritance and payment of bride wealth. Thirdly, it restricts the sale of family land or the practice of a husband shifting it among numerous wives. Lastly, but crucially, it advocates for the appointment of the surviving spouse(s) as the administrator(s) of the estate of a deceased husband, unless the courts have a good reason not to.

The above-outlined highlights in the legal and institutional framework suggest that Uganda possesses a rich vein of existing laws that protect women. However, 'the challenge has been how to translate the state's obligations towards international agreements it ratified into effective legislation, policy and action' (Mushemeza, 2009: 167).

Women's Land Ownership: Analysis

Land Tenure Systems in Uganda

The Constitution of the Republic of Uganda, 1995 (Articles 237-245) and the Land Act, 1998 (Sections 2 and 3) provide the means by which a person can acquire and own land in Uganda. These include customary, *mailo*, freehold and leasehold systems.

Land Acquisition in Uganda

Land in Uganda is commonly transmitted through inheritance or succession or donation, purchase and borrowing. The next section, therefore, examines whether the current practices and laws that govern these transmissions afford women rights to land ownership.

1. Inheritance, succession and Donation

The land laws in Uganda accept the use of traditional customs in matters related to customary ownership. Traditional communities in the country transfer land through inheritance, succession or donation, based on patrilineal lines. Women's rights are embedded in these cultural and social systems, regulated through marriage and kinship ties. Women are excluded from land ownership in both the natal and matrimonial estates. They only retain secondary (user) rights basing on their relationship with a male landowner – a father, brother, husband or son (Amotojo, 2005; LEMU, 2008; Mushemeza, 2009: 171, FHRI and FIDA-U, 2010).

In the natal estate, boys take precedence over their sisters in determining who benefits from land and when. It is often claimed that the men need the land to build and settle with their wives and children, and to expand the clan (Rugadya, 2007). In a way, boys have an automatic right to land ownership simply because they are boys. Women have largely transient rights because they are perceived to be on 'transit'; they are expected to marry and get land at their husbands' place. Given the strong value attached to marriages and families in traditional societies in Uganda, it is feared that '[i]f female children are given land by their fathers, they will not respect their husbands and will leave them at the slightest excuse' (Asimwe, 2002, Cited by Birabwa-Nsubuga, 2006: 27).

In the matrimonial estates, succession is by sons or other male relatives. Women's land rights are hugely influenced by marriage laws, practices and perceptions. The Marriage and Divorce Act in Uganda only recognises traditional, Christian, Islamic or civil marriages and the associated land rights. Therefore, a co-habiting spouse has no claim over land. The marriage practices of bride wealth, polygamy and widow inheritance reduce women's chances for land ownership. Women and their rights are

perceived as having been ‘bought’ due to the ‘bride wealth’ paid. Bride wealth devalues women and places them on par with physical property. Therefore, ‘property cannot own property’. Polygamy reduces women’s rights to property [land] ownership. A woman who may have substantially contributed to a land may be deprived of the same land if the man decides to bequeath the land to another of his wives. They are also seen as ‘foreigners’ from a different clan and not deserving of land in their marital clan. Therefore, they can only use land through their husbands. However, the situation is much worse for a separated, divorced or widowed woman (Rugadya et al, 2004; Kindi, 2010). In many instances, her transient rights are based on acceptance to be inherited by an in-law if she is a widow (Rugadya, 2007), if she is perceived to have good behaviour (Adoko et al., 2005) or if she has guardianship of minor children.

The formal succession laws in Uganda do not offer enough protection to women in inheritance either. Firstly, a spouse has no automatic legal place in a will. Most of these wills are often influenced by patriarchal cultural beliefs (Asimwe, 2009). Instead, priority is given to male children. The Succession Act (Second Schedule) provides the distribution ratio of 15% to wives, 75% to children, 9% to dependents and 1% to the customary heir during intestacy. This is unfair if such a widow [wife] helped in acquiring or developing such land. Secondly, the law on the devolution of residential holding (Succession Act, 1906: S. 26) discriminates against women. It grants such holding to a representative other than the widow if the customary heir is still young. Her rights of occupancy also automatically terminates when she remarries. This is unfair in as far as the husband is not put through the same conditions, if the intestate is the wife (LAW-U, 2011). Lastly, non-recognition of co-habitation as marriage deprives women of their land rights. Yet they may have made substantial contributions in their husbands’ home (land). Additionally, only lawful divorce or legal separation infers rights over marital property to a person (Barnes et al., 2009). This also disadvantages women as they may be literally chased away from their marital homes without any legal intervention.

The above discriminations against women have generated a debate for women to co-own land with their husbands to protect their rights in widowhood, divorce or separation. This can take the form of a joint ownership or tenancy in common

(Rugadya et al., 2004). Many people argue that it would destroy the institution of the family since it amounts to commercialization of marriage. Instead some people advocate for a spouse to be given a statutory life interest in the matrimonial property since co-ownership may not fit into the cultural norm (Ellis et al., 2006). This means they would have automatic ownership of land when they enter marriage. In Uganda, over 80% of land is customarily owned and passed down through inheritance and succession (Tripp, 2009). The *Mailo* land has also been parcelled out largely following a patrilineal line (Amotojo, 2005; Foley, 2007). This fact implies that the majority of women in Uganda are deprived of land.

2. Purchase

A person in Uganda can also acquire land by directly buying it on the market. This system of acquisition, however, disadvantages women. With only 15% of land in Uganda registered, the supply in the market is generally limited. There is no legal restriction for women purchasing land in Uganda. However, in practice they have not accessed the land market (Rugadya, 2007). Participation in the land market depends on a number of factors. The first is one's income level. Women in Uganda make up the bulk of the poor, in part due to their reliance on subsistence agriculture. They do not control the proceeds from their work even though they offer over 70% of the agricultural labour (Ellis et al., 2006). This restricts their income level and participation in the land market. Secondly, the prevailing cultural perception towards women who seek to own land is negative. It is widely considered 'misbehaviour' if a married woman desires to have her own land (Tripp, 2009). It is assumed that she wants to host another man at her new site. Yet many single and divorced women are generally denied land, because it is thought that they are bad mannered (LEMU, 2008). Therefore, in marriage or outside it, women may not access land in the market. Thirdly, women are reluctant to acquire their own land because they fear to lose it to their husbands or male relatives after investing in it. Men tend to claim joint ownership of property that a woman acquires independently, but deny the women the same rights when they acquire their own (Rugadya, 2007). This discourages women from purchasing their own land, even if they are capable of. Where they do succeed to purchase land, they do it discretely and this affects the rate of development in it. This has restricted women to land ownership of only 7-16 % in Uganda (MOGLSD, 2004; Ellis et al., 2006; Tripp, 2009).

3. Borrowing

A person can also access land from relatives or friends who have excess by borrowing it for use as per the terms they agree on (Rugadya, 2007). This, however, does not favour women either. It is not possible that women can effectively negotiate in good terms with male owners, given the cultural negativity that surrounds their interests in land. The traditional and cultural norms on land acquisition for women across the country, however, do not present a bleak story all through. Some present a window of opportunity for realizing these rights within this customary system. Some communities in principle accept that women deserve better. Among the *Acholi*, *Lango* and *Teso* tribes in Northern and Eastern Uganda, their cultural norms provide land for widows and divorcees (LEMU, 2008). Some argue that one could enlist their indigenous practices of justice as allies rather than seek a complete abolition of their customs. What is important is to encourage enforcement of the specific provisions that give women land (ibid). This view, however, has its own weaknesses. Firstly, it does not consider rights of all women. Secondly, it would be impossible to enforce such a practice since there is no particular standard applied across the norms. Thirdly, these customary rules are never written down, they are constantly changing to adapt to new circumstances. This makes it difficult to set a particular precedence for reference.

Land Management

Articles 238 - 243 of the 1995 Constitution of Uganda provide for land management structures in Uganda. These include the Uganda Land Commission (ULC) which manages land vested in or acquired by the state and has powers to purchase land and other interests therein; District Land Boards (DLB) which exist in every district and own land not owned by anyone else and they can lease, sell or otherwise deal with such land, facilitate the registration, transfer of issuance of land, survey, value and issue certificates for it; and Area Land Committees (ALC) that determine, verify and mark boundaries of customary land in a parish, urban or city division. Importantly, the ALCs are required to work in close collaboration with traditional institutions particularly elders.

The same clauses of the Constitution of Uganda provide that all these structures

should have a third of their membership made up of women. However they have potential weaknesses as well. Firstly, they only have a third of their membership comprised of women. This allocation is insignificant because most of the institutions limit female representation to the basic minimum requirement. Their minority views may, therefore, be routinely suppressed during decision making. Secondly, the basic land management structure - the Area Land Committees - work in collaboration with the cultural institution of elders who are influenced by the patrilineal ideology. Thirdly, in as much as these structures could potentially protect the rights and interests of women in land at the various levels, they are not fully constituted and not functional in most of the cases.

Dispute Resolution

In Uganda, dispute resolution on land matters involves a dual legal system based on both traditional and statutory laws. The Constitution of Uganda (Art. 237) provides for customary land ownership and its regulation by norms acceptable to a particular community. The Local Council courts at Parish and Sub County levels and the District Land Tribunals (DLT) are also mandated to arbitrate and mediate in civil land matters (LCCA, 2006; Constitution, Art. 243). These structures commonly use customary land regulations because they handle cases that involve customary ownership. They were preferred because they were less formal, cheap, inclusive, participatory and more accessible than other formal courts. The local communities also like it because it seeks harmony, cohesion and unity compared to formal litigation that may strain relations and lead to unbridled tensions (Kindi, 2010).

A party that is not satisfied with the ruling of these structures may appeal to the higher and more formal courts of Law. These include the Magistrates', the High, Appeals and Supreme Courts. However, in as much as the 'formal system for administering land tenure, carrying out transactions and settling disputes in Uganda is quite clear, the practice is less so' (Foley, 2007: 4). However, it is even much more difficult for women to seek redress for rights related to land both in the traditional and formal structures. This is attributed to many factors.

The first is the dual application of both cultural and formal laws in settling land disputes. The traditional dispute system consists of an effete customary adjudication

based on traditions that hold negative views on women's land rights and favour male inheritance. Women, though, are forced to seek redress from the local council and traditional systems because they are mandated to handle cases related to customary land ownership (Ellis et al., 2006).

Secondly, the responsible institutions provided for in the laws are non-existent or weak, undeveloped, inexperienced and expensive to access. They are also under resourced and lack the capacity and political will (Foley, 2007; Kindi, 2010). Their operational incapacity affects the interpretation and application of laws that would help women assert their land rights (UNECA, 2009). Provisions such as the 'consent clause' (Land Act, S. 40) are practically impossible to enforce. Such consent can be obtained through violence or even forged since its validity is rarely verified (Foley, 2007). It is therefore no surprise that violence against women who demand land rights, and/ or seek redress in courts of law is very high in Uganda. In 1999 -2002, 90% of cases registered with gender officers arose from intra-familial conflicts over women's land rights and 70% due to threats of their eviction (MOLWE, 2002). A man can also contest a woman's refusal to consent especially if the reasons given for not consenting are 'weak'. The question is 'who determines the validity of the reasons?' This often makes the man to manipulate the process and transact the family land with or without consent (Kindi, 2010). Additionally, women's power to consent does not restore proprietary rights. Consent when there is no ownership defeats the purpose of law because then there is no basis upon which to derive consent (Rugadya, 2007).

Thirdly, women lack awareness of their existing legal rights to land and the access mechanisms to enforce the laws. When they do access courts for redress, the judicial process delays, by which time women would have lost out or simply given up on a disputed land. These tensions are not helped by the socio-cultural norms that disapprove of sending close family members (especially husbands) to court (Amotojo, 2005; UNECA, 2009). The legal systems are male dominated and do not respect the needs and experiences of women. A woman therefore makes a choice between the lesser of the two evils. She accepts user rights at the expense of her ownership rights for the sake of harmony in the home (LAW-U, 2011).

Fourthly, the system of statutory law that is used in Uganda has also been faulted for providing a biased premise from which land disputes are resolved. The laws are based on the 'Torrens system' which asserts that possession is always 'nine-tenths' of the law. A person who is in possession of the land is assumed to have title to it and this holds against anyone, except a person with a better claim' (Foley, 2007: 24). This deprives women since men always have possession.

The imbalance between men's and women's rights to land is beyond legal emancipation of women. There are complex social, cultural and political issues at work which need to be addressed.

Emerging Policy Issues

Arising from the fore-going discussion, the state has an obligation to establish mechanisms that help to enhance women's ownership of land. This involves identifying the specific constraints that they face and systematically dealing with them. The following are the key issues;

1. Women face difficulties in asserting their land ownership rights. This is majorly because most of the land in the Country is customarily owned and transmitted. Regulating gender insensitive customs and practices related to land has positive implications for increasing women's land ownership.
2. The land management structures have inadequate minimum allocation for female membership. This fact restricts the influence of women in these institutions especially given that most institutions maintain only the minimum allotted number of women.
3. The institutional framework for protection of women's land rights are provided for in the national laws. In majority of the cases, however, these institutions are not fully constituted, inducted, resourced and monitored.
4. There are some inconsistencies and gaps in land laws in relation to women's ownership. Unless these laws are reformed or the necessary laws are drafted and passed, women's land ownership is but a dream. An example is the Domestic Relations Bill, 2003, which is crucial for women's land rights yet it remains shelved because it is considered culturally sensitive.

5. Many of the international commitments on women's land rights have been translated by the Government of Uganda into law and policy at the national level. However, enforcement modalities and resources that are needed for the effective implementation of the policies and strategies are either lacking or weak in majority of the cases.

Policy Recommendations

Uganda's steady economic growth over the last few years may be reversed if concrete steps are not taken to address constraints that women face in accessing land. The following needs to be done to improve women's land holding;

1. Legislative Reforms

There is need for government to reform property laws to ensure equality and equity. Specifically, it should review customary rules and procedures to ensure their progressive conformity with land rights for women. The Domestic relations Bill needs to be passed into law to grant land to women during and at annulment of marriages.

There is also need to fully integrate women into all decision making structures and processes related to land access, use and ownership. Their membership in the land management bodies should be increased to at least 50% so that their voices count during crucial decisions.

2. Community Dialogues/ Engagement

Influencing people's long-held perceptions is no easy task. Given the role culture plays in allocating and managing land in Uganda, it is important to dialogue with the cultural leaders on the need for women to be granted land. This, however, should also include other decision makers like Members of Parliament and Local Councillors who make laws at various levels so that they see the need to provide for women's land rights in policy.

3. Policy/ Information dissemination and awareness creation

Many women are unaware of their land rights and how to assert them. There is need to introduce public education and legal literacy campaigns related to women's rights to land. This should involve the whole community so that they too learn about women's rights and come to appreciate the experiences of women in relation to access

to, use and ownership of land.

4. Provision of legal aid

Women face difficulties in accessing justice because it is expensive, too technical and delays. There is need to establish legal aid programmes to enable women to demand enforcement of their rights. If this process is left to individual women, they may find it nearly impossible to seek redress given the cost and other complications associated with the judicial process in Uganda.

5. Institutional/ Implementation framework

There are many provisions in Uganda's laws that protect women's land rights. These need to be fully implemented, and this implementation should be monitored. For this to succeed the institutional structures – land bodies and courts - should be fully constituted and well facilitated.

Conclusion

Land ownership is critical for women in Uganda. It is their right but also because they need it more than anyone else based on their role in agriculture. This report has examined women's access to and use and ownership of land. It has also highlighted the various legislative and institutional frameworks that grant and protect these rights. Generally, it is still difficult for women to assert their land rights despite the legal frameworks in place. There is need for more research on land experiences of women in Uganda. This will assist to influence policies that are sensitive to them. This research has also suggested various interventions that could improve the land situation of women in Uganda. These, however, need to be implemented and monitored with full commitment of the state and all its relevant arms.

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