

## LEMU Issues Paper Series - No.4 of 2024

# Uganda's Loss of land, loss of indigenous seed/food varieties and their productivity: **Experiences of Widows** in Teso and Kumam Sub-regions



### Introduction

The Land and Equity Movement in Uganda (LEMU) has conceived a national campaign **Keep Your Land, Keep Your Seed** out of its 20-year reflection on the land question in Uganda, specifically on why local communities should have the right to customary land. This reflection has revealed a close connection between land ownership and the ability of local farming communities to produce their own food. Over these years, LEMU has invested in understanding “who controls the food produced by local farmers”. To this question, the reflection revealed that farming communities are losing their power over food production due to the decline of local food and seed varieties, among other factors. LEMU therefore considers the need for farming communities to retain land and control their food systems as key pillars for sustainable development. Along this established record, the purpose of this campaign is therefore to advocate for the retention of land and indigenous seed/food varieties by the rural farming communities so as to bolster their resilience against famine, food shortage, extreme poverty and other climate induced forms of socioeconomic crisis, which are exacerbated by the dominance of commercial approaches to land access (land sales) and the dominance of “improved” seed varieties and commercial crops which are tradable in the market.

In the build-up to the campaign, LEMU and some partner organizations undertook several pre-launch activities that would lead up to the actual campaign launch. These included the development of the national campaign strategy, the formation and operationalization of a campaign planning committee, and background research in four regions of Uganda to inform a national level issues paper on land and seed loss. LEMU has been trying to fight for protection of the rights of widows over land in this region, yet the threats are increasing by the day. This warranted a background investigation to situate the national campaign in the concrete experiences of the farming communities. The regions that participated in this research were: Busoga, Teso, Kumam and Lango. A partner organization in this campaign also undertook a pre-launch study in the pastoral region

of Karamoja<sup>1</sup>. This Issues Paper focuses on the experiences of widows in the Teso and Kumam sub-regions. Much as the Teso-Kumam people share the districts of Kalaki, Soroti, and Kaberamaido, the research participants were only drawn from Kalaki and Soroti districts. The findings are expected to provide a better understanding of the persistent disregard of widows' land rights in the region; and the linkage of their land situation to their food (in) security status.

In terms of methods, the research was qualitative and employed a workshop approach to gather data from widows in a hotel setting in Soroti City. The respondents were purposively selected with keen focus on their knowledge and experience of loss of land, loss of land productivity and loss of local seed/food varieties as a close representation of the larger experiences of widows in Teso and Kumam. The choice of widows as a category was purposive, to shape an analysis that does not consider “women” as a homogenous category but considers all the intersectionalities that shape women's specific experiences. The collected data was transcribed and analyzed to identify the key themes and patterns. The emerging themes were corroborated with existing literature publicly available on the internet to illuminate the findings. Data was collected from 40 widows in September 2024.

### Key emerging issues

- (a) **Loss of land: land grabbing, dispossessions by infrastructural development and documentation/registration, and land injustices.**

Our findings established that widows are facing increasing cases of land losses within and without the family. More than 95% of the 45 widows had experienced a real or apparent threat to their land after the demise of their husbands. It turned out that the older widows were most secure than the

<sup>1</sup>The Coalition of Pastoral Civil Society Organizations (COPACSO) (2024) Loss of Pastoral Land and Indigenous Food, Animal and Grass Varieties: Experiences from the Pastoral Complex of Karamoja Region, Uganda

younger widows as the younger once were expected to remarry or bring a man into the late husband's house, actions which are frowned upon and used as justifications to taking away land from the widows. Intra-family land grabs are fueled by a normative patriarchal belief that women are customarily not to be in charge of land. Yet, in the Teso and Kumam sub-regions this is contrary to the documented customs [1] on land. If land grabbing from widows two decades ago was mainly done by the brother-in-laws, revelations from the field indicate that there is a new dynamic of intra-family land grabbing today consisting of mothers-in-law, wife and children of brothers-in-law, sisters-in-law, and step-brothers of the children of the widow. For instance, increasingly, step-brothers/step-sons are grabbing land from their step-sisters/step-mothers in the guise that the latter family has no boy children since their step mother gave birth to girl children only. One respondent stated that *'marrying two women is a problem. For example, one woman had only boys, the other had only girls. After the death of her husband, the family of the boys took all the land from the woman with only girls. They left her with only 1 plot. It was just another person who sympathized with her and gave her some land'* [2]. This new dynamic indicates that the current land grabbers are either ignorant of or blatantly abusing [3] their society's customs.

Outside the family, widows are increasingly facing land grabbing from their neighbors, especially the rich and powerful. It is reported that the rich have a tendency of buying land from the widows, then they extend their boundaries beyond what they initially paid for. The above two modes of encroachment on widows' land is leaving many widows dispossessed of, not only land but also their very means of livelihood. And yet, the double burden of production and social reproduction still falls on their shoulders. As one respondent noted, such widows *"are left with children and a high number of grand children to care for"* [4]. Beyond their community another key actor in widows' land losses is the government through its multiple and ongoing infrastructural developments covering amongst others, roads construction, and multiplication of cities. In all cases, some widows who reported having been told *'a road has passed through'* their garden or compound or even house were not informed of any compensation to be expected. Consequently, all affected widows live in fear of eminent land loss.

In an effort to, inter alia, increase land tenure security under customary tenure, government of Uganda is implementing land documentation program all over the country. With support from GIZ, the government has implemented a customary certificates of ownership (CCO) issuance program in the Teso-

Kumam regions. Some widows who have participated in the projects report a resolution of former land conflicts, particularly at the community level. One such respondent noted that *"My (late) husband bought the land where we are staying. But some of my neighbours were troubling me: boundaries were moved. There was a program in Asuret sub-county in 2021. I joined and they demarcated the land under GIZ. After they demarcated the land, this problem was resolved"* [5]. However, it appears that at the family level, even with a CCO, widows still remain insecure about their land right as some family members continue to harass them. A respondent noted that *".....GIZ came in; sensitized the people on land. I paid 25,000Ugx and applied for land registration. I went to the chairperson of the clan, he agreed. My neighbors also agreed. My land was demarcated...I got 10,000Ugx and paid for the CCO. I got the CCO but the aunt to my late husband (aunt-in-law) told me 'even if you got that paper you still will not stay here and I had to leave the land for her and I remained with only one garden on which to produce food for my children....'"*[6]. This indicates that the current customary land documentation does not offer full land tenure security at all levels and for all categories of the community. Another important aspect on the CCO process is the affordability. In a context of high land fragmentation whereby an individual will own several parcels of land but in different locations, the apparently cheap land documentation process becomes costly for poor categories of people in society such as widows.

Lastly, findings indicated that widows face a huge challenge in accessing land justice despite their rights to land being recognized both customarily and legally in Uganda. When faced with intra-family land grabbing, widows have rightly sought help from the clan leaders, who are in charge of customary land management at the clan level. Unfortunately, in most of the cases, the clan leaders have not delivered the anticipated redress, mostly because they either comply with, or are afraid of the land grabbers so they avert justice. At the community level, in cases of land encroachment by rich/politically connected neighbours, the widows reported that they have sought the help of the area Local Council (LC1) leader. The widows' feedback indicates that at both levels, they have not found substantive help. Widows with some degree of courage have proceeded to report the issues to the police. However, the police were reported to lean more towards the party with more cash (locally referred to as *"with wet pockets"*). Last but not least, the widows affected by government infrastructural development projects revealed that they did not know where to go and seek redress, or who to hold accountable. These cases of challenge in

accessing justice at the cultural/customary and formal justice systems do not only point to the absence of an effective and accessible justice mechanism to handle the widows' land rights but also how vulnerable widows are in the face of forces of dispossession.

### **(b) Land productivity loss**

The widows reported that they observed a change in the land's productivity, in that it is less than it used to be. They attributed this to a couple of factors including, "not rotating crops" and the use of chemicals. Some widows suspected that the chemicals may be having negative impacts on the land's productivity. One respondent stated that "*land productivity has changed because of not rotating crops; and may be chemicals that are being sprayed*", (Soroti, Widow's conference). With such frustration, the widows expressed preference for the former farming methods that involved the use of natural forms of fertilizer and disease/pest control remedies and society-based modes of knowledge about land productivity preservation. Nevertheless, the widows demonstrated their vast wealth of the indigenous land productivity preservation knowledge. Some of the recommendations they put forward included: "*... inter crop and crop rotation; plough across the land; maintain the land boundary zones to control soil erosion/water flow across the garden; intentionally avoid bush/crop burning in the garden; collect the animal manures and drop them into the gardens; and, homemade manure composition formed and dropped to the garden*" [7].

### **(c) Seed/Food Variety Issues**

Our field findings reveal that widows have experienced a loss of the local seed/food varieties. They firmly identified the adoption of the new technologies, specifically the new varieties as the main cause of the loss. They highlighted the failures of the new varieties and expressed a preference for the former local seed varieties. In a heated conversation, they revealed that "*...the new varieties... keep on changing. We have lost what was better. They tell us we have improved seeds and yet the weevils enter it from the garden...in maize, even green grams*", [8]. The widows, (majority of whom were in the 40+ years of age) demonstrated a solid grounding in the knowledge of the former/traditional methods of seed and food preservation - the wisdom which was preserved, passed on, and engaged with through generations upon generations before the advent of modern agriculture. Some of the former preservation methods shared included but are not limited to "(a) *Maize: don't remove the covers, harvest when the tails are long, tie and put in the kitchen where the smoke*

*passes all the time...store in sisal bags or bags from SOCACDIDO. (b) Beans: leave them with the covers, put in Etujja inside the kitchen or main house, cover with soil and smear with cow dung. (c) G.nuts: keep in the granary, making layers of groundnuts alternate with layers of millet; (d) Sorghum: harvest it and keep it in bundles, tie them and hang in the kitchen; millet-do as for sorghum....."* [9]. Such knowledge of seed/food preservation is being lost with the loss of local indigenous seed varieties as a consequence of the emergence of modern seeds/foods and the attendant preservation methods.

## **Conclusion**

Widows in Teso and Kumam regions are facing increasing land losses due to land grabs at family and community levels; and due to the implementation of government infrastructure projects. While other community members can access, especially the formal justice system, to get redress for their land rights violations, widows who are financially and politically less endowed and therefore do not even try to access the state forums such as courts. The cultural justice system is getting broken day-by-day for various reasons such that it cannot deliver on its mandate of addressing family level land challenges of the widows.

The negative impacts of the government infrastructure programs such as rural electrification project which had transgressed into widows' land in Opuyo Parish, Soroti district brings into question whether the government is just ignoring social environment impact assessments, or that these assessments are not done properly. Otherwise, on the basis of such assessments, the government would be prepared to compensate widows affected by its program implementation. GoU's CCO program still has a lot of loopholes such that it only offers partial land tenure security for vulnerable individuals; and is still largely inaccessible in terms of the financial requirements of the process and the fact that it is donor dependent and located in only few sub-counties. The government needs to close these gaps, in order not to further drive vulnerable people into landlessness.

Widows, most of whom were 40+, and are traditionally, the custodians of food management in families firmly asserted that the modern agricultural practices are contributing to land productivity loss and food loss and that a return to the former approaches is the way to go. Fortunately, they still possess the indigenous knowledge necessary for a transition back to the former and more sustainable ways of farming; and are willing to share it.



## Recommendation

- 1) Once government recognizes the cultural institutions' mandate on handling customary land management and invest in strengthening their capacity to deliver on it, the intra-family and community level land losses of widows will have been dealt with.
- 2) All Social environment impact assessments (SEIA) must be required to reflect clearly the impacts for vulnerable peoples like widows and state clear remedial actions, and cost them such that government can budget accordingly. MLHUD should follow up on implementation of actions that are included in such SEIAs of the different MDAs in the infrastructure development wing of GoU.
- 3) MLHUD should review the CCOs process and their end-product to improve gender responsiveness, by ensuring that these land registration projects do not reproduce pre-existing forms of discrimination, such as the discrimination of women. At the community level strengthening the cultural institutions and the local council structures to deliver justice for the vulnerable will help with some of the challenges of tenure security after getting a CCO.
- 4) CSOs/NGOs should support widows finances for the CCO process; revisit the prevailing narrative around patriarchy and widows as well as women's land rights by extending the analysis to explore how the contemporary commodification of land exacerbates the problems around women's land rights, in short the advocates of women's land rights should move from the rhetoric of patriarchy to considering the implications of capitalist entrenchment on women's land rights; support the positive capacity building of the cultural institutions to deliver justice with equity; popularize the documented and positive cultural land management principles and practices, and even participate in updating these with communities concerned, if need be.
- 5) The widows are a great wealth of the indigenous knowledge as a precondition for food sovereignty. CSOs, GoU and other stakeholders should work with widows and the general farming community to salvage the current situation of reduced land productivity and loss of local seeds/food varieties.

1. LEMU, 2008: Customary Land tenure Management and Land Rights' Principals and Practices No.1 of 2008
2. As reported by GROUP I Rapporteur during the plenary session of the widows' conference.
3. Adoko, J., 2017: What can be done to secure widows' land rights under customary land tenure? Published by LEMU and TROCAIRE.
4. As reported by GROUP III Rapporteur during the plenary session of the widows' conference.
5. As reported by a Workshop participant from Asuret sub-county, Soroti district.
6. As reported by a workshop participant from Katine sub-county, Soroti district.
7. As per the contributions of the widows during the plenary session.
8. As per the additional contributions on land productivity issues that the widows gave during the plenary session.
9. As per the widows' contribution during the English speaking FGD group discussion.

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