

## **Colonial Legacy, Access Political Economy of Land, and Legal Pluralism in Uganda: 1900-2010**

David R Olanya<sup>1</sup>

<sup>1</sup>Gulu University, Public Administration and Management, Gulu, Uganda

davidolanya@yahoo.co.uk

The colonial regimes introduced various forms of land ownership in almost all African countries. To guarantee access to land to diverse interest groups in Uganda, the British government introduced mailoland, native freehold, leasehold and communal land ownerships. After independence, the different ruling regimes had supported different forms of ownership in the country with varying degree of state-led interventions to favor some specific interest groups within the country. However, the mailo and customary forms of land ownership have been the most contestable politico-economic and social reality at the moment in development discourse on property right development needed to reduce poverty in Uganda.

These have drawn attentions from the diverse interest groups including the political, legislatures, business community, civil society and indigenous people. With the need to increase agricultural production and also protect the vulnerable indigenous groups in the country, access debate has been focused on reviewing the status of land ownership in the country with a specific reference on the mailoland and customary land ownership despite their recognition in constitution. This social reality has contradicted the state initiated interventions, especially in customary ownership where access to land was guaranteed to indigenous population by legally encouraging customary land holders form an association to acquire a certificate of ownership which could be used as a security for securing funding from banking institutions. However, this process of registering communal land has made very little progress as people perceive land as an inheritable not a commodity. Even banks do not recognize certificate of ownership as a guarantee for accessing loans by the holders. This study intends to focus on the colonial land policy and the subsequent access politics that crop in since 1900 up to today as most of the land questions in Uganda have its origin in colonial land policy. It uses the agrarian political economy approach in analyzing access political economy. Specifically, it discusses the fundamental changes in customary land access on whose benefits under the different ruling regimes as well as the social contradictions and reality.

*Keywords: land ownership, political economy, customary regime and peasant resistance*