COMPARATIVE AND MULTIDIMENSIONAL ANALYSIS OF COMMUNAL AND PRIVATE PROPERTY RESOURCES (LAND) TENURE AND RURAL DEVELOPMENT IN UGANDA

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ACCESS TO LAND AND OTHER NATURAL RESOURCES IN UGANDA:
RESEARCH AND POLICY DEVELOPMENT PROJECT

Research Paper 7

Prepared for Makerere Institute of Social Research and the Land Tenure Center

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EXECUTIVE SUMMARY

Over the past twenty years or so, most countries in the developing world have experienced a deepening economic crisis and a degenerating social infrastructure. There have been widespread food shortages, and outright famine is more prevalent than ever before. In a bid to eke out a living under a harsh and volatile situation, the majority of the people have resorted to depleting marginal resources, which has exacerbated environmental degradation. It is increasingly recognised that there is a strong link between environmental degradation and rural poverty in the developing world.

This study reviews Uganda's natural resource base and the rural sector's infrastructure for development. It also provides a comparative and multidimensional policy analysis of natural resource tenure systems, with particular reference to private and common property regimes. Specific attention is paid to the management and performance of the resource regimes and how the resource base functions in the process of socioeconomic changes in relation to sustainable rural development.

The study, using rapid rural appraisal, was carried out in seven districts of Uganda: Kotido, Moroto, Mukono, Mpigi, Mbarara, Rukungiri, and Kabarole. The report draws from the available literature on the subject and greatly benefits from the research team's experience in aspects of rural development and environmental and natural resource management policies, conducted under the Access to Land and Other Natural Resources in Uganda: Research and Policy Development Project at Makerere Institute of Social Research.

A vast part of Uganda is in the drought-prone region of northeast Africa. Uganda has a diversity of natural resources. It has about 167,000 square kilometres of arable land. It is an agricultural country, and 89 percent of the population lives in the rural areas, with about 80 percent of the economically active population employed in agriculture. Annually, at least 60 percent of the gross domestic product and 80 percent of the total national export earnings come from agriculture. Over 93 percent of the food supply for home consumption is derived from the agricultural sector.

Uganda contains an array of wildland habitats, ranging from savannah-woodlands, mid- and high-altitude rain forests, and mountains. For its size, Uganda has the greatest biological diversity in Eastern Africa. The country supports half of the entire population of endangered mountain gorillas and, in just one forest (Kibale), has the world's greatest density and diversity of monkeys. There are about 995 bird species, more than any other country in Africa, and Uganda ranks in the top four African countries with respect to mammal species.

Though various economic activities are found in the pasture lands, the main activity is pastoralism. The livestock industry plays a significant role in the socioeconomic development of the country. A number of factors over the last 20 years, however, have led to a decline in the performance of the industry, the major factors being the deterioration of the economy and the civil strife that began in 1971.
About 43,942 square kilometres of Uganda is covered by open water, marshy swamps, and rivers. Wetlands constitute a major ecosystem and cover about 6 percent of the country. The country is well endowed with fresh water though not evenly distributed. Water and sanitation policies are tied closely together due to the institutional arrangement in the government. Uganda has a fast-growing fisheries industry, mainly on lake Victoria. The fisheries are important for economic and nutritional reasons, and the industry provides employment and earns foreign exchange. With proper development, the country is capable of producing 300,000 metric tons of fresh water fish annually.

Uganda recognised the value of natural resources when it established a series of national parks and protected areas. In 1986, the Ministry of Water, Energy, Minerals and Environment Protection (Ministry of Natural Resources) was established. The country has various types of minerals, though some are in relatively small deposits and remain unexploited. In 1971, tourism reached a peak of 85,000 external visitors and ranked third after coffee and cotton among Uganda’s foreign exchange earners.

Throughout British rule, Uganda’s rural infrastructure was gradually strengthened by the establishment of a strong institutional network, modern infrastructure, and exploitation of the abundant resource base. The development process was based on the promotion of cash crops, mainly cotton, coffee, and tea. Until the 1960s, the country was known for its immaculate road network, educational system, and rural infrastructure. The country enjoyed spectacular economic progress, with annual growth rates of 5 percent and a fairly low cost of living.

Events since the 1970s weakened this foundation and undermined Uganda’s socioeconomic fabric. This is evident by multiple economic disequilibria, institutional decadence, the near collapse of the industrial sector, and the acute rural-urban differentials in opportunities, amenities and income distribution. This caused a growing informal sector in the country.

Uganda’s natural resources were encroached, poached, unregulated, and exploited. The situation was exacerbated by the high population growth, which rose to 3.1 percent before settling at the current rate of 2.5 percent. The growing population needed increasing amounts of agricultural land resources, fuelwood, timber, meat, and other wildland resources.

During both the colonial and post-colonial period, land tenure policies and state development projects weakened the traditional pattern of rangeland management. Land scarcity drove farmers to shorter fallow rotations. Land reform policies, especially the Land Reform Decree (LRD) of 1975, created a sense of tenure insecurity among the rural poor. The result was an impoverished populace in rural areas and accelerating environmental degradation.

Rural development financial institutions range from commercial banks, to rural credit and building societies, to savings and credit societies. Their level of performance varies. This study established that much of the credit extended by various rural financing institutions does not necessarily go to agriculture. Uganda does not have a typical rural or agricultural bank. There are a number of non-governmental organisations (NGOs) in Uganda geared toward
empowering and developing the rural populace. International and non-government donor agencies have been the main sources of rural development finance in Uganda.

Resource tenure systems are concerned with property rights, covering their conceptual meaning, operational aspects, and enforcement, and referring to the permissible activities in natural resources that can be engaged in by the holder. Natural resources are managed under four categories: private property regimes (PPRs), state property regimes (SPRs), common property regimes (CPRs), and a non-property regime called open access.

Property is not an object such as land but rather a right or benefit stream that is only as secure as the duty of all others to respect the conditions that protect that stream. Under PPRs these rights accrue to an individual. All the improvements and investments in the resources are made under clear understanding that the long-term benefits will accrue to the one who has control over the resources. The decisions taken under a PPR may not be in the interest of the community with respect to the natural resources. Under SPRs, the rights of ownership and management are vested in the state. In some circumstances, the state may manage the natural resources through its agents. Under CPRs, rights accrue to specified groups or communities of people. The management group has the right to exclude non-members. Open access is a non-property regime and no property rights are recognised. It is a free for all. This is reflection of a breakdown in the management institutions in any of the aforementioned regimes.

The members of a household under common property attain access to the natural resources by virtue of their household being a member of the social group that governs the resources. The household has the duty to recognise the source of authority in that group and shares similar interests with the whole group for sustainable utilisation.

In Uganda, land resources are generally owned by members of a lineage and, to a great extent, by a clan. This is still common. Even where individualisation has taken place, the parcel of land could be referred to as belonging to a particular clan. There is a tendency for clans to be location-specific about the use of the natural resources.

Resources are owned by a community in the village, because a village is just a geographical locality. A community in a village tends to be small but could own a well in their locality. Other social groupings managing common property resources are church communities, which could use the resource privately and also gain access to those managed under CPRs.

CPRs are of particular importance to the rural poor. (It was established that the rich also use the CPRs.) The poor depend on the rich in case of calamities such as drought among pastoralists.

The state has acquired numerous natural resources in form of national parks, game and forest reserves, and ranch schemes. In Mabira Forest, Kibale Forest, and Lake Mburo National Park, the local resource management institutions broke down and have been overexploited, leading to social tension and conflicts among the state, commercial ranchers, and local communities.
Though the members of the communities are not necessarily homogeneous, it was noted that social stratification becomes articulate under PPRs. In Uganda under the LRD, landlords are empowered to evict mailo tenants. When land is leased, customary tenants are subjected to eviction from their parcels of land without their consent.

In a country like Uganda, where the majority are peasant farmers or artisan fishers with no alternative other than to till the land or to exploit the water resources, national and multinational undertakings could prove detrimental to the rural people in terms of displacement and unemployment.

In Uganda, government policy both in the colonial and post-colonial periods inclined to private management of natural resources. The introduction of cash cropping encouraged individualisation of arable land, and development policies were reflected in the creation of commercial ranching schemes allocated to private ranches without regard to the local communities.

The state believed that CPRs are prone to tenure insecurity: clans and other communities would have no incentives to undertake long-term improvements and investments on the natural resources. On the other hand, environmental protection and equitable distribution of resources are increasingly recognised in project designs.

Women are in the majority in rural areas and emerged as the most dependant on CPRs for firewood, water, fruits, and medicinal plants. Women’s demands for money are increasing due to the absence of men who often are employed in other rural and urban areas. Women rely on CPRs for palm leaves, papyrus, and other materials for making mats and baskets, and for firewood to sell.

Under CPRs, every member of the community participates, thus ensuring full employment. Under a PPR, employment is created for selected disciplines and skills and participation is determined by an individual’s interest. Income is determined by one’s access to the resources. Unlike under PPR, access to resources by each member of the group managing the resources is assured under the CPRs.

PPRs are superior to CPRs in increasing agricultural production and productivity if the assumptions that PPRs create incentives for long-term improvements and investments hold. Examining the proposition in a broad sense, however, reveals that peasants are rational and thus efficient in using resources. Under private management of resources, the increased production accrues to the individual or to the state through taxation, and in Uganda agriculture is essentially under private management. This does not apply, however, to other natural resources such as water and fisheries, which are communally managed.

The main social fabric is based on sharing a common goal. Under CPRs, the members of the community have common interests and solve problems as a group. The level of consultations among artisan fishermen and pastoralists was noted to be quite extensive. These lead to social
cohesion because of the inter-dependence in a CPR. If these traditional institutions are recognised and reinforced, CPRs would generate social cohesion.

Political instability only emerges where there is social and political tension. This is common in Uganda on state ranches, government forest reserves, and national parks. It was also recorded in case of mailo owners evicting tenants. With the exception of cattle raids among Karamojong ethnic groups, one would expect political stability under CPRs if the traditional pattern of natural resource management is not disrupted. CPRs have all the parameters for enhancing social justice if those elements based on common interest, such as intensive consultation and sharing in case of shortage, are reinforced.

Environmental degradation through overexploitation under CPRs only emerges where the control over the natural resources is weakened. Overgrazed areas were recorded on refugee resettlement camps, at water points such as boreholes, and on commercial ranches encroached upon by squatters. In Karamoja, these were areas put under cultivation, which showed erosion. Environmental degradation can occur in PPRs due to profit maximisation; it is also very serious under CPRs where the traditional pattern of use is disrupted.

In light of the above, the following recommended are made:

a) The state and donors should recognise traditional institutions and patterns of natural resource management. Traditional institutions should be examined in light of the purpose and basic functions for which the natural resources are managed under CPRs.

b) Development projects and programmes for rural areas embracing natural resources should emphasise the grassroots views and role of the poor and of women. A community approach in developing natural resources under CPRs would derive better dividends than a private approach focusing just on a sector of the community.

c) Uganda would benefit from a case-by-case approach to the management of natural resources as it has a diversity of ecological, social, and economic differences. In places such as Kabale and Mbale Districts, there is a need for land consolidation other than excessive sub-division to attain individualisation. In Karamoja, CPRs would apply if programmes are properly designed to embrace the cultural values of the community. Regarding forest and game reserves and national parks, community participation at all stages would be the only answer to the current conflicts between the state and the indigenous societies surrounding them.

d) There is a need for intensive educational birth control programmes focusing on the level of education for women and creating awareness among men about the dangers of population expansion. A high rate of population growth erodes rural development measures that may be in place.
e) If we are to attain sustainable utilisation of natural resources, there is a need to increase income-generating activities in rural areas with particular emphasis on women and the poor.

f) There is need for sensitisation at all levels (technical, policy, etc.) on the dangers of looking at profit maximisation without taking into account equitable distribution of income and the general welfare of the people. This should be undertaken with a view toward minimising projects that displace people without adequate compensation, projects that only benefit a few at the expense of the majority, and programmes and schemes that deprive the rural poor of accessibility to the natural resources without any alternative of earning a living.

g) In designing any project for rural development in terms of natural resources there is a need to emphasise simple technology and built-in extension with the community concerned.

h) To develop a viable natural resource management policy for Uganda, it is important to understand that CPRs are not free for all and should not be equated with open access.

The best solution to natural resource management should take into account a combination of institutional arrangements that combine the very best attributes of PPRs, CPRs, and SPRs.
MAP 1 UGANDA: THE CATTLE CORRIDOR

Prepared for MISR/LTC Land Access Project
Sources: UNEP 1988, Uganda Data Base: bnd, district and lake coverages
G.W. Hagese, Department of Geography, Draft Map
REMOTE SENSING & GIS LAB, INSTITUTE OF ENVIRONMENT & NATURAL RESOURCES
MAKERERE UNIVERSITY, 1993
I. INTRODUCTION

A. THE RURAL ECONOMIC CRISIS

Over the past twenty years or so, a deepening economic crisis has characterised the developing world. In sub-Saharan Africa, the number of countries in the “least developed” category increased from 17 to 28 between 1976 and 1988. Widespread food insecurity and outright famine have become more manifest than ever before. Shortages ranging from consumable to productive resources are chronic. Conflicts arising from inadequate access to natural resources have intensified environmental degradation and its effects on development.

The 1980s heralded a harsh external environment. This was characterised by falling demand from the developed countries, worsening terms of trade for primary products, and high and volatile interest rates compounded by dwindling external finance. Indeed for some African countries, the period is remembered as the “lost decade.”

Arguably, nowhere has the crisis been more manifest than in the countryside. The rural crisis is a complex function of political instability, environmental degradation, haphazard urbanisation, and distorted resource tenure systems. These structural problems are reinforced by gross policy deficiencies. Uganda has experienced a lot of political and economic changes that have been detrimental to rural development.

Uganda is an agrarian nation. Agriculture contributes about 70 percent of the gross domestic product, more than 95 percent of the country’s export earnings, provides a livelihood for about 80 percent of the population, and generates over 80 percent of the government internal revenue (World Bank 1988). What is more interesting is that most of the production takes place on smallholdings of about 2.5 hectares tended by about 2.1 million producers, mainly in the rural areas. Increasing agricultural production and promoting non-agricultural enterprises for rural development, the management of natural resources, human resource development and rural infrastructure together with credit programmes are paramount.

The question is clearly more deep rooted and complex than immediately meets the eye. It involves diverse aspects such as economic opportunity, the environment, social cohesion, justice, liberty, human rights, human welfare, and development. The genesis of the configuration is the country’s history. The synthesis of orthodox conservative ideologies of resource tenure and management with the progressive ideas of western laissez faire economics in which none emerged as a clear winner appears to be the crux of the question in Africa.

B. BACKGROUND TO THE STUDY

It was noted during the World Conference on Agrarian Reform and Rural Development held at the initiative of the Food and Agricultural Organization (FAO), in Rome in July, 1979 that there is a noticeable failure of national rural development policies. It was also noted that deterioration of socioeconomic conditions in several developing countries is becoming alarming and difficult to control. In some areas it has been observed that due to lives of
uncertainty and panic some societies are losing even their indigenous cultures and adopting foreign values that may lead to disastrous social effects and destructive environmental consequences. The majority of small-scale farmers have shown little or no progress in adopting evolutionary farming approaches. It was noted that this may be attributed to the inability of most governments to improve the organisation and management of agricultural services directed toward small-scale farmers.

The challenge, therefore, at national and region levels is multifaceted and requires critical analysis before solutions can be devised. There is an urgent need to formulate development policies and strategies in favour of the poor in rural areas to ensure equitable access to natural resources, increased productivity, employment opportunities and food security through an integrated and participatory approach to rural development. The problem is characteristically a policy issue; indeed, it derives strength from multi-sectoral policy deficiencies, omissions, and contradictions.

C. OUTLINE

The attempt is hereby made to analyse the situation as it prevails in Uganda. The report is therefore a multidimensional policy analysis of resource (land) tenure systems in Uganda. The report commences with an historical perspective of resource tenure systems in Uganda, followed by a focus on the country’s natural resource base and other national development resources for rural development. This in turn is followed by a conceptual framework with special emphasis on the terms and conditions on which natural resources are held and used.

The next section discusses the government policy toward communal and private resource tenure systems, followed by a detailed multidisciplinary evaluation and a comparative analysis of the management of communal land tenure and private land tenure as they relate to specified variables. The report closes with policy recommendations.

D. OBJECTIVES

The general objective of the study is to undertake a multidimensional policy analysis of natural resources tenure and development with particular reference to private and CPRs in Uganda. Underlying this general objective is the primary concern for understanding of the different types of resource regimes and how the total natural resource base functions in the process of socioeconomic changes in relation to rural development. Specifically, the study undertakes a critical review of CPRs and PPRs in their variable forms of family, lineage, clan, and management merits and demerits. It also covers a comparative analysis of the CPRs and PPRs in respect to management and performance in relation to political, social, and economic perspectives.

E. RESEARCH DESIGN AND METHOD

The study adopted a systematic approach in order to gather information and literature on a spectrum of variables related to major issues. It focused on obtaining information pertaining to the management and performance of common property natural resources and private property natural resources in Uganda.
Though the study draws examples from the earlier overview of pastoralism in Uganda covering the cattle corridors, the study area was delimited to seven districts in Uganda: Moroto and Kotido (northeast); Mpi and Mukono (central); Mbarara, Rukungiri, and Kabarole (western). These districts were selected because they exhibit both CPRs and PPRs in variable forms. Given the diversity of resource tenure systems in these districts, it was deemed possible to provide a comparative analysis of the management and performance of common and PPRs. The study areas also fairly represent the main geographical regions of Uganda.

The study analysed management and performance of common and private property resources with respect to: a) arable land resources; b) forest resources; c) pasture land resources; d) water fisheries resources; e) mineral resources; and, f) financial resources for rural development.

One visit was made by the team deploying the use of rapid rural appraisal to collect information in the selected areas of the study. Different types of natural resources by tenure were inventoried. While on the field visits, the research team held discussions with a cross-section of persons, including, inter alia, district administrators, district agricultural officers, district veterinary officers, district forest officers, the chairs of district land committees, resistance council officials, women leaders, industrialists, and managers of financial/credit institutions and cooperative societies. The researchers further established rapport with prominent farmers in the area as well as the local chiefs.
II. RESOURCE TENURE SYSTEMS

A. CONCEPTUAL BACKGROUND

Resource tenure systems are concerned with property rights, covering their conceptual meaning, operational aspects, and enforcement. Resource tenure refers to the manner and terms of holding natural resource plus the terms upon which the resource is used; i.e., the ways in which rights to use the resources are distributed and controlled. This covers the whole range of permissible activities and transactions by the holder. It therefore defines the rights one has over the use of land resources in relation to the community. Rights are not relationships between a person and an object, rather they are relationships between a person and others with respect to that object (Bruce 1985; Lawry 1988; Swallow 1990).

Property is not an object such as land but rather a right or benefit stream that is only as secure as the duty of all others to respect the conditions that protect that stream (Bromley 1989). When one has a right, one has the expectation in both the law and in practice that one’s claims will be respected by those with corresponding duties.

A right is the capacity to call upon the collective power—an authority system to stand behind one’s claim to the benefit stream. This authority could be drawn from the legal national establishment system of authority or the customary local recognised source of authority, such as a clan, lineage, or any social community. Rights may be measured in terms of the bundle of rights individuals or groups of individuals have over the resources and how the rest of the community recognises those rights. Rights can only exist when there is a social mechanism that gives duties and then binds individuals to those duties. To have a property right is to have secure control of a benefit stream.

Uganda experienced various types of land tenure systems. Customary tenure, in practice in the pre-colonial period, varied from one ethnic group to another. In Buganda (the central part of Uganda) which eventually became the centre for introducing various types of land tenure, there were three categories of rights of control over land (described in detail by Gayere 1957; MISR/LTC 1988). Those rights included the following: rights of clans over ancestral land (Obutaka); rights of the Kabaka and/or the chiefs (Obutongole); individual undisputed hereditary rights (Obwesengeze); and the peasant rights of occupation under a particular chief of the area—such rights were for ordinary individuals (Omukopi). What was common, however, was that access to land was basically through inheritance and settlement on any unclaimed land with the approval of the head and a member of the group in the area. The signing of the Buganda Agreement (1900) laid the basis for relations between the British Protectorate and Buganda governments in the first part of the twentieth century. In accordance with Article 15 of the agreement, the total land area of about 19,600 square miles was divided between the Kabaka (king) and other notables and the Protectorate Government. It was then necessary for each landlord to attract settlers on the land as this was the only means or earning a living from such parcels of land. Gaining access to land was not at all a problem.
The introduction of mailo land tenure in Buganda in 1900 was accompanied by the introduction of native freehold tenure in Toro in 1900 and Ankole in 1901. The Crown Lands Ordinance of 1903 gave the British colonial authorities power to alienate land in freehold. Though very few freeholds were introduced under the crown lands ordinance, together with leaseholds introduced on crown land, they implicitly sought a radical transformation of the customary tenure system (Benettie 1971; Mugerwa 1973; Richards et al 1973; West 1972).

After independence in 1962, provision for protection of customary land rights were provided for under the Public Land Act of 1969. A person could legally occupy, in customary tenure, any rural land not alienated in leasehold or freehold. The controlling authority could only grant a freehold/leasehold on any land occupied by customary tenure with the consent of the customary holder. To streamline the respective rights and duties of both the mailo owner and the mailo tenant (that is, the Kibanja holder), the Buganda Kingdom enacted the Busulu and Envujjo Law in 1927. In accordance with that law, the Ankole Landlord and Tenant Law was introduced in 1937 to regulate the landlord tenant relationship to minimise the obligation to the landlords and strengthen the peasants in the cropping sector.

The LRD of 1975 brought about a lot of changes in the tenure system in the country. This laid down that all land formerly in private individual tenure, such as the mailo of the central region and freeholds, was to be converted to 99-year leases. In the case of charitable and religious institutions, the freeholds were to be converted to 199-year leases granted by the state, whose executive agency became the Uganda Land Commission.

The LRD repealed the Busulu and Envujjo Law, which had provided statutory protection for tenants on former mailo and freehold land. These tenancies were converted to customary ones and tenants could be evicted on payment of compensation for improvements if the leaseholder on conversion considered it necessary to develop the land. For the rest of the land outside the former mailo and freehold areas, customary tenure systems continued in force but were held on sufferance. The state may, on six months’ notice, evict customary holders and lease the land to someone else.

In effect, therefore, all land in Uganda is owned by the state as public land. The general control and management is vested in the Uganda Land Commission, though, in practice, land in urban areas is under the direct control of the respective urban authorities. In rural areas, the commission is directly in charge but exercises its powers and functions with the assistance and advice of land committees at district levels. These land committees are supposed to be applied at county and sub-county levels but never have been put in practice. There are at least three land tenure systems in Uganda: customary, leasehold, and mailo land or freehold.

In this report, four categories of resource (land) tenure systems referred to as regimes were adopted: CPRs, PPRs, SPRs, and non property regimes which are situations of open access. The concept of regime is adopted to reflect that the same resource could be managed under different ways; that is, under different regimes. The word common is used interchangeably with communal. CPR is widely used as shorthand for the range of natural resources managed communally.
B. Private Property Regime

The concept of bundle of rights is an indicator of the management style of the regime. Where the bundle of rights is comprehensive, the individual or corporate body may have exclusive though not necessarily absolute rights to manage the natural resources. The rights are not necessarily absolute because landowners under private property are not necessarily entirely free to do as they wish with the natural resources. As regards management decisions, an individual with control over a natural resource takes decisions quickly, without consultation. An investment is made under clear understanding that the long-term benefits will all accrue to the one who has control over the resources. The decisions taken under a PPR may not be in the interest of the community with respect to the natural resources.

This does not mean that natural resources may not be suitably managed under a private property regime in terms of accessibility and environmental protection. This is debatable; according to Becker (1977), a PPR may be viable in terms of generating incentives and maximising profits for industries and agricultural undertakings. The effects, however, may not be in accordance with the rest of the community.

In Uganda, areas of ecological importance to the whole community, such as catchment areas or places where animals are endangered species, are generally gazetted and placed under state or forest reserves or national parks. Essential basic resources are run by state corporations rather than privatised.

C. State Property Regime

This is a situation where the state has some controlling interest over the natural resources. The state may manage the resources through its agents, as is the case with commercial ranchers in Uganda on Ankole and Masaka state ranches, various foreign companies managing game reserves and national parks on a contractual basis, plus licensed saw milling companies exploiting timber resources from government forest reserves. The individuals or group of individuals that may gain access to the resources under a SPR are generally limited to usufruct rights of the resources and the ownership of the output. The state may change policy regarding access to state resources from time to time, which renders the tenure of the users insecure. This, however, is checked by contractual arrangements to protect the users of state property. Currently, the state ranches in Uganda are being restructured by the Ranches Restructuring Board by sub-dividing the ranches and re-allocating them to accommodate squatters (displaced cattle keepers originally occupying the area).

According to Bromley and Cernea (1989), where the state declares de jure rights to resources and attempts to exercise property rights de facto, there is a likelihood that the only result will be an undermining of local common property rights over the resource, with no effective tenure system replacing it.

State intervention tends to assume that the local community arrangements will not lead to sustainable development of the natural resources. This presumption has led to several misconceived development programmes on the management of natural resources in Uganda.
D. COMMON PROPERTY REGIME

The common property model as advanced by Garrett Hardin (1968) assumes the absence of cooperation behaviour and code of conduct among the co-users, that, among cattle keepers undertaking communal grazing, each individual maximises stocking capacity and one’s share of pasture without due respect and concern toward other rangeland users, leading to destruction and degradation of pasture. Hardin equates common property with open access. Various scholars in the management of natural resources disagree with that view and hold that CPRs are not open access (Bromley 1989; Swallow 1991; Bruce 1989; Galaty and Johnson 1990).

There is abundant evidence, contrary to Hardin, on the ability of social groups to design, utilise, and adopt indigenous mechanisms to allocate use rights among members. There are varying comprehensive systems of regulation. According to Ringo (1992:11), CPRs can only survive through a corporate unit, which must have an identity or personality. It may be a family, clan, tribe, or territorial unit.

The management group under a CPR has rights to exclude non-members, and non-members have a duty to abide by the exclusion. Individual co-users have both rights and duties with respect to use rates and maintenance of the resources. It is not a free for all. The concept of exclusion of non-owners is very crucial in CPRs, just as it is in PPRs and SPRs. It enjoys external recognition and internal regulatory mechanism with a known source of authority among co-users.

This is common in Uganda among cattle-keeping societies, fishing villages, and communities living in and around forests. The practice, however, is curtailed by various state interventions in the form of development schemes such as the commercial ranches, national parks, and land tenure individualisation policies. The failure of any of the above state and communal property regimes to function leads to the degeneration of the management practice into open access.

E. OPEN ACCESS REGIME

This is a non-property regime assuming the absence of well-defined property rights. In other words, access to resources is unregulated. It is free and open to everyone. Unlike in the CPRs, where rights accrue to specified groups or communities of people, open access is a free for all. Each individual uses the resources without any due regard for the interests of others using the resources. This is generally a result of a breakdown of cooperation or a lack of a source of authority to enforce a code of conduct. It is an institutional failure. There is no property element since it is open to whomever gains access by physical presence.

Where resource management degenerates to open access, the practice is very detrimental to sustainable development. In Uganda, the results are noticed in the form of overgrazing leading to serious environmental degradation, as evidenced at Nakivale Refugee camp in Mbarara District.

F. GOVERNMENT POLICY TOWARDS RESOURCES (LAND) TENURE SYSTEMS

By way of emphasis, we need to note here that natural resources in Uganda were traditionally managed under CPRs. The groups tended to vary in size, nature, and level of internal cohesion.
The group could be a clan, lineage, or tribe. What is clear, however, is that the government policy in the colonial and post-colonial periods inclined toward encouraging private management of resources rather than CPRs.

For almost three decades, natural resources managed as common property have been deemed as non-property open access and held responsible for environment degradation. Planners, policymakers, and various analysts, including the state, tend to regard common property resource management as a non-economic activity. The Ugandan government has not been an exception in this trend.

This is evidenced by the recommendations made by the East African Royal Commission. In its report issued in 1955 on boosting the economic development of Britain's East African possessions, the Royal Commission recommended that the official land tenure policy should seek the individualisation of landownership. Through pursuing policies that could lead the country to attain settlement as a means of development by increased production, the government remained at the forefront.

A case study by Doornbos and Lofchie (1967) notes that government sponsored ranches such as the Masaka/Ankole ranching scheme were established for developmental purposes as a result of Uganda efforts to eradicate the tsetse fly (glossina morsitans) from southwestern Uganda, where the fly had spread from southern Tanzania as early as 1908. The situation had become worse in 1950, when over 2,000 square miles of open grassland suitable for grazing became affected, and there was an increasing incidence of trypanosomiasis, or sleeping sickness.

The tsetse fly was eradicated and the ranches established with the view that commercial ranching would introduce model modern practices. This was envisaged as creating a stimulus of cultural and social transformation if the largely semi-nomadic Bahima cattle keepers of Ankole could be induced to abandon their traditional attitudes of self sufficiency. They adopted more up-to-date methods of animal husbandry and become integrated into the developing sector of Uganda economy.

In another but related development, the creation of national parks and game reserves took up pastoral grazing areas, and, recently, national parks have been created that cover forests. The point of interest here is that in national parks and game reserves all human activities other than those connected with the management or utilisation of wildlife resources are strictly prohibited. All areas covering national parks were managed under CPRs by different ethnic groups.

The forest reserves in Uganda, which are now managed as SPRs, were under CPRs. In cases where forests were not put under the state, they are now found on private mailo/freehold land, with a few remnant stretches of forest under public land (customary tenure). The introduction of cash crops coupled with the individualisation policy of land under mailo/freehold, leases, and a system of parcelled landholdings in any form of tenure gradually reduced natural resources that were under CPRs.
In summary, Uganda has never had a definite policy towards CPRs. Instead, through the country’s development and conservation policies, together with land tenure policies in the form of commercial ranches, communal pastoral grazing areas, forest reserves and national parks, and the introduction of mailo/freehold and lease tenures systems, CPRs have been negatively affected.
III. NATURAL RESOURCE BASE FOR RURAL PRODUCTION

A. NATURAL RESOURCE
According to Barbier (1990: 43) natural resources include: forests, water resources, wetlands, dry lands or pasture lands, and arable lands. One would include, among others, mineral resources. In a broad economic terms, however, natural resources could be defined as assets that have been furnished by nature and sometimes used for human welfare. On that basis, natural resources include: minerals, water, soil and plants, and animal species of all kinds that we depend on directly and indirectly for our benefit. The natural resource concept, therefore, regards all creation as an asset that for the past millennia has been passed on from one generation to another (Tukahirwa 1992:1).

B. LAND AVAILABILITY
Statistics regarding land availability and use indicate that the total area of Uganda is about 241,139 square kilometres, broken down as follows: 197,000 square kilometres are dry land, 44,139 square kilometres are open water and swamps (swamps alone embracing 7,600 square kilometres), 167,000 square kilometres are arable land, about 14,730 square kilometres are forest reserves, 15,000 square kilometres are game reserves, and 500 square kilometres urban centres. Land availability varies from one district to another.

About 60 percent of the land in the central Uganda is under mailo land, which is equivalent to freehold. About 20 percent is under state reserves and leases. Freehold land in the western part of the country hardly accounts for two percent, while land under leases is on the increase, accounting for about 20 percent. The rest is not yet leased but customarily occupied. For the Eastern region, there is hardly any freehold. About ten percent of the land area has been leased. In the Northern region, except for state reserves such as game reserves, almost all land is under customary tenure.

It should be noted, however, that according to the LRD, all land in Uganda is public land vested in the Uganda Land Commission for the state. In practice, however, there are customary land tenure, leaseholds, freehold and mailo land tenure.

As stated earlier, Uganda’s arable land covers about 167,000 square kilometres. This area is divided into broad regions (or areas) that have similar economic and social backgrounds, in which ecological conditions of farming systems and practices are fairly homogeneous. Such broad regions are called potential zones for agricultural development. In Uganda, 11 zones and 45 sub-zones were identified, and the most suitable crops and enterprises in each zone have been selected (Ministry of Agriculture and Animal Industry and Fisheries 1992).

Uganda is an agricultural country with about 89 percent of the population living in the rural areas, and about 80 percent of the economically active population employed in agriculture. At least 60 percent of the gross domestic product and 80 percent of the total national export
earnings always have been contributed annually by agriculture. Over 93 percent of the food supply for home consumption is derived from the agricultural sector.

C. PASTURE LAND RESOURCES

Pastoral areas in Uganda cover the cattle corridor (see map) that stretches from the southern border with Tanzania through the southern part of Bushenyi District, Mbarara District, part of Rakai and Masaka Districts, Kyaka County of Kabarole District, parts of Kibale and Mubende Districts, Ngoma Sub-county and Nakasongola County in Luwero District, Baale County in the northern part of Mukono District, the eastern part of Masindi District, northern parts of Kamuli District in Busoga area to Lake Kyoga, and extending through parts of Apach and Lira Districts to Soroti, Kotido and Moroto Districts in northeastern Uganda. These areas are generally semi-arid or arid and are roamed by livestock keepers, particularly the traditional pastoralists, the Bahima in the southwest and the Karimojong in the northeast.

The area is generally between 1,000 and 1,500 metres above sea level. In the south, it forms part of the lower levels of the Ugandan section of the interior high plateau and is generally a plain landscape with a few isolated hills. In the northeast, the area consists of plain, mainly in Kotido District, 1,000-1,200 metres above sea level, and belongs to the drought-prone region of northeast Africa covering parts of Sudan, Ethiopia, Somalia and Kenya.

Though various economic activities are found in the pasture lands, among which is wildlife management, the main activity is pastoralism. The livestock industry plays a significant role in the socioeconomic development of the country, contributing about 25 percent of the national gross domestic product. A number of factors over the last 20 years, however, have led to a decline in the performance of the industry, the major reasons being the deterioration of the economy and civil strife.

D. WILDLIFE RESOURCES

Uganda has seven national parks: Murchison Falls (4,015 sq. km), Queen Elizabeth (1,978 sq. km), Kidepo Valley (1,400 sq. km), Lake Mburo (536 sq. km) and the newly created national parks of Rwenzori (996 sq. km), Bwindi (321 sq. km), and Mgahinga. The government was in process of creating another three parks by converting forest reserves, namely, Mount Elgon, Kibaale, and Semiliki, which are essentially forests but with rare species of animals.

The game reserves cover an area of approximately 9,685 square kilometres, and these include Karuma, Achwa-Lalim, Kibaale game corridor and forest, Kyambura, Toro, Bwindi forest, Bokora corridor, Bugungu, Ajias, Matheniko, Pian, and Upe. Since some game reserves are being promoted to national park status, the coverage in terms of game reserves will accordingly decline.

The main economic value of wildlife in Uganda is associated with the tourism industry. Tourism was a very prosperous and lucrative industry in the 1960s. It was third after coffee and cotton among Uganda's foreign exchange earners. In 1971, international tourist arrivals reached a record of 85,000, bringing in US$ 20m in foreign exchange earnings. Much of what is needed to revive the tourism industry is in place. The attractiveness of the country's natural
beauty, though under much population pressure, remains unchanged, and its main attraction—wildlife—is sufficiently abundant to satisfy most visitors.

Wildlife in Uganda is managed by two institutions: the Uganda National Parks, a parastatal body run by a board of trustees that looks after the national parks, and the Game Department, which manages game reserves, controlled hunting areas, and sanctuaries. Both organizations belong to the Ministry of Tourism and Wildlife. There is also considerable wildlife in the forest reserves managed by the forest department.

E. WETLANDS RESOURCES

Wetlands, also called swamps in Uganda, include all those areas where plant growth and animals live in association with permanent or temporary flooding. Wetlands could be of different types. The most common type in Uganda is that of valley bottomland wetlands. There are other types, such as the large river delta and floodplain wetlands. According to Scoones (1991) and Andriesse (1986), valley bottomlands are individually small in area; however, they constitute about ten percent of the total land area of Africa’s savannah. In Uganda, the valley bottomland wetlands are a common feature. Overall, however, wetlands cover about 29,589 square kilometres (which is about 6 percent of the total land area) as swamps, swamp forests, mountain bogs, and other areas with impeded drainage (Langdale-Brown et al 1964). Wetlands have many environmental values, including water storage, habitat to wildlife species, aquatic biodiversity, stabilisation of local climate and natural purification of water through stripping of nutrients and silt. Uganda has about 100,000 hectares of clay and peat swamps.

Wetlands are generally under customary tenure, where they are managed under CPRs for fishing or papyrus or special species of grass. Under the Environment Action Plan, attempts were undertaken to establish the extent and distribution of major wetlands under various resource tenure systems. In Uganda, a national wetlands policy is being formulated for the conservation and sustainable management of wetlands. The Uganda National Wetlands Conservation and Management Programme was initiated in 1989.

F. WATER RESOURCES

Uganda is well endowed with fresh water resources comprised of large lakes, rivers, and wetlands in the catchment regions that form the beginning of the River Nile basin. The distribution of this hydrological network, however, is uneven. About 43,942 square kilometres of surface is open water, marshy swamps, and rivers. These resources are rich in fish and other aquatic animals, provide breeding grounds and habitat for numerous wildlife species, are sources of water supply in the urban and rural areas, and are useful for water transport, hydroelectricity, and providing soil moisture to agriculture.

Regarding the fisheries resources, Uganda essentially depends on 13,492 square kilometres of lakes, rivers, swamps, dams, and ponds. There are 165 natural lakes in the country, of which the largest and most productive are Victoria, Kyoga, Albert, Edward, and George. The Nile is equally productive. Of the 938 dams and valley tanks, 511 are stocked with fish. There were as many as 11,000 ponds in 1971, but many of them have since then been abandoned by fish farmers.
The fish production in 1990 was estimated at 245,000 tons, worth Shs. 34.38 billion at the lake shore. Fish provides the required animal protein to the diets of the consumers. About 53 percent of the fish landed is marketed in fresh form and then marketed at the landings. With proper development, Uganda is capable of producing over 300,000 metric tons of fresh water fish annually.

G. FOREST RESOURCES

According to the department of forestry, Uganda's forestry reserves consist of approximately 1.473 million hectares of forest estate. The hectare has since declined, as some of the forests are converted into national parks. Until the early 1970s, forest estates were successfully managed consistent with a multiple-goal forestry policy, which balanced economic utilisation with conservation of wildlife, maintenance of biological biodiversity, and other values. Since the early 1970s, forest resources within gazetted forest reserves have been depleted at a very rapid rate, so that between 1970 and 1986, it is estimated, the areas of natural forest cover have been reduced by about 40 percent (Hamilton 1984). It is estimated that approximately two percent (which is about 110 square kilometres) of Uganda's high land tropical forests are lost every year. Mgahinga, Bwindi Impenetrable Forest Reserve, and Rwenzori Afrontomante rain forest were degazetted and converted into national parks in 1991.

The major forest reserves in Uganda now include: Mabira Forest in Mukono District, Budongo in Masindi District, Bugema Forest in Hoima District, Kibale in Kabarole District, Kasyanya Kitomi in Bushenyi District, Echuya Bamboo Forest and Maramagambo in Bushenyi District.

There is no policy relating to the control of forests on private land, whether freehold, leasehold or customary. The unprotected forest cover in Uganda is estimated at 2 million hectares. It is observed that much of the deforestation has taken place on private land. It is not uncommon, however, to find stretches of forests outside the forest reserves, and not necessarily on private land but on what is generally known as public land, in other words customary tenure. Forests on private and on public land in Uganda have not been documented and regulated under any known law, but some have survived as stretches of forests. Outside the Bwindi National Park and Kibaale Forest Reserve are pockets of forests on public land utilised by the surrounding community. This is an area that needs a full-scale study with a view to establishing the extent of private forests and those on public land communally managed.

The main concern is the loss of forest cover. According to the joint study by Makerere Institute of Social Research and the Land Tenure Center of the University of Wisconsin, Madison (MISR/LTC 1988), loss of forest cover has been caused by unregulated commercial exploitation and widespread encroachment of human settlement and agriculture into the forest reserve areas (Aluma 1989:3). In the 1960s, Uganda was producing timber for export, but due to the persistent decline in the forest cover, the export of timber was banned in 1991. For internal consumption, Uganda forests produce very good timber for the fast-recovering construction industry.
H. MINERAL RESOURCES

Mineral prospecting in Uganda started in 1913 in the western part of the country, and by 1925 tin was located on Kyamutura Hill near Ruzinga in Rwamara County, Mbarara District. In the following year, more tin deposits were located further west at Mwirasandu, and this marked the first export of minerals in commercial quantities from Uganda.

In 1927, copper was located on the southwestern slopes of Ruwenzori Mountain and later came to be known as the Kilembe deposit. Production of copper and cobalt started in 1956 and became Uganda's major mineral export. However, its production came to a standstill during the 15 years of political turmoil and economic decay. At the moment, there is a joint investment by France Barclays Metal and Kilembe Mines to re-analyse cobalt, as well as the remaining copper deposits around the Kilembe area. This effort has already indicated that there may be significant underground reserves of high grade cobalt ore.

In 1931, gold in commercial quantities was taken from the Kabale River, Kabale District. Production reached a peak in 1938 and thereafter steadily declined. By the time of political turmoil, commercial production had come to a standstill. As of now, foreign investors such as the Anglo-American Mining Company have started drilling at Tiira and Mubende District to establish gold bearing veins. Artisan local miners are also involved in gold mining at Kabong in Karamoja.

In 1937, wolfram (tungsten) was discovered in the Mpororo Valley, Kabale District, and first exported in 1939.

The presence of phosphates was discovered in 1937 from rocks of Volcanic origin at Sukulu and Bukulu in Tororo District, and its commercial production started in 1950. Phosphate was also discovered at Napak and Toror in Karamoja. At the time of writing, there is a significant extension of phosphate extraction and Sukulu for direct fertiliser application.

In 1946, small quantities of lead were discovered at Kampono, southeast of Lake George. Production of lead ore ceased after 1959.

Since 1947, limestone was produced from Muhokya near Kilembe Mines and later from Hima and Dura Rivers, in Kasese District. Large scale production of cement started in 1954, the limestone required for the process being quarried on the carbonatite hills in Tororo District. Limestone could easily be exploited, for it lies within a few miles of the Kampala-Kasese, and Kampala-Tororo railway lines. Other limestones such as marble are found at the foot of Moroto Mountain behind Moroto Township, and on the road from Moroto to Lokityanya. Numerous other outcrops of marble occur in less accessible positions.

In 1947, production and export of beryllium started, but its production was very sporadic.

In 1948, bismuth concentrates were first produced from the Bwindi Impenetrable Forest area, some 35 kilometres northeast of Kabale town. However, production was very small and, therefore, short-lived.
The mining of salt from the Katwe-Kashenyi Crater Lake area has been in the hands of local Ugandans. As produced, the salt is a mixture of sodium and potassium chlorides with lesser amounts of sulphate and processed only sufficiently to remove muddy impurities. Experimental work has indicated that further purification would not be economic owing to the present lack of markets for the resulting by-products.

Local artisans in Kibuku, Semliki Valley are engaged in mining other minerals, such as gypsum required for cement. Further artisan mining is being undertaken in Kikagati in Mbarara District and Buhweju in Bushenyi District.

Overall, a review of the mining law has been undertaken which will form part of a mineral investment promotion package for use by government, private investors, and bilateral assistance programmes.

I. HUMAN RESOURCES

Uganda, like most other countries of sub-Saharan Africa, is experiencing high population growth rates. The 1991 population count was 16.58 million, registering a growth rate of 2.5% per year since 1980. The population is largely rural, with about 90% of the people residing in the countryside. This situation reflects the basically agricultural nature of the national economy, and 80% of the economically active population are employed in agriculture.

The urban population lives in the cities of Kampala (700,000), Jinja (60,000), Masaka, Mbale, Gulu, Mbarara, Entebbe and Soroti (over 40,000 each). Kampala and Jinja account for 65% of urbanisation.

The settlement patterns vary considerably, depending on factors such as climate, vegetation, water supply, terrain, soil fertility, disease agents, and so on. This has led to differential population distribution both within and among districts. Thus, areas with stable rains, good soils, and free from disease agents have high and rising population densities (e.g., Masaka, Mpigi, Mukono, Bushenyi, Kasese, Rukungiri, Nebbi and Arua Districts and particularly Kabale, Kisoro and Mbale Districts).

Areas like Kabarole, Hoima, Masindi, parts of Mbarara and Iganga have low densities, mainly because of the tsetse flies. The rest of the county is sparsely populated mainly because of poor soils and rain. Internal migration is a major factor in population distribution both within and between districts. This rural-to-rural migration is clear in Kabale District, from where large number of people have been resettling in other districts.

Uganda is composed of many tribal groupings of Bantu, Nilotics, Nilo-Hamites, and those of Sudanese origin. About 60 percent of Uganda’s population is under 30 years of age, as shown in table 1.
Table 1: Uganda population by age and sex

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<th>Age Group</th>
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<th>Female</th>
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<td><strong>8,203,159</strong></td>
<td><strong>16,072,548</strong></td>
</tr>
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J. RURAL FINANCIAL RESOURCES

In Uganda, the rural financial sector characteristically operates outside the established government system. The few government programmes targeted at rural people have underlined the gravity of the problem. They have exposed the outreach constraint, corruption, and bottlenecks rural people face.

Financing rural development in Uganda has a multiplicity of problems derived from institutional and adverse structural constraints, gender ideologies, and lack of coherent delivery programmes that fully accept the rural sector into mainstream development planning. There is a mixture of institutional and policy impediments. Even the little that trickles down to rural areas is inaccessible to the poorest of the poor, due to stringent conditions in feasibility studies, collateral, and high rates of interest.

The following are the formal institutions that have assisted in financing rural enterprises in Uganda.

**Uganda Commercial Bank (UCB)**

This is a public corporation and the largest Commercial Bank in Uganda, with a network of 226 branches (Leo Kibirango 1990). In 1987, UCB launched a Rural Farmers Scheme (RFS)
whose major objective was to provide financial assistance to farmers in rural areas so as to improve their agricultural production.

According to its manual, UCB RFS was supposed to serve customers within a 50 kilometre radius. Not surprisingly, the beneficiaries records reveal greater participation of farmers who resided in close proximity to the bank while participation in the credit scheme diminished in the sub-counties furthest from the bank. The reason given for this was shortage of staff, since projects located near the bank are easier to supervise than those from far. The bank felt that it was uneconomical to supervise individual farmers residing far away and therefore advised them to form the Rural Farmers Associations as a pre-condition to getting loans.

Other problem sited as responsible for imbalances in loan disbursement among rural farmers by UCB RFS was the problem of slow processing of loan applications. One had to make a number of visits to the bank both before and after loan approval. This made the loan too costly for those living far from the bank. Most important, the scheme had a bias against those who had no collateral for mortgages. Those under CPR generally do not have security in the form of land title to present to potential financiers.

**BANK OF UGANDA CROP FINANCE**

The Bank of Uganda is the National Central Bank. Table 2 shows the summary of disbursement under Bank of Uganda schemes for development finance fund credit approvals in 1991, meant for procurement of farm/agricultural inputs and agroprocessing enterprises.

**Table 2: Development finance fund credit approvals (1991)**

<table>
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<tr>
<th>Beneficiaries</th>
<th>Approvals</th>
<th>No.</th>
<th>%</th>
<th>Amount</th>
<th>%</th>
</tr>
</thead>
<tbody>
<tr>
<td>Men</td>
<td>39</td>
<td>83</td>
<td></td>
<td>153,808,409</td>
<td>54</td>
</tr>
<tr>
<td>Women</td>
<td>4</td>
<td>9</td>
<td></td>
<td>10,640,000</td>
<td>4</td>
</tr>
<tr>
<td>Co-op. society</td>
<td>3</td>
<td>6</td>
<td></td>
<td>73,760,000</td>
<td>26</td>
</tr>
<tr>
<td>Others</td>
<td>1</td>
<td>2</td>
<td></td>
<td>45,000,000</td>
<td>16</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>47</strong></td>
<td><strong>100</strong></td>
<td></td>
<td><strong>283,208,409</strong></td>
<td><strong>100</strong></td>
</tr>
</tbody>
</table>

Source: Analysis of assisting credit schemes in the Bank of Uganda by Clare Waramo (1991)

It shows that 54% of the total amount disbursed was allocated to 39 men while only 4% was allocated to 4. This imbalance among sexes is ironic since women constitute the greatest proportion of rural farmers.
This scenario was similar to that of the Bank of Uganda’s Crop Finance Scheme as shown in table 3.

Table 3: Applications and disbursement, crop finance 1989/90 season

<table>
<thead>
<tr>
<th>Beneficiaries</th>
<th>Approvals</th>
<th>Disbursements</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>No.</td>
<td>%</td>
</tr>
<tr>
<td>Men</td>
<td>425</td>
<td>90.43</td>
</tr>
<tr>
<td>Women</td>
<td>37</td>
<td>7.87</td>
</tr>
<tr>
<td>Co-op. society</td>
<td>7</td>
<td>1.49</td>
</tr>
<tr>
<td>Others</td>
<td>1</td>
<td>0.21</td>
</tr>
<tr>
<td>Total</td>
<td>470</td>
<td>100.00</td>
</tr>
</tbody>
</table>

Source: Women’s Credit Needs Assessment Study by the Bank of Uganda, Women’s Credit Desk in collaboration with USAID, UWFOT, NCW, UCS 7 UC (1990)

The main problem preventing women from securing financial/credit assistance is the lack of mortgages or collateral. Women in Uganda generally do not have rights of ownership of land and other property. As it will be noted later in this report, women are the great beneficiaries and users of CPRs. Under customary tenure (unlike under PPRs or SPRs), women are assured access to natural resources. On the other hand, men tend to dominate ownership of resources under private property. This makes it difficult for women to secure loans, as the banks and other capital markets need collateral or security guarantees in case of failure to repay the loan.

While the rural people constitute the driving force in the development of the economy, they remain hampered by lack of accessibility to investment resources and finance. Rural women’s accessibility to credit is further hampered by gender ideologies, which are rife in rural areas. There is discrimination against women in property rights, inheritance laws, and access to education, to mention but a few. Many rural women are illiterate, lack information, and have less access to resources, especially private land, which can be used as collateral to obtain credit.

**CENTENARY RURAL DEVELOPMENT TRUST (CERUDET)**

CERUDET is a financial institution owned by the Catholic Church in Uganda. The trust was established in 1984 and, since then, has financed a wider range of small-scale enterprises and businesses, including small-scale industries, crop financing, and wholesale and retail trade; some of which have a direct link to agricultural production.

CERUDET differs in many ways from UCB RFS. UCB concentrated on financing farmers residing in close proximity to the bank; CERUDET disbursed credit assistance to rural farmers
irrespective of the distance from the bank. Distant areas were reached through church deaneries. This outreach effort of CERUDET is crucial if rural development programmes are to realise their objectives. CERUDET like any modern financing institution easily embrace those customers with securities to guarantee the credit facilities extended to them. Its capacity, however, has financial limitations.

**The Co-operative Movement**

In Uganda, many rural farmers have been organised under the cooperative movement. These mainly are comprised of farmers who cultivate cash crops, such as coffee and cotton, as well as agrobased enterprises.

In 1991, about 5,832 cooperatives had registered with the Ministry of Commerce, Industry and Cooperatives (Ministry of Trade and Industry). Under the Cooperative Societies Act (Act 30 of 1970), a cooperative must consist of at least 30 people and can be formed for a variety of purposes. 63 percent of registered cooperatives were formed for agricultural marketing. The other major categories are: savings, 8 percent; multipurpose, 7 percent; consumer, 4 percent; transport, 4 percent; livestock, 3 percent; and farming, 2 percent.

The role of the cooperative societies used to assist farmers/cooperatives in the procurement of farm inputs, e.g., seeds, fertilisers credit assistance, and in the sale of produce. This was mainly done through the Cooperative Bank. However, the civil wars and political unrest that have characterised Uganda for almost two decades undermined the cooperative movement. As a result of the persistent turmoil, the cooperative movement has been bedevilled with corruption and mismanagement of cooperators’ finances, which climaxed in total failure by the same cooperative unions to pay farmers for their produce. This has resulted in a lack of confidence by the population in cooperative unions. As a measure to counteract this cancer within the unions, the government decided to liberalise the export of some crops which were hitherto exported only through marketing boards. It is hoped that this liberalisation will increase the competition of unions with the private sector, hence generating efficient management and subsequent benefits to rural farmers. Among the export crops that have been liberalised in Uganda are coffee (1992) and cotton (1993). In the same spirit of promoting efficiency, some unions and cooperative societies are assisted in training and management by the Cooperative Alliance.

The Cooperative Bank has tried extending credit assistance to women farmers, but this has not been sufficient considering that not many women have rights over private property, which has made it difficult to secure collateral. Also the credit facility to rural people should cover the need to add value to crops produced, e.g., assisting them in the procurement of spinning mills and hand looms in case of cotton.

**Non-Governmental Organisations and International Agencies**

Commercial Banks in Uganda (the largest financial institutions in the country) are not enthusiastic about financing small-scale rural-based enterprises, and most of the Development Banks do not fulfil this function. The problem of recovering overdue loans and calling the guarantees for unpaid loans have discouraged the few banks that took the risk of financing
small- and medium-sized enterprises, especially in rural areas. There is a large cultural gap between traditional saving patterns and the requirements of a modern banking system. Uganda lacks community financial institutions to embrace rural entrepreneurs, especially the small-scale enterprises in the agricultural sector.

International and non-government donor agencies have been the main sources of rural development finance in Uganda’s rural communities. Donors such as FAO, USAID, the World Bank, the European Economic Community, UNICEF, the African Development Bank, and numerous non-governmental organisations (NGOs) have been involved in funding different projects geared to rural development. These projects range from extending credit, providing agricultural tools, to aiding animal husbandry, afforestation, technologies and processing, and rural water and sanitation facilities.

Funds are channelled through indigenous NGOs, such as churches, or extended directly to the government through its implementing agencies and departments. In some cases, international NGOs directly implement the projects or work hand in hand with local NGOs or communities.

Financial institutions range from commercial banks, to rural credit and building societies, to savings and credit societies. Their level of performance varies. As noted, Uganda as of now does not have a rural or an agriculture bank. International development agencies and NGOs have to a certain extent filled that gap, though on temporary and limited terms.

In Uganda, there has grown a body of experience in grass-root small-scale enterprises. Naturally, their details differ according to circumstances but common features are:

- mobilisation through attractive deposit rates of savings from thousands of small savers;
- relatively small-scale enterprise loans made to a substantial portion of these savers at high interest rates giving a substantial spread over and above deposit rates; and,
- short-term loans to finance working capital or a small fixed asset.

Among the operational friendly institutions were like those run by Action for Cooperation and Research for Development, Uganda Women’s Finance and Credit Trust, Experiments in International Living, and CERUDET.

A case study undertaken by the team in an attempt to establish the distribution of credit established that:

- loans are made for any form (one week to two years or more) and between 5,000 to 30m U.Shs;
- interest rates charged are as regulated by the Central Bank (Banking Act 1969); and,
- the pattern of loans in 1990/91 were as shown in table 4.
Table 4: Distribution of Loans for Rural Enterprises

<table>
<thead>
<tr>
<th>Sector</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>Commercial</td>
<td>79</td>
</tr>
<tr>
<td>Education</td>
<td>4</td>
</tr>
<tr>
<td>Transport</td>
<td>1</td>
</tr>
<tr>
<td>Agricultural</td>
<td>14</td>
</tr>
<tr>
<td>Industry</td>
<td>2</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>100</strong></td>
</tr>
</tbody>
</table>

Source: Wavamunno Analysis and Rural Credit Disbursement

This reveals what seems to be a general pattern with credit facilities, as indicated by our respondents, that much of the credit extended by various rural financing institutions does not necessarily go to agriculture. In almost all respects, the financing institutions prefer collateral security for the funds loaned. This tends to favour the rich and men, since they are the ones who hold rights over ownership of property that can be provided as collateral. This system tends to favour private enterprises.

**INFORMAL SOURCES**

Prominent among the informal sources of credit in rural areas include saving and credit societies whose objective is to pool resources and disburse loans on agreeable rate of interest to members. The membership of the society is based on the ability to pay the required amount of share capital, but members mainly hail from the same village or community. The major problem facing these societies is lack of enough financial resources. This has culminated in disbursing small loans to a few privileged members.
IV. COMPARATIVE EVALUATION OF PRIVATE AND COMMUNAL TENURE SYSTEMS

A. BACKGROUND INFORMATION

When undertaking the evaluation of different types of natural resource management strategies as motors of development promotion, a number of factors should be considered.

a) The state tends to regard CPRs as prone to tenure insecurity. This is especially true with pastoral areas, as shown in table 5. Unless this attitude is corrected, development may be difficult to attain in natural resource areas under CPR. The state established refugee camps, military barracks, game reserves, national parks, and state commercial ranching schemes in pastoral areas and forests under CPR.

<table>
<thead>
<tr>
<th>District</th>
<th>Commercial ranches</th>
<th>Game reserves</th>
<th>National parks</th>
<th>Refugee camps</th>
</tr>
</thead>
<tbody>
<tr>
<td>Mbarara</td>
<td>50</td>
<td>1</td>
<td>1</td>
<td>2</td>
</tr>
<tr>
<td>Masaka</td>
<td>59</td>
<td>-</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Mubende</td>
<td>34</td>
<td>-</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Luweero</td>
<td>27</td>
<td>-</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Masindi</td>
<td>37</td>
<td>1</td>
<td>1</td>
<td>-</td>
</tr>
<tr>
<td>Kotido</td>
<td>-</td>
<td>-</td>
<td>1</td>
<td>-</td>
</tr>
<tr>
<td>Moroto</td>
<td>30 (proposed)</td>
<td>4</td>
<td>-</td>
<td>-</td>
</tr>
</tbody>
</table>

b) Colonial and post-independence governments together with development agencies, including NGOs, have invested substantial monetary resources in improving rangeland management without attaining alternative strategies commensurate to the indigenous natural resources management system. Moreover, development interventions have even disrupted the efficiency of the traditional pattern of rangeland management.

c) Customary rights and institutions of pastoralists in their traditional grazing land are not recognised under the LRD.

d) The clans, communities, and cooperative societies are seen as not having built-in incentives to make improvements and investments, nor providing adequate security of tenure. Private enterprises are deemed to operate more efficiently than communally-managed undertakings. The cooperative societies in Uganda have experienced poor management and are bedevilled by corruption.

e) Colonial policies focused on cash cropping, which enhanced individualisation.
f) Ugandan population growth rate increased from 1.5 to 3.8 until it settled at 2.5 percent.

g) The recommendation by the East African Royal Commission in 1955 that Uganda should pursue a land tenure policy to seek the individualisation of land has had far reaching effects on CPRs in Uganda.

h) Though under customary practice, various ethnic groups in Uganda owned land communally, the gathering of fruits and cultivation remained a household matter.

On the other hand, in considering rural development the following points should be taken into account.

a) Protection of the environment is increasingly realised as an integral part of development.

b) Equitable income distribution is an essential element of rural development.

c) Access to natural resources by the rural poor is a prerequisite to rural development.

d) Community participation in planning and decision-making in the management of natural resources is becoming recognised as an important prerequisite to the success of sustainable development.

B. COMMON PROPERTY REGIMES AT HOUSEHOLD LEVEL

A household is a group of people who live and dine together. In Uganda, the members of a household are members of a family, an extended family that includes other members besides those of the nuclear or elementary family. It may include in-laws and even friends. The interest of a household in the management of a natural resource under CPRs is essentially in the benefit stream of the resource.

Unlike under a private regime, the members of the household attain access to the natural resources by virtue of their household being a member of the social group governing the resources. This is applicable in pastoral areas of Uganda. Herds of cattle are collectively owned by the members of a household and the pasture land under CPRs are collectively utilised by a relatively larger group than members of a household.

In the management of CPRs, the household is a component of the group that is responsible for the resources. The household has the duty to recognise the source of authority in that group and shares similar interests with the whole group for sustainable utilisation of the rangeland.

Even on arable land resources under CPRs, the household is responsible for its own gardens and for feeding itself. The members in a household assume different tasks for the good of the household.

In the case of pastoralists practising nomadism or transhumance in Uganda (such as the Karamojong in the northeast and, until recently, the Bahima of Ankole in the west), several
households live and migrate together for the security of both themselves and their animals. The herding and milking or loss of any animal is a matter that directly affects the household. Due to cattle raiding, disease and drought, some households in Karamoja have lost their cattle. Some households now depend on crop cultivation, using the land under crops as individualised parcels of land but used communally for grazing when the crops are removed.

C. A LINEAGE OR CLAN
A lineage is a corporate group recruited by descent; a clan is composed of persons claiming common descent. Except for the increasing population pressure, members of a lineage in Uganda used to live quite close and could claim a productive resource such as a parcel of land. It is common in Uganda to find clan land even among crop cultivators, as is the case in the Busoga area covering the districts of Jinja, Ianga, and Kamuli. The mobility due to easy transport, communication, and employment opportunities, however, has made it increasingly difficult for members of the same clan to live in the same locality. This is particularly true for crop-cultivators under a PPR; however, there is an sense of belonging to a certain location and ancestral grounds where people tend to retire. A clan is a distinct social unit with all qualities for managing the natural resources under CPRs.

In Jie County of Kotido District are seven clans forming the Jie ethnic group. These clans group together to guard their grazing land. The same applies to Matheniko and Bokora Counties in Moroto District. Clans have the right to exclude those who may not belong to the clan or lineage.

D. VILLAGE OR COMMUNITY
The term village is applicable to a group of households found in a defined geographical locality with recognised boundaries. In some areas of Uganda, particularly in Karamoja, villages are not necessarily demarcated as distinctly as is the case in the central Buganda area. In Karamoja, a group of manyattas, or collections of huts, could form a village. The dictionary definition of a village is a unit of compact settlement varying in size but usually larger than a hamlet and smaller than a town and distinguished from a surrounding rural area. In Uganda, the community in such a location is too small to guard the pasture land and is confined to guarding their animals in their respective Kraals. For that purpose, they always graze together. This was observed in Tapac Sub-county among the Tapeth ethnic group in Moroto District.

Unlike a village which is more or less a mere geographical location, community refers to people who have a sense of shared membership, resource and purpose like the Tapeth, Jie, or Bokora. It should be noted that communities may belong to different leaderships and even use the natural resources at different tenure systems. The Mitch Duncan Dictionary of Sociology defines a community as a collective of people who occupy a geographical area, engage in economic activity, constitute a self-governing social unit, and have the same values and a feeling of belonging to one another.

E. OTHER SIGNIFICANT SOCIAL GROUPINGS
The church was identified as one of the communities that has interest in the use of resources under CPRs. This is especially true in the Karamoja region. The church, however, has gone to
the extent of leasing pastoral land. Church communities use the rangeland in their location as PPRs. In other localities, church communities establish crops and manage their garden privately but let it fall into a CPR for grazing purposes once the crops are removed.

The Catholic mission was finding it difficult to establish a church at a site near Kotido town. The local community was of the view that the church would influence its young women and they would refuse to marry in their tribe. At the time of our visit, the consultations were still going on among the elders. They had so far refused to part with their pasture land for the church, which would enclose it permanently and use it privately. To them it was tantamount to alienation of their land.

**F. MANAGEMENT: MERITS AND DEMERITS**

Under CPRs, members of various social groupings are assured of accessibility to the natural resources and also participate for their survival; the operation and benefit stream, however, remain essentially at subsistence level. To an external observer, the management practices are generally primitive, and the level of production is quite low compared to a PPR. A case study of Sanga Sub-county in Nyabushozi County assessing the performance by household tenure in terms of production of cattle keepers with the same type of indigenous cattle offered distinct results. Households under CPR had no milk for sale while those under individualised tenure could afford to sell at least five litres every day. The herd structure was the main source of difference.

| Table 6: The use of inputs and management practices by mode of household tenure |
|-------------------------------------------------|---------------------------------|-----------------|-----------------|
| Management/ Inputs                             | Individualised/ private tenure | Communal tenure |
|                                                 | No.   | %     | No.   | %     |
| Perimeter fencing                              | none  |       | 20    | 40    |
| Paddocked                                      | none  |       | 2     | 4     |
| Valley dams                                    | all silted |     | 4   | 8     |
| Dips                                           | all collapsed |       | 6   | 12    |
| (At least once a month)                        | treated once only for rinderpest |       | 6   | 12    |
| Bush clearing                                  | none  |       | 17    | 34    |
| Improved seeds                                 | none  |       | none  | 0     |
| Mineral lick                                    | use of mineral water/soils     |       | 21    | 42    |
| Other vet. drugs                               | none  |       | 3     | 6     |
The level of technology and use of inputs under CPRs is generally simple, as shown in table 6. The techniques adopted require minimal equipment and inputs. The inventory of household property made in some selected areas in Mbarara and Kotido revealed a general low level of household property among cattle keepers. It also exhibited a general absence of items like bicycles, radios, modern milking cans, and chairs among CPR households. During the research visits for example, the team was only offered a chair in two households (which were under private tenure).

Every rural person in Uganda is a CPR-user, though urbanites also benefit, particularly in terms of fuel wood resources. The management of CPRs involves the rural poor. The women and the poor are easily targeted and covered in case of rural development programmes covering CPRs, as is the case in rice growing areas of Eastern Uganda.

The management and the area under CPR remain the responsibility of the community concerned. Any extension work is undertaken in consultation with the community, and it facilitates community participation. CPRs are cost-effective, as they do not require heavy investment, as is the case with private tenure. Programmes designed for rural development under CPR easily take off given the extended familiarisation with the society and economy. In designing a development programme for CPRs, we need to realise that the necessary confidence between outsiders and participants takes long to develop.

CPRs are appropriate where resource productivity per unit area is not high enough to guarantee the individual and public returns needed to sustain PPR. This is applicable in arid areas where livestock management would need a lot of work on obtaining water and improving the pasture. CPRs would serve a purpose where a group venture is the only practical way of securing and controlling the resource as is the case in respect of fishing in various parts of Uganda. CPRs also are appropriate where new technologies could support privatisation by the minority with access to these technologies, but this might occur at the expense of the poorer majority.

The main weakness of CPRs is theirs failure to sustain demographic explosion. The operational institutions also tend to vary from one community to another and generally are not easily identified by an outsider. All these could be overcome, provided there are activities to enhance the inputs of production (Cohen and Upholff 1977), such as natural resource management, human resource development, and enlargement of capital facilities such as rural infrastructure or savings and credit programmes.

G. POOR PEASANT PROPRIETORS

The society is not homogeneous. CPRs in their traditional form there is an element of sharing and equitable distribution; under the PPRs, the distribution of resources is through individual access to the natural resources. The majority of people in rural areas are peasant farmers who generally are on small parcels of land for subsistence cultivation. What may be of concern at this stage is the presence of peasant farmers in the pastoral environment with fragile
agricultural land and peasant farmers without cattle in a cattle environment. This reduces them to the level of poor peasant proprietors.

In Buganda area where mailo land tenure is in practice, peasant farmers land are mainly mailo tenants while those on customary land are customary tenants. Until the LRD, customary tenants on public land had been protected by the Public Lands Act 1969 Section 24(2), whereby the controlling authority could not alienate in freehold or leasehold any public land occupied by customary tenants without their consent.

Peasant farmers on customary land and on mailo land as tenants were left worse off after the LRD 1975 than under the system where they were paying some dues to landlords and chiefs. It is also to be noted that bibanja holders on former mailo land under the Busuulu and Envujjo Law 1927, just as tenants on former freeholds in Ankole and Toro under the Ankole Landlord and Tenant Law 1937 and the Toro Landlord and Tenant Law 1937, respectively, had some protection and security in their holdings. With the LRD, they were left at the mercy of the landlords and chiefs who could evict them.

The LRD 1975 repeals the three laws mentioned in the previous paragraph. It is no longer lawful for a person to occupy by customary tenure any rural land not alienated in leasehold or freehold. A customary tenant on public land does not have transferable interest in land. It is even an offence to enter into an agreement purporting to transfer any interest in any public land occupied by customary tenure. (Section 4(2) LRD.) The position of customary tenure on public land became precarious and statutorily converted into tenancy at sufferance.

Under such circumstances, peasants producing for subsistence would be better off under CPRs than under private land tenure where they are always evicted without any meaningful compensation. They are equally badly off under public land tenure. Such public land where there are poor peasants is often leased without the peasants’ consent and knowledge. Worst of all, the poor peasants on state ranches are labelled as squatters, having been displaced by the commercial ranchers.

H. RICH PEASANT PROPRIETORS

Under such circumstances, the position of the poor peasants was made insecure. The country is experiencing evictions of poor peasants from mailo and customary land bought or leased by rich landlords. Rich peasants are occupying holdings of about 2-5 hectares. Some of them have titles for their parcels of land. They produce enough for subsistence and even have a surplus to sell.

The urban owners are generally known as “absentee” landlords and, if engaged in any farming, are weekend farmers. These hold either mailo land or leasehold titles.

Given effective programmes covering family planning, crop and animal husbandry practices, and supported by financing institutions, the rich peasants would easily thrive under private tenure arrangement. They have incentives to undertake long-term improvements and investments on their farms, as shown in table 7.
Table 7: Number of improvements by household mode of tenure

<table>
<thead>
<tr>
<th>Household mode of tenure</th>
<th>Number of improvements</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Poor peasant</td>
<td>621-</td>
<td>9</td>
</tr>
<tr>
<td>Rich peasant</td>
<td>3322541-1-</td>
<td>21</td>
</tr>
<tr>
<td>National corporations</td>
<td>-211-</td>
<td>4</td>
</tr>
<tr>
<td>Multinational corporations</td>
<td>-2444513-</td>
<td>23</td>
</tr>
</tbody>
</table>

I. NATIONAL AND MULTINATIONAL CORPORATIONS

National and multinational corporations in Uganda are generally created to venture in areas where a private individual would not invest, either because of uncertainty about the profitability of an enterprise or due to the long period required before investment pays dividends. The corporation mainly operate like private companies. In some instances, they have been created to run community services such as water distribution. The Uganda electricity Board for Power and the National Water and Sewerage Corporations are some of the corporations one may consider. The performance of national corporations has proved inefficient in farm undertakings and is discouraged. There is a strong feeling that many of the services rendered by corporations should be liberalised to allow other organisations to participate competitively.

In the wake of the liberalisation policy, many corporations have been listed for privatisation. Some national corporations such as the Uganda Fisheries Enterprises have proved unsuccessful. According to artisan fishers, they would prefer the fishing venture to be left to the artisan fishers and confine processing to big processing plants. When big corporations are involved in fishing, a large number of artisan fishers would be rendered redundant. Artisan fishers would supply fish to the processing plants, which have facilities to handle the fish in bulk. The big processing plants would fish the deep waters the artisan fishermen cannot reach. The fish processing, packing, and storing for export and distribution in the country calls for heavy investments that would only fit big companies.

In a country like Uganda, where the majority of peasant farmers and artisan fishermen have no alternative other than tilling land or exploiting the waters for fish, national and multinational undertakings may prove detrimental to the poor peasant proprietors in terms of displacement and unemployment. National and multinational corporations should undertake enterprises that are beyond the reach of the peasants.
K. EMPLOYMENT CREATION AND WOMEN'S ACCESS TO RESOURCES

Under CPRs, each individual or household is the proprietor, which in itself ensures full employment. CPRs are akin to indigenous socioeconomic structures in areas of low productivity and low population density. As population grows (as has been the case in the Namalu area of Moroto District and Nyabushozi County of Mbarara District), the total demands on the resource ultimately exceed its rate of regeneration. Under such circumstances, the CPR breaks down to private parcels for individual investment or open access that is free for all and leads to resource degradation. Improving the CPR to sustain new demands calls for capital investment, which is generally not accessible under CPRs, given the absence of any prior institutional fix. This means employment is not created under CPRs. That is why commercial ranches were introduced: to increase production, income, and employment. The schemes so far, however, have proved a failure in attaining those goals; instead they were encroached upon by the squatters who had originally been displaced. On ranching schemes, the squatters have more cattle than the ranchers, as table 8 shows.

<table>
<thead>
<tr>
<th>Ranching scheme</th>
<th>Ranchers</th>
<th>Squatters</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Ankole</td>
<td>31,304</td>
<td>42,427</td>
<td>73,731</td>
</tr>
<tr>
<td>Masaka</td>
<td>10,006</td>
<td>65,425</td>
<td>75,431</td>
</tr>
<tr>
<td>Singo</td>
<td>2,904</td>
<td>14,690</td>
<td>17,594</td>
</tr>
<tr>
<td>Buruli</td>
<td>11,066</td>
<td>14,114</td>
<td>25,180</td>
</tr>
<tr>
<td>Bunyoro</td>
<td>0</td>
<td>2,562</td>
<td>2,562</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>55,280</strong></td>
<td><strong>139,218</strong></td>
<td><strong>194,498</strong></td>
</tr>
</tbody>
</table>


Squatters on commercial ranching schemes are “equivalent” to displaced cattle keepers under CPR. The areas which historically used to be under CPR had been converted to state property and private property with heavy investment. Due to the declining communal pasture land, the indigenous people under CPR found themselves called squatters on their land. Under such circumstances, CPR would offer more employment opportunities than state or PPRs. Under CPR, the resource management policy has that blend which will ensure human survival.

The PPR is advocated on the basis of its formalised legal efficacious institution arrangement suitable for high management and transactions costs. In CPRs there is employment (participation) for each member of the community managing the natural resources, almost
creating equity distribution. Employment under private regimes is created for a few selected disciplines and skills responsible for the management of the natural resources.

Under common property arrangements, as it was observed among pastoralists in the Mbarara and Karamoja areas and artisan fisheries on Lake Mburo, all the members of the household fully participate for their survival. It was noted, however, that the tasks are clearly divided on the basis of sex and age groupings. While men dominate the fishing industry, the women smoke the fish and are responsible for the firewood supply, which is also generally collected from common property forests and woodlots.

The main economic activities identified under CPRs include: herding cattle, building huts, crop farming, mainly by women. Charcoal burning, ferrying firewood to urban areas, and hunting as a means of supplementing the supply of food. These are at a simple level, using simple technology, and for a particular community. On the other hand, under PPR employment creation is for a specific type of training. Labour is hired from any source inside and outside the community. As more and more private investments are undertaken new jobs are created, bearing in mind that advanced sophisticated technology would lead to capital intensive enterprises rather than labour-intensive ventures.

If resources under CPRs in Uganda were not threatened by the external factors and government policies earlier noted, they would be capable of ensuring full employment. They have not received attention for investment purposes. CPRs lack legitimacy in Uganda. This limits the investment capacity that would have generated a gradual development in CPRs.

For the CPR to survive and create employment for the growing population, the institutional arrangement and production per unit area must keep pace with the changing process. That is why it is becoming increasingly difficult in Uganda to find CPRs under crop cultivation. Access to resources in the agricultural sector where individualisation has taken root is limited to a few. The land market is second to inheritance in means of access to arable land.

In Uganda, women account for about 60 percent of the rural population. The demands upon women in rural areas include ensuring supply of food to the family. As men tend to be away from their homes due to employment in urban and other rural areas, the responsibilities of ensuring a supply of food, water, and firewood, and meeting other needs such as paying school fees, meeting medical bills, and the like are increasingly falling upon women. We noted that all the traditional needs of women are easily obtained under common property where they are assured of access to forests or woodlots for firewood, medicinal plants, fruits, palm leaves, and other materials.

Water points in Uganda are generally controlled by men and take priority for bathing and watering animals at the source. The water points under CPRs, however, would ensure women's access to water. Where watering points are individualised, or where women are just required to pay token contributions towards the repair of boreholes, women are constrained due to lack of income, and they have to depend on men to pay.
Under common property, the issue is not who controls the natural resources but how access to the facility is made possible. Even in cattle-keeping tribes in Uganda where women have little control over the animals, access to milk is ensured to enable the women to prepare meals. Women are responsible for milking and churning it which adds value for eventual marketing.

It is observed that by their role in a family, women rely most on common property resources either for home consumption or for generating income. Access to resources under PPRs is not determined by one’s role in a family or community but by who has control over the resources. While in CPRs the resources are collectively managed, under private property resources the access is through one’s ability to purchase.

**L. INCOME GENERATING ACTIVITIES**

Related to the discussion above is the issue of income-generating activities. Under PPRs these activities are determined by control over resources. Under CPRs, it is not a question of control but rather access. Since it is easier to have access to natural resources under CPRs, income-generating activities would be more easily undertaken under CPRs than under PPRs. About 10 percent of respondents eke a living from such income activities as collection of papyrus and palm leaves from various common property resources, especially those by the main roads and trading centres.

We must note that the main weakness of CPRs is the failure to sustain the demographic growth. CPRs tend to deteriorate under such pressure. In such circumstances, natural resources are easily destroyed through excessive exploitation. In our view, therefore, CPRs cannot sustain increasing demands for income-generating activities if population growth is not controlled. Instead, the CPR would degenerate to a non-property state of open access.

**M. INCREASE OF AGRICULTURAL PRODUCTION/PRODUCTIVITY**

The productivity of natural resources may be increased in two ways. Either by undertaking improvements or investments, both of which are influenced by the security of tenure. When examining security of tenure by proxy of improvements and investments undertaken by various households to increase production/productivity, the results favour PPRs over CPRs.

In the final analysis, there is always a need to know who would benefit from the increased agricultural production that may be generated through improvements and investments of the natural resources as shown on table 9. Will the increased production only accrue to a few individuals at the expense of the majority or will it ultimately benefit the masses in the rural areas? The envisaged improvements and investments on the rangeland through the eradication of tsetse flies and eventual introduction of commercial ranching schemes resulted in displacement of the indigenous pastoralists in Nyabushozi County in Mbarara District. The problems created remain unsolved and resulted in the creation of the Ranches Restructuring Board to subdivide the commercial ranches and resettle the peasants labelled as “squatters.” The improvements and investments undertaken to create Lake Mburo National Park also has sparked off conflicts with the pastoralists in and around the park. The Research Team could not establish any improvements and investments undertaken by private ranchers on the Ankole Ranching Scheme. Our respondents were of the view that the investments that had been
undertaken were frustrated during the series of civil strife. What is easily noted is the increasing number of the local pastoralists without cattle. Some households have resorted to cultivation while others do not have any land for either herding or cultivation.

**Table 9: Improvements and investments by household tenure**

<table>
<thead>
<tr>
<th>Indicators of security of tenure</th>
<th>Communal tenure</th>
<th>Private tenure</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>No.</td>
<td>%</td>
</tr>
<tr>
<td>Paddocking</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Perimeter fencing</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Agroforestry/improved pasture</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Cattle dip</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Water pod</td>
<td>7</td>
<td>14</td>
</tr>
</tbody>
</table>

Individualisation and private undertakings on arable and pastoral land have displaced the rural poor. This is reflected in the volume, nature, and level at which land disputes are solved. According to the preliminary findings of Kigula (1992) in the regions where population pressures on the land are very high, such as Kabale and Mbale, land disputes have resulted in numerous murders, grievous bodily harm, and insecurity. The people who are evicted by landlords to make improvements and investments impoverish the rural poor in large numbers. Though the eviction is legally undertaken as outlined under the LRD, the team was alarmed to note the frequency of government intervention to stop evictions (Nsibambi 1989: 223-248.)

Both the poor and the rich use resources in CPRs, whereas PPRs mainly benefit the rich only. Increased production also goes to the rich peasants and the state. It depends on the services that may be rendered by the state to the people in the areas concerned to enable the rural poor to benefit, through a trickle down process. Under normal circumstances in Uganda, the state offers free medical care, subsidises educational costs, constructs and maintains roads, and provides security to the people and their property. Attempts to officially introduce cost sharing in social services, especially with respect to health and educational services, met resistance both in the parliament and in different institutions of higher learning in the country. The breakdown of the state machinery in the last 15-20 years has gradually shouldered the people with the cost of services which used to be free. Where people on their own initiative have taken on cost sharing, the practice is functioning, though not without complaints. As of now, health services in Uganda have not been privatised, but, with increasing demands on the state amidst minimum economic growth, providing sustainable public services is becoming difficult for the state.
Even the argument that increased production/productivity is attained under PPRs is debatable. Studies have established that households on customary tenure had as good a yield of the crops per unit of land as those under private large commercial undertakings (Belshaw 1989). It was also established that overgrazed parcels of land were spotted on commercial ranches in the cattle corridor, and no substantial improvement of the pasture on commercial ranches could be recorded. (Kisamba-Mugerwa 1992).

N. SOCIAL COHESION AND GROUP SOLIDARITY

As natural resources under CPRs become individualised, as is the case among the Bahima in western Uganda and the Karamojong in northeastern Uganda, the traditional socioeconomic pattern is upset. In Uganda, residents of growing fishing villages in Queen Elizabeth National Park are being harassed by the authority of the Uganda National Parks. The collection of firewood and building materials is curtailed, as is hunting, since no human activity is allowed in the national parks other than those activities related to the welfare of the wildlife. The level of dispute between the Lake Mburo National Park Authority and the residents in its neighbourhood reached national dimensions. The disputes between commercial ranchers and the indigenous pastoralists in Nyabushozi developed into armed conflict.

The resident communities in the neighbourhood of various forest reserves, games reserves, and national parks have faced serious conflicts between the various authorities in charge of those reserves and the indigenous users of these resources, deprived of their traditional access to them. Due to the pressure on the reserves by the local communities, the policy of community participation should be seriously considered, whereby the community is involved in the management of the reserve and ensured of the benefit stream for the well-being of the community.

Among pastoralists, the tradition by which they spread the risks of losing cattle (in case of drought) by distribution of the cattle to friends and relatives has almost been brought to an end since the pastoralists are no longer capable of migrating in their traditional pattern. They all experience the same hazards since they tend to be confined in specific localities. This has been brought about by individualisation of the rangeland. Those who lose cattle in case of drought find it impossible to replace them through the tradition of exchange with others.

Urbanisation and the introduction of a monetary economy in a pastoral economy impoverishes pastoralists. In some parts of Uganda, pastoralists have resorted to petty trading in urban areas. In Kotido and Moroto, the team noted that the majority of viable businesses in the towns belonged to immigrants from Somalia. Urbanisation only pushes indigenous pastoralists to peripheral areas.

The success of CPRs can only be attained where there is contingent behaviour or quasi-voluntary compliance. There must be a source of authority, a code of conduct respected by all the co-users, and close interactions among the members of the group.

The members have common interests and sit together to solve their needs. The CPR is conducted like a PPR in terms of exclusion of non-members. Members, however, must consult,
unlike under a PPR. Since everyone under CPR has structured rights and duties to perform, this warrants inter-dependence among the members of the community and enhances social cohesion and group solidarity.

O. SOCIAL JUSTICE

Under CPRs, co-owners have access to the resources and give respect to each other. Social justice is ensured through a mechanism that gives duties and then binds individuals to those duties. The success of CPRs depends on each group's reasonably secure expectation and assurance that others will behave in the same way. This is enhanced by the fact that failure to comply with the obligations will receive retribution from the authority in the system.

In a PPR, a single owner can decide what shall be done for his/her own benefit. In our discussion, it emerged that the respondents envision natural resource private regimes as elements that deprive the majority of the people the use of their resources. Increased exports through increased production, if any, and benefits from tourism do not easily reach the rural poor. One would not imagine that the trickle down process would deliver any benefits to the majority of the people under the PPR. As observed among the pastoralists and artisan fishers, community participation and the dependency to each other under CPR are conducive to social justice. The team is of the view that, unlike in PPRs, CPRs promote social justice through the care for one another during food shortages, helping one another at the fishing village, etc.

Under CPRs, however, social justice breaks down where an individual does not share the felt needs of the other participants. This is true in Uganda where some progressive farmers may wish to make an enclosure of communal grazing land to improve on the pasture and animal husbandry practices. Once sub-groups emerge in CPRs, social justice ceases. The sub-group that remains powerful and benefits from the CPR marginalizes other sub-groups that do not share the same views.

P. POLITICAL STABILITY

Uganda has undergone political turmoil for over two decades. Under the civil strife, the management of natural resources suffered. Even those under national reserves were encroached upon, as there was no enforcement or facilities to effectively protect them. However, current political stability has enabled the government to undertake strict measures on the protection of natural resources under the state.

As the country is recovering from civil strife, the political atmosphere is increasingly conducive to tackling development and environmental issues regarding the management of natural resources. In this regard, the government resolved in 1987 to ensure that all encroachers on national reserves, forestry, game reserves, and national parks are evicted. With such a political backing, it has enabled the officials in charge of management of forest and game reserves in the country to evict the encroachers who had settled in various reserves. Though the evictions brought about some tension with regard to resettlement difficulties, it has been possible to solve these problems amicably under the spirit of goodwill prevailing in the country.
On the other hand, the political climate also has facilitated those with various claims against the state to lodge them. Consequently, for example, the rangeland in Mbarara District that was developed into commercial ranches without any due regard to the pastoralists is being claimed by the indigenous people, the Bahima. In response, the government appointed a nine-person commission of inquiry to look into the management of the ranches with a view to effecting reforms and improve efficiency of both existing and future ranches. Subsequently, the government’s Ranches Restructuring Board scaled down the ranches to 3, 2, and 1 square miles to accommodate some of the “squatters”; others were resettled.

This indicates that while the rural people can be displaced and deprived of access to natural resources under customary tenure, once the political climate permits them to ventilate their grievances they can reclaim their resources for their benefit. Putting communal resources under PPRs tends to emerge where there is manipulation by some members of the society. Under CPRs, the people have the means for solving problems at their level. Private property can lead to armed conflict or courts of law, as was the case between local pastoralists and the private ranchers on the state ranching scheme in Mbarara District.

Q. GENERAL WELFARE OF THE POPULATION AND POLITICAL PARTICIPATION IN THE DEVELOPMENT PROCESS

Demarcating the institutional boundary among PPRs, CPRs, and SPRs is an attempt to relate the socioeconomic and political interests with ecological imperatives that may prevail in the area. Those regimes reflect how natural resources could be utilised for the benefit of the individual users and of the society. That is why it is necessary to re-examine them whenever there is a change in economic conditions or when new technologies emerge.

What is important for the welfare of the population, therefore, is to ensure that the changes are by mutual consent in the community concerned. In such circumstances, all parties are better off or at least not worse off. No change should be enforced through coercion.

The management of natural resources remains an integral part of the natural environment. Since this is associated with the welfare of the population, it is pertinent to examine the nature of management that will equitably promote the general welfare of the population. That being the case, natural resource conservation cannot be left at the hands of an individual or just a group of individuals whose interests may differ from those of the community.

Management of natural resources is central to the community’s rural income and welfare. This is essentially true with the poor and women. For that reason, it is appropriate to ensure equitable distribution of resources and incomes. The argument throughout this report has been that CPRs assure some resource access and therefore income to the poor. The argument is that under PPRs only part of the society and, in most cases, just a few people have access to the resources and incomes. To ensure the general welfare of the population and social economic participation, development strategies should take into account an area’s indigenous socioeconomic structures and level of development.
Another issue worth noting is that the market economy favours privatisation of previously common resources, narrowing access to them to a smaller fraction of the population. The Ugandan government has often nationalised rural resources, as when it created Lake Mburo National Park and the disputed forest reserves of Semiliki, Mount Elgon, and Kibale. Where privatisation of natural resources is undertaken while other sub-sectors of the economy have not taken off, peasants and the poor are without alternatives for a living. In such circumstances, participation in the overall development process becomes remote for the population.

When discussing the welfare of the population we should not confine it to the present generations. As the Chinese proverb puts it: "The earth constitutes resources which we have not inherited from our forefathers but which we have borrowed from our grandchildren." It is common knowledge that the degradation of natural resources is generally irreversible. So, where it is degraded, future generations as well as current ones are impoverished.

R. ENVIRONMENTAL CONSIDERATION

Since the article published by Garrett Hardin (1968) on the "tragedy of the commons," CPRs have been deemed responsible for environmental degradation. Yet, ample evidence is emerging that shows that CPRs, unless distorted, have built-in methods for ensuring sustainable development of natural resources.

Resource degradation under CPRs will only arise once there is a breakdown in the code of conduct by the co-owners. Without compliance among co-owners, CPRs break down to open access. In other circumstances, the privatisation of natural resources, especially in communities where there is no sufficient control, the natural resources under CPRs could degenerate to open access and become over exploited.

According to Becker (1977) PPRs show success with respect to agricultural and industrial land. As regards natural resources, PPRs have proved inferior to CPRs.

In Uganda, it was observed that overgrazing and its accompanying environmental degradation are found across all types of regimes. On private ranches, especially in Nyabushozi and Kazo Sub-counties, overgrazing was prominent. On state ranches it is even worse. In Ngoma and Rubare Sub-counties and around Lake Mburo National Park, overgrazing was recorded. Overgrazing in pastoral areas under CPRs only appears where the migratory pattern is disrupted.

Sedentary and crop production on fragile ecosystems in arid areas is becoming common as pastoralists are impoverished and resort to cropping to supplement their food supply. In such circumstances, such areas are very prone to soil and wind erosion, as is the case in Nanduget near Moroto town.

Where the state takes responsibility and fails to apply effective control, as was case with forest reserves in 1970s, areas that were formerly under CPR could be cleared with no possibility of
regeneration. This had been the case in Uganda until 1986 when the eviction of the encroachers on forest reserves was intensified.

The case of Lake Mburo National Park is a glaring example where overgrazing leads to the environmental degradation once people are displaced by wildlife conservation. Displaced pastoralists graze their cattle on marginal and declining pasture land. Gullies are seen near water points where cattle concentrated during prolonged dry seasons.

All those combined cause soil erosion and flooding. The valley dams in Karamoja had all silted, while the rivers such as the Rwizi in Mbarara and the Mafugha in Mbale are generally muddy.
V. CONCLUSIONS AND RECOMMENDATIONS

People in rural areas live in a society that has linkages with poor peasants, rich peasants, and rich farmers. Poor peasants live and support orphans and widows as members of the extended families. The poor depend on the rich for survival in case of a great need; so do the rich also need the poor for further development. Due to the low level of development and technology in their daily life, both the poor and the rich use natural resources under CPRs. Glaring examples are charcoal, firewood, water, and grazing animals in case of a drought. To improve their welfare calls for integrated programmes that embrace the community as a whole in a particular locality with emphasis to the targeted category of people. The analysis has revealed that there is hardly any financial institution in Uganda that is serving typical rural community needs. This needs attention as a prerequisite to enhancing rural development.

CPRs remain a common practice in Uganda and the only means to natural resources among vulnerable groups. There is, therefore, a need to create consciousness among donors and rural development planners about the possibility of advancing sustainable development using natural resources under CPRs, as long as the level of development is still very low. That is to say as long as there are no other economic opportunities to meet the needs of the people.

It has been established that CPRs are only appropriate where resource productivity per unit area is not high enough to guarantee the individual and public returns needed to sustain a PPR. CPR also would serve where a group venture is the only practical way of securing and controlling the resources and also where new technologies would encourage privatisation by a minority with access to the resources at the expense of the poor majority. A case-by-case approach in examining applicable appropriate development interventions is therefore recommended.

The fact that the LRD does not protect customary settled dwellers creates insecurity of tenure for poor peasants and, accordingly, induces them to acts that degrade the environment. It is therefore appropriate to replace the LRD with a land law that recognises indigenous institutions in the management of natural resources.

Related to lack of security of tenure among the rural poor, Uganda has no comprehensive land utilisation policy. There is a need to synthesise the available statistical data for a comprehensive and feasible land utilisation policy. Rationalisation of land allocations, such as restructuring ranches, is a matter of postponing problems.

The top-bottom approach in rural planning in Uganda is still very strong. This is backed by the donor syndrome by which negotiations are made between the donors and the central government. It is recommended that grassroots consultation with the users of natural resources, such as the rural poor and the women, should be part of formulating policies and projects.

Due to the customary role of women in Ugandan societies, whereby women collect firewood, draw water for cooking, and are responsible for feeding the members of household, together
with the increasing demands on them for collecting money for school fees and medical bills, women have emerged as the great dependants on natural resources under CPRs for both domestic consumption and income generation. There is a strong need, therefore, not only to protect natural resources under CPRs but also to increase income generating activities in rural areas with an emphasis on women.

In designing rural development projects related to increasing agricultural production/productivity, there is need to establish the actual beneficiaries of the increased production. Projects should either avoid displacing the rural people or fully compensate for that displacement.

Political stability is no doubt paramount to the well-being of any society. A community approach to rural development would enhance participation, social cohesion, and group solidarity. CPRs tend to fulfil this objective as there is much more reciprocity among the members of the community. Much depends on the government’s approach to issues regarding the empowerment of local communities using the traditional institutions.

The main weakness of CPRs is the failure to accommodate population growth. Any development programme must take control of population growth into account.
REFERENCES


