



TrustLand Policy Brief

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Youth, Livelihoods and Access to Land

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Executive summary

For more than two decades, the conflict in northern Uganda has disrupted social structures and destroyed livelihoods and employment opportunities. A generation of youth has grown up in internally displaced persons (IDP) camps amidst poverty and insecurity and without sufficient access to education and reliable services. Leaving the camps, many found that their use rights to land were unclear. Young men were dependent on the good will of their fathers, but some stayed with their mothers' people where their claims to use land were in doubt. Young women were expected to marry and use the land of their husbands' families, yet marriage as an institution has weakened over the last three decades. In the face of tensions over their rights to family land under customary tenure, youth are developing new livelihood strategies that include diplomatic humility, borrowing, hiring or buying land, and combining agriculture with other sources of income.

Introduction

This policy brief presents findings on the Acholi land tenure systems in the post-war period and how they impact upon youth's access to land. The brief highlights the fact that even though policy and legal frameworks provide for equal rights and non-discrimination in access to land, youth still face many land-related challenges in northern Uganda. The study explored how social relations of youth (kinship/generational and peer networks) facilitate or hinder youth access to land. It focused on young men and women who felt that their claims to land were uncertain. Customary tenure places responsibility for the disposition of family (ancestral) land in the hands of senior males. Young men are meant to access land through their fathers and young women through their husbands. Yet many young people find themselves in situations where access through these relationships is difficult or impossible.

Background

The twenty years of war and encampment had profound effects on land access for youth, who constitute a large proportion of the population in northern Uganda. The youthful population that grew up in the camps has little or no knowledge of their customary land rights. After the return home, conflicts over land emerged for reasons such as high population growth, unclear boundary demarcations,



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death of knowledgeable elders, the co-existence of the Acholi customary tenure system and the state system that promotes freehold and leasehold tenure. The release of people from the IDP camps coincided with the growth in a market for land. The tensions between youth and their seniors are reflected in the stereotypes each category expresses about the other. Older people say youth

do not care about the land—they want to sell it in order to pursue non-agricultural livelihoods. Youth say that older men sell land meant to be kept in trust for coming generations. Young people continue to face challenges of unemployment, poverty, lack of education and skills, as exacerbated by the history of instability.

Results/ Key findings

- Youth gain use rights to ancestral land through the customary tenure system, under which land is not supposed to be sold. Their use of the land is at the discretion of senior men and young people hold no authority over decisions about the land.
- The land tenure system is patrilineal; sons gain access through their fathers and fathers' fathers. Ideally daughters should marry and use their husbands' land, but they have residual rights in the land of their fathers and brothers.
- The weakening of marriage means that daughters rely more heavily on using the land of their fathers. Many sons grow up with their mothers' families and hope to gain land from the maternal side. This leads to the 'nephew problem', in which mother's brothers must decide whether to allocate land to their sisters' sons as well as their own sons.
- When conflicts between older men erupt into violence, young men are sometimes used as combatants.
- Young people have weak access to dispute resolution mechanisms. Their claims and views are not taken seriously and they have neither the resources nor connections to bring land conflicts for adjudication. Moreover they expressed distrust in both local leaders and courts of law due to bribery.
- Instead of waiting patiently for family land to be allocated for their use, some young people borrow or hire land during the planting season, while others manage to buy their own land elsewhere.
- Alternative livelihood strategies: youth have other ways of earning an income and not only depend on farming land. They engage in activities such as brickmaking, boda-bodas, saloons and barbershops, small-scale trading or casual agricultural labour.
- Youth groups: youth have formed groups to encourage and support one another to learn and gain skills, to save and borrow money, to provide labour to each other when one has work to do such as constructing a house, planting, weeding and harvesting crops.

Conclusions

Scholarly and popular attention has been focused mainly on urban youth and unemployment. There is less appreciation of the situation of rural youth and their access to land—even though the majority of young people live in rural areas and engage in agriculture. In northern Uganda, where most land is held under customary tenure and land conflicts increased after the war, young people's access to land is often a matter of anxiety. Displacement, the loss of important social ties, and the weakening of marriage affected young people in particular. There is need for serious consideration of how this generation will secure access to land, the most important material basis for rural livelihoods.

Implications and Recommendations

- Sensitization by non-governmental organizations to raise awareness among community members about their land rights and the importance of adhering to constitutional principles such as equal participation and consultation, involving both men and women, youth and seniors.
- Establishment of synergies with relevant government offices such as the lands departments and youth departments for developmental partnerships.
- Capacity development of the leaders and elders on issues of land governance including land conflict resolution mechanisms and skills and recognition of the needs of youth.
- Strengthening the education system to improve literacy levels, awareness of land rights, and agricultural skills.
- Formation and strengthening of youth groups to empower the most vulnerable ones.
- Mainstreaming gender and generations in land governance issues.
- Exposure visits to other communities where youth have made headways in securing their livelihoods/ income.
- Advocating for youth to manage land and other resources where possible.



Some quotations from the field

Mother of a “nephew”:

“In Acholi, when a girl returns home, she has no power to say anything regarding land matters; therefore, whatever she is given is what she takes, whether it is enough or not”.

Maternal uncle:

“It is our father’s land and Aber [the sister] has the right to be allocated land to use with her children. But there is no ownership given to the children, they just use it. I am now the owner of the land, they have to ask me for land when they want to use it”.

Maternal uncle:

“Know for sure that this is not your land, and when I ask for it, you have to give it back”.

Male youth:

“Youth have no voice in land matters. It is the elders. When you are grown up and you are married with children, you may have a say. When you are a youth, you may dig anywhere but the land is not yours”.

Male youth on accessing land as a nephew:

“We live here like visitors, and one day we will be required to leave”.



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