



MAKERERE UNIVERSITY

COLLEGE OF HUMANITIES AND SOCIAL SCIENCES

SCHOOL OF WOMEN AND GENDER STUDIES

**EXAMINING WOMEN'S LAND RIGHTS PROTECTION UNDER CUSTOMARY
SYSTEMS OF ADMINISTRATION IN UGANDA: THE CASE OF KOBOKO DISTRICT**

BY

AKULIA AGNES

REGISTRATION NO: 2007/HD14/9795U

A DESSERTATION SUBMITTED TO THE GRADUATE SCHOOL

IN PARTIAL FULFILMENT FOR THE AWARD OF A MASTER

OF ARTS IN GENDER STUDIES DEGREE

OF MAKERERE UNIVERSITY

KAMPALA, UGANDA

FEBRUARY, 2026

DECLARATION

I AKULIA Agnes, Reg. No: **2007/HD14/9795U**, do hereby declare that this dissertation entitled; “Examining Women’s Land Rights Protection under Customary Systems of Administration in Uganda: The Case of Koboko District” is my original work and to the best of my knowledge it has never been presented for any examination to any other University.

Signature: 

Date: 4th February 2026

AKULIA AGNES

Reg. No: **2007/HD14/9795U**

APPROVAL

This is to certify that this dissertation entitled: “Examining Women’s Land Rights Protection under Customary Systems of Administration in Uganda: Case of Koboko District” by Akulia Agnes was conducted under my supervision and is ready for submission for examination for the award of a Master of Arts in Gender Studies of Makerere University.

Signature:.....

Date :.....

Prof Josephine Ahikire

Copy right reserved

No part of this dissertation may be reproduced without the prior consent of the author and or Makerere University.

DEDICATION

To my dear husband Mr Alex Gombe who immeasurably supported and encouraged me to produce this work. I dedicate this work to my lovely children; Ayikoadu Joshua Kenyi, Akandu Mercy Elizabeth and Manaka Joy Ruth who unconditionally loved and prayed for me even when I was not at home. This work is also dedicated to my mother Margaret Ajonye who selflessly took care of my children when I wrote this dissertation.

ACKNOWLEDGEMENT

Thanks to Makerere University for giving me the opportunity to undertake this study (Masters in Women and Gender Studies).

In a special way, I thank you Professor Josephine Ahikire for your professional guide and advise when you supervised this dissertation. I felt very lucky to have found an extraordinary supervisor like you! Your energy and dedication towards education and research are an inspiration to me.

I would wish to sincerely thank Professor Kajobe Robert for guiding me and giving me insights in to research that has greatly contributed to this milestone dissertation.

Great thanks to the Office of Koboko District Chief Administrative Officer for granting permission to undertake and access participants of this study in Koboko District. I also appreciate all the study participants for their time and availing the necessary information. Without your input, this study would not have succeeded.

Finally, I would wish to thank my family; my mother Ms Margaret Ajonye, my lovely husband Mr. Gombe Alex for your emotional, financial and physical supports. I also thank you my children Ayikoadu Joshua Kenyi, Akandu Mercy Elizabeth and Manaka Joy Ruth for always praying for me. You are the source of my strength. Thanks to my cousins Witro Racheal, Taisa Annet, Medria Eunice and Hope for your care during my study time. Thanks to the entire Adrama and Nyasu families for your love and support.

ABSTRACT

The purpose of this study was to examine the extent to which customary administrative norms and practices protect women's land rights in Koboko District. While customary land administrative norms and practices have been presented as feasible for protection of customary land rights, the rural women have continued to experience rampant violation of their customary land rights. To examine the extent to which such norms and practices protect women's land rights, a qualitative research approach was adopted with a phenomenological feminist standpoint design. Twenty rural women were purposively selected as key informants. To corroborate the information from the key informants, four clan leaders and two district customary land officials were interviewed. Interviews, focus group discussions and document analysis methods were used to collect data. The study found out that; Customary land in Koboko is that which is called "Menu" in Kakwa belonging to the clan and is named according to the founder grandfathers who later allocate it to their grown up sons following where their mothers cultivated in what is commonly referred to as "Yobu na" (name of the mother); meaning the "land of" (name of the mother). The study also found out that while land administrative practices of allocating land rights, registering such rights, communicating land rights information and setting up conflict resolution mechanisms would enhance protection of land rights, inadequate monitoring of women's rights for normality, lack of guard against abuses, exclusion of women's names from certificate of customary ownership, unpersuasive communication of women's land rights information and the inability to identify and analyze threats have to a greater extent undermined protection of women's land rights under the customary system of land administration. The voices of the rural women captured emphasize that until there are declarations and documentation of rights, formalized proactive acts of caring by protectors, forums to persuasively communicate women's land rights and genuine acts of threat identification and appraisal during dispute resolution process by trained customary land administrators, protection of women's land rights remains elusive. The study therefore recommends Ministry of Lands to deliberately train the customary land administrators in management of women's land rights, support different tribal groups to codify their customary laws and vet such codified laws for their gender discrimination to guide women's land rights allocation, information communication with clarity and adjudication of cases of abuse.

ABBREVIATIONS

ROU	:	Republic of Uganda
UN	:	United Nations
ALC	:	Area Land Committee
CT	:	Customary tenure
CDO	:	Community Development Officer
LC	:	Local Council
LEMU	:	Land and Equity Movement in Uganda
NGOs	:	Non- Governmental Organization
GLTN	:	Global Land Tool Network
PPRR	:	Principles, Practices, Rights and Responsibilities

Table of Contents

DECLARATION	i
APPROVAL	ii
DEDICATION	iii
ACKNOWLEDGEMENT	iv
ABSTRACT	v
ABBREVIATIONS	vi
CHAPTER ONE	Error! Bookmark not defined.
INTRODUCTION	Error! Bookmark not defined.
1.1 Background.....	Error! Bookmark not defined.
1.1.1 Theoretical Framework.....	Error! Bookmark not defined.
1.2 Problem Statement.....	Error! Bookmark not defined.
1.3 Purpose of the Study.....	Error! Bookmark not defined.
1.4 Overall objective of the study.....	Error! Bookmark not defined.
1.4.1 Specific Objectives.....	Error! Bookmark not defined.
1.5 Scope of the Study.....	Error! Bookmark not defined.
1.6 Definition of Key Concepts.....	Error! Bookmark not defined.
CHAPTER TWO	Error! Bookmark not defined.
LITERATURE REVIEW	Error! Bookmark not defined.
2.0 Introduction.....	Error! Bookmark not defined.
2.1 The notion of land rights and women’s agency	Error! Bookmark not defined.
2.2 Discourses on Women’s Land rights protection in Uganda	Error! Bookmark not defined.
2.3 Interrogating customary practices as instruments of women’s land rights protection	Error! Bookmark not defined.

2.3.1 Valuation and determination of tenure rights.....	Error! Bookmark not defined.
2.3.2 Appointment of Protectors	Error! Bookmark not defined.
2.3.3 Registration of land rights	Error! Bookmark not defined.
2.3.4 Codification of customary practices, principles, rules and responsibilities.....	Error! Bookmark not defined.
2.3.5 Provision of land information	Error! Bookmark not defined.
2.4 Empowerment and recognition of customary authority and courts.....	Error! Bookmark not defined.
CHAPTER THREE	Error! Bookmark not defined.
RESEARCH METHODOLOGY.....	Error! Bookmark not defined.
3.0 Introduction	Error! Bookmark not defined.
3.1 Research Design	Error! Bookmark not defined.
3.2 Sampling.....	Error! Bookmark not defined.
3.3 Data Collection Methods.....	Error! Bookmark not defined.
3.4 Data Analysis	Error! Bookmark not defined.
3.5 Ethical Considerations	Error! Bookmark not defined.
3.6 Validity and Reliability of the Research	Error! Bookmark not defined.
3.7 Limitations of the study.....	Error! Bookmark not defined.
PRESENTATION OF FINDINGS, ANALYSIS AND INTERPRETATION.....	Error! Bookmark not defined.
4.0 Introduction	Error! Bookmark not defined.
4.1. Nature of customary land Administration in Koboko	Error! Bookmark not defined.
4.2 Opportunities and flaws in customary land administrative norms and practices.....	Error! Bookmark not defined.
4.2.1 Allocation of Customary land rights and appointment of protectors.....	Error! Bookmark not defined.
4.2.2 Customary land rights registration	Error! Bookmark not defined.
4.2.3 Customary land rights information communication.....	Error! Bookmark not defined.
4.2.4 Customary land rights conflict resolution	Error! Bookmark not defined.

4.3. Women’s voices on customary land rights protection	Error! Bookmark not defined.
CHAPTER FIVE.....	50
CONCLUSION, IMPLICATIONS AND RECOMMENDATIONS	50
5.0 Introduction	50
5.1 Conclusion.....	50
5.2 Implications of the study	Error! Bookmark not defined.
5.3 Recommendations	52
5.4 Areas for further research.....	Error! Bookmark not defined.
REFERENCES	54
APPENDICES	62
Appendix 2: Makerere University Study Clearance Certificate.....	64
Appendix 3: Koboko District Chief Administrative Office Letter	65
Appendix 4: Consent form	66
Appendix 5: Interview questions for the rural women.....	69
Appendix 6: Interview guide for community development officers and customary land administrators	73

CHAPTER ONE

1.0 Introduction

The protection of women's land rights in rural communities is often considered more feasible under the customary system of land administration. However, there is ongoing debate about the effectiveness of customary administrative practices in safeguarding these rights. Despite the existence of norms and practices aimed at protecting land rights for all, including women (LEMU, 2011), the rampant violation of women's land rights raises concerns about the system's ability to protect them (Chemutai, 2015). This study aimed to examine the extent to which customary norms and practices protect women's land rights from their own perspective, given that many women continue to seek protection from customary authorities (Ministry of Energy and Mineral Development, 2019). By investigating customary administrative norms and practices, this study sought to identify problems in the system and develop context-specific practical solutions.

1.1 Background

Land rights are a valuable asset in rural communities (LEMU, 2008). The enjoyment of these rights varies depending on the nature of administration and the individuals involved (Chemutai, 2015). Land administration encompasses the processes of determining, recording, and disseminating information about land ownership, value, and use (Musinguzi et al., 2021 & Hull et al., 2020). Uganda's laws recognize four tenure systems: freehold, leasehold, mailo, and customary (Land Act, 1998; section 2-3; the 1995 Constitution; Article 237). Customary tenure, governed by traditional institutions, is based on societal norms and traditions (LEMU, 2008 & Uganda Consortium on Corporate Accountability (UCCA), 2018). Although customary laws are unwritten, they are socially acceptable as long as they do not discriminate against community members (Archambault & Zoomers, 2015).

Customary administrative arrangements provide land access to everyone, including women, through their male relatives (Adoko et al., 2011; Garber, 2013). However, Uganda's Constitution guarantees equal rights and status for men and women. Article 21 ensures the right to own property, Article 26(1) guarantees women's equal rights,

and Article 33 provides special protection for women and prohibits discriminatory customs (Republic of Uganda (RoU), 1995). Land administration in Uganda involves both state and customary authorities, each with distinct legal arrangements and practices for protecting women's land rights (LEMU, 2009 & Spichiger, 2013).

Despite the formal state system overriding customary administration, the latter remains the most practiced system in rural Uganda due to the relational nature of families (Mabikke, 2016 & Chemutai, 2015). While customary systems dominates land administration in rural Africa and Uganda in particular, (Chemutai, 2015 & Akutui, 2020), community members face numerous threats to their customary land rights, including from foreign investment, speculation and climate change (Knight, 2016 & Akutui, 2020). Women's land rights are particularly vulnerable due to customary practices that prioritize land rights based on residential permanence, physical strength and social wealth (Adoko et al., 2011), attributes often lacking in women due to their changing marital status and social subordination (Kaufman, 2017; Akutui, 2020).

A protective land administration system is essential for clarifying land rights, reducing disputes and ensuring tenure security (LEMU, 2011). Protection involves defending or shielding land rights from external threats (Sheare, 2002; FAO, 2002; and Hull et al., 2020; Tri et al., 2020). Secure land tenure rights are characterized by certainty about legal status, clear information on ownership and use, and just adjudication of disputes (Schuster, 1985; FAO, 2002; Hull et al., 2020). Tenure security is crucial for poverty reduction, social status, and identity (International Federation of Surveyors (FIG) Report, 2001; Daley et al., 2013 & Meinzen-Dick, 2019).

Despite government interventions, including provision for implementation of the consent clause and customary land rights registration, women's land rights remain tenuous, particularly for widows, divorcees, and unmarried women (Land Act, 1998; LEMU, 2011; Meinzen-Dick, 2019; Kaufman, 2017 & Akutui, 2020). Paradoxically, some land administrators believe customary practices still protect women's rights, despite the empirical evidence (Adoko and Simon, 2005; Daley et al., 2013; Mabikke, 2016 and Meinzen-Dick, 2019).

1.1.1 Theoretical Framework

This study adopted the Feminist standpoint theory. According to this theory, women's subordination leads to knowledge production and control by men, who interpret reality in their own interest and maintain power while concealing the exploitation of women (Abigail, 2007). Jaggar (2004) and Capraro and Woodroffe (2018) argue that men's interpretations of reality often distort and justify the suffering of women, ignoring their experiences. Feminist standpoint scholars argue that accurate information about women's rights protection can only be generated from their own experiences and perspectives (Abigail, 2007). Therefore, examining customary norms and practices from women's perspectives is crucial to understanding the extent to which they protect women's land rights.

Without exploring women's experiences, the reality of the systematic abuses and deprivations of power women face due to their position in the sexual hierarchy, cannot be revealed and confronted (Jaggar, 2004 & Mahoney, 2017). The lack of information about the flaws in customary land administrative norms and practices has led to continuous violation and increased vulnerability of women's rights to land (Adoko & Simone, 2005; Meinzen-Dick, 2019). This study aimed to establish the nature of customary land administration and examine the extent to which its norms and practices protect women's land rights from women's perspectives. According to Schuster (1985), the level of protection can be determined by threat appraisal, boundary regulation, and provision of vigilant information.

1.2 Problem Statement

Despite the land administrative reforms in Uganda including the recognition of customary practices such as the appointment of land protectors and the registration of land rights (Land Act, 1998; LEMU, 2009; National Land Policy [NLP], 2013), designed to safeguard the land rights of vulnerable groups (Spichiger, 2013; Land Act, 1998), women continue to experience widespread land encroachment and dispossession (Hull, 2020). Women's attempts to report and challenge violations of their land rights frequently escalate into confrontational disputes, exposing them to further social and physical risks (Kaufman, 2017; Nabakwa, 2021). In Uganda's northern and eastern regions, where customary land tenure systems predominate

(Asiimwe, 2001; Akutui, 2020), women; particularly widows, divorced women, and unmarried women remain highly vulnerable to land dispossession and related violence (LEMU, 2011). The COVID-19 pandemic further intensified these challenges, as migration from urban to rural areas increased pressure on already overstretched arable land (Akutui, 2020; International Center for Research on Women [ICRW], 2020).

Paradoxically, customary land administrative norms and practices remain legally recognized and socially accepted as legitimate mechanisms for protecting women's land rights in Uganda (Land Act, 1998). Proponents of customary land administration argue that these systems safeguard women's access to land, and evidence continues to suggest that many rural women prefer customary mechanisms over formal state-based land administration (Judy & Simon, 2011; Kaufman, 2017). Against this backdrop, this study examines the extent to which customary land norms and practices effectively protect women's land rights, particularly in contexts where empirical evidence remains limited.

1.3 Purpose of the Study

The purpose of this study was to examine the extent to which customary administrative norms and practices protect women's land rights from their own perspective. By exploring women's experiences, this study aimed to reveal the opportunities and flaws in the system, challenge the status quo, and provide realistic information for developing practical interventions to protect women's customary land rights. The study's findings will add new knowledge to the existing literature on women's land rights and provide insights into protecting their customary land rights.

1.4 Overall Objective of the Study

The overall objective of this study was to examine the extent to which customary land administrative norms and practices protect women's land rights.

1.4.1 Specific Objectives

This study had three specific objectives:

1. To explore the nature of customary land administration in Koboko District.

2. To examine the opportunities and flaws in customary land administration norms and practices for women's land rights protection in Koboko.
3. To establish the voices of rural women in Koboko on land rights protection under customary land administration.

1.5 Scope of the Study

This study focused on examining the extent to which customary land administrative norms and practices protect women's land rights in Koboko district, Uganda. The study identified various protective aspects of customary land administrative practices and examined their effectiveness in protecting women's land rights. The district documents reviewed for this study dated from 2006 to the present. Due to the differences in customary land administrative practices across the country, the findings of this study are limited to Koboko district. However, the study provides a framework for conducting similar studies elsewhere.

1.6 Definition of Key Concepts

Customary Norms: Customary norms refer to socially accepted cultural rules and expectations that dictate human behavior in various social situations (Mujuzi, 2020). Examples include subordination of women to men, respect for all, and marriage between clans, with women accessing land through male relatives.

Gender Power Relations: Gender power relations describe the conventional approach of males having a superior advantage over females in various areas, including the workplace, due to the privileged position held by males in patriarchal societies (Oppong & Bannor, 2022).

Land Administration: Land administration is the process of determining, recording, and disseminating information about the relationship between people and land (Hull et al., 2020), and recognizing and protecting the legitimate land rights of all people (Mitchell et al., 2019).

Tenure Security: Tenure security refers to a situation where women can use or manage land in a predictable fashion for a defined length of time, with clarity in the

duration and content of rights, independent control, and the ability to defend and enforce rights (Ghezae, 2009).

Vulnerability: Vulnerability refers to a weakness or mitigation that can be exploited by one or more threats (Gaughan et al., 2019).

Women's Subordination: Women's subordination refers to women's inferior status in the structure of social power (Uchem & Ngwa, 2014).

CHAPTER TWO

LITERATURE REVIEW

2.0 Introduction

This study examines women's land rights, focusing on the protection of these rights under customary land administration systems. Despite ongoing efforts to safeguard women's land rights, violations persist, necessitating an investigation into the extent to which customary norms and practices genuinely protect these rights. The reviewed literature explored three major areas: the notion of land rights and women's agency, the discourses on women's land rights protection in Uganda and customary practices as instruments for protecting women's land rights, and scholarly discourses surrounding women's land rights protection.

2.1 The Notion of Land Rights and Women's Agency

Land rights are socially and legally constructed entitlements that grant individuals or groups privileges to use land and exclude others from doing so (Munshifwa et al., 2021). These rights often include freedoms such as occupying, using, developing, or enjoying one's land; transferring it through inheritance or sale; leasing it; or granting usage rights to others while maintaining the ability to reclaim and restrict access to it and its natural resources (Deninger, 2003; Knight, 2010).

Land rights may exist in two forms: informal, governed by customary norms recognized by a community, and formal, registered under state law as exclusive ownership rights for individuals or groups (Ahikire, 2014; Mayanja et al., 2015). Although customary land rights are articulated through customary laws that are expected to align with non-discriminatory state legislation (LEMU, 2010), questions remain about the adequacy of such rights without state intervention.

Both women and men hold land rights under customary land administration systems (LEMU, 2009). However, Obaikol (2009) argues that the nature of these rights differs significantly between the sexes. Supporting this view, a United Nations (2017) report observed that while men typically own land, women generally access it through their relationships with men. Ahikire (2014) further asserts that most women's land claims

are grounded in the right to inclusion rather than the right to exclusion. According to Cornwall and Corlho (2007), this subordination in land allocation disregards the inherent power imbalances among social groups.

Obaikol (2009) describes women's land rights as secondary and vulnerable. While LEMU (2009) notes that clans are mandated to ensure that family heads exercise their trusteeship responsibly, respecting the rights of all members and verifying consents for land transactions, Munshifwa et al. (2021) contend that the manner in which rights are claimed directly influences their quality of protection. Despite evident gendered subordination and the fluidity of women's rights based on marital status, little is known about the extent to which these rights are respected or secure.

Working on land without recognized rights exposes women to vulnerability and constrains their agency (Ahikire, 2014). Women's agency refers to their capacity to define goals and take purposeful actions free from coercion or violence. It manifests through decision-making, leadership, and collective action (Donald et al., 2017). Although rural women increasingly express interest in asserting land rights, Ahikire (2014) observes that many exhibit their agency cautiously, seeking to minimize the social costs associated with challenging entrenched norms, a phenomenon she metaphorically describes as "cutting the coat according to the size of the cloth."

Abigai (2023) notes that despite women being the majority of rights violation victims, their experiences and knowledge rarely inform decisions concerning their protection. Mathur (2017) emphasizes that while protecting women's rights is essential, embedding their agency within broader networks enhances their inclusion in national protection systems, facilitating access to prevention and response mechanisms against violations.

However, Notermans and Luna (2022) argue that women's reluctance to claim land is not always a reflection of suppressed agency or coercion by male relatives. Their view aligns with Jackson's (2003) position that women's decision not to claim land can be a conscious choice motivated by practical or relational reasons, such as the impracticality of claiming land in their natal families, access to land through marriage, the value of maintaining good relationships with brothers, or empathy toward land as a living entity. Thus, while scholars like Cornwall and Corlho (2007), Ahikire (2014),

Chowdhry (2017), and Mathur (2017) link women's limited land claims to patriarchal subordination, Notermans and Luna (2022) highlight that these choices may also reflect agency rather than its absence. Consequently, the extent to which processes of land rights claiming contribute to effective protection remains uncertain.

Given women's historical marginalization and vulnerability, land laws have incorporated provisions for women's representation within land administration structures to promote leadership and ensure their interests are considered in decision-making processes (Land Act, 1998; Ahikire, 2009). However, Ahikire (2014) cautions that women's presence in such structures should not automatically be equated with empowerment. She observes that some women representatives are ineffective and symbolically present described metaphorically as "pictures on the walls" (Ahikire, 2009).

Although some female representatives actively provide information to other women about land rights, Ahikire (2014) notes the absence of formal forums for sharing information on land-related matters. She identifies a few organizations, such as the Uganda Land Alliance and LEMU at the national level, as well as several local initiatives, but emphasizes that these remain limited. Women's collective mobilization around land rights protection is therefore weak, with only isolated expressions of individual agency rather than coordinated advocacy efforts.

While scholars recommend strengthening collective platforms that transcend individual action, Musiimenta (2014) argues that a deep understanding of the patriarchal frameworks governing customary systems is crucial for effectively negotiating and overcoming these barriers. Thus, despite women's increasing agency in efforts to safeguard their land rights, the overall extent to which their participation and representation translate into effective protection remains unclear, particularly in contexts where forums for information exchange are weak, representation is symbolic and women's experiences are seldom integrated into decision-making processes within patriarchal systems.

2.2 Discourses on Women's Land Rights Protection in Uganda

Debates surrounding the protection of women's land rights in Uganda are largely polarized between two dominant perspectives: the **Land and Equity Movement in**

Uganda (LEMU) and the Women's Movement. While the Women's Movement primarily represented by feminist lawyers and activists, advocates for the transformation of customary land systems through formal legal reforms, LEMU defends the relevance of customary land administration and emphasizes its potential to secure women's rights when appropriately applied. Both perspectives thus embody divergent ideological positions on the utility of customary law in advancing and protecting women's rights to land.

The Women's Movement expresses concern over the persistence of patriarchal practices embedded in customary and religious systems that perpetuate gender inequality (Tripp, 2001; Obaikol, 2009; United Nations, 2017). Practices such as widow inheritance, early child marriage, divorce stigma, and polygamy are seen as mechanisms that reinforce women's subordination and dependency. Tripp (2001) identifies these practices as part of broader socio-legal structures that continue to deny women full autonomy over land and property. Conversely, LEMU (2008) contends that some of these customs particularly the allocation of land to women through male relatives and widow inheritance were originally designed to **preserve women's access and use rights** within the clan system and to prevent the alienation of clan land through exogamous marriage.

Despite their ideological divergence, both movements acknowledge that contemporary clan structures have undergone profound transformation. Where women were once protected by kinship-based mechanisms tied to marital status, contemporary clan systems increasingly confer **exclusive ownership rights to men** (LEMU, 2008; Ahikire, 2014). Efforts by women to assert their rights within these systems are often perceived as challenges to established gender relations and, by extension, to social order (Tripp, 2001).

The Women's Movement attributes this regression to the **erosion of social cohesion** and the **commodification of land**, processes that have enabled men to exploit their privileged positions within patriarchal institutions to pursue private interests at the expense of women's tenure security (Adoko & Simon, 2008; Musiimenta, 2014; Garber, 2013). Nevertheless, both LEMU and the Women's Movement recognize that the weakening of traditional norms, coupled with pressures from population growth, climate change, and commercialization, has undermined customary safety nets that

once offered women a measure of protection (LEMU, 2011; Nabakwa, 2021). Consequently, women are increasingly exposed to land grabbing, forced evictions, and disinheritance—perpetrated both by powerful kin and by external actors such as the state (Chemutai, 2015; Kaufman, 2017; Akutui, 2020; ICRW, 2020). Given that approximately 80% of land in Uganda is held under customary tenure, the governance of such land remains pivotal in determining the extent of protection available to rural women.

From the perspective of the Women’s Movement, the enhancement of women’s land security requires individualized, rights-based frameworks that enable women to purchase, register, and dispose of land in their own names (Ahikire, 2014). This approach has inspired a growing trend among both rural and urban women to acquire land independently or to pursue legal remedies through formal courts (UN, 2017; Munshifwa et al., 2021). For some, the act of purchasing land constitutes a deliberate strategy to circumvent the authority of customary institutions (Musiimenta, 2014). Concurrently, the Women’s Movement has advocated for the incorporation of **co-ownership clauses** in statutory law to secure women’s joint tenure rights (Ahikire, 2014).

However, LEMU critiques this rights-based model as a misinterpretation of the relational nature of customary tenure. According to LEMU (2011), customary land rights are inherently communal, and thus individualized claims contradict the foundational principles of clan-based ownership. The organization maintains that women already possess customary land rights by virtue of their membership in the lineage, and that effective protection should therefore focus on strengthening accountability and enforcement within customary institutions rather than importing Western notions of individual ownership (LEMU, 2011). LEMU further contends that the assertion that “women do not own land” undermines women’s social standing and makes their rights more vulnerable to abuse (LEMU, 2009).

The Women’s Movement, on the other hand, argues that this communist logic ignores the power imbalance inherent in patriarchal social relations (Ahikire, 2014). Tripp (2001) similarly observes that such imbalances explain the slow pace of progress in achieving gender equality in land ownership. LEMU’s assertion that protective mechanisms exist within customary law is thus problematized by the fact that the very

actors responsible for safeguarding women's rights typically male kin or clan leaders are often the perpetrators of dispossession (Simon & Judy, 2005; Mayanja et al., 2015).

While LEMU insists that customary authorities remain capable of ensuring women's land security provided they are held accountable and guided by moral obligation, the Women's Movement remains sceptical of this claim. Both perspectives, however, converge on the need for institutional mechanisms that promote justice, enforce norms, and document customary rights to enhance women's tenure security (LEMU, 2011).

In conclusion, while both LEMU and the Women's Movement present viable frameworks for protecting women's land rights, each remains contextually limited. The Women's Movement's call for individualized ownership which confronts the relational nature of customary tenure, while LEMU's emphasis on protection within existing power hierarchies overlooks the structural subordination of women. Consequently, the degree to which either approach effectively secures women's customary land rights remains uncertain within Uganda's evolving socio-economic and cultural landscape.

2.3 Interrogating Customary Practices as Instruments of Women's Land Rights Protection

Customary practices and norms refer to acts and rules inherited from the past to govern and guide aspects of community life (Mujuzi, 2020). In response to rampant violations of land rights under the customary system of administration, customary authorities have adopted a range of practices aimed at safeguarding and defending these rights (Kameri-Mbote, 2006). Such practices include the allocation of land rights, appointment of protectors, boundary demarcation, registration of land rights, recognition of customary courts, and codification of customary laws. However, the extent to which these practices effectively protect women's land rights remains unclear.

2.3.1 Valuation and Determination of Tenure Rights

A key aspect of land administration is the valuation and determination of land and tenure rights (Obaikol, 2014). Valuation involves identifying and quantifying how; the nature of rights, location, and physical characteristics of land influence tenure, (Munro-Faure & Palmer, 2018). Tripp (2001) observes that societies value what they deem important and that land tenure rights are fundamental because they enable the use, transfer, and control of property. Nabakwa (2021) similarly asserts that customary land rights are the most valuable assets for rural communities as they underpin subsistence and livelihood.

However, Freudenberger (2013) and Nabakwa (2021) contend that customary land rights are not automatic; rather, they are determined by local customs and practices, often created through informal and oral agreements. This determination is legally valid since the Land Act (1998) provides for the administration of customary land through customary authorities applying customary laws. Although customary authorities claim that both men and women possess land rights, Obaikol (2009) notes that the value attached to these rights differs significantly by gender. Supporting this view, LEMU (2009) observes that while women are typically granted access rights, men hold additional management rights, rendering men's rights stronger and more secure. Similarly, the FIG (2019) study found that in countries governed by customary rules, women generally enjoy land user rights indirectly through male relatives.

Even in contexts where spousal consent is legally required in customary land transactions, Spichiger (2013) argues that there is limited political will to strengthen women's co-ownership rights. Tripp (2001) adds that women's advocacy for co-ownership clauses in Uganda stems from the restricted opportunities for women to own land under both statutory and customary systems. According to LEMU (2008), fathers and husbands rarely bequeath land to daughters or wives due to fears that marriage outside the clan could transfer land ownership to another lineage.

Although LEMU (2009) asserts that everyone possesses land rights under customary tenure, Tripp (2001) cautions that the nature of the tenure right determines the degree of legitimate enjoyment of land and related resources. Tripp distinguishes between secure and insecure rights, arguing that unencumbered, perpetual, and exclusive

ownership rights are more valuable and empowering than short-term occupancy rights. However, as Hull et al. (2020) observe, the customary subordination of women in land allocation processes relegates them to secondary and vulnerable rights, whose protection often depends on male goodwill (FIG, 2019).

Knight (2010) contends that true tenure security for dependent rights can only be achieved by elevating customary laws to the level of formal law and ensuring parity with registered rights, supported by oversight mechanisms. This aligns with Schuster (1985), who argues that protectors must anticipate possible threats and establish regulatory mechanisms including policies, principles, and standards to safeguard vulnerable rights. According to Schuster, protection requires continuous monitoring to mitigate and eliminate threats.

Despite existing customary laws and policy frameworks regulating land allocation, women continue to receive subordinate rights through male relatives (LEMU, 2010; Mayanja et al., 2015 & Kaufman, 2017). The persistence of such practices raises questions about whether protectors are adequately aware of the threats associated with women's subordinate rights and whether mechanisms exist to monitor and mitigate these risks. This study therefore examined the extent to which the allocation of land rights to women under customary tenure safeguards their rights.

2.3.2 Appointment of Protectors

Although clan authorities traditionally oversee land rights protection (Spichiger, 2013), they often appoint specific individuals commonly men to protect these rights on behalf of the clan. LEMU (2011) reports that men are typically chosen to manage and safeguard family land for all members, including women. These men, referred to as “protectors,” are selected based on physical strength, economic capability and social standing (LEMU, 2011; Spichiger, 2013).

Patriarchal norms dictate that women move to their husbands' families upon marriage, but LEMU (2008) asserts that women retain land rights in both their natal and matrimonial homes. Nonetheless, the expectation that they will eventually marry and the perception that they are “outsiders” in their husbands' clans places them at a disadvantage in land allocation. As Obaikol (2009) notes, these social expectations render women's land rights secondary and dependent, often requiring protection.

Customarily, women's fathers and brothers protect their land rights in their natal homes, while husbands or male in-laws assume this role in matrimonial settings (LEMU, 2011). If a family head dies or becomes irresponsible, clans may appoint responsible brothers or in-laws to safeguard women's land rights (LEMU, 2008). Even widows who manage land left by their late husbands may have protectors appointed over them (Garber, 2013). Protectors are thus expected to defend vulnerable family members' rights, including those of women (LEMU, 2011).

While Schuster (1985) and Tullinson (2015) emphasize the importance of a vigilant caregiver in ensuring protection, LEMU (2011) and Hull et al. (2020) insist that protectors must actively articulate, monitor, and defend the rights of the vulnerable. However, studies reveal that some protectors themselves have become perpetrators, dispossessing women of their rights (Garber, 2013; Kaufman, 2017). Despite widespread reports of rights violations in Koboko District, the functioning of protector appointments and their effectiveness in defending women's land rights remain under explored. This study therefore examined women's experiences of how appointed customary land administrators safeguarded their rights against threats.

2.3.3 Registration of Land Rights

Registration of land rights is another customary practice aimed at enhancing tenure security through documentation (Hull et al., 2020). Kaufman (2017) highlights that the 2030 Agenda for Sustainable Development encourages governments to document women's land rights in law and practice to empower women and communities to monitor and enforce these rights. Similarly, Nabakwa (2021) emphasizes that identifying boundaries, documenting rights and issuing legal certificates are globally recognized means of providing tenure security.

Uganda modernized its land laws in 1995 to accommodate customary ownership within a legal framework for registration (Nabakwa, 2021). However, enforcement challenges persist, including encroachments, boundary disputes and fraudulent conversions. Consequently, many customary landowners have expressed the need for legal documentation (Ibid). LEMU (2008) also underscores that registration helps safeguard inheritance rights and prevents distortions by unscrupulous administrators.

Schuster (1985) argues that in contexts of uncertainty, assigning and controlling boundaries provides clarity and protection. Several African countries including Uganda, Zimbabwe, and Malawi have pursued documentation of customary rights as part of land policy reforms to enhance tenure security (FIG, 2019). Yet, unwritten customary rights, particularly those of women, remain vulnerable to distortion (Hull et al., 2020; LEMU, 2008).

Although the government introduced Certificates of Customary Ownership (CCOs) to document such rights (UCCA, 2018), families typically register land in the names of male heads of households, reinforcing gender disparities (Kameri-Mbote, 2006). Without addressing discriminatory customs, registration alone cannot protect women's land rights (Muhumuza, 2019). Freudenberger (2013) warns that marginalized groups, including rural women, often lose their property rights during registration processes that fail to account for social inequalities.

Knight (2010) and Chemtai (2015) argue that women's inability to independently initiate land registration limits their tenure security until customary laws are accorded equal status with statutory laws. Furthermore, the cost of formalizing rights and lack of political will constrain progress (Wehrmann et al., 2019). Schuster (1985) stresses that without active interventions and monitoring, protection of vulnerable rights remains inadequate. Given these limitations, this study explored women's experiences of land documentation and boundary marking practices in Koboko District.

2.3.4 Codification of Customary Practices, Principles, Rules, and Responsibilities (PPRRs)

Codification of customary PPRRs has been another approach to protecting land rights (LEMU, 2011). Historically, most communities kept such records orally through clan leaders and family heads (Spichiger et al., 2013). Adoko and Simon (2005) note that codification gained prominence when land acquired economic value, as scarcity exposed the weaknesses of unwritten norms often to the detriment of women.

Mayanja et al. (2015) observe that administrators sometimes distort customary principles for personal gain, enabling elites to grab land from vulnerable groups. They further report that ignorance of customary PPRRs among land committees exacerbates

mismanagement. Woodroffe (2018) adds that male-dominated interpretations of reality often normalize women's subordination.

To address these challenges, Mayanja et al. (2015) recommend documenting local tenure rules before issuing Certificates of Customary Ownership. Similarly, Van Straalen (2017) suggests that documentation clarifies administration and enhances recognition of customary land rights. Despite such efforts, codification remains inconsistent and inadequately vetted for gender equality (LEMU, 2008). Haugerud (2003) and Obaikol (2009) note that unverified customary codes perpetuate discrimination against women, violating constitutional guarantees of equality (UN, 2017).

Continued use of unvetted PRRs obscures systemic gender-based injustices (Jaggar, 2004; Mahoney, 2017). Without proper vetting and codification, it remains unclear to what extent these norms protect women's rights. This study thus examined the customary principles, practices, responsibilities, and rights of the Kakwa community in relation to state land laws.

2.3.5 Provision of Land Information

Provision of land tenure information is central to effective land administration. Land information systems provide essential data about ownership, use, and location (Hull et al., 2020). Antonio and Augustinus (2016) emphasize that accessible land information promotes good governance and empowers communities. However, Simon and Judy (2005) caution that women often lack knowledge of their rights and redress mechanisms, weakening their capacity to defend claims.

Accurate land information fosters transparency, certainty, and tenure security (Adoko & Simon, 2005; Hull et al., 2020). Conversely, inadequate information leads to disputes (Obaikol, 2014). Nevertheless, FIG (2019) warns that the manner in which land data is created and shared determines its effectiveness. LEMU (2008) argues that because men dominate traditional ownership, women must often advocate for recognition of their rights through boundary marking and public declaration.

Unfortunately, women's exclusion from decision-making structures limits their access to land information (Obaikol, 2009; Muhumuza, 2019). Customary land data are often

stored orally within collective memory, leaving them vulnerable to distortion (UCCA, 2018; Freudenberger, 2013). Information dissemination also follows hierarchical male-centered networks, marginalizing women (Ngwatu, 2010). Misconceptions that women have no land rights persist (Simon & Judy, 2005; Kaufman, 2017).

Schuster (1985) maintains that effective protection requires accurate and persuasive communication that reshapes harmful perceptions. Similarly, LEMU (2011) urges the eradication of harmful narratives such as “women do not own land.” Yet, as Abigail (2007) notes, knowledge produced within patriarchal systems often conceals women’s exploitation. Given the limited and often distorted information about women’s land rights, this study investigated how customary institutions in Koboko District communicate information on women’s land rights.

2.4 Empowerment and Recognition of Customary Authority and Courts

Land conflict management is an essential function of land administration aimed at minimizing disputes (Hull et al., 2020). In Uganda, in addition to formal courts, customary mechanisms such as mediation, reconciliation and arbitration remain vital (LEMU, 2008; Anying, 2012). Traditional courts derive authority from local customs and cultural norms (Rebouche, 2006).

LEMU (2009) argues that, given the relational nature of customary land rights, clan authorities must be held accountable for enforcing respect for these rights. The Land Act (1998) empowers customary institutions to adjudicate land matters, provided their norms are non-discriminatory. Although these mechanisms can effectively resolve family-level disputes (Bayisenge, 2015), women often face bias due to patriarchal dominance in decision-making.

Tripp (2001) cautions that empowering local customary institutions without addressing internal hierarchies risks “romanticizing” customary systems that perpetuate gender inequality. Similarly, Huggins (2016) and HiiL (2020) report that women’s experiences in customary dispute resolution are frequently disempowering, as mediators often favor male interests.

Ahikire (2014) and Viet (2011) highlight that women’s exclusion from negotiation spaces limits their representation and bargaining power. Garber (2013) and Capraro et

al. (2018) confirm that decisions are typically dominated by men, forcing women to compromise their rights during reconciliation.

While UN (2017) emphasizes the importance of accessible and gender-responsive dispute resolution, women continue to experience systemic bias. According to Schuster (1985), effective protection requires accurate identification and appraisal of threats to inform appropriate interventions. Persistent denial of women's land rights despite existing mechanisms underscores the need to evaluate how customary dispute resolution authorities in Koboko District identify threats and defend women's rights.

Summary

Although both men and women hold rights to land under customary tenure, women's rights are often secondary and vulnerable. This vulnerability restricts their agency, leadership, and collective action. Current discourses in Uganda represented by the women's movement and the Land and Equity Movement in Uganda (LEMU) offer contrasting yet incomplete solutions. The women's movement's individualized approach overlooks the relational nature of customary rights, while LEMU's context-based approach reinforces women's subordination. Consequently, despite the existence of protective customary practices, their actual effectiveness remains uncertain, particularly where women hold secondary rights, protectors occupy privileged positions, land rights information is distorted and customary authorities inadequately appraise threats.

2.4 Summary of Literature Gaps

Although substantial research exists on women's land rights under customary tenure, limited studies examine the extent of protection of women's land rights from women's own perspectives. Most studies document customary practices and legal frameworks without exploring how these norms are experienced by women in their everyday realities. There is a lack of context-specific understanding of how protection operates, the factors that influence its effectiveness and how women themselves perceive these protective mechanisms.

This study therefore addressed these gaps by exploring the extent to which customary norms and practices in Koboko District protect women's land rights from women's

lived experiences and viewpoints. Through this approach, the study contributes empirical evidence and critical insights necessary for developing practical, gender-responsive strategies that enhance women's tenure security under customary land administration.

CHAPTER THREE

RESEARCH METHODOLOGY

3.0 Introduction

This chapter presents the methodological framework that guided the study on the protection of women's land rights under customary land administration in Koboko District, Uganda. It outlines the research design, sampling, data collection methods, data analysis, ethical considerations, validity and reliability measures, and study limitations.

3.1 Research Design

This study adopted a phenomenological feminist standpoint inquiry design to examine the extent to which customary land administrative norms and practices protect women's land rights from the perspectives of women in Koboko District. This design was selected on the premise that women's subordination in society has historically resulted in knowledge production dominated by the male ruling class, whose interpretations of social reality largely reflect male values and interests. Consequently, the lived experiences and suffering of the subordinated women are often obscured, ignored, or justified through dominant narratives that normalize their exploitation (Abigail, 2007).

The study employed a phenomenological approach because it focuses on capturing rural women's subjective experiences and their interpretations of the social world (Pritha, 2020). It was further grounded in feminist standpoint theory, which emphasizes the centrality of women's lived experiences as a legitimate and necessary source of knowledge (Jaggar, 2004). As Harding (2004) argues, beginning research from women's lives, as advocated by the feminist standpoint approach, enables the exposure of the dissatisfaction, marginalization, and isolation that women experience within patriarchal social structures.

Furthermore, Jaggar (2004) contends that potentially applied feminist standpoint theory, serves as a powerful framework for political analysis and accountability. It reveals political and social injustices by foregrounding the suffering and

dissatisfaction experienced by subordinated women, while also uncovering concealed forms of exploitation that may be perpetuated under the pretext of protection. This study is further situated within a constructivist paradigm, which privileges subjective human experiences as a means of understanding how individuals interpret and make sense of their social contexts (Kivunja & Kuyini, 2017). In this regard, Collins (1990) asserts that when knowledge claims concern women, only women's concrete experiences provide the ultimate criterion for the credibility of such knowledge claims.

A qualitative research approach, which explores in-depth the meaning individuals attribute to a human problem by relying on their perception and experience in a given situation (Creswell, 2012; Stake, 2010; Cohen et al., 2007; Butina, 2015), was adopted for a detailed examination of women's land rights protection. Guided by the phenomenological feminist standpoint inquiry design and the constructive paradigm, rural women's subjective experiences of the protection of their customarily administered land rights were explored in Koboko District.

3.2 Sampling

The target population for this study was rural women with customary land rights in Koboko District, West Nile region. This population comprised of widowed, married, unmarried and divorced women. A defining characteristic of the study population was that their land rights were customarily administered and that they possessed knowledge of how customary land administrative norms and practices operate to protect women's land rights in the area. Although rural women whose customary land rights were under the protection of customary land administrators constituted the primary study population, community development officers and male clan leaders were also purposely sampled to provide complementary perspectives on customary land administration.

Given the narrative nature of this study, participants were purposively sampled based on gender, age, marital status, experience with customary land rights administration, and positions held within customary land administration institutions. Guided by a phenomenological feminist standpoint approach, gender constituted the primary sampling criterion, with women whose land rights were customarily administered selected as key informants. This enabled the study to highlight women's lived

experiences and perspectives regarding the protection of their land rights under customary systems. Marital status was also employed as a sampling criterion, as marriage has been identified as a significant factor influencing the protection of women's land rights (Land and Equity Movement in Uganda [LEMU], 2011). In addition, experience in customary land administration was used to identify respondents with substantive knowledge of how customary administrative practices operate to protect women's land rights. Finally, designation served as a criterion for sampling district land officials who were influential and knowledgeable about customary land administration practices.

Sample sizes in qualitative research depend on the study scope, nature of the topic (accessibility, complexity), quality of data needed, and study design informational redundancy (Vasileiou et al., 2018). Given the complexity of this study and its phenomenological feminist standpoint design, a total of 16 respondents were purposely selected based on gender, experience, marital status, and age to generate more rich, accurate and comprehensive knowledge that reflects the social reality in protection of women's land rights under the customary administrative system to develop targeted interventions.

Participants in this study were drawn from district officials, clan elders (members of the Area Land Committee), and various categories of rural women, including widowed, married, unmarried, and divorced women. Purposive and stratified sampling techniques were employed to identify key informants. Purposive sampling entails the deliberate selection of individuals or groups who are particularly knowledgeable about or have direct experience with the phenomenon under investigation (Bernard, 2017; Creswell & Plano Clark, 2011). Accordingly, rural women who were considered typical and knowledgeable were intentionally selected to elicit their lived experiences and perspectives regarding the protection of women's land rights under the customary land administration system. In addition, District Community Development Officers and male clan leaders with substantial experience and knowledge of customary land administration norms and practices were purposively selected to corroborate the information obtained from rural women. Clan leaders were further included to provide insights into customary practices and mechanisms available for the protection of women's land rights.

According to Patton (2001), samples within samples can be stratified by selecting particular units or cases that vary according to key dimensions. Given the diversity of women's social positions, a stratified sampling technique was employed to categorize and purposively select women from polygamous marriages, monogamous marriages, the widowed, divorced, and unmarried women based on the intensity of their experiences of threats to their land rights. Female participants were recruited from these strata according to their availability, willingness to participate, and ability to articulate their experiences and perspectives in a reflective and expressive manner (Bernard, 2017).

The purposive and stratified sampling techniques were deemed suitable for case studies and community studies, as both techniques provide representative samples about whom research findings can be generalized (Creswell & Plano, 2011). The study participants were recruited through the District Community Development officer (CDO), who selected two community development officers (CDOs) from sub-counties with the least and most violations of women's land rights. With permission from the District Community Development officer, profiles of the selected Sub-county Community Development Officers were verified from the District registry to ascertain their credibility.

The two selected officers subsequently identified one clan from their respective sub-counties based on clan size and level of organizational structure. From each of the two clans, two male traditional clan leaders were identified with the assistance of the CDOs at the sub-county level. The selected clan leaders then identified five rural women from each clan, with each woman representing one of the following categories: women in polygamous marriages, women in monogamous marriages, widows, unmarried women, and divorced women.

The selection of participants was informed by feminist standpoint theory, which emphasizes the inclusion of marginalized women whose lived experiences and voices provide critical insights into power relations and social inequalities that are often obscured in dominant knowledge systems (Harding, 2004; Hartsock, 1983). The inclusion of diverse categories of women was intended to capture variations in women's experiences and perceptions of customary land rights protection across different social and marital contexts, while recognizing them as co-creators of

knowledge. This approach ensured the representation of multiple personalities within marginalized groups.

Contact with the identified respondents was established with the assistance of their respective Community Development Officers. Informed consent was obtained from all selected participants prior to their participation in the study.

The study was undertaken in two sub-counties of Kuluba and Dranya in Koboko District, West Nile Region in Northern Uganda. The two sub-counties were purposely selected based on the highest and lowest rates of women's land rights violation in the District. The two sub-counties were identified with the help of the District Community Development officer using current statistics of land rights violation in the District. While land rights violation was prevalent across all four sub-counties, only two were deemed representative. The choice of the rate of violation of land rights as a basis for selecting the sub-counties was to identify and compare what those with lower rates of violation were doing to prevent land rights abuses that those with high rates of violation were not doing for comparative analysis.

From every selected sub-county, a clan was chosen based on size (population and geographical coverage) and organizational level of the customary land system of administration. The largest and most systematically organized clans were selected to understand how customary land administrative norms and practices were protective of women's land rights in the area.

3.3 Data Collection Methods

Piloting research tools is a critical step in qualitative research, as it enhances the credibility and dependability of the study by assessing the clarity, relevance, and consistency of data collection instruments prior to full-scale data collection (Given, 2008). In this study, informal conversational interviews were conducted during the pilot phase to test the validity and reliability of the interview guide among selected rural women and customary land administrators. Feedback from the pilot informed refinement of interview questions, thereby improving their sensitivity to participants' contexts and lived experiences. Guided by a phenomenological feminist standpoint inquiry approach, the study employed interviews as the primary data collection method to generate rich, in-depth accounts of participants' lived experiences and

perceptions regarding the protection of women's land rights within the customary land administration system. Semi-structured interviews were particularly appropriate because they provided opportunity for participants to express their perspectives in their own words, while allowing the researcher to probe emerging issues for deeper understanding. This flexibility enhanced the credibility of the findings by ensuring that participants' meanings were accurately captured (Butina, 2015; Murray, 2018). Dependability was further strengthened through the consistent use of the semi-structured interview guide across all interviews, which ensured comparability of data while allowing for context-specific elaboration. Detailed documentation of the data collection process, including interview procedures and repetitive refinements to the interview guide, provided an audit track that supports the transparency and trustworthiness of the study.

To address the objectives of the study, which sought to establish customary practices for protection of women's land rights and their inherent opportunities and flaws for protection, semi-structured interviews were conducted with two community development officers of Kuluba and Dranya sub-counties, four clan leaders of Palibono and Leiko clans in Kuluba and Dranya sub-counties, respectively. Ten rural women were also interviewed to generate the main needed comprehensive narrative data about their perspectives on protection of their land rights under customary land administration. The information from the male land administrators was used to corroborate the narratives of the rural women.

Separate interview guides were developed for women, customary land administrators, and community development officers before data collection to guide the focus of the research and organize the information collected (Bird, 2016). Interview guides were developed based on the main research questions. All interviews were conducted with confirmed written and verbal consent of the respondents. Separate interview sessions were conducted for women and men. Shy and inarticulate sampled women were dropped and replaced with others from within their categories.

In anticipation of cultural gate keeping that could have limited male respondents' participation in the study, the purpose of the research was clearly explained, supported by evidence showing that women continued to prefer the customary system of land rights administration which the clan leaders were responsible for despite persistent

violations of their rights under it. To elicit responses from clan leaders, their role in customary land management stipulated in Section 65 of the 1998 Land Act, was emphasized as a legally mandated responsibility for which members of the customary land committee are accountable (Land Act, 1998).

To minimize potential resistance, the clan elders were engaged in their homes and given the opportunity to share their experiences of protecting women's land rights in a respectful environment.

The interviews began with structured questions focusing on the participants' profiles. This was followed by more intensive open-ended questions designed to elicit in-depth responses regarding the protective aspects of existing customary land administrative norms and practices, the opportunities and flaws in these practices to determine the extent to which they safeguard women's land rights and the perspectives of rural women about the protection of their land rights under the customary system in Koboko District.

The interviews were concluded with more open-ended questions, framed to invite related information that had been missed during the main interview time. The interviews were recorded electronically using a phone and a laptop alongside note-taking.

To collect divergent yet rich information about the opportunities and flaws in the norms and practices of customary land administration in protecting women's land rights, two focus group discussions were held with rural women in Lokujo village in Ayipe Parish, Kuluba Subcounty and Motino village in Leiko Parish in Dranya Subcounty. Each focus group discussion comprised of five women selected from polygamous marriages, monogamous marriages, among widows, unmarried, and divorced women.

The choice of only women from various categories was to capture their own experiences and perspectives that provided a realistic understanding of the extent to which customary land administrative practices protect their land rights. To ensure generation of relevant information and spreading out of questions across all objectives for this study, focus group discussion guides were developed. Mainly bold and articulate women volunteers were qualified to participate in the discussion.

To ensure maximum participation and articulation of issues, women were encouraged to take advantage of the forum and use their epistemic privilege to express and articulate women's often ignored marginal knowledge of their land rights protection under the customary system for documentation and sharing. Provision of confluence and evidence was important for the credibility of research information (Bowen, 2009).

Several documents were analyzed to corroborate the narrative information collected from respondents about the existing customary land administrative norms and practices meant to protect women's land rights and the extent to which they were protective. Some of the documents analyzed included the Ministry of Lands, Housing, and Urban Planning manuals and reports, district annual performance reports, minutes of meetings on initiatives of the district land office on protection of women's customary land rights, among other documents containing information about women's land rights protection.

Key participants' profiles were also reviewed to ascertain their credibility to participate in this study. A document analysis guide was developed to guide the extraction of specific information needed and avoid collection of irrelevant data (Bowen, 2009). The document analysis, interviews, and focus group discussions methods were triangulated to overcome subjectivity within the narrative inquiry approach.

3.4 Data Analysis

In this qualitative study, all recorded interviews and focus group discussions were transcribed. The transcriptions were thoroughly reviewed and cleaned through informal conversational interviews that confirmed and verified unclear information from the participants. The different transcripts were compiled into one document, with casual conversations removed and participants given pseudo names instead of real names. No software was used to analyze the data collected for this study. Instead, several manual steps were taken to identify patterns, themes and insights that formed the findings.

A narrative thematic analysis approach, in which content within the text is the primary focus (Butina, 2015), was adopted in this study. Data was deductively analyzed under predetermined themes that related to the objectives of this study. The themes were

aligned with the study objectives. Using the narrative thematic analysis process, data was organized and made sense of by focusing on the research questions. The narratives and segments of the data that captured the essence of what was being asked were annotated in the transcript margins as codes. Coding was done until no new themes emerged.

Codes were categorized by merging similar and linked codes into bigger ones. The connections between the codes and themes were identified and interpreted as the study findings. The findings of this study were interpreted in relation to reviewed literature. Codes were rewritten in summary explicitly reflecting their meanings under the themes that form the study findings. The study findings were presented in the form of paraphrase and quotations under the three major themes that comprised existing customary land administrative norms and practices that protect women's land rights, opportunities and flaws in customary norms and practices of women's land rights protection and the voices of women about their land rights protection under the customary system of land administration.

3.5 Ethical Considerations

Prior to data collection, approval to conduct research was sought from the Makerere University Ethical Review Committee. The clearance certificate received from the University was then used to seek permission from Koboko District Chief Administrative Officer to conduct the study. To access the participants, permission was sought from the Koboko District Community Development Officer (DCDO). An authorization letter from the CAO was presented to the Sub-county community development officers to access participants and affirm professionalism and ethics in the research process.

To participate in the study, participants' consent was sought and participation was made voluntary. Besides, the researcher showed respect to the respondents and their values in general. Participants' identities were kept confidential by use of pseudo names instead of their real names. Information obtained from participants was kept confidential.

3.6 Validity and Reliability of the Research

Prior to the actual data collection, the research instruments were tested for ambiguity and validity. This was done by piloting a few questions from the interview guide for rural women and customary land administrators to find if they were giving consistent responses and in alignment with all the research objectives. According to Haradhan (2017) and M'Arimi (2013), the validity of research tools depends on the effectiveness of the test items to sample significant aspects of the general objective. Tested items were modified, and others discarded with the help of the supervisor before engaging in the actual data collection to increase the validity of the study instruments.

In the context of this narrative study, where the readers' confidence in knowledge claimed is dependent on "the cogency and soundness of the evidence-based arguments presented by the researcher" (Polkinghorne, 2007), the validity and reliability tests focused on providing plausible corroborated evidence from various sources. This study ensured validation of the research findings through corroboration of information. Different data collection methods that included interviews, focus group discussions, and document analysis were triangulated to gather information that provided evidence, convergence and corroboration.

This triangulation provided confluence evidence for credibility and overcoming subjectivity (Cohen et al., 2007). According to Butina (2015), the more methods contrast, the greater the confidence. Apart from the different data collection methods used, this study also sought credibility for its findings by generating data on women's land rights protection from male informants and assessed the difference in their perspectives to draw unbiased conclusions based on evidence. In this study, the profiles of the selected CDOs were reviewed to confirm their personal information for credibility of source of information. References were also made to similar studies that examined customary land administrative norms and practices in protecting women's land rights to draw conclusions.

3.7 Limitations of the Study

Some female respondents shied away from explaining their experience of land rights protection, citing gender-based violence and being labeled disrespectful. Such participants were dropped and replaced with willing and bold participants. Other

participants were interviewed in secrecy and isolation. The focus group discussions were organized for women and men separately to minimize possible intimidation from male participants.

Communication was a challenge given that some English words do not have direct translation in the Kakwa language. Credible Kakwa language expert speaker and translator were recruited to interpret the questions into the Kakwa language for the respondents.

Delays from responsible authorities to grant permission to undertake the research posed a challenge. However, continuous follow-ups were made to obtain the required permission.

Continuous canceling of interview schedules by respondents also posed a challenge, as people were suspicious about the study topic; however, such participants were reminded of their legal role as customary administrators and need to be accountable to the people.

CHAPTER FOUR

PRESENTATION OF FINDINGS, ANALYSIS AND INTERPRETATION

4.0 Introduction

This study employed a phenomenological feminist standpoint inquiry approach with a qualitative research design to identify various protective aspects of customary land administrative norms and practices. The goal was to establish the extent to which such norms and practices protect women's land rights in Koboko District, Uganda. This chapter presents the findings, discussions, and analysis regarding the nature of customary land administration among the Kakwa people in Koboko District, the opportunities and flaws in customary land administration norms and practices for protecting women's land rights and the rural women's voices on the protection of their customary land rights in the district.

4.1 Nature of Customary Land Administration in Koboko District

To understand the nature of customary land administration in Koboko District, this study examined what constitutes customary land, the processes through which customary land rights are determined, as well as the recording and dissemination of information regarding ownership, value, and use. These inquiries provide insight into how people in Koboko navigate customary authority when implementing land management laws and policies.

Koboko District is located in the extreme northwestern corner of Uganda, where the borders of Uganda, the Democratic Republic of Congo, and South Sudan converge (CEGED, 2015; Petrella et al., 2019). Land in Koboko is predominantly held under customary tenure (CEGED, 2015). Participants repeatedly pointed out that customary land in Koboko belongs to clans such as Nyangilia, Kuluba, Leiko, Nyori, Bura, Godria, Palibono, Amunupi, Motino, Isoko, and Turupa, among others. A clan leader, who also serves on the Area Land Committee in Dranya subcounty, aged 67, explained that clan land is referred to as “*Kana Juru / menu na*,” meaning “the land of the clan.” This reaffirms the communal nature of customary land as described in the national land policy, (Uganda National Land Policy, 2013 and CEGED, 2015).

The findings show that the customary tenure system in Koboko, similar to other parts of Uganda, is governed by unwritten rules passed down through generations and enforced by traditional authorities such as clan leaders, elders, and family heads,(Adoko et al., 2011). A male clan leader from the Leiko clan in Dranya Sub-county (aged 60) noted that customary land belongs to the clan and is commonly named after grandfathers who first settled on it. This aligns with earlier observations that land in Koboko is principally administered through customary institutions (CEGED, 2015).

This study found that the overall nature of customary land administration in Koboko District is deeply embedded within its sociocultural fabric, where land is viewed not merely as an economic resource but as a symbol of identity, heritage and social belonging.

The system is characterized by culturally grounded procedures for allocating, managing, and regulating land. Participants reported that although all family members are considered to have rights to use family land, grown-up sons typically manage it. A male clan leader from the Motino-Modru clan, (aged 70) explained that, in Kakwa culture, fathers informally allocate portions of land to their adult sons based on the fields cultivated by their mothers. Such allocations are referred to as “*yobuwe ti (land of)*,” and then the mother’s names are used. These rights are then managed by the son for his family in perpetuity.

These findings imply that customary land in Koboko is informally allocated, communally owned and male-managed.

The study also reveals clearly defined inheritance and land management rights for men and use rights for women. Although sons inherit land based on their mothers’ cultivation areas, the authority to own and manage the land remains with their fathers. As a female divorcee participant from the Kuluba clan (aged 40) stated, “women do not own land in their own right.”(Female divorcee participant from the Kuluba clan ,aged 40).

This study found out that despite Article 26 of the Constitution of the Republic of Uganda guaranteeing every person the right to own property, including land (Republic of Uganda, 1995), women in Koboko generally access small plots primarily through

marriage or male relatives. The longest-serving clan leader in Kuluba Sub-county (aged 60) stated; “I cannot allocate land to even my wife because women will eventually marry off. But they can till my land while with me.” This suggests that inheritance rights are reserved for individuals permanently identified with a clan, thereby reinforcing the perception that women "do not own customary land. These findings echo national patterns highlighted by Obaikol (2009) and Nabakwa (2021), who observe that customary land is socially understood to belong to men.

However, this study found out that while land accessed by women through male relatives is commonly treated as male-owned, conceptualizing customary land as individually owned is problematic. Adoko et al. (2011) argue that customary land is family land, where all members hold access and use rights, while management rights are vested in the family head for the preservation of the clan land for future generations. A clan leader participant from the Motino-Modru clan (aged 70) further explained that unmarried daughters historically received low-value land to cultivate until marriage, after which their husbands gave them access to new land, albeit under male control. This suggests that both men and women have rights to customary land, but the management rights remains overwhelmingly male dominated.

Women’s rights under customary tenure were confirmed further through examples of divorced women. A male clan leader from the Leiko clan (aged 60), noted that; divorced women do return to their father’s land, though their children are expected to return to their paternal clans upon maturity.

A widow from the Leiko clan ,aged 40, confirmed that “not burying divorced women with children in their marital home brings bad omen to the children in the Kakwa culture,” implying that divorced women retain some connection to matrimonial land.

According to the Community Development Officer of Kuluba Sub-county, women have customary land rights because they belong to their fathers’ lineage and, upon marriage, become fully integrated into their husbands’ clans. Additionally, in Kakwa culture, children cultivate land where their mothers cultivated and such land is often identified by the names of mothers. A male participant from the Motino clan compared married women to property fully incorporated into the household, stating:

This is not written anywhere, but once you have bought a cloth to wear, you do not still say it does not belong to you! Let's understand that married women have come to stay and deserve land.

(Male clan leader, Motino clan, Dranya subcounty, aged 70).

These findings indicate that women hold use, access, and occupancy rights but lack secure rights to ownership, inheritance, and decision-making, leaving their tenure security dependent on male authority and community goodwill. This implies that women's land rights under customary tenure are primarily protected through social recognition rather than legal guarantees.

The study further found that interactions between customary and statutory governance systems have increasingly complicated land administration in Koboko, especially amidst population growth, cultural transformation and rising land values. Although women traditionally access land through male relatives, some male custodians now individualize and commercialize land. A woman from a polygamous family in the Motino clan (aged 30) observed that “some of the men sell off land they are supposed to be protecting for their family members, claiming that women do not own land.” This shift from communal to individualized and commercialized landholding weakens the customary protections women previously enjoyed.

This study summarily found that customary land administration in Koboko is anchored in social identity, heritage, and belonging but remains male dominated, with limited recognition of women's agency. The evolving nature of land markets and demographic pressures further threatens women's customary land rights, making their tenure increasingly insecure.

4.2 Opportunities and Flaws in Customary Land Administrative Norms and Practices in the Protection of Women's Land Rights

Customary land administrative norms and practices play a significant role in shaping land governance, access, and ownership in many rural communities. Rooted in tradition and collective identity, these norms regulate how land is allocated, transferred, inherited and protected within families and clans. Despite their relevance and adaptability, customary land administrative systems present both opportunities

and challenges. While they often provide culturally legitimate, flexible and community-based systems of land management, they also contain inherent flaws that can perpetuate gender inequality, discrimination and abuse of authority. This study examined these opportunities and flaws to ascertain how customary land administration practices promote or fairness, accountability and gender equity in the protection of women's land rights.

The study established that the provision of land rights and the special protection of vulnerable groups under customary land administration is a legal mandate. Section 27 of the Land Act provides for the protection of the rights of women, children, and persons with disabilities to own, occupy, or use customary land (Land Act, 1998; Uganda Community-Based Association for Women and Children's Welfare (UCCA), 2018; Spichiger, 2013). In addition to this legal mandate, participants identified several customary mechanisms such as; land allocation, appointment of protectors, rights registration, information provision and availability of local dispute resolution platform as central to safeguarding women's land rights. These findings align with Spichiger's (2013) observation that land administration in Uganda seeks to enhance the protection of vulnerable groups. However, drawing from women's lived experiences, this study found that customary land administrative norms and practices both enable and constrain the protection of women's land rights.

4.2.1 Allocation of Customary Land Rights and Appointment of Protectors

The study identified land allocation and appointment of protectors as customary practices intended to safeguard women's land rights. Although no specific provision in land laws assigns clan leaders the explicit duty of protecting women's rights, Section 65 of the Land Act (1998) establishes Area Land Committees, which often comprised of clan leaders, with roles in assigning land rights, demarcating boundaries, and mediating disputes. These functions significantly influence the protection of land rights under customary tenure. An elder participant from the Kuluba clan explained that:

As heads of families, men are supposed to simply allocate land for the women to farm for the family and protect such land for them until when they marry off and are given land in their marital homes.

(Clan leader participant, Kuluba clan, Kuluba Sub-county, aged 60)

Acts of allocating land provide women with social belonging, which LEMU (2011) identifies as a customary mechanism for protecting women from external abuses. Despite this intention, the study found that women's transient status in clans due to patrilineal residence and marriage renders them dependent on men, who are considered the permanent occupants and "owners" of customary land. Although customary land is theoretically meant for all family members, this study revealed that land is predominantly allocated to men, while women's rights remain unarticulated or secondary. A clan leader participant from the Leiko clan highlighted that: "even though mother's names are used to name the family land, land rights are passed from father to sons.",(Clan leader participant, Leiko clan, Dranya Sub-county, aged 60).

Similarly, a female participant from the Motino clan stated: "while our fathers showed our brothers where to farm, for us girls, we have to ask where to dig if we want to use the land."(Un married female participant ,otino clan, aged 20).

These findings contrast sharply with Section 33 of the Constitution of the Republic of Uganda, which guarantees women equal treatment and affirmative action to address gender imbalances, including those created by culture and tradition (Republic of Uganda, 1995). A female participant from the Leiko clan summarized this contradiction, stating:

Customary authorities have ignored the provisions of the Constitution about equality and instead made women's rights subordinate.

(A widowed participant,Leiko clan, Dranya Sub-county, aged 60).

The study also found that the appointment of protectors is recognized as a customary protective mechanism for widows and other vulnerable women (Stangl, 2013). According to Schuster et al. (1985), the presence of protective structures can mitigate threats to tenure security. A male clan leader participant from the Leiko clan reported that customary norms often allow widows continued occupation or the appointment of a male relative, commonly referred to as a "protector" to safeguard their access to land and ensure the land remains within the clan. However,this study found that the effectiveness of this arrangement depends heavily on the goodwill of the appointed protector. A widowed participant from the Palibono clan lamented:

When I lost my husband, my brothers-in-law who should have continued to protect me and my children threw me out of my matrimonial land.

(A widowed participant ,Kuluba Sub-county, aged 53).

This finding suggests that although community norms discourage unjust dispossession of women through moral sanctions or social pressure, such protection is inconsistent and highly dependent on male relatives' discretion.

The study further found that women whose land rights are mediated through male family members often feel insecure. Of the 12 women interviewed directly, 10 stated that without deliberate allocation and explicit declaration of land rights to women, accessing land through male relatives exposes them to abuses. A female participant from a polygamous family explained: "From my experience, no woman can call customary land she uses hers because a husband has absolute control over it."

(A woman in poligamous marriage, Motino clan, Dranya Sub-county, aged 30).

The findings indicate that women's indirect and secondary rights constitute a major source of vulnerability. Tripp (2001) argues that tenure rights determine the degree to which individuals can legitimately use and benefit from land, with comprehensive and perpetual rights offering greater security than short-term or revocable ones. Given the vulnerable and uncertain nature of women's rights, administrators should ensure clearer articulation and stronger enforcement mechanisms (FAO, 2002; Schuster et al., 1985).

Similarly, Hull et al. (2020) emphasize that land administration systems can only be effective when land rights are valuable, enforceable and legally recognized. Knight (2010) further argues that tenure security requires elevating customary rights to formal legal status, ensuring they carry equal weight to registered rights, with appropriate oversight to protect vulnerable groups, including rural women.

This study therefore reveals that although allocating land and appointing protectors can provide some level of protection, these mechanisms remain inconsistent and largely dependent on male authority. This results in unclear articulation of women's rights and insufficient monitoring by customary administrators, leaving women's rights vulnerable to violation.

4.2.2 Customary Land Rights Registration

This study found that in situations of tenure uncertainty, the assignment and clarification of boundaries serve as an important protective mechanism for land rights. Boundary identification and control publicly clarify existing rights and help prevent encroachment and competing claims (Hull et al., 2020). An female participant from the Motino clan in Dranya Sub-county, confirmed that: “registration helps to publicize and legitimize existing land rights, thereby enhancing protection.”(*An unmarried female participant, Motino clan in Dranya Sub-county, aged 20*)

As noted by LEMU (2008), protecting land rights and particularly inheritance rights, becomes difficult in the absence of documentation, as verbally recognized rights can easily be distorted by self-interested administrators. The Uganda Land Act provides a legal framework for customary land registration. Section 4 allows any person holding land under customary tenure to apply for a Certificate of Customary Ownership (CCO), while Section 5(g) obliges customary institutions to safeguard the interests of women, minors, absent persons, and persons with disabilities during the registration process (Land Act, 1998). Furthermore, Section 8(1) establishes that a CCO constitutes conclusive evidence of the customary rights and interests specified therein (Land Act, 1998). In this regard, registration offers a significant opportunity for protecting women’s secondary land rights by providing formal proof of ownership and interests.

Consistent with Hull et al. (2020) and Nabakwa (2021), registration also creates psychological and environmental barriers against potential threats to land rights. However, despite these opportunities, the study found that land rights registration remains limited in Kuluba and Dranya Sub-counties, particularly among women. The elderly Leiko clan participant, (aged 60) , explained that although registration is critical for protection of land rights, it is rarely practiced by customary landholders. This observation reflects national trends indicating that approximately 95% of customary land in Uganda and about 77% in Northern Uganda remains unregistered (FIG, 2019; Nabakwa, 2021).

According to the Community Development Officer of Kuluba Sub- County, registration involves applying for documentation, confirming boundaries through

witnesses, physical inspection, and mapping, photographing land parcels and recording the names of persons with interests in the land to obtain a CCO. The study found that boundary marking and witnessing significantly enhance protection of those registered against encroachment and dispossession. A widowed participant from the Leiko clan, aged 60, stated that fencing her late husband's land with sisal deterred her brother-in-law from further claims. This supports Mayanja et al, (2015)'s assertion that clearly marked boundaries reduce encroachment and false claims. Schuster (1985) similarly argues that the ability to set boundaries enhances a sense of control and protection against perceived threats.

Despite these benefits, the study found that inclusion of women's names on CCOs is not automatic. A married female focus group discussion participant from Kuluba Sub-county, aged 30, questioned how women could initiate registration when their rights are not recognized as independent. An elder from the Palibono clan (aged 70) explained that men often exclude women's names due to perceptions of women as non-permanent members of the clan. This perception was illustrated when he stated that even with several adult daughters and a wife, he would still register land in the name of a young son.

These findings reveal that women's land rights registration is constrained by patriarchal norms that perceive women as outsiders or temporary holders of land. Although CCOs are intended to list all family members with interests in the land, the inclusion of women's names depends largely on the discretion of male family heads. A divorced female participant from Dranya Sub-county emphasized the need for deliberate mechanisms to ensure women's inclusion on CCOs. This confirms Mayanja et al. (2015) observation that the failure to include women's names leaves their rights undocumented and vulnerable to manipulation.

The study further found that no authority is specifically responsible for verifying whether women's names are included on CCOs. The Community Development Officer of Kuluba Sub-county reported that many women fear initiating registration due to financial constraints and limited social capital. Consequently, women's rights, although verbally recognized and stored in collective memory, remain vulnerable without formal documentation (UCCA, 2018).

Reliance on oral confirmation by elders poses additional risks. While elders may know boundaries, the study revealed concerns about bribery, loss of witnesses through death and distortion of rights over time. A female focus group discussion participant described non-documentation as a tactic that facilitates women's exploitation. The absence of codified Kakwa customary land laws further weakens protection, as women's rights remain informal and negotiable.

Overall, the findings indicate that while land registration offers significant opportunities for protecting women's land rights, its limited practice, coupled with women's secondary status and lack of institutional safeguards, undermines its effectiveness. Deliberate interventions to support registration, clarify rights and ensure women's inclusion on CCOs are therefore essential for strengthening tenure security (Schuster, 1985).

4.2.3 Customary Land Rights Information Communication

The creation, storage, and dissemination of accurate land rights information are foundational to effective land governance and rights protection (FIG, 2019). This study found that information provision is a core customary land administrative practice with the potential to enhance women's land rights protection. Section 9 of the Land Registration Act mandates the establishment of land registries and accessible records to enable individuals and particularly vulnerable groups to verify boundaries and claim rights (Land Registration Act, 2012).

Participants consistently linked violations of women's land rights to inadequate information. Both community development officers of Kuluba and Dranya Sub-counties, emphasized that sensitization initiatives, particularly radio programs, have contributed to some reduction in abuses. This implies that known rights are better protected than the unknown. These findings align with Antonio and Augustinus (2016) and Hull et al. (2020), who argue that accurate and timely land information empowers rights holders and supports informed decision-making.

However, the study found that communication about women's customary land rights in Kuluba and Dranya has been limited, reactive and inconsistent. Women's land rights are rarely discussed proactively and are often addressed only after disputes arise. This lack of deliberate communication reinforces assumptions that women access land

only through men and do not hold ownership rights. Consequently, information circulating within communities is often inaccurate or contradictory, undermining women's claims during periods of land scarcity.

The study further reveals that land rights information is predominantly communicated by men, reflecting women's under representation in land administration structures. Although land laws provide for women's representation, practical participation remains minimal (LEMU, 2011; Muhumuza, 2019). Abigail (2007) argues that such exclusion results in male-dominated knowledge production that marginalizes women's experiences and legitimizes inequality. This was echoed by female participants who described communication efforts as timid, insincere, and insufficient to challenge entrenched patriarchal norms.

The absence of documented Kakwa customary land laws exacerbates this problem. Without standardized information frameworks, protection of women's rights often depends on moral judgments about character rather than legal entitlement. As Schuster (1985) cautions, protection without standardized information and monitoring mechanisms remains weak and inconsistent.

4.2.4 Customary Land Rights Conflict Resolution

Conflict resolution emerged as a key customary land administrative practice for managing threatened rights (UCCA, 2018). In Koboko, customary courts established under Section 88 of the Land Act (1998) are recognized as the first forum for resolving customary land disputes. These courts composed mainly of male clan elders who adjudicate disputes based on customary norms and clan history.

The study found that most disputes involving women are initially handled at the family level before escalating to customary or local authorities. While mechanisms such as mediation, negotiation, reconciliation, and arbitration are widely used, their effectiveness is limited by poor coordination, lack of enforcement of customary laws and absence of standardized guidelines. The clan leader in Palibono ,confirmed that clan elders often convene only when disputes arise, weakening their authority and consistency.

Although some elders demonstrated sensitivity to women's land rights, decisions were frequently influenced by women's perceived character rather than the severity of rights violations. The clan leader participant from Palibono clan in Kuluba Sub-county observed that: sometimes women's land rights abuse cases are resolved basing on their characters. This reflects inadequate threat identification and assessment, which Schuster et al. (1985) identify as critical components of effective protection. Women's dependent and unclarified rights make them particularly vulnerable during land scarcity, a finding consistent with Garber (2013), Bayisenge (2015) and Kaufman (2017).

Fear of social sanctions further discourages women from reporting abuses. A widow from the Leiko clan confirmed that women who report their land rights abuses are sometimes victimized and made to pay cleansing goat for defaming clans men. Several participants described victimization and rebuke of women for challenging male relatives, as act of reinforcing a culture of silence. As Musiimenta (2014) and Muhumuza (2019) note, such coping strategies reflect limited support for reforms that challenge gendered power relations.

Therefore the findings revealed that ; while customary courts provide culturally legitimate forums for dispute resolution, their failure to punish perpetrators and enforce women's rights undermines protection. The findings further indicated that effective protection requires not only dispute resolution mechanisms but also accurate threat appraisal, enforcement capacity and commitment across social, legal and political spheres (Hull et al., 2020; Nabakwa, 2021).

Generally therefore, customary land administration that provides culturally legitimacy , is structurally weak in protecting women's land rights in Koboko District. Although mechanisms such as allocation of protector, land registration, information provision and conflict resolution exist, patriarchal norms, weak enforcement, poor documentation and limited awareness constrain their effectiveness. Women's rights remain secondary, insecure, and dependent on male authority. Nonetheless, with deliberate reforms that strengthen documentation, inclusive communication, enforcement and women's participation in land administration, customary systems hold potential to promote more gender-equitable land governance.

4.3 Women's Voices on their Customary Land Rights Protection

This study found that customary land administrative norms and practices are being portrayed as feasible mechanisms for the protection of women's land rights despite persistent violations of their rights under the system, (LEMU, 2011). This view necessitated an investigation into the extent to which such norms and practices actually protect women's land rights from the perspectives of the rural women themselves. Guided by a feminist standpoint approach, this section captures rural women's voices to examine their experiences of customary land rights protection. By amplifying women's lived experiences, this section highlights both the challenges women face within the customary tenure system and the opportunities for enhancing protection of their land rights within the system.

Determining Land Rights and Appointing Protectors

The rural female participants reported that acts of determining land rights and appointing protectors are the common mechanisms used to protect their land rights. This aligns with the claims that protectors are appointed to protect widow's land, (LEMU, 2011). However, they reported that due to women's perceived transience within clans as a result of marriage, women do not acquire automatic land rights but rather depend on men who are considered permanent occupants and "owners" of customary land, requiring allocation of land to them. A widow participant from the Palibono clan in Kuluba Sub-county explained her experience as follows;

Customarily, land is given to the male relatives like father, husband, who inherit it because it is a clan land that cannot be given to us, the women.

(A widow, Palibono clan , Kuluba Sub-county, aged 50).

The rural women confirmed that because of the traditional attitude that "wate dronga kine de, kondri inyo kana?," meaning mere women, what do they do with land? , denial of land rights to widows, divorcees, and unmarried women is common practice in Koboko. A divorced female participant from the Motino clan said;

Since our land rights are dependent on men, I would feel I have rights if my husband took time to declare to me the land to cultivate and protected it from

intruders, but nothing was done when my husband sold off the land used by family without my consent, claiming it was not my land. This was because they cannot protect what they know is not mine.

(Divorced female participant, Motino clan, Dranya Sub-county, aged 30).

This implies that women feel insecure without clarified rights to land under the system and desire for a deliberate act to allocate land to women publicly and a watchful protector to ensure normality. From a feminist standpoint theory perspective, women's feeling that customary "protectors" are insecure indicates that such arrangements do not provide genuine tenure security but instead reproduce patriarchal dependency and conditional rights. Rather than holding land as independent rights-bearers, women must rely on male relatives or clan authorities whose support can be withdrawn, making their claims precarious. Feminist standpoint theory treats women's reported insecure lived experiences as epistemic privileged knowledge, revealing the gap between the claimed promise of protection and women's everyday realities of vulnerability and dispossession, (Hartsock, 1983; Smith, 1987; Harding, 1991). similar studies on gender and land shows that mediated rights under the customary systems often undermine women's autonomy and tenure security (Agarwal, 1994, 2003; Whitehead & Tsikata, 2003; Doss et al., 2014).

Registration of Women's Land Rights

Documentation of women's land rights was reported by the rural women as a mechanism that could be used to avoid distortion of orally claimed land rights and provide proof of ownership. According to Schuster (1985) protection involves assigning and controlling boundaries around the self, so that one can regulate what enters/leaves one's domain. However, as reported in this study, the documentation of women's secondary rights under customary tenure is not automatic; a number of women still do not have the courage to initiate registration as secondary claimants. A widow from the Leiko clan in Dranya said:

After passing on of my husband, I started planting trees to mark

our boundaries because my in-law was encroaching on our land, but I was threatened for defending our land, claiming I have no right to it. He could be right because my name was not on the certificate of customary ownership.

(A widow from the Leiko clan, Dranya-subcounty,aged ,60).

This implies that while some protectors still do not include women's names on certificates of customary ownership, efforts by women to defend their rights necessitate putting in place mechanisms to monitor the inclusion of women's names on certificates. Judy and Simon (2005) recommend that sub-county chiefs be made responsible for recording land rights and Area Land Committee members verify such rights and approve issuance of Certificates of Customary Ownership. Women's reported inability to initiate registration of their land rights, reflects structural and institutional exclusion rather than personal incapacity from a feminist standpoint theory. From this perspective, women's everyday experiences reveal how land administration systems are embedded in patriarchal norms that privilege male authority and limit women's legal agency. Their accounts therefore provide situated knowledge that exposes hidden power relations within supposedly neutral legal and customary processes, offering a critical standpoint from which to understand gender inequality in land governance, (Smith, 1987; Harding, 2004; Collins, 2000).

Provision of Land Tenure Information

The participants reported that provision of land tenure information is one of the core practices of land administration for protection of land rights. The female participants explained that communication about women's rights to land is necessary given their dependent nature of rights. Adoko and Simon (2005), LEMU (2011), and Hull et al. (2020) note that provision of clear information about who has what right to which land and where provides certainty about rights and contributes to tenure security because people who know their rights also know what to do if those rights are abused.

This study found out that women's transience and subordination in society affects the nature and way information about their land rights is communicated (LEMU, 2009). A divorced woman from Kuluba Clan lamented;

Most times, women are allocated land rights because of children, and such rights are defended for the same reason. what seems to be known is that women do not have their own rights to land.

(A divorced woman ,Kuluba clan, Kuluba Subcounty,aged 47).

The rural women reported that information about women's rights to land is not popular. A female participant from a monogamous marriage in the Motino clan, explained that;

We are rarely involved in land management and even if present, we most times do not talk. The attitude that we do not own land still prevails. Even those who know that we deserve land fear to say in public and in most cases say with reservations without the confidence to freely pronounce themselves for fear of being seen as challenging culture that prohibits women from owning land.

(Married in monogamous family, Motino clan, Dranya aged 40).

This timid, inaccurate and inadequate communication of women's land rights implies not a lack of knowledge, but the presence of structural silencing and unequal power relations that suppress women's voices ,(Harding, 2004). The feminist stand point theory holds that women's social positioning within patriarchal households and bureaucratic systems limits their authority to speak, claim rights, or access to information,(Harding, 2004; Collins, 2000). As a result, weak communication reflects institutional marginalization, where information flows and decision making spaces are controlled by the dominant (male) actors. From this standpoint, the hesitant expression in communication of women's rights to land is evidence of the dominant ruling **class** normalizing women's exclusion and devaluing of their knowledge. From the feminist standpoint perspective, the reports of muted voices of women reveal how gendered customary power structures constrain women's agency and participation in land governance (Smith, 1987; Harding, 2004; Collins, 2000). According to Schuster (1985) provision of accurate information and communicating in persuading and perceptions altering manner is important aspect of protection. This implies that for women's rights as secondary claimants to be known, women themselves to participate in the institutions and forums of land administration to articulate their rights, advocate and persuade the authorities to have them recognized in policies, implemented and respected by customary land administrators as noted by Nabakwa, (2021). However, the Community Development Officer of Dranya Sub-County lamented:

We are few in positions of influence to advocate for women's rights to land, and yet community meetings rarely transmit information about women's rights to land. If only people would value the much we are doing as women in as far as farming is concerned in Koboko, they would simply recognize women's rights to land. (Female CDO, Dranya Sub-County, aged 45).

These accounts of the women expose not only the gendered power structures that constrain women's agency by normalizing women's exclusion but also devaluing of their knowledge, within a supposedly accurate land rights information system foundational to effective land governance and rights protection, (FIG, 2019).

Customary Laws and Courts

The female participants reported that there are customary courts in place to protect land rights as provided in the land law,(Land Act,1998).However the participants pointed out that such formal institutions are operating in the shadows of influential informal practices. A widow participant in a focus group discussion said;

Sometimes these laws do not protect us in practice because our people do not accept that women can be equal to men. We were told women have rights to land, but see which land do I have when my brother-in-laws claim I was only entitled to the land because of my husband? I could not dispute because of their strong network.

(A widow participant in a FGD, Lokujo village,Kuluba Sub-County, aged 47).

As Georgina Waylen (2017) notes, while formal rules and their enforcement are crucial, the informal aspects of institutions that are less visible or taken for granted by actors inside and outside of state structures are also central to understanding politics in the policy arena. A woman in a polygamous marriage from the Leiko clan in Dranya commented in a focus group discussion that;

As long as our men do not allow us to use the land freely I do not think people of government can really protect our rights to land.

(A woman in a polygamous marriage, Leiko clan, Dranya, aged,34).

This confirms Ahikire et al. (2017), observation that one cannot say with certainty that the law and policy is always a guiding tool in decision-making around land, especially where protection of individual rights provided for in the laws do not reflect public interest. From a feminist standpoint theory perspective, reliance on informal rather than formal legal mechanisms to resolve land disputes reflects structural exclusion from formal justice systems. A widow lamented;

Our experience is that there are few committed, knowledgeable customary land administrators, with no clear land adjudication and conflict resolution guidelines in place to genuinely diagnose the problem during conflict resolution; the process tends to be based on win-win approaches of social justice in the name of making peace.

(Widow Councilor from Leiko clan in Dranya Sub-County aged 60).

With no clear land adjudication and conflict resolution policies and strategies to investigate abuse of rights, threats cannot be properly appraised for early management (Hull et al., 2020). Several participants reported victimization and rebuke of women for reporting land rights violations and challenging male relatives, as an act of reinforcing a culture of silence. Georgina Waylen (2017), observed that informal or customary forums dominated by male elders and kinship authorities often exclude women's voices and prioritize tradition over gender-equitable rights. Women's voices reveal hidden power inequalities in the customary courts that often silence their voices in dispute resolution (Hull et al., 2020; Harding, 2004; Collins, 2000).

This study therefore found that although customary land administration is presented as protecting women's land rights because of its social recognition and clan-based protection approach, the male dominated system remains ineffective in securing women's tenure in Koboko District. Protection mechanisms, such as appointing male "protectors," documentation of rights, provision of information, and customary courts, often do not guarantee independent rights, automatic land claim registration, accurate information, and fair hearings in dispute resolution forums dominated by male authorities, due to the patriarchal power relations embedded in the customary land governance systems that have maintained women's land rights as conditional, precarious and insufficiently protected.

CHAPTER FIVE

SUMMARY, CONCLUSION, IMPLICATIONS AND RECOMMENDATIONS

5.0 Introduction

This chapter presents a synthesis of the major findings of the study on customary land administration and the protection of women's land rights in Koboko District, in Uganda. It summarizes the key results in line with the study objectives, draws conclusions, outlines the policy, practice and theoretical implications of the study and proposes recommendations and areas for further research.

5.1 Summary of the Key findings

The first objective of the study sought to examine the nature of customary land administration in Koboko District. The findings revealed that customary land is communally owned by clans and governed through unwritten norms, traditions, and practices enforced by clan leaders, elders, and family heads. Land is primarily valued not only as an economic resource but also as a source of identity, belonging, and heritage. Allocation and management processes are culturally grounded and largely informal, with adult sons assuming primary responsibility for managing family land. Although all family members are said to have use rights, ownership, inheritance, and decision-making powers remain predominantly vested in men. Women generally access land through marriage or male relatives and rarely hold independent rights.

The second objective examined the opportunities and flaws within customary land administrative norms and practices in protecting women's land rights. The study established that several mechanisms, including land allocation, appointment of protectors, registration through Certificates of Customary Ownership, provision of land information, and customary dispute resolution forums, are intended to safeguard vulnerable groups. These mechanisms provide culturally legitimate and locally accessible structures that could potentially enhance tenure security. However, the findings show that these same mechanisms often reproduce women's dependency on male relatives. Allocation practices rarely recognize women as independent rights holders, protectors operate at their discretion without accountability, and registration processes frequently exclude women's names. Similarly, information dissemination is

inconsistent and male dominated, while customary courts lack standardized procedures and enforcement capacity. Consequently, these practices both enable and constrain protection, offering limited security while reinforcing patriarchal control.

The third objective explored women's lived experiences of customary land rights protection. Guided by feminist standpoint theory, the study amplified rural women's voices to understand how customary protections function in practice. Women consistently reported insecurity of tenure, fear of dispossession, exclusion from registration processes, inadequate information about their rights, and limited participation in dispute resolution. Many described their rights as conditional on male goodwill and subject to withdrawal in cases of widowhood, divorce, or conflict. Their accounts revealed that protection under customary systems is largely based on social recognition rather than enforceable guarantees. These lived experiences exposed a significant gap between the formal portrayal of customary tenure as protective and the everyday realities of marginalization.

5.2 Conclusion

Drawing from the above findings, the study concludes that customary land administration in Koboko District remains deeply embedded in sociocultural traditions that prioritize clan continuity and male authority. While the system provides culturally legitimate and accessible structures for land governance, it does not adequately secure women's independent land rights. Women's tenure remains secondary, mediated through male relatives, and highly vulnerable to abuse and dispossession.

The study further concludes that existing protective mechanisms are structurally weak. Although land allocation, documentation, information provision, and dispute resolution forums exist, they are undermined by poor documentation, weak enforcement, limited awareness, and entrenched patriarchal norms. As a result, women's land rights are not automatically recognized or guaranteed but depend largely on social goodwill and informal arrangements. Increasing land scarcity, commercialization, and individualization of customary land further exacerbate women's vulnerability by weakening traditional social protections.

From a theoretical perspective, the study concludes that feminist standpoint theory provides a valuable lens for understanding gendered inequalities in land governance. Women's everyday experiences offer critical insights into hidden power relations within customary institutions and reveal the discrepancy between policy intentions and practical outcomes. Their voices demonstrate that without deliberate and gender-responsive reforms, customary land administration alone cannot ensure equitable tenure security.

5.2 Implications of the Findings

The findings have important implications for policy, practice, and theory. At the policy level, the continued marginalization of women under customary tenure highlights a disconnect between constitutional guarantees of equality and their implementation at the local level. Legal provisions protecting women's land rights remain largely symbolic without effective enforcement and institutional accountability. This suggests the need for stronger integration of gender equality principles within customary governance structures.

At the practice level, male dominance in land administration institutions restricts women's access to information, documentation, and justice. Weak record-keeping systems and reliance on oral testimony expose women to manipulation, loss of evidence, and dispossession. Without deliberate inclusion of women in decision-making and administrative processes, customary systems risk perpetuating exclusion rather than protection.

At the theoretical level, the study demonstrates the relevance of feminist standpoint approaches in land governance research. By centering women's lived experiences, the study reveals structural inequalities that may otherwise remain obscured, thereby contributing to more inclusive and context-specific policy design.

5.3 Recommendations

In light of the conclusions drawn, the study recommends strengthening documentation and registration of customary land rights through systematic issuance of Certificates of Customary Ownership and mandatory inclusion of women's names. Local

authorities and Area Land Committees should be assigned clear responsibility to verify and record women's interests to prevent discretionary exclusion.

There is also a need to enhance women's participation in land governance by ensuring their meaningful representation on Area Land Committees, customary courts, and clan leadership structures. Capacity-building initiatives should be implemented to equip women with knowledge, confidence, and advocacy skills to effectively claim and defend their rights.

Furthermore, continuous and proactive sensitization programs should be conducted through community meetings, radio platforms, and local dialogues to improve awareness of women's land rights and counter harmful cultural perceptions. Simplified and culturally appropriate information materials should be developed to clarify procedures and entitlements. Documentation and codification of key customary rules would also reduce ambiguity and manipulation.

Dispute resolution mechanisms should be strengthened through the development of clear guidelines, training of customary leaders on gender equality and legal standards, and establishment of monitoring and accountability systems. Safe and confidential reporting channels should be created to protect women from retaliation and social sanctions.

Finally, stronger collaboration between customary institutions and formal government structures is necessary to ensure that statutory protections are upheld in practice and that customary governance aligns with constitutional principles of equality and non-discrimination.

5.4 Areas for further research

Future research should explore innovative models that integrate customary legitimacy with formal legal safeguards. Additionally, a comparative research across districts would also be valuable in identifying best practices for promoting gender-equitable land administration.

REFERENCES

Abigail. T. Brooks (2007) *Feminist stand point epistemology: building, knowledge and empowerment through women's' lived experience*, sage publications, thousand oaks, California, London, UK, <https://www.researchgate.net/publication/309282474>

Adoko, J., & Levine, S. (2005). *Land rights: where we are and where we need to go. A review of the situation of land rights in Apac District in Uganda, and of opportunities for land rights protection work, based on the work of LEMU in 2003-4. Draft report for the Berkely Trust. Kampala: LEMU.*

Adoko, J., & Levine, S. (2008). *Falling between two stools; How women's Land rights are lost between State and customary law in Apac District, Northern Uganda'. Women's Land Rights and Privatization in Eastern Africa*, Oxford: James Currey.

Adoko, J., Akin, J., & Knight, R. (2012), *Understanding and strengthening women's land rights under customary tenure in Uganda, Land and Equity Movement in Uganda (LEMU)*

Ahikire, J. (2004). *Towards Women's Effective Participation in Electoral Processes. Feminist Africa*, (3).

Ahikire, J. (2009). *Who Speaks for Whom? Women and the Politics of Presence in Uganda's Local Governance. In Governing Women* (pp. 216-235). Routledge.

Ahikire, J. (2014)" *Cutting the Coat According to the Cloth": Examining Women's Agency on Land Rights in Rural Uganda. Gender, Poverty and Social Transformation: Reflections on Fractures and Continuities in Contemporary Uganda, Kampala: Fountain Publishers.*

Ahikire, J. (2017). "Please Daddy... Give us some more": Recognition politics and the language of special interest groups. *Controlling consent: Uganda's 2016 elections*, 193-216.

Ahikire, J. and Mwiine, A. A. (2020) *Gender equitable change and the place of informal networks in Uganda's legislative policy reforms. ESID Working Paper No. 134. Manchester, UK: The University of Manchester. Available at www.effective-*

Ahikire, J., Kanyesigye, J., Nassali, M., Nakayi, R., Katushabe, J., & Pamara, H. (2017). *Interrogating large-scale land acquisitions and land governance in Uganda: implications for women's land rights. https://nru.uncst.go.ug*

Akutui R. S, (2020) *COVID 19 and its impact on women's land rights in Uganda, COVID-19-and-womens-land-rights-1.pdf.*

Anying, I. (2012). Re-envisioning gender justice in access and use of land through traditional institutions: A case for customary tenure of land ownership in Acholi Sub-Region, Northern Uganda. Northern Uganda (December 1, 2012).

Asiimwe, J. (2001). Making Women's Land Rights a Reality in Uganda: Advocacy for Co-Ownership by Spouses. *Yale Hum. Rts. & Dev. LJ*, 4, 171.

Bayisenge, J. (2015). Women's Experiences of Land conflicts in the context of the Land Tenure Reform Program in Rwanda. *Int. J. Gend. Women's Stud*, 3, 118-133.

Bird, C. (2016). Don't embarrass yourself: Beware of bias in your data. In *Perspectives on Data Science for Software Engineering*. (pp. 309-315) Morgan Kaufmann. <https://doi.org/10.1016/B978-0-12-804206-9.00056-8>

Borland, E. (2020, May 13), Standpoint theory. Encyclopedia Britannica. <https://www.britannica.com/topic/standpointtheory>

Bowen, G. A. (2009). Document analysis as a qualitative research method. *Qualitative Research Journal*, 9(2), 27.

Brooks, A. (2007). Feminist standpoint epistemology: Building knowledge and empowerment through women's lived experience. *Feminist research practice: A primer*, 53-82.

Butina, M. (2015). A narrative approach to qualitative inquiry. *Clinical Laboratory*

Capraro, C., & Woodroffe, J. (2018). Digging deep: The impact of Uganda's land rush on women's rights. *Womankind Worldwide, the National Association for Women's Action in Development (NAWAD) and the National Association of Professional Environmentalists (NAPE)*.

Cohen, L., Manion, L., & Marrison, K. (2007). *Research in education sixth edition*. Newyork:

Collins, P. H. (2002). *Black feminist thought: Knowledge, consciousness, and the politics of empowerment*. routledge.

Creswell JW, Plano Clark VL. *Designing and conducting mixed method research*. 2nd Sage; Thousand Oaks, CA: 2011.

Daley, E., & Englert, B. (2010). Securing land rights for women. *Journal of Eastern African Studies*, 4(1), 91-113. https://www.academia.edu/3247442/Securing_land_rights_for_women.

Daley, E., Flower, C., Miggiano, L., & Pallas, S. (2013). Women's land rights and gender justice in land governance: pillars in the promotion and protection of women's

human rights in rural areas. International Land Coalition Network, Rome.
<https://landportal.org/ru/node/61650>

Donald, A., Koolwal, G., Annan, J., Falb, K., & Goldstein, M. (2020). Measuring women's agency.

Feminist Economics, 26(3), 200-226.

<https://documents1.worldbank.org/curated/en/333481500385677886/pdf/WPS8148.pdf>

Doss, C & Meinzen-Dick (2020) Land tenure security for women: A conceptual framework, Elsevier ltd, <https://doi.org/10.1016/j.landusepol.2020.105080>.

Enemark, S., & Sevatdal, H. (1999, October). Cadastres, Land Information Systems and Planning-is decentralization a significant key to sustainable development. In UN-FIG Conference on Land Tenure and Cadastral Infrastructures for Sustainable Development (pp. 25-27).

FIG (2019) Women's access to land- FIG guidelines: Principles for equitable gender inclusion in land administration, background report and guidelines. Publication no. 24. <https://www.fig.net/pub/figpub/pub24/figpub24.htm>.

Freudenberg. M (2013) The future of customary tenure, options for policy makers, USAID's Property Rights and Artisanal Diamond Development Project, https://www.land-links.org/wp-content/uploads/2016/09/USAID_Land_Tenure_Customary_Tenure_Brief_0-1.pdf

Freudenberg. M (2013) The future of customary tenure, USAID Property Rights and Resource Governance Projects: <http://usaidlandtenure.net>

Garber, B. (2013). Women's land rights and tenure security in Uganda: Experiences from Mbale, Apac and Ntungamo. *Stichproben-Vienna journal of African studies*, 13(24), 1-32.

Gaughan, A. E., Stevens, F. R., Pricope, N. G., Hartter, J., Cassidy, L., & Salerno, J. (2019). Operationalizing vulnerability: Land system dynamics in a trans frontier conservation area. *Land*, 8(7), 111.

Given, L. M. (Ed.). (2008). *The Sage encyclopedia of qualitative research methods*.

Government of Uganda (1995) the Constitution of the Republic of Uganda, Kampala.

Government of Uganda (1998) the Land Act, Kampala.

Harding, S. (2004). Rethinking standpoint theory. *The feminist standpoint theory reader: Intellectual and political controversies*, 127-140.

Heilmann, S. (2018) “A scaffolding approach using interviews and narrative inquiry.”
Networks: An Online Journal for Teacher Research, 20(2).
<https://dx.doi.org/10.4148/2470-6353.1279>

Hendriks, B., Zevenbergen, J., Bennett, R., Mkuwmbwa, S., Antonio, D., Mabikke, S., & Liversage, H. (2016, March). Scaling up pro-poor land recordation: findings and consequences of four cases+ powerpoint. In 17th Annual World Bank Conference on Land and Poverty 2016: Scaling up Responsible Land Governance.

Hesse-Biber, S. N. (Ed.). (2013). *Feminist research practice: A primer*. Sage Publications

HiiL (2020) Deep Dive into Land Justice in Uganda, an open report,
https://www.hiil.org/wp-content/uploads/2020/10/HiiL-Uganda-Deep-Dive-Land_Online-1.pdf

Hoza, T. N. (2018). Land Tenure Considerations for Neighborhood Planning.
theigc.org

http://downloads.lww.com/wolterskluwer_vitalstream_com/journal_library/ans_0161_9268_2002_25_1_65.pdf.

<http://www.academicjournals.org/IJEAPShttps://doi.org/10.1186/s12874-018-0594-7>

<https://blogs.worldbank.org/sustainablecities/how-covid-19-puts-womens-housing-land-and-property-rights-risk.states.org>.

<https://doi.org/10.5430/ijhe.v6n5p26>

<https://namati.org/wp-content/uploads/2016/01/Protecting-Community-Lands-and-Resources-in-Africa-Namati-and-Natural-Justice-LR.pdf>.

https://re.public.polimi.it/bitstream/11311/1159914/1/integrated_and_multiscalar_planning_in_west_nile_region_uganda_small.pdf.

Hull, S. A., Kingwill, R., & Fokane, T. (2020). An Introduction to Land Administration. LandNNEs: Cape Town, South Africa.
https://www.researchgate.net/publication/344162012,DOI:1013140/RG.22295391744_2

ICRW (2020) COVID 19 and women’s economic empowerment, informal networks in Uganda’s legislative policy reforms. ESID Working Paper

[https://scholar.google.com/scholar?q=ICRW\(2020\)+COVID+19+and+women%E2%80%99s+ec](https://scholar.google.com/scholar?q=ICRW(2020)+COVID+19+and+women%E2%80%99s+ec)

Jaggar, A. M. (2004). Feminist politics and epistemology: The standpoint of women. *The feminist standpoint theory reader: Intellectual and political controversies*, 11(7), 55-66. <https://www.routledge.com/The-Feminist-Standpoint-Theory-Reader-Intellectual-and-Political-Controversies/Harding/p/book/9780415945011>.

Janse, B. (2021). *Standpoint Theory: Definition and Examples (Sociology)*. Retrieved [insert date] from Toolshero: <https://www.toolshero.com/sociology/standpoint-theory/>

Kameri-Mbote, P. (2006). Women, land rights and the environment: the Kenyan experience. *Development*, 49(3), 43-48.

Kane, M., Oloka-Onyango, J., &Tejan-Cole, A. (2005, December). Reassessing customary law systems as a vehicle for providing equitable access to justice for the poor. In *Arusha Conference, "New Frontiers of Social Policy"–December* (pp. 12-15).

Kaufman, R. E. (2017). Localizing human rights in the United States through the 2030 Sustainable Development Agenda. *Colum. Hum. Rts. L. Rev.*, 49, 99.

Knight R. Adoko J. Siakor. A, Salomao. A, Auma. T, Kaba. A &Tankar. I (2012) Protecting community land and resources; Evidence from Liberia, Mozambique & Uganda.

LEMU (2008) Teso Customary land principle, [teso_customary_principles_\(lemu_2008\).pdf](#).

LEMU (2008) The Position Paper of LEMU on the National Land Policy-Drafts www.land-in-Uganda.org.

LEMU (2008) Will papers help me protect my land? www.land-in-Uganda.org.

LEMU (2009) "How can women's land rights be best protected in the national land policy" <http://www.land-uganda.org/assets/protection%20of%20women%273%20land%20rights.pdf>.

LEMU (2009) What land rights do people have under the rules of customary tenure?www.land-in-Uganda.org.

LEMU (2010) what land rights do people have under the rules of customary tenure? LEMU discussion paper www.land-in-Uganda.org.

LEMU (2011) Lets face up to land grabbing www.land-in-Uganda.org.

Mabikke, S. B. (2016) Historical Continuum of Land Rights in Uganda: A Review of Land Tenure Systems and Approaches for Improving Tenure Security, *Journal of Land and Rural Studies* 4(2), pp.153–171. <https://journals.sagepub.com/doi/abs/10.1177/2321024916640069>.

Mayanja, D., Massa, D., & Julius, O. (2015). Certificates of customary ownership: Experiences from the District Livelihood Support Programme in Uganda. United Nations Human Settlements Programme.

Muhumuza (2019) Locked out: How unjust land systems are driving inequalities in Uganda: Even it up; Oxfarm, <https://ugandaoxfarm.org>

Mujuzi, J. Ddamulira. (2020). Reconciling customary law and cultural practices with human rights in Uganda. *Obiter*, 41(2), 239-256. Retrieved September 11, 2021, from http://www.scielo.org.za/scielo.php?script=sci_arttext&pid=S1682-58532020000200003&lng=en&tlng=en.

Munshifwa, E. K., Jain, N., Chileshe, R. A., & Mushinge, A. (2021). Land, Rights, and Tenure Insecurity on Customary Land in Zambia: Protecting “Thyselves”. In *Indigenous Research of Land, Self, and Spirit* (pp. 102-117). IGI Global.

Murray, M. (2018). Narrative Data. In Sage handbook of qualitative data collection (pp. 264–279). Sage, London: Sage. Pp264-279.

Musiimenta, P. (2014). Negotiating Redefined Subordination: Educated Women’s Agency in Marital Relations’. *Gender, Poverty and Social Transformation: Reflections on Fractures and Continuities in Contemporary Uganda*, Kampala: Fountain Publishers

Musinguzi, M., Huber, T., Kirumira, D., & Drate, P. (2021). Assessment of the land inventory approach for securing tenure of lawful and bona fide occupants on private Mailo land in Uganda. *Land Use Policy*, 110, 104562.

Nabakwa, E. (2021). A critical analysis of customary land registration in Uganda: case study of Nwoya district, Uganda (Doctoral dissertation, Makerere University).

Ngwatu, G. M. (2010). Access to land and land rights in post conflict societies in Uganda: a perspective on women's and children's rights (Doctoral dissertation, University of Pretoria).

Notermans, C, & Luna, S.(2022). "Decolonizing the Gender and Land Rights Debate in India: Considering Religion and More-than-Human Sociality in Women’s Lived Land Relatedness" *Religions* 13, no. 3: 254. <https://doi.org/10.3390/rel13030254>.

Obaikol E. (2014) Draft final report of the implementation of the land governance assessment framework in Uganda, Land governance assessment framework. <https://landportal.org/fr/library/resources/uganda-draftf-201410/draft-final-report-implementation-land-governance-assessment>.

Oppong, D., & Bannor, R. K. 2022 Gender and power work relationships; A systematic review on the evidence from Africa and Asia. *Cogent Social Sciences*, 8(1), 2031686.

Oloka-Onyango, J., & Ahikire, J. (Eds.). (2017). *Controlling Consent: Uganda's 2016 Elections*. Africa World Press.

Patton, M.Q. (2001). *Qualitative Research and Evaluation Methods* (2nd Edition). Thousand oaks, CA: Sage Publications.

Petrella, L., Contin, A., Frigerio, A., Musetta, A., Mutai, J., & Kuria, H. (2019). West Nile Region, Uganda-Integrated and Multi Scalar Planning (Koboko, Arua, Nebbi).

Pritha ,B. (2020).An introduction to qualitative research, [https://scholar.google.com/scholar?hl=en&as_sdt=0,5&q=pritha+Bhandari.+\(2020,+June+19\).+An+introduction+to+qualitative+research](https://scholar.google.com/scholar?hl=en&as_sdt=0,5&q=pritha+Bhandari.+(2020,+June+19).+An+introduction+to+qualitative+research).

Rachael Knight (2016) Protecting land and community resources in Africa // 22 February 2016.

Schuster, E. A., Kruger, S. F., & Hebenstreit, J. J. (1985). A theory of protection: Parents as sex educators. *Advances in Nursing Science*, 7(3), 70-77.

Shearer, J. E. (2002). The concept of protection: a dimensional analysis and critique of a theory of protection. *Advances in Nursing Science*, 25(1), 65-78.

Stangl, A., Brady, L., Glinski, A., Sexton, M., & Petroni, S. (2013). Protecting the Land and Inheritance Rights of HIV-Affected Women in Kenya and Uganda.

Stanley, V., & Prettitore, P. (2020). How COVID-19 puts women's housing, land, and property rights at risk. *World Bank blog*.states.org

The Centre for Governance and Economic Development (CEGED) (2015) *Citizens Voice for Economic Rights and Development*.https://www.google.com/url?sa=t&rct=j&q=&esrc=s&source=web&cd=&cad=rja&uact=8&ved=2ahUKEwjI0_HVraKBaxWTVaQEHeMbBMsQFnoECBEQAQ&url=https%3A%2F%2Fwww.laspnet.org%2Fjoomla-pages%2Fother-development-partners%2Fvoice%2F535-citizens-voices%2Ffile&usg=AOvVaw3P1GA1UJCm_qzRQLxNGMEi&opi=89978449

Tri, K. A. K., Elfiondri, E., & Mariati, M. (2020). Defense mechanisms used by secret keepers as seen in the secrets of midwives by Sally Hepworth (Doctoral dissertation, Universitas Bung Hatta).

Uchem, R. N., & Ngwa, E. S. (2014). Subordination of women in 21st century Africa: cultural sustainability or a new slavery? Implications for educational development.

Vasileiou, K., Barnett, J., Thorpe, S., & Young, T. (2018). Characterizing and justifying sample size sufficiency in interview-based studies: systematic analysis of qualitative health research over a 15-year period. *BMC Medical Research Methodology*, 18(1), 1-18. <https://doi.org/10.1186/s12874-018-0594-7>

Wehrmann, B. (2017). Understanding, Preventing and Solving Land Conflicts: A Practical Guide and Toolbox. Deutsche Gesellschaft für Internationale Zusammenarbeit (GIZ) GmbH.

Williamson, I., Enemark, S., Wallace, J., & Rajabifard, A. (2010). *Land administration for sustainable development* (p. 487). Redlands, CA: ESRI Press Academic

APPENDICES

Appendix 1: Study Participants Demographic Information

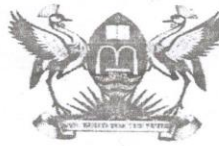
Type of participant	Gender	Age years	Marital status	Position	Experience of customary land administration)
Widow in Dranya (Widow D)1	Female	60+	Widow	Counselor	30+
Widow in Dranya (Widow D)2		40+	widow	Peasant	20+
Widow in Kuluba (Widow K)1	Female	50+	Widow	Peasant	30+
Widow in Kuluba (Widow K)2			Widow	Peasant	30+
Unmarried woman in Dranya (UWD)1	Female	20+	Not married	Peasant	10+
Unmarried woman in Dranya (UWD)2			Not married	Peasant	20+
Unmarried woman in Kuluba (UWK)1	Female	27	Not married	Peasant/ business woman	10+
Unmarried woman in Kuluba (UWK)2		20+	Not married	Peasant	20+
Woman in monogamous marriage in Dranya (WMMD)1	Female	40+	Married	Counselor	20+
Woman in monogamous marriage in Dranya (WMMD)2	Female	40+	Married	Peasant	20+
Woman in Monogamous marriage in Kuluba (WMMK)1	Female	40+	Married	Peasant	20+
Woman in Monogamous marriage in Kuluba (WMMK)2	Female	30+	Married	Peasant	10+
Woman in polygamous marriage in Dranya(WPMD)1	Female	30+	Married	Peasant/ business	10+
Woman in polygamous marriage in Dranya(WPMD)2	Femal	30+	Married	Peasant	10+
Woman in polygamous	Female	40+	Married	Business/	20+

marriage in Kuluba (WPMK)1				Peasant woman	
Woman in polygamous marriage in Kuluba (WPMK)2	Female	30+	Married	Peasant	30+
Divorced woman in Dranya (DWD)1	Female	30+	Not married now	Peasant	20+
Divorced woman in Dranya (DWD)2	Female			Peasant	20+
Divorced woman in Kuluba (DWK)1	Female	40+	Cohabiting	Peasant / business	20+
Divorced woman in Kuluba (DWK)2	Female	20+	Divorced	Peasant	30+
Community Development Officer Dranya (CDOD)	Female	30+	Married	CDO	10+
Community Development Officer- Kuluba(CDOK)	Male	30+	Married	LC3- C/M- Kuluba	10+
Elder 1 Dranya	Male	70+	Married	Elder/ Peasant	30+
Elder 2 Dranya	Male	60+	Married	Counselor / Peasant	30+
Elder 1 Kuluba	Male	40+	Married	Peasant/ Business	30+
Elder 2 Kuluba	Male	70+	Married	Peasant	20+

Appendix 2: Makerere University Study Clearance Certificate

MAKERERE

P.O. Box 7062 Kampala, Uganda
Cables: MAKUNIKA



UNIVERSITY

Tel: 256-41-531484
Mobile 256-713-531484
Fax: 256-41-543539
Email: deanswgs@chuss.mak.ac.ug

SCHOOL OF WOMEN AND GENDER STUDIES

Office of the Dean

Our Ref:

Your Ref:

Date: 14/7/2022

TO WHOM IT MAY CONCERN

This is to introduce you to Mr/Ms. Akulia AgnesReg. No. 2007/UBD/1979SUwho is a student of this School on MA/PhD (Gender Studies) programme. She/He has completed the taught part of the course, and has embarked on a Research Project.

The research is on Examining Women's Landrights Protection Under Customary System of Administration in Uganda: Case of Koboko District

Any assistance given to her/him will greatly be appreciated.

Associate Prof. Sarah N. Ssali
DEAN

Appendix 3: Koboko District Chief Administrative Office Letter

Our Ref: CR/D/106
Your Ref:.....
Office Line: **0372280126**



The Republic of Uganda

Koboko District Local Government
Office of the Chief Administrative
Officer
P.O. Box 1, Koboko
Email: kobokodistrict2011@gmail.com

Date: 18th July 2022

Ms. Akulia Agnes
Makerere University
School of Women Gender Studies
MA/PhD

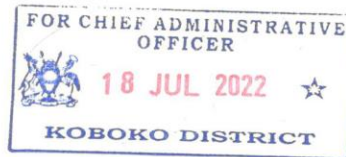
REQUEST TO UNDERTAKE RESEARCH IN KULUBA AND DRANYA SUB-COUNTY.

Am in receipt of your dated **14th-July -2022** requesting permission to under fieldwork/research in Kuluba and Dranya sub counties.

By copy of this letter, I wish to inform you that your request to undertake data collection to enrich your research within Kuluba and Dranya from 19th July to 22nd August 2022 has been granted.

The Sub-County Chief Kuluba and Dranya are hereby informed and in the same vein asked render all the necessary assistance

Mabe Ismail



For: Chief Administrative Officer-Koboko
Cc: Sub-County Chairperson -Kuluba and Dranya
Cc: Sub-County Chief -Kuluba and Dranya

Appendix 4: Consent form

INFORMATION SHEET

Title of study: EXAMINING WOMEN’S LAND RIGHTS PROTECTION UNDER CUSTOMARY SYSTEM OF ADMINISTRATION IN UGANDA: CASE OF KOBOKO DISTRICT

Researcher: AKULIA AGNES

Institute: Makerere University.

Introduction

I am AKULIA AGNES, a Master of Arts in Gender Studies student at the above mentioned University. I am carrying out a research on: **Examining Women’s Land Rights Protection under Customary System of Administration in Uganda: Case of Koboko District**

I wish to investigate how customary land administrative norms and practices are of women’s land rights.

Since you manage customary land issues in Koboko District, I would like you to participate in this study.

Purpose of this research study

The study is intended to examine how customary land administrative norms and practices protect are protective of women’s land rights in Koboko district in Uganda. This information is needed to expose the flaws in those norms and practices to establish context specific strategies to protect women’s land rights.

Procedure

Interviews will be employed to elicit information on how customary land administrative norms and practices protect women’s land rights using an interview guide. Such information will be used to corroborate information got from the rural women.

Possible risks or benefits

The rural women's experiences of land rights protection will expose the flaws in those norms and practices to inform policy makers in development of intervention that can strengthen and enhance women's land rights protection in the rural communities.

There is no risk involved in this study except using a few minutes of the participants' busy schedules during the interviews. There is also a direct benefit to the participants because the research findings will be shared with them and may provide action points for developing interventions to enhance protection of women's land rights.

Right of refusal to participate and withdrawal

You are free to choose to participate in this study. You may refuse to participate without any loss of benefit which you are otherwise entitled to. You may also withdraw at any time from the study without any adverse effect or any loss of benefit which you are otherwise entitled to. You may also refuse to answer some or all the questions if you do not feel comfortable with the questions.

Confidentiality

The information obtained from you will remain confidential. Nobody except principal investigator will have an access to it. Your identity will not be disclosed at any time. However the data may be seen by Ethical review committee and may be published in a journal and elsewhere without giving your name or disclosing your identity.

Authorization

You will be asked to sign a consent form to indicate your voluntary participation. You will receive a copy of the form. Your consent does not take away any legal rights in the case of negligence or other legal fault of anyone who is involved in this study. Nothing in the consent form is intended to replace any applicable national, state or local laws.

Available Sources of Information

For further questions, you may contact Principal investigator Akulia Agnes. Phone no. +256-782,664611

Ethical Consent Form for Sub County Chiefs and Customary Land Administrators

Research Topic: **Examining Women’s Land Rights Protection under Customary System of Administration in Uganda: Case of Koboko District**

I have been informed of the requirements of the study and fully understand what will be expected of me as a participant.

I therefore agree to be amongst the participants in this study with the following conditions. Put a tick (✓) as appropriate against each statement;

- ✓ *This study focuses on understanding how customary land administrative norms and practices protect are protective of women’s land rights in Koboko district in Uganda.*
- ✓ *The study is intended to expose the flaws in those norms and practices to establish context specific strategies to protect women’s land rights.*
- ✓ My identity as a research participant will remain confidential and my name and my responsibility/role in the school and the name of the school will not be used at any point in the research or in reporting the findings.
- ✓ I maintain the right to withdraw from the study at any point in time.
- ✓ I will be interviewed as part of the study
- ✓ My profile can be accessed from the District Registry for use in this study.
- ✓ My voice can be recorded during my interview.
- ✓ My administrative *activity plans can be observed* and analysed
- ✓ My records and reports can be analysed for this study.
- ✓ Photographs (or scans) of my work or classroom will be taken for research purposes
- ✓ Add any other issue relevant to your data collection as it relates to this category of participants
- ✓ I hold the right to refuse to answer any question.
- ✓ Findings of this study may be used in conference presentations and in academic publications

I express willingness to participate in this study by signing this form.

Name: _____ Designation: _____ Community
Development Officer/ Sub county Chief

Signature:..... Date:

Researcher’s Name Akulia Agnes

Researcher’s Tel Contact: : 0782664611

Appendix 5: Interview questions for the rural women

A. General information

1. What is your:
 - A) Name
 - B) B) Age range: 20+ 30+ 40+ 50+
 - C) Marital status?
2. How long is it since you gained access to your land?
3. How many pieces of land do you have access to or own?
4. How did you gain access to the land you are using now?
5. Can the land you are using be called yours?

Nature of Customary Land Administration system

6. Describe the nature of customary land tenure system in Koboko
7. While women access land through men, are there any outlined responsibilities tagged to the men you depend on in this community?
8. It is common to hear such statements as women do not own land, how has been your own experience?
9. How would you describe the rate of women's land rights abuse in your community?
10. Can you briefly describe how customary land administrators usually react to violation of women's land rights?

B. Protection of women's Land Rights under the customary administrative system

How protective the customary norms and practices are of women's land rights, can be established through women's experience during;

a) Determination of women's land rights

With customary resolution that women access land through their male relatives, protection of women's land rights becomes dependent on their relatives' care;

1. As a care receiver, what would caregiving mean to you?

2. What are the cultural values and beliefs guiding the caregiving process in your community?
3. According to your cultural values and beliefs, who should provide caregiving during protection of your land rights?
4. Can you explain how you feel about the care being given to you during protection of your land rights?
5. What things have been done to you to show care in protection of your land rights?
6. How have those caregiving activities reduced your land rights vulnerability?
7. Describe for me examples of when you felt you were being given care to protect your land rights and when you felt you were not cared for.

b) Registration of tenure rights

Some communities take tenure rights registration which entails boundary marking and land rights documentation as an aspect of protection to regulate and control both psychological and environmental barriers against threats.

1. As a woman what is your experience of tenure rights registration as a way to protect your land rights?
2. In your opinion, how does the registration of tenure rights guard against threats to your land rights?
3. What are the cultural values or beliefs guiding your tenure registration process as a woman?
4. According to your cultural values or beliefs, how should women whose rights are dependent on male relations be registered?
5. What do you see being done when sometimes women's names are deliberately excluded during tenure rights registration?
6. How are your land rights identified and publicly clarified to guard them against other claims?

7. What regulations are in place to regulate customary land rights registration in your community?
8. Which specific regulations and mechanisms have you noted enhance registration of women's tenure rights?
9. What is your experience of how women's land rights registration process is being monitored in your community?

c) Land tenure information communication

Accurate and adequate information is regarded key especially for risk and threat management in land administration:

1. As a woman, do you think information given to your community for protection of women's land rights is accurate and adequate?
2. In your experience, how does land tenure information enhance protection of women's land rights?
3. How often do you see communications being made about women's land rights in your community?
4. What tenure information do you hear is communicated about women's land rights in the community?
5. How would you describe the way information about your land rights is communicated to the community members?
6. Would you describe the current way of communicating women's land right persuasive and perception altering?
7. How has way of communicating about women's land rights changed people's attitude towards women's land rights protection in your community?
8. What information do you think still needs to be passed to the community to protect women's land rights?

d) Land dispute resolution

Constitutionally traditional courts have been given power to resolve disputes in accordance with the local customs, cultural or ethnic values, norms or traditions as long as they are not discriminative:

1. Has your dependence on men for land rights been a potential threat in adjudication of land disputes between you and men? How?
2. How has the attitude that women's land rights should depend on their male relations been prevented from influencing the dispute resolution process?

3. What is your experience as a woman about having your customary land rights cases resolved in customary courts?
4. What are the cultural values or beliefs guiding land dispute resolution process in your community?
5. Can you describe the traditional activities you were involved in during the land conflict resolution?
6. What are some of the common threats you identified to women's land rights in your community?
7. How severe are those threats to sustenance of women's land rights in your community?
8. How would you describe commitment to threat identification in women's land rights?
9. As a woman how would you describe the way identified threats are managed during dispute resolution?

DWomen's opinions about protection of their land rights under customary administrative arrangements

Can you identify some **conditions necessary for protection of** women's land rights?

1. How do you gain land rights according to your customary norms and practices?
2. How do you feel about those rights?
3. What is your opinion about your land rights protection through;
 - a) allocation of protector,
 - b) land rights registration,
 - c)land rights information communication
 - d) adjudication of cases of land rights abuses in the customary courts
4. What more information is needed to popularize women's land rights?

Appendix 6: Interview guide for community development officers and customary land administrators

A. General information

1. What is your:
 - a) Name
 - b) Age range: 20+ 30+ 40+ 50+
 - c) Marital status
 - d) Position in the community
2. How long is it since you started presiding over customary land issues?
3. What does the law say about administration of land to women according to customary norms and practices?
4. Can you describe the land allocated to women under customary arrangement in terms of ownership?
5. How often do women seek your guidance to sort out their land related issues?
6. As a community leader and government representative, what is your opinion about women accessing land only through their male relations like father, brother, husband or brother in-laws in this community?
7. While women access land through men, are there any outlined responsibilities tagged to the men they depend on in this community for protection?
8. It is common to hear such statements as women do not own land, what is your opinion about it?
9. How would you describe the rate of women's land rights abuse in your community?
10. Can you briefly describe how customary land administrators usually react to violation of women's land rights?

How do you deal with perpetrators of women's land rights violation?

B. Protection of women's Land Rights under the customary administrative system

To what extent can the customary norms and practices protect women's land rights during;

e) Determination of women's land rights

8. With customary resolution that women access land through their male relatives, protection of women's land rights becomes dependent on their relative's care; as a customary leader, what would caregiving mean to you?

9. What are the cultural beliefs associated with your background that guide the caregiving process?
10. According to your cultural beliefs, who should provide caregiving during protection of women's land rights?
11. Could you explain how you feel about being responsible for caregiving during protection of women's land rights?
12. What types of things do you do to show care in protection of women's land rights? How have your caregiving activities reduced women's land rights vulnerability?
13. Describe for me examples of when you felt you were caregiving to protect women's land rights and when you felt you were not caregiving.

f) Registration of tenure rights

Some communities take tenure rights registration which entails boundary marking and regulation as an aspect of protection to provide both psychological and environmental barrier against threats.

10. As a customary land administrator what is your opinion about registration of tenure rights as a way to protect women's land rights?
11. In your opinion, how does the registration of tenure rights guard against threats to land rights?
12. What are the cultural values or beliefs associated with your background that guide the tenure registration process?
13. According to your cultural values or beliefs, how should women whose rights are dependent on male relations be registered?
14. What do you normally do when sometimes women's names are deliberately excluded during tenure rights registration?
15. How do women's land rights get identified and publicly clarified to guard them against other claims?
16. What regulations are in place to regulate customary land rights registration in your community?
17. What specific regulations and mechanisms are provided to enhance registration of women's tenure rights?
18. How is women's land rights registration monitored in your community?

g) Land tenure information communication

Accurate and adequate information is regarded key especially for risk and threat management in land administration:

9. As a customary land administrator do you think you have accurate and adequate information for protection of land rights?
10. In your opinion, how does land tenure information enhance protection of women's land rights?
11. How often and what do you communicate about protection of women's land rights in your community? What tenure information do you have about women's land rights?
12. How do you communicate to community members about women's land rights?
13. How has your way of communicating about women's land rights changed people's attitude towards women's land rights protection in your community?
14. Do you think the information you have about women's land rights is accurate and adequate?
15. What information do you think still needs to be passed to the community to protect women's land rights?

h) Land dispute resolution

Constitutionally traditional courts have been given power to resolve disputes in accordance with the local customs, cultural or ethnic values, norms or traditions as long as they are not discriminative:

10. What do you think can be potential threats to women's land rights adjudication?
11. How do you think the attitude that women's land rights should depend on their male relations be prevented from influencing the dispute resolution process?
12. What is your opinion about having women's customary land rights cases resolved in customary courts?
13. What are the cultural values or beliefs associated with your background in guiding land dispute resolution process?
14. What are the traditional activities involved in land conflict resolution?
15. What are some of the common threats to women's land rights in your community?
16. How severe are the threats to sustenance of women's land rights in your community?
17. How do you identify threats in women's land rights?

18. As a customary leader how do you manage the identified threats during dispute resolution?

C. Better protection of women's land rights under customary administrative arrangements

19. How else do you think customary land administrators can protect women's land rights?

20. What more information is needed to popularize women's land rights?

21. What other strategies can be used to persuade and positively alter people's perception to protection of women's land rights in your community?

22. What do you think could be better ways of identifying and appraising threats when resolving disputes involving women?