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*Understanding the Process and Benefits  
of a Pilot Program to Advance Women's  
Property Rights in Uganda*

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# ACKNOWLEDGEMENTS

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An Anonymous Donor

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Centre for Basic Research

Dr. Rose Namara

## **Implementing Partners**

Uganda Land Alliance

Luwero Land Rights Activists Association

The International Center for Research on Women (ICRW) gratefully acknowledges the partnership of Centre for Basic Research and Uganda Land Alliance, especially Dr. Simon Rutabajuuka, Dr. Ronald Wesonga, Mr. John Mwebe, and Ms. Hilda Akabwai.

Special thanks to the community members who participated in the evaluation research.

Several colleagues at ICRW provided tremendous input during the design and evaluation of the program: Mary Ellsberg, Gwennan Hollingworth, Rekha Mehra, Reshma Trasi, Ellen Weiss, and Sandy Won. We also thank our editor, Margo Young.

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## EXECUTIVE SUMMARY

Over a nine-month period in 2009–2010, the International Center for Research on Women (ICRW) and the Uganda Land Alliance (ULA) implemented and evaluated a pilot program in Luwero District to strengthen women's property rights. The Community-based Gender and Property Rights program trained 20 community rights workers of the Luwero Land Rights Activists Association (LLRAA) to provide legal counseling for individual cases and conduct sensitization events to raise awareness about women's property rights. ICRW created a monitoring system to document and learn from rights workers' activities. ULA provided technical and organizational support to LLRAA rights workers and led program implementation. This evaluation report uses data from quantitative surveys; qualitative interviews with rights workers, their clients, and local leaders; and the monitoring system.

While the report pertains specifically to this pilot effort, the lessons can be applied to others seeking to start or expand community legal aid programs in contexts where women's property rights are not well understood and where access to justice is limited.

### Key Findings:

#### LLRAA's Work with Clients

Land boundary disputes were the most common case type. Domestic violence, marital problems, and child welfare cases were also common, particularly among women.

As a whole, rights workers successfully mediated and resolved clients' cases. In contrast to the formal legal system and local leaders, variously perceived as inaccessible, costly, unapproachable, biased, and inefficient, rights workers saved their clients time

and resources. Clients – especially women, who face restricted mobility and have fewer financial resources – expressed gratitude that the rights workers resolved matters quickly and amicably, came to or accompanied clients as needed, stayed neutral in land matters, and offered services free of charge. Also, the rights workers' interventions often led to women being able to keep their land and houses. Monitoring and qualitative data also show rights workers as an efficient channel, often resolving cases in a matter of days. When rights workers could not resolve a case, they referred clients to the most appropriate person or institution.

#### Key Findings: Sensitization Events

During the pilot, LLRAA held 129 sensitization events across 64 villages with a total attendance of more than 2,500 men and nearly 3,000 women. The most popular topics, in descending order, were children's rights, landlord-tenant relations, women's rights, land tenure systems, marriage and property rights, and will writing.

Some LLRAA rights workers organized events dedicated to sensitizing the community on land issues, as originally envisioned by the program. As a whole, however, topics were driven by demand from clients and communities, whose requests sometimes went beyond the scope of the program's focus on women's property rights. Rights workers had some difficulty mobilizing audiences and contending with affiliated costs, such as transportation and refreshments at events.

#### General Program Benefits

Rights workers, clients, and community leaders all appreciated knowledge gained as a result of the program. Rights workers learned

about gender, law, and women's property rights, applied this knowledge to cases, mastered use of monitoring forms, and built group cohesion. Simultaneously, communities started to learn about rights workers as a resource. They also valued the opportunity to learn about the law, especially as related to land issues.

A combination of the high stakes around land and property ownership and confusion over relevant laws has likely contributed to a recent spate of related violence and evictions. Leaders, rights workers, and clients described the gravity of land issues and asserted that community rights workers' interventions have played a vital role in resolving land disputes that might otherwise have escalated into violence.

### Recommendations

The following actions will help LLRAA and ULA

further strengthen the program:

- Increase communities' awareness of LLRAA.
- Close knowledge gaps among rights workers and their communities around (1) what constitutes a lawful marriage and a lawful divorce; (2) women's and men's property rights in and after marriage; (3) women's and girls' right to inherit property; and (4) landlords' and tenants' rights and responsibilities.
- Create an institutional work plan for LLRAA to organize future activities and build a public identity.
- Address rights workers' workload constraints.
- Build on success with the monitoring system including continuing feedback sessions between ULA and LLRAA, sharing findings from monitoring data, and ensuring clarity and consistency of information collected.

## INTRODUCTION

Women's property rights, especially access to land, are increasingly recognized as critical to achieving poverty reduction and gender equality. Despite significant progress in legislation promoting women's rights to own and inherit property in many countries, there has been little progress for women in exercising these rights. Important factors impeding tangible progress are low awareness of women's legal rights, lack of enforcement of women's rights, and negative social norms about women owning property, especially land.

In Uganda, the constitution and subsidiary laws enshrine women's rights to own and inherit property. Where customs and culture are inconsistent with women's rights in statutory law, statutory law prevails according to the constitution. However, this supportive legal framework is thwarted by both men's and women's general lack of awareness of Uganda's property rights laws and relevant government bodies' lack of resources to enforce women's prop-

erty rights. As a result, violations of women's property rights persist.

Previous research by the International Center for Research on Women (ICRW 2007) and others (DANIDA 2005; MWEDO 2008) shows that community-based legal aid programs are a viable approach to improving legal knowledge and women's access to legal resources to address property issues. However, in Uganda, current community-based legal aid programs are implemented in a scattered manner with no clear standards and limited evaluation of influence on women's property rights.

To address this gap, ICRW, in partnership with the ULA, implemented and evaluated the nine-month Community-based Gender and Property Rights program. The pilot program's primary goal was to build capacity of a local legal aid organization to improve women's property rights through a combination of legal counseling and awareness-raising sensitization events. A second goal was to

increase ULA's capacity in gender training and monitoring so it could serve as a resource for building gender and monitoring into other local, community-based programs. The expectation is that both the ULA and members of the legal aid organization, in addition to providing services in the program area, will be a resource for others seeking to undertake similar work, fostering the potential for replication and scale-up.

This report describes the pilot program's implementation, outcomes, and lessons. It first provides an overview of the program design, the monitoring and evaluation methodologies used, and the context in which the program was implemented. It next describes program findings, including discussion of challenges encountered by the rights workers. A look at overall program achievements follows. Finally, it concludes with recommendations for moving forward with community rights work as an approach to promoting women's property rights.



## COMMUNITY-BASED GENDER & PROPERTY RIGHTS PILOT PROGRAM

*The Community-based Gender and Property Rights program was designed to build capacity of community rights workers in the LLRAA in Luwero District, Uganda, to support women's property rights in two ways: (1) by providing legal aid services to clients; and (2) by conducting community legal sensitization and education sessions emphasizing women's property rights. The pilot program was implemented over a nine-month period, from August 2009 to April 2010.*

ICRW and ULA designed the Community-based Gender and Property Rights program with three aims:

- Raise awareness and acceptance of women's property rights;
- Enhance women's ability to exercise their rights and access justice; and
- Build capacity of community rights workers to provide education and services that support women's property rights.

### Program Design

To inform the design of the program, ICRW conducted a needs assessment in 2008 on the operations, challenges, and needs of community-based legal aid organizations in Uganda. The assessment revealed that community legal aid services were an invaluable resource for poor and disadvantaged persons to access legal systems (ICRW 2008). However, training curricula for community rights workers did not uniformly discuss the links between gender and property rights, nor did curricula address negative cultural norms toward women's property ownership. Following the assessment, ICRW held a stakeholder workshop that drew representatives of 17 community-based organizations from across the country who echoed the assessment findings and supported the idea of a greater emphasis on women's property rights by community rights workers.

ICRW and ULA developed the *Property Rights & Gender Training Toolkit* as the primary resource to train community rights workers to be a more effective community resource in understanding and defending women's property rights. The toolkit covers human rights; women's rights; gender norms around land ownership; issues women commonly face regarding property; relevant Ugandan family, marriage, and inheritance laws; and institutions to resolve disputes, including Uganda's court system. Exercises, case studies and examples, role plays, presentations, and other participatory activities help participants understand the laws' relevance, practice applying new legal knowledge and mediation skills to cases, and discuss differences between the law and cultural norms. Accompanying the toolkit are gender-relevant materials for community education.

### Selection and Training of Community Rights Workers

ULA and the local communities identified 20 persons to serve as voluntary community rights workers and organized them into a new community-based organization, Luwero Land Rights Activists Association (LLRAA). To be eligible, an individual had to be literate and be a respected member of his/her community. The LLRAA rights workers ranged in age from 25 to 54 years,

and approximately half were female. Nearly all had completed education beyond the primary level. While most were farmers or teachers, social workers, healthcare providers, and businesspeople were also represented. Half were either local councilpersons (LC) or councilors.<sup>1</sup> Others were active in women's groups, farmers' groups, savings groups, and other community work.

Although it was not required for selection, several rights workers had some legal training in 2005-2007 as part of a program run by the Federation of Women Lawyers-Uganda (FIDA) and Plan International. Rights workers reported that the FIDA/Plan training covered a broad, and sometimes inconsistent, range of topics including will writing, children's rights, women's rights, and nutrition. Rights workers involved in the FIDA/Plan program simultaneously expressed a sense of grounding in women's rights issues and a need for more training, especially on land and recent changes in the law.<sup>2</sup>

At the time of their selection in June 2009, the LLRAA rights workers received preliminary basic training on land issues, wills, marriage, and the courts. Then at the start of the program two months later in August, ICRW and ULA conducted an in-depth gender and property rights training using the *Property Rights & Gender Training Toolkit*. At the training, ICRW also introduced LLRAA to the program's monitoring system and related monitoring forms. The monitoring system (described in more detail below) tracked both the community rights workers' activities and ULA's own capacity-building work with LLRAA.

Throughout the pilot period, all 20 original rights workers remained LLRAA members.

### Monitoring and Evaluation Methods

ICRW and the Centre for Basic Research (CBR) collected quantitative and qualitative data over the course of the pilot program to assess its reach, outputs, and outcomes. Initially, the team employed a quasi-experimental design with baseline and endline quantitative surveys in treatment and control villages to look at the effects of the program on community members. The monitoring data, however, revealed that the intensity of the intervention in the treatment villages was much lower than anticipated, thereby preventing the attribution of any changes in community knowledge, attitudes, and practices over time to the program. As a result, the team decided instead to gather and use qualitative data to measure program impact. However, the baseline quantitative data were still useful in providing information about the situation on the ground before implementing the program. In addition to quantitative surveys and qualitative assessment, the evaluation uses data on rights workers' activities collected through the monitoring system ICRW developed for ULA and LLRAA.

### Quantitative Surveys

The research team administered a questionnaire before the pilot program began (August 2009) and a similar questionnaire 10 months later (May 2010),<sup>3</sup> to a cross-sectional, random sample of community members living in 19 villages, of which 13 were villages where LLRAA rights workers lived or anticipated working regularly and 6 were comparison villages. All villages were located in four of the nine sub-



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counties where the pilot program was conducted: Luwero, Kikyusa, Katikamu, and Ziobwe. The August survey sample consisted of 149 men and 169 women; the May sample included 140 men and 150 women. The female and male community members answered questions about their knowledge, attitudes, and perceptions of property rights; valuation and holding of different legal documents; help-seeking behaviors; land and asset holdings; interaction with community rights workers; and demographic characteristics.

The team also administered a questionnaire at both points in time to 38 community leaders (one female and one male leader from each of the 19 study villages). The respondents provided information on conflicts coming to leaders, familiarity with women's property rights, leaders' engagement with commu-

nity rights workers, village resources, and NGOs and community groups.

### Qualitative Assessment

The primary objective of the qualitative component was to shed light on program implementation and identify perceived benefits from the program. The following questions guided the qualitative assessment:

- Why were some rights workers more/less active than others?
- What was the process of organizing and conducting a sensitization event?
- What were clients' experiences with rights workers, and were they satisfied?
- What did clients learn as a result of their interaction with rights workers? e.g., about the law, their rights, resources, etc.
- How did the program impact the rights workers?

The research team collected qualita-

tive data in January 2011 from a purposive sample of 7 LLRAA rights workers, 7 clients, and 7 community leaders who participated in a total of 16 in-depth interviews.<sup>4</sup> The rights workers were chosen to represent a range of intensities in how they had carried out their work in conducting sensitization events and taking on clients' cases.<sup>5</sup> The clients chosen had each seen a selected rights worker during the period from August 2009 to July 2010, and had brought a dispute related to property, land, inheritance, or marriage. The community leaders chosen for interview were active in the communities where the selected rights workers lived. The sampling design yielded discrete "sets" of informants who interacted with each other, allowing for the triangulation of information.

The limited scope of the qualitative study did not allow us to interrogate the full range of experiences and characteristics of individuals affected by the program. We interviewed only female clients; therefore the qualitative data cannot provide insights on program effects among men. All of the leaders interviewed had collaborated with the rights workers and were aware of their program. Although the rights workers interviewed indicated that some leaders did not support their work, the data do not include the perspectives of these individuals. Given the relatively limited range of perspectives included and that all informants opted to participate in the program to some extent, it is possible that the overall assessment of rights workers' benefits to the community may be biased. Another potential limitation is that all rights workers were interviewed by ICRW staff who also participated in the LLRAA training. Some rights workers may have felt that the interviewers were

evaluating their performance or that "undesired" answers could jeopardize continuation of the program. Interview guides were carefully designed to be neutral, in order to elicit an open and frank description of informants' experiences and opinions. Finally, the experiences of rights workers who are not also local leaders may be underrepresented.

### **Monitoring System**

ICRW led the development of the monitoring system to track LLRAA's and ULA's activities in close collaboration with ULA and with LLRAA's input on the monitoring forms. The monitoring system documented services provided, needs of the communities, and work loads of the rights workers. This helped ICRW and ULA to understand what was happening on the ground and to identify areas for future program improvement. ICRW continued to revise the monitoring system throughout the pilot based on ongoing feedback from ULA and LLRAA. The monitoring system provided data to answer the following questions:

- What types of people seek rights workers' help in terms of sex, age, or socioeconomic status?
  - What are the common cases brought by women? Men? Specific age groups? People of different marital statuses?
  - Over time, what trends emerge in the type of cases that rights workers handle?
  - How long does it take to resolve cases in general? What cases take more time?
  - How are rights workers handling cases of each type?
  - Who does (or does not) attend LLRAA's sensitization events? On which topics?
  - What are rights workers' case loads?
- ICRW provided ULA staff with

technical assistance on data entry, analysis, and reporting; introduced the rights workers to the idea and value of monitoring; and trained the rights workers to complete the monitoring forms. ULA, in turn, provided ongoing assistance to the rights workers on monitoring. ULA had planned to hold monthly meetings with the rights workers to identify common problems with the monitoring and provide technical assistance where needed. These meetings became less frequent toward the end of the program due to budgetary constraints and competing demands on ULA staff time. In May 2010, ICRW and ULA held a daylong feedback session with the rights workers after the pilot program was over. ULA and ICRW shared the results from the monitoring data and asked the rights workers to provide some reaction and explanations of the findings. Rights workers also provided feedback on the monitoring process. The lessons from the development and implementation of the monitoring system are discussed in the Recommendations section.

### **Context of Program Communities**

The quantitative, qualitative, and monitoring data provide important information about the characteristics, attitudes, and experiences of men and women living in communities being served by the rights workers.

### **Sociodemographic Characteristics**

The men and women interviewed in the August 2009 quantitative survey are reflective of rural, central Uganda. As seen in Table 1, the majority of respondents (75 percent) are members of the Buganda tribe, predominant in central Uganda. Most respondents are literate. Many have completed at least primary levels of education, and about one-fourth have some secondary

TABLE 1: SOCIODEMOGRAPHIC CHARACTERISTICS OF SURVEY RESPONDENTS IN LUWERO DISTRICT, AUGUST 2009

Variable	Female (%)	N	Male (%)	N	Sig
Is literate	72.5	167	81.8	148	
Owens majority of household land	23.3	169	45.0	149	*
Owens any land (self)	29.2	165	51.2	147	*
Owens cattle	24.3	146a	41.4	135	*
Owens goat	21.9	146	37.4	135	*

\* Statistically significant at the 5 percent level

education. Most respondents are either married or cohabiting (82 percent men; 69 percent women).

Agriculture is the most common source of income, with a minority of respondents owning a small business or working in the service sector. Nearly all households own and use agricultural land, the majority of which is under *mailo*<sup>6</sup> tenure. Interestingly, the proportion of women in the sample who said they own land was higher than the national average of land ownership among women (29 percent in the survey vs. 7 percent nationally). The

relatively high female land ownership in the study communities may be a result of land or tenancies being easier to purchase under the *mailo* system than in the customary systems that predominate in Uganda. Women surveyed are less likely than men to own more valuable livestock such as cattle or goats or to own land by themselves. Twenty-one percent of households are headed by women, slightly lower than the national average of thirty percent (Uganda Bureau of Statistics and Macro International Inc. 2006).

### Mixed Attitudes About Women's Property Rights

As shown in Figure 1, attitudes are generally positive toward women owning property while single or married, giving or bequeathing property to children, having women's names on land documentation, and requiring their consent for the sale of matrimonial property. Attitudes about women's land rights are less positive than for rights over livestock or other assets. Women's and men's attitudes toward women's property rights are not significantly different.

FIGURE 1: MEAN ATTITUDES OF MALE AND FEMALE RESPONDENTS TOWARD WOMEN'S PROPERTY RIGHTS, LUWERO DISTRICT, AUGUST 2009

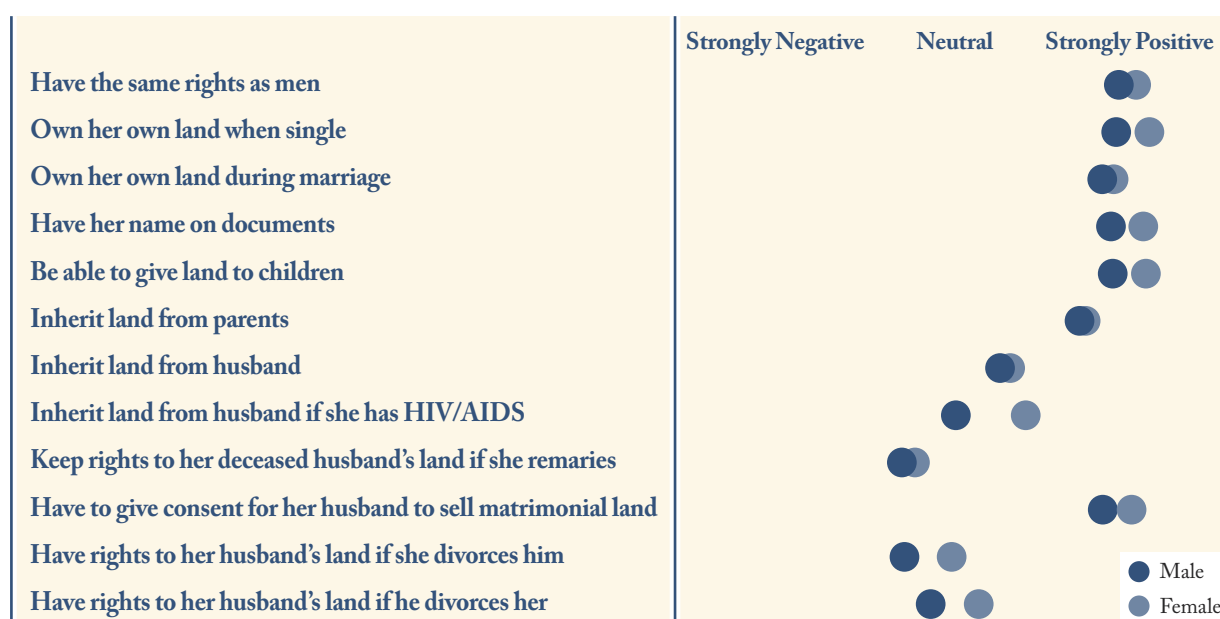


TABLE 2: PERCENTAGE OF MEN AND WOMEN WHO HELD DOCUMENTS, AUGUST 2009

Documents	N	Male Mean (%)	N	Female Mean (%)	Sig
Marriage certificate	148	28	168	24	
Certificate of occupancy	146	7	161	5	
Certificate of title	144	14	163	11	
Lease offer	145	7	160	3	
Will	141	20	163	9	*
Certificate of no objection/Letters of administration	141	5	162	1	

\* Statistically significant at the 5 percent level

Attitudes are less positive, and some even slightly negative, regarding women's inheritance rights and property rights upon dissolution of marriage. Support for women to inherit from husbands or have a claim to land in divorce is lower than for other scenarios involving women's property rights. The pattern reflects the special economic and cultural importance of land as an asset and indicates that the end of a marital relationship (either through death or separation) is a period of insecurity for women's property rights. In a context where land is considered to belong to clans,<sup>7</sup> land passes among male clan members, and women marry into their husband's clan, we would expect to see women's access to a clan's and family's most valuable asset become tenuous when the marriage connecting her to the clan and husband's family ends.

#### Low Levels of Legal Documentation

Despite widespread recognition that legal documents around marriage, property ownership, and inheritance are important to have, this does not translate into high levels of actually holding the documents. Two-thirds of women and one-half of men have never held any of the legal documents listed in Table 2. Of married respondents in the sample, only 35 percent reported ever having had a marriage certificate. Unsurprisingly, men are more likely than women to have ever

made a will, since men have more property to bequeath and typically make decisions about property and finances (Uganda Bureau of Statistics and Macro International Inc. 2006). However, the prevalence of wills may be overstated, as interviews with field staff and rights workers indicate that most wills are verbal, not written.

#### Gaps in Knowledge of the Law

The quantitative survey<sup>8</sup> and feedback sessions with the rights workers reveal gaps in legal knowledge related to women's property rights in the communities. The main gaps are the knowledge of:

**What constitutes legal marriage and divorce:** During a feedback session, rights workers reported that many people in their villages consider living together or having children together as constituting a marriage. Approximately 22 percent of survey respondents are cohabiting but not married. Sixty-four percent believe that not living together constitutes a divorce.

**Marriage certificates in customary marriage:** Over half of respondents are unaware that couples in a customary marriage can have a marriage certificate.<sup>9</sup> Between half and two-thirds of marriages in the survey area are customary,<sup>10</sup> and of these, three-fourths do not have a marriage certificate. Because Uganda's current inheritance and fam-

ily laws only recognize legally married spouses, women who have a marriage certificate can more strongly claim their right to inherit their husbands' property or claim property in divorce.

#### Property rights in cohabitation:

Approximately one-third of respondents wrongly believe that under Ugandan law, women and men who are cohabiting but are not married have claims over the other partner's property. This view can be especially perilous for cohabiting women. Combined with the cultural norm that property belongs to men, this incorrect belief places the property rights of cohabiting women in peril. In the event that a woman's male partner dies or leaves the partnership, it would be socially acceptable for him or his family to retain her property and any shared property. The woman would have no legal proof of the relationship to assert her claim to her own property or any shared property.

**Property rights in a divorce:** Across all types of property – land, livestock, and material assets – both women and men tended to disagree that a woman should have any rights to her husband's property in the event of divorce, regardless of who initiated it. For the approximately 93 percent of Ugandan women, and 79 percent of women in this sample, who do not have land in their own names, the end of a partnership is likely to

cause them to lose access to land and other property (Rugadya et al. 2005).

**Women's and girls' right to inherit:** A substantial proportion of respondents do not believe that a woman or girl can inherit land – 55 percent reported that they do not believe the law allows women to inherit land from their husbands, and 33 percent do not believe that the law allows for a girl to inherit land at all. Knowledge that women and girls can inherit animals and other property is also limited. While not as seemingly urgent as other problems in women's property rights, this knowledge gap is important because until women have greater economic power and autonomy, inheritance is likely to be a main pathway through which women and girls acquire their own land.

**Land tenure system and rights of tenants and landlords:** Survey responses and reports from LLRAA community rights workers strongly suggest that people are unclear about the primary tenure system they operate in, their rights and responsibilities as tenants, and the rights and responsibilities of landlords. Although most of the land in the program area is under *mailo* tenure, a large portion of the survey population (34 percent) reported they own land under customary tenure. Dis-

cussions with rights workers and program staff indicated that these respondents most likely are unsure of their tenure status or are mistaken. The right to occupy land on *mailo* tenure is often informally passed down through families with little interaction with the landlords, which can appear similar to practices around customary tenure.

Many survey respondents also do not know their rights as tenants – 28 percent are unaware that a court order is required to evict lawful and bona fide tenants from land. In November 2009, Uganda passed an amendment to the Land Act that outlines the rights and responsibilities of landlords and tenants, especially in the *mailo* land tenure system. The amendment also criminalizes eviction of tenants under certain circumstances. During debate of the amendment and continuing to the time of the writing of this report, there have been frequent news reports of violence, killings, and evictions, sometimes of entire villages, between tenants and landlords (see, for example, Njeri 2008; Semakula 2009; New Vision 2010).

#### *Few Community Members Seek Legal Services*

Receiving help from local leaders and formal justice institutions is rare, and more so among women (Table 3).

About two-thirds of survey respondents live more than 10 miles from a District Land Office and approximately 40 percent live more than 10 miles from a magistrate's court. For women, the costs in terms of time and money to obtain documentation or resolve disputes may be particularly high because they have limited mobility outside the home,<sup>11</sup> little money of their own, and limited financial decision-making power (Uganda Bureau of Statistics and Macro International Inc. 2009). Local leaders themselves have incomplete knowledge of the law and women's rights. When the pilot began, 30 percent of community leaders interviewed did not know that Ugandan law gives women the right to own land or a house.

More than three-quarters of the community leaders from the villages in the August 2009 survey indicated that fewer than half of the cases brought to them in the past year were brought by women. Twenty percent indicated that no women had brought cases in the past year.

These findings demonstrate the need in the target communities to increase support for women's property rights and to improve women's access to and use of legal services, including resolving disputes and obtaining legal documents.

TABLE 3: HELP-SEEKING BEHAVIOR, AUGUST 2009

Variable	Female (%)	Male (%)	Sig
Ever received help from religious leader	8	14	
Ever received help from clan or family meeting	17	25	
Ever received help from village/subcounty chief	5	9	
Ever received help from Local Council court	15	32	*
Ever received help from Local Council member	26	41	*
Ever received help from magistrate court	2	6	
Ever received help from police	5	15	*
Ever reported problem to an Local Council	12	34	*
Ever reported problem to police	8	21	*

\* Statistically significant at the 5 percent level

## PROGRAM IMPLEMENTATION FINDINGS

*This section of the report presents findings from the monitoring and qualitative data related to implementation of the pilot program.*

The LLRAA rights workers' main activities during the pilot were (1) providing legal services in handling clients' cases and (2) providing legal education through sensitization events. During the nine-month pilot period, which commenced after the August 2009 training, LLRAA rights workers worked mostly in nine subcounties and town councils throughout Luwero District.<sup>12</sup> As shown in Table 4, the 20 community rights workers reached several thousand people through 129 community sensitization events and handled 166 unique cases across 72 villages. Men and women accessed rights workers' services nearly equally.

Casework with clients involves listening to and understanding the client's problem, educating the client about the relevant law and his/her legal options, and assisting the client, usually through mediation or referral. Sensitization events were originally envisioned as meetings rights workers would hold or other community groups' meetings they would attend for the purpose of providing legal education on the topics covered in the ICRW/ULA *Property Rights & Gender Training Toolkit*, using teaching material included in the toolkit. However, rights workers considered a wider range of activities as sensitization events.

### LLRAA'S Work with Clients

The qualitative and monitoring data together provide a rich description of how rights workers obtained clients, conducted casework, and navigated their other roles. The descriptions are quite consistent, suggesting that despite having a relatively informal role and no well-defined work plan, rights workers used a similar approach.

### Introducing Themselves in Their Communities

LLRAA rights workers used several approaches to make themselves and their role known to the community. Commonly used methods are having a local councilperson introduce them at a village meeting, speaking at churches or mosques, and going house to house to introduce themselves. Some rights workers took advantage of existing events to let people know about their work or provide educational sound bites. Several spoke at funeral rites and meetings of local groups like women's groups or savings groups. Using these meetings as platforms for introduction requires strong social connections to be aware that they are happening and confidence about being well received by the audience.

### Obtaining New Clients

The qualitative analysis and monitoring data identified three key

paths through which rights workers obtained new clients. By far, the most frequent path was referral by a local leader (usually Local Councils) or a friend. Some clients had already started seeking help and turned to a rights worker either because the case remained unresolved or they lacked the necessary resources to continue in the courts or other government institutions. In the second, less common path, clients approached a rights worker directly based on a prior interaction, most often after attending a village meeting or sensitization event about a topic that had personal relevance. Finally, in cases where the rights worker was also a local leader, clients sometimes approached him/her for assistance in the capacity as a local leader while unaware that s/he was also a trained rights worker. After hearing the matter, the rights worker/leader would either determine whether the case was better suited to the role of a rights worker, or would allow the client to choose after explaining how s/he would handle the case as a rights worker versus as a leader. An individual who served this dual role explained how he sees the process unfold when approached by a client:

Someone can come to you as an LC, report to you a case or the matter. Then you can also advise him, "If you go through the LC, it is already a government organ, and then there are certain cases which I, as LC1, am not handling. So I refer you either to LC2 or to

TABLE 4: ACCESS OF COMMUNITY RIGHTS WORKERS' SERVICES

Rights worker service	Total	Males served	Females served
Community sensitization event	129	2,503	2,969
Client cases	166	86	80

## Case Study: Rights Workers Resolve a Family Land Dispute

R is a widow in her early 50s who lives with two of her deceased husband's other wives and some of their children. She makes and sells mats, a job she has performed for 20 years. Upon the death of her husband, R had hoped to grow food and build a separate home for herself and her children on her husband's land. However, her husband's first wife and her adult children were preventing R from using the land, threatening and abusing her in the process. They claimed that the land and home belong to the first wife.

R first asked her sisters and brothers-in-law for help. Dissatisfied with their advice to "keep quiet" or "be patient," R decided to approach a Local Council (LC) chairman to seek a more proactive solution to her problem. R was not aware that the LC chairman, H, was also a trained rights worker. H told R that he and a fellow rights worker, Z, could help her settle her dispute peacefully.

The following day H convened a meeting of extended family members: the children, R, the other wives,

aunts, and other relatives. During the meeting H and Z read the law on inheritance to the children, answered family members' questions, and provided everyone with copies of the law to read for themselves. Z noted that having them read through the law helped them recognize, "Oh, what you are talking about really is a law." Following the family mediation, the first wife and her children have stopped abusing R, and she can now freely cultivate her husband's land and build her house. R felt that the "most important thing the paralegal<sup>13</sup> did was advise and educate us."

R appears content with the process and outcome, and was "very happy" that an issue that had been a problem for "a number of years was resolved in just three days and one meeting." At present, she continues to live with the other wives, but is aware "there is no one now who can take me for granted or deceive me about the law." She would go back to H and Z for problems in the future and thinks that "as long as a paralegal is there, I will always go through my problems easily."

the police. But if you come to me as a paralegal, then I can handle that case without other commitments." We sit down, we talk, and we see... The client is the one to decide after giving him more examples ... to open [his] mind.... Then he can decide. (Rights worker, male, 55 years old)

Fortunately so far, the consolidation of roles among a few local leaders who are also serving as rights workers has not had the effect of limiting options for accessing justice. The interviews demonstrate that LLRAA rights workers who are also LCs make distinctions between their roles as rights workers and as leaders. There is no indication that LLRAA rights workers, even those who are entitled to do so as LCs, are collecting fees from clients. Clients corroborated that they did not pay any fees to these persons when they acted as rights workers.

### *How Rights Workers Handled Cases*

Interviews across LLRAA rights workers, clients, and leaders revealed that the approach used to handle clients' cases was surprisingly consistent across rights workers.

Step 1: Meet with the client and other party separately, one on one.

Step 2: Convene a meeting of stakeholders often in conjunction with local leaders.

Step 3: Explain the law at the meeting, sometimes called a "seminar" or "sensitization."

Step 4: If necessary, bring in an outside authority to increase the legitimacy of the information and advice the rights worker gives. Either invite ULA or the courts to confirm the law or show written documents with relevant information.

Step 5: Mediate with both parties to come to an agreement.

Step 6: Refer the client to another person/institution if an agreement is not reached.

Interviewers probed for a more detailed explanation of *how* these quick and seemingly uncontested resolutions were achieved. Responses suggest that once people understood the rules and their legal responsibilities, rights workers did not face much resistance to mediating an agreement. The steps of convening the meeting (Step 2), bringing in an outside authority (Step 4), and referral (Step 6) are described in more detail below.

**Step 2: Convene a meeting of stakeholders often in conjunction with local leaders.**

Invitees typically included the parties in conflict, LCs, neighbors, and other family members. Some rights workers mentioned convening elders and religious leaders. The extent to which local leaders were involved in these

sessions appeared to be largely determined by the relationship between the specific leader and the rights worker.

**Step 4: If necessary, bring in outside authority to increase legitimacy.** Monitoring data and interviews with rights workers show that on occasion, rights workers invited ULA staff/members or the courts to confirm the law or showed written documents to increase their credibility. Rights workers explained that it is sometimes helpful to have people “from the top” present to provide or reinforce information about the law. Interviews with both clients and rights workers attest to the fact that the *documentation* of knowledge is highly valued in the community. Rights workers noted that even handouts from their ICRW/ULA *Property Rights & Gender Training Toolkit* were sufficient to confer legitimacy.

**Step 6: Refer the client to another person/institution if an agreement is not reached.**

Rights workers explained that they referred clients elsewhere either when a case was “too big,” “too weighty,” or “be-

yond me,” or when conflicting parties did not reach an amicable solution through mediation. If the rights worker decided to refer the client to another person or institution (such as an LC, Councilor, Resident District Commissioner,<sup>14</sup> or police), he/she would write a letter introducing the client and his/her issue, might accompany the client on the referral visit, or if not, might ask the client to report back about the visit.

Clients appreciated when rights workers would accompany them to referral visits. They expressed that the rights worker’s presence gave them the confidence to go to offices they would not otherwise go to (for example, police, probation officer, etc.). Several respondents mentioned that rights workers bridged language gaps between the police<sup>15</sup> and clients.

That LLRAA rights workers can direct people seeking legal help to the most appropriate person/institution is a potentially valuable contribution. Feedback from LLRAA in May 2010 described a long ongoing practice of people “shopping” from one institution/office to the next regardless of which person/institution had the au-

thority to handle the matter. Rights workers felt that this created confusion and wasted time.

### ***Legal Issues Addressed by Rights Workers***

The monitoring data and qualitative interviews reveal the main legal issues clients brought to LLRAA rights workers during the pilot phase and how rights workers handled cases.

Land boundary disputes were the most common types of cases (17 percent) brought to community rights workers. Domestic violence, marital problems, and child abuse cases were also common (about 10 percent each). Women were more likely to bring cases of domestic violence and child abuse. It was unexpected that nearly all the land grabbing cases were brought by men. It is possible that some conflicts between tenants and landlords were recorded as land grabbing. Only four cases during the pilot period related to filing for legal documents.

That the most common cases pertained to property, including land, or family is not surprising. Both rights

TABLE 5: TYPES OF CASES BROUGHT TO COMMUNITY RIGHTS WORKERS DURING THE PILOT

Case topic	Total	Male client	Female client
<b>Land</b>			
Land boundary dispute	28=17% of total cases	16 (19%)	12 (15%)
Land grabbing	10=6% of total cases	9 (10%)	1 (1%)
Trespass	8=5% of total cases	7 (8%)	1 (1%)
<b>Property</b>			
Inheritance (may include land)	9=5% of total cases	5 (6%)	4 (5%)
Property damage	11=7% of total cases	5 (6%)	6 (8%)
Other property disputes	8=5% of total cases	0 (0%)	8 (10%)
<b>Family</b>			
Domestic violence	14=8% of total cases	3 (3%)	11 (14%)
Marital problems	14=8% of total cases	6 (7%)	8 (10%)
Child abuse	13=8% of total cases	1 (1%)	12 (15%)
<b>Other topics</b>	51=31% of total cases	34 (40%)	17 (21%)
<b>Total # cases</b>	166=100%	86 (100%)	80 (100%)

workers and local leaders expressed their opinion that either family or property is at the root of most conflicts and that property issues and family issues are linked.

### Case Outcomes

Results from the monitoring and survey data are consistent with findings from ICRW's earlier needs assessment that women prefer to use community-based legal aid providers to settle problems because they are less costly and are seen as more impartial than the formal justice system, local councils, and traditional elders. Almost equal numbers of men and women sought legal help from the rights workers (80 females and 86 males). The equal proportion of male and female clients contrasts with the finding in the Context section that women are less likely than men to report problems to or receive help from local leaders.

Monitoring data and qualitative interviews highlight that LLRAA rights workers resolved problems relatively quickly. Nearly 40 percent of cases (66 cases) brought to LLRAA were resolved during the pilot period. Three-quarters were resolved on the same day that the client visited the rights worker. The remainder took about a week. None lasted over a month. The needs assessment found that cases brought to the formal legal entities, such as the LC and magistrates courts, can face delays from backlogs and inaccessibility. In ULA's experience, most formal court cases take at least a year. Local leaders and rights workers agree that the rights workers tend to resolve cases more expeditiously:

You know these people [community rights workers] are near us. They always advise us quickly. To run to police, you may find the po-

lice is far, or by the time the police come maybe the conflict has magnified. (Leader, male, 48 years old) And police it takes time. They tell you, "You go back. Tomorrow you come." And for the paralegal, you just come, sit down, and discuss. After that, if there is need of sending you somewhere...they can tell you [to] go ahead. (Rights worker, female, 54 years old)

During the pilot period, approximately 17 percent of cases resulted in a memorandum of understanding (MOU). According to several interviewees, an MOU was reached during the initial meeting itself, particularly for relatively straightforward cases involving clear violations of the new land law. Memoranda were usually verbal, but sometimes parties composed written agreements as the end result of mediation by the rights workers. When an MOU was written, it typically included the date, names of both parties, what the dispute was about, what the agreed upon actions or arrangements were, signatures of the parties, and signatures of witnesses. Rights workers believe that because people composed the MOU themselves, they were content with the resolution. During the pilot, rights workers did not witness any violations of MOUs.

Nearly one-third of all client visits resulted in a referral. More than half of all referrals were to an LC chairperson or the LC court. Monitoring data indicate that rights workers usually did not follow up with clients after a referral. However, qualitative interviews and feedback discussions indicate that some workers asked the client to report what happened or in some cases accompanied the client to the referral. The most common cases to be referred pertained to drugs/alcohol, property damage, and trespassing.

Overwhelmingly, the interviewed clients expressed satisfaction regarding how their cases were handled, even in the few instances where a case was still pending resolution. Clients often emphasized that their dispute ended "peacefully" or "amicably."

"Most people turned up for the meeting. We discussed the issues... [Family members] also said their own side of the story... He [a rights worker] was counseling us, telling us how we should settle our problems as one family. They [a team of two rights workers] read the laws on inheritance to them [family members]. They also explained and answered all the questions... They helped us to get all the information. They really helped us. We did not quarrel, the problem ended in peace." (Client, female, 50 years old)

### LLRAA Sensitization Events

LLRAA held 129 sensitization events across 64 villages over the nine-month period of the pilot intervention. Total attendance at all sensitization events was more than 2,500 men and nearly 3,000 women.<sup>16</sup> It is likely that many of these sensitization events were held as part of resolving clients' disputes or between landlords and tenants.

### Sensitization Event Topics

Table 4 shows the sensitization topics that had the highest attendance. The topics are consistent with several of the problematic issues described in the Context section – women's ability to inherit from their husbands, the informality of marriage and divorce, land tenure systems, and landlords' and tenants' responsibilities. LLRAA rights workers' ability to explain land rights within the *mailo* tenure system is an important contribution, given the general confusion around *mailo* tenure. As discussed in the Context



Meredith Suggers

section, there was much fear and tension around evictions, and many community members did not understand which land tenure system they were in and what their rights and obligations, mostly as *mailo* tenants, were.

Many of the topics at sensitization events were demand driven and involved local leaders, with rights workers allowing either the leaders who invited them or the meeting attendees to determine the topic. One rights worker likens this approach to providing attendees with a menu of options from which they can choose their preferred topic:

I go with my menu. I tell them, “I have this and this and this and that and that. What do you want me to talk about?” So the community itself decides that we want to talk

about this. ... You have to ask the audience. (Rights worker, male, 55 years old).

#### *Types of Sensitization Events*

The range of activities that rights workers considered “sensitization events” and recorded in monitoring data as such is broad. Monitoring data and interviews reveal that a “sensitization event” could range from a small meeting where the rights worker educates attendees on land laws in the context of solving a case, to large public talks where more general information is provided.

By far, the most common “sensitization event” occurred when rights workers were invited to talk at a community meeting that was already planned. In those cases, rights workers generally were invited by the LCs.

However, rights workers also described working with church leaders to talk at church services as well as participating in other meetings for community groups (such as savings and loans groups).

Some rights workers who are also LCs or other leaders leveraged their mandate either to call meetings or to attend and speak at other events (for example at village council meetings, weddings, funerals, graduations, or farmer group meetings). The rights worker’s part in the event was usually short, ranging from 5 to 30 minutes, and served more as an introduction to his/her role than a means of sensitizing the community about a particular facet of women’s property rights.

On occasion, rights workers described organizing their own community event dedicated entirely to sensitizing the community on land issues. Advertising for these events was often door to door and through local radios (loud speakers located in townships). The LC1s played an important role in mobilizing the community and, according to the rights workers interviewed, local leaders were always invited to attend.

Rights workers also considered meetings that they organized to help settle a client’s case, as described earlier, as sensitizations. This may have led to overreporting of sensitization events in the monitoring data.

TABLE 6: ATTENDANCE AT SENSITIZATION EVENTS BY MOST POPULAR TOPIC

	Women attended	Men attended	Total attendance
Children’s rights	635	624	1,259
Landlord-tenant relations	535	455	990
Women’s rights	385	213	598
Land tenure systems	271	288	559
Marriage and property rights	272	192	464
Will writing	230	206	436

## CHALLENGES FOR LLRAA RIGHTS WORKERS

### Low Community Awareness of Rights Workers

According to the data collected at the end of the pilot in May 2010, LLRAA rights workers were relatively unknown. Only 22 percent of respondents in villages where rights workers lived knew of a community rights worker in their village. An additional 10 percent of respondents had heard of community rights workers on the radio, but did not know one in their village; and an additional 3 percent mentioned community rights workers or the ULA as programs that provided legal help or advanced women's rights but did not know rights workers in the village or from the radio. The finding that LLRAA rights workers are relatively unknown contrasts with the perceptions of the rights workers who were interviewed, who speculated that they are well known in their communities. The discrepancy likely arises because (1) rights workers only interact with people who know them, (2) rights workers who were interviewed tend to be local leaders or involved in community volunteer work for several years, or (3) rights workers are known for their other roles in the community but are not known as rights workers. It is also possible that LLRAA rights workers became more well known in the months after the pilot phase.

Despite low awareness of rights workers, communities may be receptive to their services. Nearly all (92 percent) survey respondents in villages where a rights worker lived or intended to work indicated that they would use such a person if they needed help or had a question about the law.

### Lack of Identity

Lack of a public identity for LLRAA meant that its members operated and were seen as individuals acting on their own rather than trained members of a group with a legitimate contribution to make to the community. Communications with clients and connections with leaders, local government, and communities tended to be based on personal relationships. Rights workers indicated that their lack of identification as rights workers and affiliation with an organization reduced their legitimacy among local leaders and community members.

Although there was concern at the start of the pilot that more formal identification (for example through business cards or an organizational T-shirt) might diminish the informality and accessibility that are unique advantages of community rights workers, the need to build awareness of LLRAA and its services as legitimate contributors may override this concern. Now that LLRAA is formally registered in Luwero District as a community-based organization and acquired an office in September 2010, the process of building an identity may have a stronger foundation.

### Rights Workers Are One of Many Institutions

The addition of rights workers to Uganda's multiple legal institutions has the potential to cause confusion, especially in land cases, if they do not have positive relationships and clearly delineated roles with respect to these institutions. One local leader cautioned:

Centers for handling land issues are so many. Yet there seems to be limited coordination of those ac-

tors involved in land issues.

RDCs are involved, police are involved, etc. What arrangements have you made to get the paralegals...known by offices dealing with land issues? These people's [rights workers'] authority can be questioned in case they refer or approach a certain office, unless they are well introduced and connected to those offices. (Leader, male, 42 years old)

### Mixed Relationships with Local Leaders

Rights workers are well aware that local leaders are crucial to their ability to work in their communities. LC1s especially are the gatekeepers and "owners of the people." Rights workers commented that without local leaders' involvement, resolutions that came from mediation sessions might not be held to and that they might not be able to access audiences for education or even clients requesting assistance.

Rights workers described mixed relations with local and traditional leaders during feedback sessions and interviews. A small number of rights workers reported that their local leaders had been supportive in introducing them to the community and helping to organize sensitization events, and more than one enjoyed a long-standing collegial relationship. In line with ICRW's initial needs assessment, many LLRAA rights workers expressed that community leaders were often unaware of their presence and their efforts as community rights workers. Other rights workers said that local leaders were uncooperative or gave examples of specific leaders who posed barriers to their work.

Where leaders and rights workers partnered well together, leaders considered the rights workers as technical experts in the law with knowledge beyond their own and called on them for advice on complicated cases:

We work with [community rights workers] Ms. X and Mr. Y on a regular basis. When I have land problems in my community, I call her to come....When she also gets a case, she calls and says, "One of your people has a problem." Then she comes and we sit and resolve those issues. (Leader, male, age unknown)

Reasons for lack of leader support are similar across rights workers interviewed: Leaders perceived rights workers as a threat because they provided free services whereas leaders charge a fee; leaders may have vested interests in land issues or transactions that could be undermined by knowledge of the law; leaders saw rights workers as meddling in their communities. A rights worker explains:

We solve the problem [free of charge]. So in that way, we are overriding [leaders'] responsibility and authority. Because for [leaders], they know, whenever they talk to somebody, after giving any service, he has to pay you. But because we are giving...free services, then some of the local leaders became somehow envious of us. (Rights worker, male, 55 years old)

When leaders were unsupportive, rights workers appeared to either decrease or stop efforts to work in that leader's community. Rights workers who are themselves LCs or Councilors or who had been involved in community work for several years ap-

peared to enjoy stronger relationships with local leaders and be more adept at navigating any resistance.

Although rights workers spoke about tension around their authority and mandate to address disputes and educate communities about the law on multiple occasions, fairly clearly distinguished roles of leaders and of rights workers emerged from the qualitative work. Leaders make and enforce judgments while rights workers explain the relevant law, provide options, and mediate. Rights workers are informed and helpful neighbors. They often described themselves as "mediators," "counselors," and "advisors" when discussing their casework.

### **Talking About Land Is Regarded with Suspicion and Sometimes Fear**

In qualitative interviews respondents said that some villagers are afraid to discuss land because land issues are highly contested and can easily escalate into violence. This fear appears to be especially acute for women, who may face greater risks, particularly if their dispute involves a male partner or family member.

The sensitivity of land issues in the community can directly interfere with rights workers' effectiveness because they may encounter suspicion or apprehension. The following excerpt from a female client illustrates this initial feeling of mistrust toward rights workers:

I first taught about land and land issues and procedures for dispute handling. I did not take the session seriously. I again attended another training to see whether she was preaching the same message and whether these paralegals are not out there to steal people's land. (Client, female, 48 years old)

### **Logistical Barriers**

Distance, transportation expenses, and other logistical challenges limited rights workers' ability to hold sensitization sessions and serve clients. These barriers not only affected how many cases a rights worker could manage, but also their ability to follow up on cases they referred, especially when the clients did not live in the same village as the rights worker.

Many LLRAA rights workers indicated that the cost of transportation prohibited them from covering the entire program area. Coordinating with other LLRAA rights workers to cohost sensitization events or consult on client cases is costly and difficult. Only four sensitization events during the pilot involved more than one LLRAA rights worker. However, qualitative interviews indicate that about four to five rights workers have recently begun networking among themselves, mainly to refer clients.

Qualitative interviews and feedback meetings with the rights workers indicate that many rights workers felt overloaded by their volunteer work. High numbers of cases and travel time were two main contributing factors.

### **Difficulties Mobilizing an Audience for Sensitization Events**

Rights workers, especially those who are not LCs, relied on their own advertising efforts (mainly word of mouth, advertising in churches/mosques, or house visits, or in a few cases radio spots) and the authority and efforts of local leaders to call people to a meeting. Where leaders were not sufficiently interested or supportive, rights workers felt they had fewer opportunities and smaller audiences than they would have liked.



Krista Jacobs

### **Unclear Mandate and Insufficient Training for Sensitization Events**

The monitoring data on sensitization events reveals that the performance of the individual rights workers was less intense than anticipated. This likely can be attributed to two main causes. First, there were no clear expectations or work plans in terms of how many sensitization events each rights worker would conduct, where to hold them, what to teach, and how events should be conducted. Second, the rights workers' training did not build skills around community mobilization. A flawed assumption in

the program design was that the rights workers would already have access to the community at large and an understanding of how to mobilize audiences because communities had helped to choose the rights workers, and some of the rights workers had previously worked in the community.

### **Competing Demands of Program Focus and Community Needs**

Casework and sensitization events were driven by demand from clients and communities, whose needs went beyond the scope of the program's parameters. As a result,

women's property rights competed with other topics also in need of attention and relevant to the community in general and women in particular. It is worthwhile to note that many rights workers viewed their legal education and dispute resolution activities as two of many different aspects of the services provided to communities, which also included advocating for children's right to schooling, women's rights, orphan welfare, etc. The holistic approach to community work that some rights workers described likely reflects the broad range of problems brought to their attention.

## PROGRAM ACHIEVEMENTS

*The in-depth interviews with rights workers, clients, and community leaders and the feedback provided by rights workers and ULA at the January 2011 workshop provided key information about how the program affected rights workers, the clients, and their communities. The major program achievements related to individual-level benefits for rights workers and clients are discussed below. A strong valuation of knowledge emerges as a general theme.*

### Benefits for Rights Workers

Rights workers frequently described an experience of empowerment from their work. This empowerment was expressed at multiple levels ranging from psychological empowerment (increased confidence and knowledge) to descriptions of empowered action, for example developing the ability to enter new communities or negotiate with high-ranking officials. Rights workers often emphasized the acquisition of knowledge and linked legal knowledge to their ability to help community members resolve disputes. As one rights worker explained:

There have been so many changes especially in the land law...[during our training] we received more information and knowledge, which has helped us to help our community members...when we talk to those people in the community, we talk to them as knowledgeable people because we can tell them “this is what the law says.” (Rights worker, male, 55 years old)

The testimony of another rights worker shows the empowering impact of her work:

I’m now very determined. I can talk well. I can go door to door, to any big offices. I can lead my community...I can handle cases,

all cases, about boundaries, about domestic violence, about those property rights. And now I can handle those cases and solve them well [and] thoroughly. (Rights worker, female, 45 years old)

This knowledge and confidence also improves rights workers’ effectiveness, thus benefiting not only the individual, but also the program.

Several of the rights workers also indicated that they have gained visibility from their work. For some, the reputation of being knowledgeable about the law and adept at mediating disputes has translated into increased status within the community.

[Being a] paralegal, it has helped me so much. Because even to speak in a meeting, it is not easy. But now I can address anything to the people without fear... As I told you, I am now proper. And even my community is recognizing me. If I stand up to speak [or] talk about something, all the people they listen to me...it has helped me so much, and I think that is a very big change in my life. (Rights worker, male, 31 years old)

### Benefits to Clients

Overwhelmingly, the interviewed clients expressed satisfaction re-

garding how their cases were handled, even in the few instances where a case was pending resolution, and they were grateful that the rights workers could resolve disputes amicably and quickly:

Most people turned up for the meeting. We discussed the issues...[Family members] also said their own side of the story... He [a rights worker] was counseling us, telling us how we should settle our problems as one family. They [a team of two rights workers] read the laws on inheritance to them [family members]. They also explained and answered all the questions.... They helped us to get all the information. They really helped us. We did not quarrel, the problem ended in peace. (Client, female, 50 years old)

Furthermore, the rights workers’ interventions often led to women being able to keep their land and houses:

I am really satisfied, J has helped me.... When I look back, suppose I had left this house, where would I have gone? I am happy, no one is forcing me to get out of this house. (Client, female, 48 years old)

I am very satisfied with A’s approach to my problem. Yes, I had talked to [an] LC who told me the landlord had no authority, but had not brought us together with the landlord to understand our responsibilities. Now I am comfortable on that land because A organized that seminar where we understood our responsibilities on land. (Client, female, 60 years old)

Beyond the immediate benefit of resolving their cases, clients valued

the opportunity to learn about the law, especially as related to land issues. However, they rarely described specific, concrete knowledge of the law they learned, but spoke more broadly, for example learning the law kept widows from being thrown off the deceased husband's land, or learning they had rights as *mailo* tenants. The clients who were interviewed were a relatively vulnerable group of women (largely widowed) from 40 to 65 years of age. Perhaps because of this vulnerability, these women were keenly aware of the knowledge (or "sensitization") that they gained from their rights workers:

I did not know that a widow is entitled to the house once the husband is dead. But now I know...I did not know that when I lose my husband I am entitled to his property and land. Now I know all those things. Whenever they would be sharing land, I will ask for my own share...There is no one now who can take me for granted or deceive me about the law... Even, I am entitled to household utensils. (Client, female, 50 years old)

I listened carefully. I learnt that us widows we should not accept to lose our property, that the law protects us, that the landlord and the tenant have different rights over land. They told us that if we need a land title we should go to Bukalasa – we can secure one. (Client, female, 60 years old)

Client testimonials also suggest a sense of empowerment arising from program participation. With the support of rights workers, women were able to gain access to community leaders and government officials. Also, when a case was

successfully mediated, some women experienced the inherent power that comes from resolving a dispute in their favor, which emerges as especially salient when that possibility was unexpected or previously unknown.

J [rights worker] also guides us to some offices that we did not even think we may ever reach. For instance she took me to Luwero court. I did not know I could sit with the magistrate and share my problem freely, but J made that happen.... Looking at what she has done, the experience I have gone through, if I get someone who has a problem with land, I can also guide him/her.... I know now the process. And I can also forward such person to J too.... Now I can be listened to. I can raise my voice and someone listens. That is great. (Client, female, 48 years old)

I have also learnt about land policies...I even know where to run to, if I need help. Like this

plot of mine, suppose someone wants to grab it. I cannot sit and watch, I raise up and approach relevant offices. (Client, female, 60 years old)

...I know I am the winner.... I know nobody will harass me. I know wherever I go I will win because the law protects me. (Client, female, 50 years old)

### **Benefits to the Community** ***Rights Workers Can Serve as Local Legal Experts***

Clients and community leaders frequently described in interviews that rights workers have accurate *knowledge* of the land laws and serve as legal experts in the community. For example, several leaders described calling upon rights workers to help with particularly challenging cases or when "technical guidance" was required. Moreover, in addition to holding sensitization sessions for villagers, rights workers trained local councilpersons and other government officials on other occasions:



Krista Jacobs

[Rights workers] educate us on land issues. We did not know much. They call meetings, they teach on issues of sharing property... They also advise the LC1 Committee; sometime the LCs may be handling something and they get stuck. The paralegals come in and advise about what the law says. (Leader, female, 52 years old)

### ***Rights Workers Fill an Important Gap in Accessing Services, Especially for Women***

The discussion of help-seeking behavior in the Context section reveals that justice is difficult to access because of long distances to formal legal offices and institutions, fees and transportation costs, and among women, limited mobility, financial resources, and status in their communities. Clients, leaders, and rights workers consistently elaborated on a similar range of positive attributes of rights workers that mitigate these barriers. They

emphasized that rights workers resolve matters quickly, are free of charge, can come to or move with clients as needed, are neutral in land matters, and are approachable, especially for women.

Anyone in the community can get help from paralegals.... They are open to everyone. It can be a man, a woman, disabled; so long as one is able to explain his or her problem and they [paralegals] understand it, they will be willing to help. (Leader, male, age unknown)

LLRAA's free services, mediation approach, and accessibility are especially important for providing women an alternative path to access justice. In light of restrictions on women's mobility, that rights workers "come to you" make them easier for women to access. Rights workers' emphasis on "amicable" and "peaceful" resolutions may help lower the inherent risks involved in

reporting problems, particularly if the charge is against husbands or other male family members. The 50 percent female membership of LLRAA also serves to make community rights workers a potentially more approachable and accessible resource for women.

### ***Rights Workers' Intervention Could Reduce Land-Related Violence***

Leaders, rights workers, and clients expressed that community rights workers' interventions are particularly vital in land disputes, which often quickly escalate into violence.

If these two paralegals were not available possibly some people could hurt themselves. Some would kill themselves...but when these people [rights workers] come they settle issues at local levels. (Leader, male, age unknown)

Indeed many things have been destroyed because of land wrangles, people have been killed, families have separated because of land. So it is worthwhile to talk about it daily. (Client, female, 48 years old)

Several clients related more personal accounts of harassment and intimidation. For example, one client feared that her neighbor would pour acid on her children and another admitted to considering taking her own life because of a conflict over land. Given the high stakes involved in land disputes and women's limited access to formal institutions, the commonly held perception across the sample that rights workers are an expedient and effective means of resolving land disputes emerges as an especially salient and encouraging finding. Interviewees described the gravity of land issues and the role that rights workers play in preventing the outbreak of violence.



David Snyder

## RECOMMENDATIONS

*To be more effective in future efforts, LLRAA and ULA can use the findings of this study to build on the program's successes and, where necessary, modify procedures. In particular, community rights workers should more deliberately increase their presence in the community, build strong connections with local leaders and institutions, and continually assess their own communities' needs and rights workers' knowledge, skills, manpower, and other resources to meet communities' needs. While the recommendations that follow are specific to this program, many of these lessons can guide efforts to start or expand similar programs in Uganda and other countries where women's property rights are not well understood and where access to justice is limited.*

### **Build Positive Relationships with Local Leaders and Institutions**

LLRAA rights workers, with help from ULA, can achieve greater impact for the community by strengthening their engagement with local leaders and institutions. Involvement of local leaders helps rights workers achieve more effective and lasting resolutions of client cases. Working well with leaders and institutions can expand rights workers' referral networks, increase their own visibility and legitimacy, and create more opportunities to hold sensitization events. In turn, local and traditional leaders, who are the current authorities on managing land and property disputes and resolving marital disputes, will be able to put the weight of law behind their decisions if rights workers enhance leaders' legal knowledge.

With help from ULA, LLRAA can increase their contact with formal institutions such as local councilpersons, LC courts and magistrates courts, subcounty and district officials, police stations, and possibly religious institutions. It will be imperative for rights workers, local leaders, and institutions, with guidance from ULA, to clearly define

their respective roles to ensure that all work together in an integrated way. To this end, the following recommendations emerged, based on discussions with rights workers, leaders, ULA, and ICRW:

- ULA and LLRAA should hold parish-level introductory meetings with leaders to introduce rights workers to local leaders. Leaders and clients who have already worked effectively with LLRAA rights workers may provide examples to open a discussion on building working relationships between leaders and rights workers.
- LLRAA rights workers should be familiar with all government offices related to land.
- Rights workers should hold legal education sessions for local leaders.
- LLRAA rights workers should invite government officials to officiate at the capacity building trainings, workshops, and seminars for community rights workers.

### **Increase Awareness of Community Rights Workers**

In the program communities, the study found low awareness of LLRAA rights workers and their services, a substantial number of

women and men in need of legal help and conflict resolution, and encouraging data about rights workers' ability to provide legal help. A community mobilization strategy will be essential for ensuring that people know about LLRAA and that LLRAA reaches an audience. LLRAA can leverage sensitization and legal education events to publicize its presence and services. Additional awareness-raising strategies include introductory and demonstration meetings with local leaders and government offices, provision of marketing materials (for example, cards, T-shirts, or tote bags), media campaigns including radio advertisements and announcements at markets and trading centers, and advertising the existence of the recently opened office.

### **Address Workload Constraints**

Qualitative interviews and feedback meetings with the rights workers indicate that many feel overloaded by their volunteer work. High numbers of cases and travel time were two main contributing factors. Potential solutions to address high and uneven workloads include improved networking among LLRAA rights workers to enable sharing of workloads, facilitating transport, and increasing the number of rights workers. The monitoring data will be an invaluable resource for ULA and LLRAA to track geographical areas and individual rights workers with current high case loads to determine where to allocate resources.

### **Tailor Legal Education to Close Knowledge Gaps**

Findings from both the survey and monitoring data point to future areas of capacity building for community rights workers that will best deepen



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their own knowledge and build knowledge in their communities. These areas include: (1) clarifying what constitutes a lawful marriage and a lawful divorce; (2) women's and men's property rights in and after marriage; (3) women's and girls' right to inherit property; and (4) landlords' and tenants' rights and responsibilities in *mailo* tenure. Within each topic, describing what persons and offices are authorized to handle matters and how to obtain relevant documentation would be helpful. Sensitizations about inheritance or wills should emphasize girls' rights to inherit. Additionally, more in-depth training on how rights workers can address the most common cases – boundary disputes, marital disputes and domestic vio-

lence, and other property disputes – could help LLRAA more expediently solve cases.

### Create an Institutional work Plan for LLRAA

A short-term (1-3 year) work plan, grounded in LLRAA's existing constitution and mission statement, would help the group build its identity and public face as well as organize future expansion of activities with leaders and communities. The work plan need not be detailed but should describe main activities with timelines and audiences for each.

### Build on Success With Monitoring

ULA and LLRAA should continue and expand on their good monitoring practices, especially feedback sessions and regular reporting and analysis of monitoring data that identify communities' needs, barriers to women's property rights, and areas for strengthening rights workers' capacity. Best practices in monitoring during the pilot include:

- *Frequent feedback sessions with rights workers.* Creating a space for the rights workers to give feedback on the monitoring process and for ULA and ICRW to report on monitoring findings strengthened the monitoring system and motivated the rights workers to continue collecting data. Rights workers provide unique insight into the practical side of data collection, such as what information is difficult to collect from clients. Rights workers spent a considerable amount of time recording monitoring data each month and appreciated learning that the data are both seen and used.
- *Clear definition of all terms used in the monitoring forms.* Defining all the terms used in the monitoring forms during the LLRAA rights

workers' training improved the consistency of data collected across the rights workers. Monitoring forms often require specific interpretations of key terms. The training included an interactive session to review each monitoring form line by line. The rights workers were asked to define each question on the monitoring form and explain how they would answer the question. This gave ICRW and ULA the opportunity to correct misinterpretations or adjust the monitoring forms to improve clarity. Feedback sessions offered an additional opportunity to reinforce the common understanding or adjust the monitoring forms or procedures.

- *Translation of monitoring documents into the local language.* The accuracy of monitoring forms improved when ULA translated some of the complicated portions of the forms into the local language. Rights workers had difficulty differentiating between the different case types in English, but understood the subtle distinctions once it was translated into Luganda.

Future monitoring work needs to build ULA's and LLRAA's analytical capacity and identification of priority questions to answer through monitoring. Program monitoring is not only feasible for community rights workers, when tailored to their needs and constraints, but will be critical to organizational learning. A monitoring system is an investment that requires intensive planning and training, logistical support, and opportunities for exchange between persons performing the rights work on the ground and persons analyzing the monitoring data.

## CONCLUSION

Community rights workers have made promising achievements in improving women's property rights in their role as accessible providers of legal services and education. Knowledge of the law and a safe and accessible space to discuss conflicts are invaluable in an environment of high stakes and interconnected issues of land and loss of land, land-related violence in the community, violence within the family, and women's lower social status. Rights workers are viewed as "teachers," "mediators," and "experts" who create that space and help people to understand their legal rights. They resolve clients' problems, often more quickly than formal justice institutions, may be more accessible to women, and are perceived as more approachable and neutral than local leaders or justice institutions. Lead-

ers, clients, and rights workers all greatly appreciated the legal knowledge and understanding of their rights, however limited the knowledge might be, they had gained through the program.

Important barriers, especially regarding knowledge and attitudes around women's land rights and in-

heritance, remain. Overcoming them will require prolonged and community-centric efforts both to change knowledge and attitudes around gender and the law and to increase access to legal services. This evaluation shows that LLRAA's community rights workers are building themselves to be in a position to meet the challenge.



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## REFERENCE LIST

- DANIDA (2005). Human Rights and Good Governance Programs, Access to Justice Program – Legal Aid Basket Fund. *Paralegal Baseline and Needs Assessment Survey, May–June 2005*. Prepared by Associates for Change, Ltd.
- ICRW (2007). *Women's Property Rights as an AIDS Response: Lessons from Community Interventions in Africa*, International Center for Research on Women: Washington, D.C.
- ICRW (2008). *A Report on the Critical Review/Needs Assessment of Paralegal Programs in Uganda: Strategies for Strengthening Gender and Women's Property Rights*, International Center for Research on Women: Washington, D.C.
- ICRW and Associates Research Uganda Ltd. Gender, Land, and Asset Survey in Uganda. Forthcoming.
- Maasai Women Development Organization (MWEDO) (2008). Mapping Process Project for Women's Land Link Africa Initiative. Narrative Final Report, Longido and Simanjiro Districts.
- New Vision (2010). Editorial: "Investigate Obbo over Mutungo eviction." May 25.  
<http://www.newvision.co.ug/D/8/14/720685/evict>
- Njeri, Juliet (2008). "Land battle looms in Uganda." BBC News, Nairobi. October 9.  
<http://news.bbc.co.uk/2/hi/africa/7646374.stm>
- Rugadya, Margaret, Esther Obaikol, and Kamusiime Herbert (2005). *Critical Pastoral*. Kampala,
- Uganda: Associates for Development.
- Semakula, John (2009). "Mukono RDC saves landlord." New Vision. August 16.  
<http://www.newvision.co.ug/D/8/19/691504/landlord>
- Uganda Bureau of Statistics and Macro International Inc. (2006). *Uganda: Demographic and Health Survey 2006*. Calverton, Maryland: UBOS and Macro International, Inc.



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## NOTES

- 1 Each village is governed by a Local Council I whose members are called LC1s. Each Local Council has a Chairperson. Each parish has a Local Council II Committee (LC2), which is made up of the LC1 Chairpersons. LC3 corresponds to sub-county level officials; LC4 to the county level and LC5 to district level. The subcounty and district also have directly elected Councilors, who need not hold an LC office, who represent the parishes and sub-counties, respectively. These Councilors are akin to local Parliamentarians and deal with budgets, by-laws, and policy.
- 2 Recent changes affecting women's rights that would not have been covered during their prior trainings include the 2007 declaration of the Succession Act as unconstitutional on the grounds that it discriminated against women and girls; increasing implementation of the "Consent Clause" (2004 amendment to the Land Act) that requires spouse's written consent to conduct transactions of family land; the 2009 amendment to the Land Act, largely concerning landlord and tenant relations on mailo tenure; changes in offices and institutions responsible for managing land disputes; and the 2010 Domestic Violence Act.
- 3 As mentioned earlier, the original plan to conduct a baseline-endline evaluation to measure program effects was discarded due to uncertainty in attributing changes in program communities to the intervention. The report uses data from the quantitative surveys to describe attitudes, documentation, the program area and population, and remaining knowledge gaps.
- 4 Two clients who brought a case together were interviewed together. Where more than one community leader was present, they preferred to be interviewed together rather than separately.
- 5 Rights workers were divided into three categories based on their total number of clients and the number of sensitization events they conducted from August 2009 to July 2010: high intensity (>20), medium intensity (11-20), and low intensity (2-10).
- 6 Under mailo land tenure, the owners of the land, called landlords, have legally recognized ownership rights over the land. The tenants who live on the land have legally recognized occupancy rights.
- 7 Even though *mailo* land may technically be owned by landlords, *de facto* land management is usually according to custom and customary leaders. The Land Act and its amendments also require custom to be recognized on *mailo* lands.
- 8 Knowledge questions were not asked at the baseline interviews in August 2009 due to a questionnaire printing error. Data for the knowledge findings are taken from the May 2010 endline responses.
- 9 In fact, customarily married couples must, by law, be issued a marriage certificate.
- 10 From survey responses it is unclear whether polygynous marriages are religious, in which case they are more likely to be recorded by an imam or mosque, or whether polygynous marriages are customary. The estimate of two-thirds includes polygynous marriages as customary marriages.
- 11 In both the August 2009 and May 2010 data, women had significantly lower scores for average mobility across multiple locations compared to men. Specific scores for being able to go to markets or town without permission were also significantly lower (although at the 10 percent level).
- 12 One rights worker lived and worked in Nakaseke District, formerly part of Luwero District.
- 13 Interviewees often referred to rights workers as "paralegals" because that is how they were known locally and at the start of the program. The report uses the term "rights workers" to comply with a regulation that only persons certified by the Law Development Centre at Makerere University may be called "paralegals."
- 14 The Resident District Commissioner is a district-level representative of the executive branch of government.
- 15 The combination of English being the official language of Uganda's police force and frequent rotation of personnel contributes to clients and police officers not speaking the same language.
- 16 Some of these individuals may have been double-counted if they attended more than one event.



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