

# Getting the Process Right: The Experience of the Uganda Land Alliance in Uganda

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## Introduction

This brief lists key challenges and lessons learned by the Uganda Land Alliance as it undertook lobbying and advocacy to influence land reform policymaking. The alliance is a consortium of 68 NGOs and individuals, founded in 1995, that lobbies and advocates for fair land laws and policies for the protection of the land rights of the poor and marginalized groups. The alliance has lobbied for customary tenure, women's land rights, and citizen's radical title to land to be included in the constitution.

## How It Was Done

The alliance compelled the government to recognize it because it is widely representative. The government therefore gave the alliance seats on key committees and working groups related to land policy. To ensure ownership among members, build its constituency, and maintain its credibility, the alliance continuously incorporates the views of all stakeholders in the land reform process.

The alliance developed specific messages indicating its positions clearly. For example, one message was "women are not property, but land is property women can own." To develop positions, the alliance conducts research on relevant issues and verifies knowledge sources. When it speaks, it does so based on the facts. The alliance organized seminars and conferences to target policymakers, the media, academics, and civil society organizations. At many of these meetings, the alliance presented research findings and demonstrated to policymakers that legislating for land rights of the poor had to be done as a priority.

The alliance made use of grassroots testimonials to convince doubtful legislators. For example, 14 Karimojong elders testified in 1998 before a parliamentary committee about their use of common property resources, and seven women whose family lands were grabbed by in-laws testified before an international women's conference in Kampala in 2002.

At the peak of the debates, alliance members attended parliament daily and met with MPs. They also held a breakfast meeting for MPs, informal meetings with individual MPs, and structured meetings with parliamentary committees and associations. Meetings were also held with technical officials in the Ministry of Water, Lands and Environment.

Because Uganda's president is able to influence public opinion, the alliance works with friendly MPs and lobby groups to reach the president and influence his opinion. For example, in early 2005, the National Forestry Authority began to evict over 180,000 occupants of what it claimed were forest lands. When the alliance lobbied the MPs, they met with the president, who ordered a halt to the evictions and a review of the whole process.

Throughout the process of drafting the Land Act of 1998, the alliance was invited to sit on the technical committee debating the bill and used the opportunity to consistently demand that the bill include the

rights of the poor on land. The alliance submitted proposals that included legal recognition of customary land tenure and the registration of women's interests on customary land; protection of common property resources; spousal and children's consent in person for any transactions on family land; spousal co-ownership of land; the legal recognition of tenants on mailo land; the land fund; and representation of women on all land management and dispute resolution institutions. The alliance drafted clauses for especially contentious issues and then convinced an MP to introduce the clauses in parliament. It is easier to get agreement from legislators when a bill comes from fellow MPs rather than from civil society.

Finally, the alliance was willing to take legal action where agreement through the above channels failed. For example, the alliance and Benet community leaders sued the government in 2002 for dispossessing them of about 2,000 hectares of land when the Mt. Elgon forest was gazetted as a National Park. After the litigation, the Uganda Wildlife Authority (UWA) agreed to degazette the 2,000 hectares and allow the community to develop the area.

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## Major Challenges

- The alliance's legitimacy has been challenged on many fronts, especially by members of the public, policymakers, and the courts.
- Influencing policymakers is a necessary but expensive venture, especially when the issues are contentious.
- It is important to ensure that the coalition remains relevant to the members and meets both their expectations and those of their constituents/beneficiaries.
- Failure to build consensus on an issue risks sending conflicting messages to both policymakers and the public.
- The alliance was constantly challenged on how to present its achievements: some members and organizations felt they were not given due recognition when the alliance was recognized for its achievements.
- It is important to maintain consistency among the members participating in lobbying activities and to ensure that members have a good understanding of the issues.

## Key Lessons

- It is important to have a clear message and position.
- It is important to have the facts right and for the spokespersons to know the subject well. To get the facts, research is very important and the evidence must be presented simply, accurately, and reliably.
- Messengers should be chosen with care: they need to be credible in the eyes of the target audience.
- By working together, alliance members gained access to more resources and experience. Moreover, the credibility gained in numbers increased the likelihood of influencing policy.
- Policy reform is not an event but a process. Therefore, one must be persistent and committed to a long-term effort.
- Besides legislative reform, there is sometimes a need to change cultural biases, such as attitudes toward women's ownership of land.
- Achieving consensus on an issue may take a lot of time. The alliance found that some MPs would change their stands, at first agreeing, for example, that children should be consulted in family property transactions, but later saying children should be left out.
- Government political will has been a problem: although interested in the land reform process, government has been wary in its dealings with powerful landowners.
- Some MPs have to be sensitized as well as lobbied; it was clear that some lacked understanding of what the laws were or should be.
- Planning and organization, including building the capacity of coalition members and stakeholders, is

- important to increasing understanding of the issues and broadening support for reform.
- It is important to listen to what others, including opponents, have to say and to use opponents' views to win them over.

## **Conclusion**

The experience of the Uganda Land Alliance in getting agreement on land reform demonstrates that “working together works.” The recognition that the alliance got from policymakers was due to its being seen as representative of the views of civil society. Another important lesson is the need for research before any advocacy activity is embarked on. The engagement of the local people as key beneficiaries is crucial to frame the issues from their perspective and derive mandate to speak on their behalf.

Policy reform is an ongoing process rather than something that brings immediate results. Alliance members must work hard, be innovative, and be willing to go back to the drawing board and re-examine the issues at each stage to see how best they can be presented to succeed.

Finally, not getting certain issues into law or policy does not mean failure. That the issues come out in the open for debate and analysis indicates progress. With time, consensus and agreements will be achieved.

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