

RANGELAND TENURE AND RESOURCE MANAGEMENT:
AN OVERVIEW OF PASTORALISM IN UGANDA

MAKERERE INSTITUTE OF
SOCIAL RESEARCH
[Rangeland tenure...]

W. Kisamba Mugerwa
Makerere Institute of Social Research

June, 1992

This report is one of a series of research reports presenting findings of the Access to Land and Other Natural Resources: Research and Policy Development Project. While this is the final draft of this report, the report will ultimately be issued as joint MISR/LTC research paper.

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MAP 1 UGANDA: THE CATTLE CORRIDOR

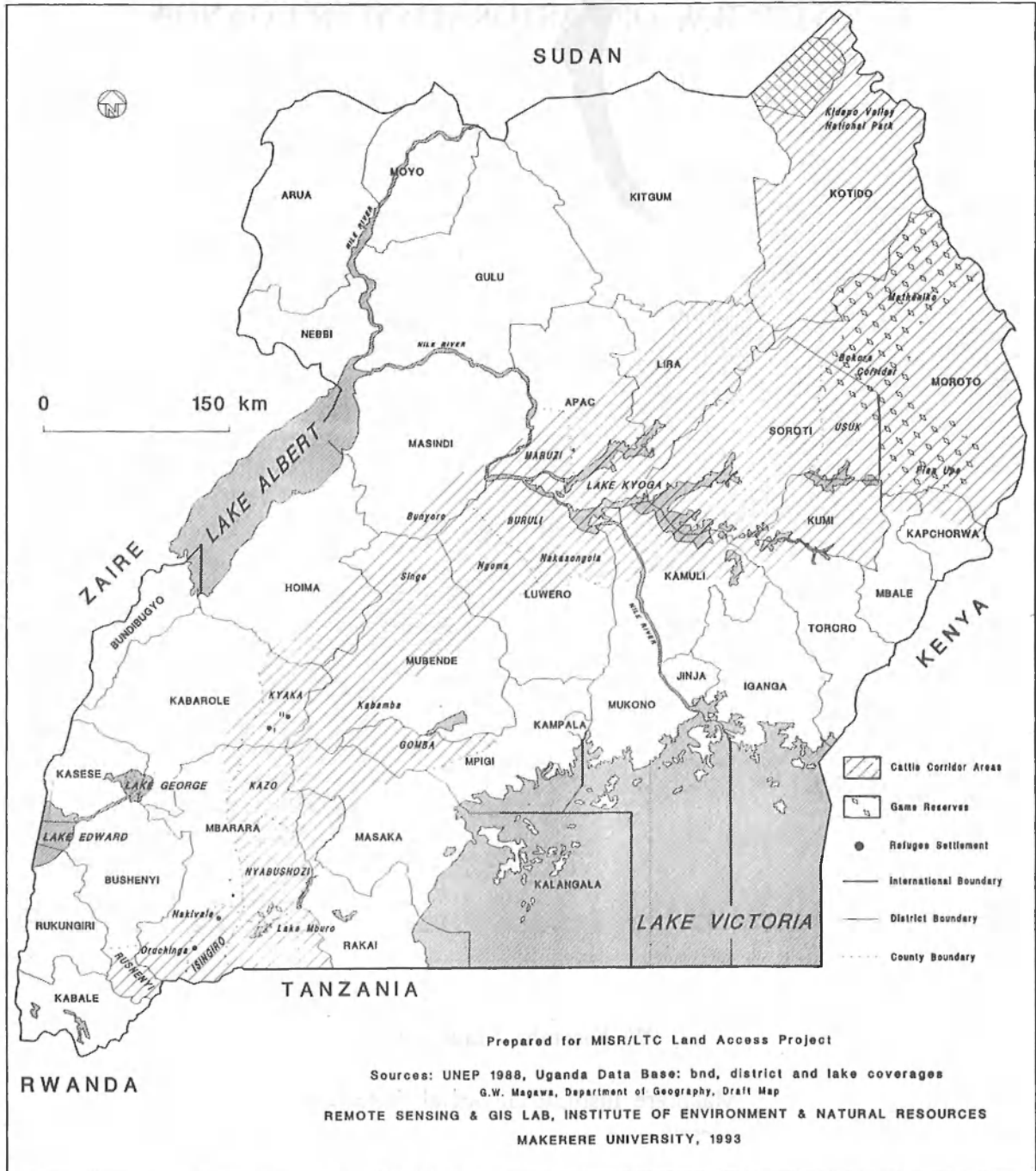


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ABBREVIATIONS

APC	-	Agricultural Policy Committee
CPR	-	Common Property Regime
LTC	-	Land Tenure Centre at the University of Wisconsin
MISR	-	Makerere Institute of Social Research at Makerere University
IDA	-	International Development Agency
NDA	-	Nyabushozi Development Fund
KDA	-	Karamoja Development Agency

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The report is one of a series of studies undertaken in phase one of the Access to Land and Other Natural Resources Project undertaken by MISR in close collaboration with the Land Tenure Center (LTC) at the University of Wisconsin, Madison. This was in line with priorities agreed upon among the research institutions, the Agricultural Secretariat of Bank of Uganda, in consultation with the Ministry of Lands, Water and Environment Protection, USAID and the World Bank. The project was intended to strengthen the capabilities of MISR as a source of relevant policy issues for the Government of Uganda, and to strengthen the ability of MISR to conduct analysis of large data sets.

Thanks go to the staff of the Game Department, the Department of Veterinary Services and Animal Industries in Kotido, Moroto, Bushenyi, Ntungamo and Mbarara Districts with whom the background on rangeland management was discussed. Thanks are also extended for intellectual comments made at various stages of report writing by Dr. D. Ngambeki and Dr. P. Ngategize of the Department of Agricultural Economics, Makerere University, Dr. Brent M. Swallow of ILC, Nairobi, Dr. Mark Marquardt and Mr. John Kigula of MISR.

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EXECUTIVE SUMMARY

This report serves to set ground of understanding the state of pastoralism in Uganda.

Owing to persistent decline in agricultural production and environmental degradation, a World Bank Mission in 1983 identified land tenure among others as one of the factors that required examination to formulate a sound agricultural policy. Consequently, a series of studies were conducted to establish to what extent land tenure affected agricultural development and to what extent were natural resources, including forests, game, and national parks were affected by human activity. Finally, proposals to repeal the Land Reform Decree 1975 and to introduce a freehold land tenure system permitting the operation of a land market were submitted to the government in 1989 for consideration. Regarding natural resources under state reserves, a case by case approach was recommended to stop and reverse encroachment and establish up to date management plans.

Since the land tenure studies and resulting recommendations were based on a crop farming system, it was deemed important to examine the state of pastoral areas in light of introducing freehold on communal grazing land. This report covers an overview of pastoralism in Uganda and sets preliminary investigations on rangeland tenure and resource management which were conducted specifically to examine, in historic perspective, changes in pastoralism with legal and policy interventions related to rangeland tenure and resource use. This study was conducted amidst increasing rangeland resource use conflicts, persistent famine among pastoralists, management crises and pastoral resource degradation in Uganda. It was based in the cattle corridor stretching from the Southern Uganda boarder with Tanzania through Mbarara to Lake Kyoga and beyond to Karamoja in the north eastern Uganda. The findings are based mainly on literature review, discussions with key informants, spot observations, but are supplemented with secondary data collected during the rapid rural appraisal undertakings.

On a theoretical basis, an attempt was made to categorize rangeland tenure systems according to their rights structures. Three property regimes were identified: common property, state property, and private property. In addition, rangeland management may degenerate into a non-property regime as open access. This theoretical background was used as a basis to establish the management strategies of rangeland resources in Uganda.

Uganda has never had a single uniform land tenure pattern, even customary land tenure which was in practice throughout Uganda before colonial administration varied from one ethnic group to another. The customary tenure systems shared something in common however. Customary rights in land use were always strictly observed by members of any one ethnic group. Land use

conflicts were almost non-existent. When they did arise, they were always settled within the same family lineage or at clan level.

Colonial authorities believed that the customary system was prone to tenure insecurity. Clan and community had no incentive to invest in the land while those individuals with initiative and means lacked incentive to make improvements because of inadequate tenure security. Though it is said that the colonial government in Uganda was built on the official philosophy of protectorate and indirect rule, rather than as a colony or territory, its policies towards the indigenous tenure system were far from indirect.

The introduction of the native freehold in the Toro and Ankole areas in 1900 and 1901 respectively, the mailo land in Buganda in 1900, and, to a certain extent, the 1975 Land Reform Decree, all made a drive towards individualization of land ownership. This has been intensified by the view that under private ownership of land, the producer attains incentive to undertake long term agricultural investments, and permanent improvements on land, thus increasing productivity of agriculture. Customary tenure and communal rangeland management are never considered capable of bestowing such incentives. On the other hand, however, the felt insecurity of tenure among the pastoralist due to pressure on grazing land by immigrants and various government development projects, have accelerated the process of individualization in the pastoral areas especially among the Bahima. The recommendation by the East African Royal Commission in 1955 that Uganda should pursue a land tenure policy to seek the individualization of land ownership has had far reaching effects on pastoralism and the pattern of rangeland management.

Land tenure policies in Uganda have been evolving along individualistic tendencies mainly on the basis of crop cultivation in which the impact of the investments is generally easily noticed. The state has always held the view that rangeland is of no economic activity and pastoralism is unproductive.

Uganda is generally lacking a consolidated national land use policy. The forest reserves and national parks are lacking updated sound management plans. Each department has independently focused the development projects on rangeland. Additionally, focus has been on forest reserves, game reserves and national parks through rigid regulations excluding human activity by communities which were traditionally using these areas or who had customary use rights of them.

The state of rangeland tenure in Uganda has basically been influenced both directly and indirectly by multiple factors:

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The state of rangeland tenure in Uganda has basically been influenced both directly and indirectly by multiple factors:

- (i) the colonial government policies which focused on cash cropping for purposes of taxation to make colonial administration in Uganda self financing;

- (ii) the view that pastoral areas were idle and unproductive, leading to the establishment of state ranches and eventually private commercial ranches after the eradication of tsetse flies, all displacing pastoralists;
- (iii) the conservation policy through restricted forest reserves, game reserves and national parks eliminating the indigenous people from the use of rangeland resources;
- (iv) utilizing rangeland resources for national projects such as military barracks and refugee settlement schemes without due regard to pastoralism;
- (v) the encroachment on pastoral areas by immigrants with a background in cultivation, as is the case in Mbarara and Bushenyi Districts among the Bahima and the Basongora in Kasese District. In some cases sedentary practices have emerged among the pastoralist themselves on a rather fragile ecosystem;
- (vi) the breakdown of traditional institutions among the pastoralists themselves, as is reflected in inter-ethnic cattle raiding of the Karimojong and with the drive towards individualized grazing land tenure among the Bahima;
- (vii) the cultural changes in pastoralist eating habits coupled with the exposure to commercial undertakings and products; and
- (viii) the political instability resulting in the use of pastoral rangeland as battle fields, thereby displacing pastoralists as was the case in Ngoma subcounty, in Luwero district.

The above factors have put pressure on pastoral areas resulting in rangeland use conflicts and creating serious social tension. To find a lasting solution to these conflicts needs systematic studies assessing development management strategies of pastoral resources on which future plans should be based for sustainable rangeland utilization. Each of the above factors would need in-depth analysis.

Poor rangeland resource management is evident with all types of rangeland management strategies in Uganda. On state property, just as on private and communally grazed areas, overgrazing is noticed. It is, therefore, necessary to establish the shortcomings of each type of management strategy to evolve appropriate resource management policies.

Pastoralists have resorted to cultivation to supplement livestock products, thereby pushing cropping to marginal land. This has caused additional environmental degradation, the extent of which needs to be determined and a resource management applied that would facilitate sustainable resource use.

Customary rights and social institutions of pastoralist in their traditional grazing land are generally no longer recognized by law. This is one of the profound weaknesses of the Land Reform Decree, 1975 in respect of pastoral areas. Grazing land was leased by well placed individuals. It is, therefore, recommended that the LRD 1975 be revised in this respect.

In introducing development projects, the values of the indigenous pastoralist must be taken into account. The issue of integrating pastoralist into the conservation and economic development schemes in their grazing land remains very crucial. The Game Preservation Act 1964 and the National Park Act 1964 should be revisited with a view of harmonizing community participation and integration in the management of these resources. These acts are very rigid regarding human activities in the national reserves related to wildlife. There is a strong view that they should be investigated in undertaking management plans of national reserves. Case by case studies are needed to explore the state of rangeland resources and how their management and the effects to the communities around them, particularly those claiming customary rights in those grazing lands.

There are no data on how different types of property regimes affect Ugandan pastoral resources with respect to conservation practices, agricultural productivity, economic efficiency and equity. Furthermore, the conflict resolution mechanism has changed over time and needs to be examined. Similarly, the position of women in livestock ownership and resource management should be assessed especially with respect to their access to pastoral resources. The experience by pastoralists in light of the changing market economy and how they have adjusted is another area for research. Equally important is the need to examine the root causes of overgrazing and resource degradation under different regimes.

Given today's hostile rangeland environment, with its external pressures and influences, it is increasingly difficult to assume that pastoralism in its traditional form will persist merely on the basis of its own intrinsic ability to evolve in response to changes in its internal structure and dynamics. For this reason, it is necessary to undertake various studies with a view of identifying appropriate policy and technological interventions for sustainable development.

Pastoralists are easily displaced which in effect marginalises them in any country. There is therefore a need to examine the means that may empower pastoralists to assert themselves and claim their rights effectively.

This overview of pastoralism in Uganda provides a comprehensive background information on which a series of studies could be formulated.

CHAPTER ONE

RANGELAND TENURE AND RESOURCE MANAGEMENT: AN OVERVIEW OF PASTORALISM IN UGANDA

BACKGROUND INFORMATION

A. INTRODUCTION

The management of rangeland resources for sustainable development remains one of the unresolved issues facing policy analysts and development agencies in Uganda. Concern arises out of persistent degradation of resources, low productivity, lack of food security, increasing social tension from more frequent rangeland resource use conflicts, a declining grazing land area, and relatively low levels of social welfare experienced by the pastoralists. Colonial and post-independence governments together with development agencies, including non-government organizations (NGOs), have invested substantial monetary resources in improving rangeland productivity without commensurate success in attaining sustainable development. Moreover, development interventions have not only disrupted social institutions but also the efficiency of the traditional pattern of rangeland management. With population growth and increasing levels of environmental awareness, the issues of sustainable resource use, food security and social stability have become increasingly central in Uganda National Development Programmes.

This report presents an overview of pastoralism in Uganda. Chapter two examines the evolution of rangeland tenure and pastoralism in historic perspective, with factors that have influenced pastoralism in Uganda. A conceptual framework is synthesized in chapter three with particular reference to types of rangeland regimes categorizing them according to their characteristics together with management strategies and the concept of 'carrying capacity'. Chapter four covers the RRA findings. It identifies the main areas of pasture land alienation and the management strategies that have developed over a time in Uganda. In respect of common property regime the finding cover, resource management issues, environment implications, extent of environmental degradation, socio-economic relations and conflict resolution machinery among pastoralists. Underlying this study there was a need to clearly conceptualize rangeland resource management regimes, articulate various management models and identify environmental issues for policy makers and development planners. Conclusions and recommendations are made in chapter five in which research issues are identified for subsequent in-depth investigations and analysis of related issues to facilitate the formulation of

appropriate policy interventions for sustainable rangeland resource development for the general welfare of pastoralists in Uganda.

B. OBJECTIVES OF THE STUDY

Until 1983, Uganda was experiencing a substantial decline in agricultural production. In an effort to reverse the trend, a World Bank team of experts identified constraints to agricultural development that needed serious attention. Land tenure was identified as one of the constraints that needed to be studied, (APC, report 1983). As a result, a series of studies on how land tenure affected agricultural development were undertaken with a view of identifying an appropriate land tenure system for Uganda, (Kisamba-Mugerwa: 1989; MISR/LTC: 1989). After a number of workshops and seminars, a set of recommendations was presented to the government of Uganda for consideration, (Agricultural Secretariat, Bank of Uganda: 1989, 1990).

Since earlier studies had been conducted specifically with a focus on agricultural development and farm land tenure in areas predominantly with a crop farming system, it became pertinent to examine the pattern of rangeland tenure and resource management in the country. Most important, the pastoral areas were increasingly becoming a center of tension mainly due to persistent low productivity, hunger and pastoral resource use conflicts and degradation.

The overall objective of this review was to establish the general state of pastoralism in Uganda. Specifically, it aimed at the following objectives :

- i) Synthesize a theoretical framework relevant to the understanding of rangeland resource management.
- ii) Collate in historic perspective changes in pastoralism with the legal and policy interventions related to rangeland tenure and resource use sustainability;
- iii) Identify pastoral areas of alienation and areas of rangeland use conflicts.
- iv) Establish areas of stress on pastoral resources and likely causes.
- vi) Establish types of rangeland management regimes and their environmental implications.
- vii) Assess distribution of socio-economic benefits among pastoralists and in particular how women are generally affected.
- vi) Identify areas that may need investigations to promote knowledge about pastoralism in Uganda particularly for appropriate technological and policy interventions for sustainable resource management and integrated resource conservation.

C. METHODOLOGY

A review of literature on the types of models explaining rangeland tenure and case materials on pastoralism, wildlife and forestry in Uganda featured prominently in generating background information. Visits to pastoral areas were undertaken and spot observations were made. Discussions with pastoralists both in groups and individuals were undertaken. Discussions were held with experts in various disciplines related to pastoralism including pasture and livestock improvement, veterinary medicine, resource conservation, animal husbandry extension and others found pertinent to this review.

A semi-structured check-list was designed and used in collecting systematized data especially in conducting interviews with key informants particularly in pastoral areas. Spontaneous and focussed group discussions were held with local chiefs, resistance council officials, women and men. The information gathered was supplemented by organized statistical information from government departments and some NGOs.

Districts visited in the cattle corridor covered Bushenyi particularly Rushenyi county. Mbarara District in general but with particular emphasis on the counties of Bukanga, Isingiro Kashari, Nyabushozi and Kazo. Other visits covered are Kabarole particularly the refugee camps Kyaka I and Kyaka II, Kasese District in general but much more time was spent in Busongora county. Areas visited include Sembabule and Rwemiyaga through Kabamba to Mubende. Kiboga district and Luwero district particularly the pastoral areas were visited. In Kamuli, Kumi and Soroti some visits were made but much more concentration was made in Moroto and Kotido districts in Karamoja region.

Information collected through the RRA varied in quality depending on the research atmosphere under which the interviews were conducted. At the same time of the study areas like Kumi and Soroti districts had proved insecure. Though incidents of cattle rustling were rampant in Karamoja area and had turned into armed conflicts, we found the people responsive and friendly. It was always risky to drive either to Moroto or Kotido towns due to high way robberies which resulted into many killings at that time. It is surprising however, to note that it was always easy to reach other areas within the region once we had managed to reach any headquarters in the region. Once you are within the region the movements are controlled by the situation monitored by the residents in the towns. Information given in such an informal manner helped the research team to know when and where to go safely.

The information collected in this RRA sets a strong background to the understanding of pastoralism in Uganda and the management of Common Property Resources in general. It is however generally descriptive but could be useful in the preparation of further in-depth studies.

D. PASTORAL AREAS OF UGANDA

The pastoral areas of Uganda cover the 'cattle corridor' shown on map 1. This area stretches from the southern Uganda border with Tanzania through Ntungamo, Mbarara, parts of Rakai and Masaka Districts, parts of Kasese District, Kyaka County of Kabarole District; parts of Kibale and Mubende Districts, Ngoma Sub-county and Nakasongola County in Luwero District, Baale County in the northern part of Mukono District, the eastern parts of Masindi District, northern parts of Kamuli District in Busoga area to Lake Kyoga, and extending through parts of Apac and Lira Districts to Soroti, Kotido and Moroto Districts in north east of Uganda. These areas are generally semi-arid or arid and are with varying ecosystem condition the main being the Bahima Mbarara District, the Basongora on the foots of mountain Rwenzori in Kasese District and the Karimojong in the northeast. Other cattle keepers in the area include the Itesot of Soroti District, the Baruli of Nakasongola County in Luwero District, the Basongora in Kasese District and those with mixed ethnic background in Mubende, Luwero, Masaka and Masindi Districts. They have similar political economies though the Itesots and the Baruli practice sedentary cattle keeping rather than transhumance as is the case with the Basongora and the Karamojong.

The pastoral areas generally experience bimodal and unreliable rainfall with a long dry spell from October to March. The mean annual rainfall varies from about 500mm to about 1,000mm with a high level of fluctuation between years and sites. The temperatures average between 18 and 20 degrees centigrade with a maximum of 28 to 30 degrees. Warm temperatures and unreliable rainfall combined with desiccating winds during dry spells. In some areas particularly in the south west of the corridor the climate tend to improve where the rainfall may reach as much as 1125 mm a year. Temperatures can rise to 27 or 29 degrees centigrade maximum with a daily variation of 2 to 7 degrees. This type of climate gives way to wooded savanna.

The cattle corridor has diverse but ethnically-related people. The inhabitants of Moroto district belong primarily to the semi-nomadic group of central Nilo-hamitic tribes. In Moroto District these include the Bokora in Bokora County, the Matheniko in Matheniko County and the Pian in Pian County. All those share one common language and are known, collectively, as the Karimojong. There is also a small but related tribe of the Pokot (Suk) who are semi-nomadic, occupying Upe County in Moroto District. They are closely allied to the Tapeth who are on both sides of the Kenya-Uganda boarder. The Jie and Dodoth are the main tribes of Kotido District.

Cattle provide a major source of food and means of livelihood. In Karamoja cattle herds are built through raids. They keep zebu type which is a local breed with short horns. In the recent past, cattle raids have become an integral feature of life in Karamoja with cattle passing in rotation between different groups and clans providing the ascendant group(s) of the moment with the means of livelihood and resulting in the marginalisation of the defeated

group(s). The widespread acquisition by Karimojong raiders of automatic weapons has increased the violent nature of cattle rustling creating deadly cattle raiding among neighboring tribes and among different ethnic groupings within Karamoja area.

With some ethnic groups being marginalised in pastoralism, the Karimojong economy is increasingly characterized by semi-nomadic or transhumance pastoralism supplemented with some agricultural mono-cropping. In the southern and western parts of the Karamoja region bordering other districts in Uganda, the population is more sedentary and agriculture plays a major role in the economy. In this study it was estimated that more than 50 per cent of the population in Karamoja was settled, and about 30 percent depend more on cultivation than livestock. The shift from livestock is partially attributed to the inter-ethnic raids. From 50 to 60 per cent of the households in Karamoja do not have any cattle. Among the ethnic groups which have abandoned cattle keeping are the Pokoth, Chekwe, Labwor, and Dodoth. The Jie, Matheniko, Bokora and the Pian still depend heavily on a pastoral economy. In March, 1991, estimates listed the number of cattle at about one million. Goats and sheep are generally not raided and outnumber cattle.

In the Southwest of Uganda in the cattle corridor are found the Bahima in an area formerly known as Ankole. What was known as Ankole now covers the districts of Mbarara, Bushenyi and Ntungamo. It is among the lower levels of Uganda section of the African interior high plateau and is generally a plain landscape with a few isolated hills. The area is divided into three distinct topographical regions, the northwest highlands, the southern highlands and the central lowlands.

The Bahima traditionally herd the long-horned Ankole cattle which account for about 20 per cent of all the cattle in Uganda. They graze within the confines of the cattle corridor almost beyond Lake Kyoga. Milk is the main product and the number of cows is deliberately kept high to ensure a consistent supply. Pasture land is traditionally the communal property of the tribe, and every member of the tribe could graze as many animals as he liked. There is a tendency to breed cattle of one particular colour particularly brown. The Bahima are generally proud of both the size of the herd and more so if the majority of the cattle are of one particular colour. Some crossed cattle are stocked particularly on paddocked farms. The exotic cattle are mainly common in Kashari and Nyabushozi counties in Mbarara District. The herd of livestock remains the property of the family. The head of the family bequeaths the animals to his sons at his own discretion.

In general, several families used to live and migrate together. During our visits we met families with large herds of cattle on the trek moving from Rubaale and Ngoma subcounties in Rushenyi county in Isingiro and Buganga counties. Temporary kraals and huts are built at seasonal watering points. It was also reported that the Bahima are traditionally in search of water. They used to be always on the move to escape from disease and also comply with the

custom of abandoning a place where one adult had died and been buried. Through discussions with those who were migrating, it was established that they were moving to other areas for better pasture in terms of extent of grazing land area, and in search of water for the animals.

Due to increasing difficulties caused by sole dependence on livestock by some pastoral communities in Uganda, especially the Karimojong, cultivation by the pastoralist themselves is becoming widespread. Open cultivated parcels of land around the towns of Kotido and Moroto have become a permanent feature. Continuous cultivation is a clear manifestation of an individual's claim of ownership of parcels of land. Natural enclosures are planted and at times supported with barbed wire fencing. In some instances particularly in western Uganda surveying and registering of the land might follow as individualization evolves further, depending on the level of development of the community. Enclosures is a common feature in Ankole area in western Uganda. This is a reflection of livestock policies in Uganda biased towards ranch development for commercial purposes.

Conservation strategies have mainly focussed on forests and wildlife, taking into account catchment areas and conservation of bio-diversity and areas with a high concentration of rare wildlife species. There is no systematic programme to integrate the pastoralist and range resources into such general resource conservation schemes.

CHAPTER TWO

RANGELAND TENURE AND PASTORALISM IN HISTORIC PERSPECTIVES

A. INTRODUCTION

It is difficult to identify a single land tenure pattern for Uganda as a whole. Customary land tenure which was in practice in the pre-colonial period, varied from one ethnic group to another. What was common, however, is that access to land was basically through inheritance and settlement on any unclaimed land with the approval of the head and members of the ethnic group in the area. Even after the 1900 Uganda Agreement through which land was allocated to the king, chiefs and the notables in Buganda, and after subsequent similar agreements in respect of Toro 1900 and Ankole 1901, no single uniform land tenure system was established throughout Uganda. Gaining access to land, however, entailed no difficulty.

B. COLONIAL PERIOD (1894 - 1962)

Though the colonial government in Uganda was built on the official philosophy of protectorate and indirect rule rather than as a colony or territory, its policies toward the indigenous tenure system was far from indirect. The introduction of mailo land tenure in Buganda in 1900 was accompanied by the introduction of native freehold tenure in Toro and Ankole. The Crown Lands Ordinance 1903 gave the British colonial authorities power to alienate land in freehold. Though very few freeholds were introduced under the Crown Lands Ordinance, together with leaseholds introduced on crown land, they implicitly sought a radical transformation of the customary tenure system.

Colonial authorities believed that the customary system was prone to tenure insecurity. The clan and community had no incentive or initiative to invest in the land while those individuals with initiative and the means lacked incentives to make improvements because of inadequate tenure security. The main policy concerns about Uganda development during the colonial period essentially centered on making Uganda self-reliant in terms of administrative costs and also ensuring supply of raw materials for the growing industry in Britain. Their main attention, therefore, was to encourage investment in cultivation to boost agricultural exports. In this respect, traditional pastoralism at subsistence level could not meet the objectives of the colonial administrators.

The colonial government created native freeholds which were peculiar to the kingdoms of Ankole and Toro (Morris and Read, 1966; pp.340-2), pursuant to the Ankole and Toro Agreements 1901 and 1900 respectively. Each of these agreements carried a land settlement provision which set out a distribution

scheme for the land in the kingdoms. Though they were restricted freeholds, they set a land policy which transformed the pastoral rangeland tenure, in that it promoted settlement as sedentary practice or semi-transhumance instead of nomadism or transhumant system of production. This gradually encouraged those with a background in cultivation to acquire the best parcels of grazing land.

A general concern of the colonial administration of African societies throughout East Africa was how to encourage agricultural development. This, therefore, led to the appointment of the East African Royal Commission in 1953. For details see the EAST AFRICAN ROYAL COMMISSION 1953-1955 REPORT. The following recommendations were made:

- (i) Land tenure policy should seek the individualization of land ownership.
- (ii) Transactions of land should be so facilitated to enable easier access to land for economic use.
- (iii) Land tenure should not be allowed to develop spontaneously, rather government should guide its development to meet the needs of a modern economy
- (iv) Existing property rights in land should be maintained and customary land rights must be ascertained and accommodated before exclusive individual rights are sanctioned.
- (v) Registration should not promote subdivision and fragmentation; and
- (vi) Land tenure reform should accommodate local circumstances and be pursued only with local support".

The recommendations by the African Royal Commission were officially accepted by the Uganda government, in particular that land tenure thenceforth be based on individualized freehold title. (Uganda Government, 1958) Though those recommendations were further subjected to the veto by each local administration in Uganda they enhanced the process of individualization. Some pilot schemes were undertaken in Rujumbura County in Kigezi, now Rukungiri District, and in Bugishu which is now Mbale District. In Ankole, the pilot scheme was sited in the densely populated areas of Kagango and Shuku sub-counties in Shema county which is now part of Bushenyi District, (Uganda Protectorate Government Printer, 1962). What is important for this report, however, is that the pilot schemes sparked off a series of sporadic surveys of individual parcels of land, (Kisamba-Mugerwa et al, 1987). Land not registered either under mailo land or freehold was classified as public land under the colonial system.

C. POST INDEPENDENCE PERIOD

After independence in 1962, provisions for protection of customary land rights were provided for under the Public Land Act of 1969. A person could legally occupy in customary tenure any rural land not alienated in leasehold or freehold. The controlling authority could only grant a freehold/leasehold on any land occupied by customary tenure with a consent of the customary holder.

Earlier on, the lines of the Envujjo and Busuulu law of 1927 in Buganda, and the Ankole Landlord and Tenant Law 1937, had been introduced and regulated the landlord-tenant relationship to minimize the obligation to the landlords and strengthen the peasants who were shouldering the cropping sector.

The year 1975 ushered in what Khiddu-Makubuya (1981) described as a fundamental legal change in Uganda land tenure. The Decree declared all land in Uganda to be public land vested in the Uganda Land Commission. The Decree abolished freehold interests in land except where such interests are vested in the Commission. As a result of the LRD 1975, all freehold land, including mailo ownership, which existed immediately before the Decree were converted into leaseholds.

Under the 1975 LRD, all land is public land vested in the state through the Uganda Land Commission. Whoever may be using any parcel of land does so on a lease basis issued on conditions specifying the purpose for which a parcel of land may be developed and a period of time which is limited to 49 years. In other words, the state only offers usufruct rights to the individuals or group of individuals. Those who have settled on the land through customary occupancy, and these are the majority, are deemed as holding those parcels of land at sufferance. The majority of traditional pastoral areas fall under this category. In Karamoja, there are just a couple of individuals who had applied for leases of farm land in Namalu and Irimi areas. In Ankole area, especially in the cattle corridor areas, the majority of Bahima had never acquired leases.

In respect of pastoralism, the conversion of freeholds into leaseholds accelerated individual acquisition of land under the 1975 LRD. Worse still, the Decree lifted the basic legal protection which had, until its coming into force, been enjoyed by customary tenants on public land. The original legal protections set out in the Public Lands Act, 1969, under which the controlling land authority could not alienate in freehold or leasehold any public land occupied by customary tenants without their consent was lifted.

Pastoral land was mainly under customary land tenure. The LRD 1975 is, therefore, of fundamental change when section 3 (2) states:

"For avoidance of doubt, a customary occupation of public land shall notwithstanding anything contained in any of the written law, be only at sufferance and a lease of any such land

may be granted to any person, including the holder of such a tenure, in accordance with this decree".

A tenancy at sufferance is terminable at any time and there is no legal requirement that any notice be given before its termination. In other words, the LRD leaves the customary tenant on public land in a very precarious situation. Before the Decree, anyone could occupy public land by customary tenure without the express permission of the prescribed authority. Under the Decree, no person may occupy public land by customary tenure except with the written permission of the prescribed authority (Section 5(i)). This change affected pastoralist who traditionally were always on the move for pasture and water for their animals.

A customary tenant on public land does not have a transferrable interest in land. He may, however, transfer his interests in the improvements on that land after giving three months notice to the prescribed authority (Section 4 (i) of LRD). This, obviously, does not support pastoralism which, in its traditional form and unlike cultivation, does not have discernable improvements on the land such as permanent crops. It is even an offence to enter into an agreement purporting to transfer any interests in any land occupied by customary tenure (4 (ii) LRD). The LRD sparked grabbing of grazing land by speculators especially in the pastoral areas of western Uganda.

It is important to note that the legislative mechanisms and the policy formulation process, in their historical perspective, have been influenced by the need to introduce individualization of land deemed suitable for productivity in view of the state. Among pastoralists, however, the degree of individualization, has varied from one ethnic group to another. Among the Bahima in Ankole it is almost certain that common property rangeland tenure is being phased out. In Nyabushozi county, Mbarara district, land registration was undertaken as a development project by the local county development association, Nyabushozi Development Association (NDA). The rush for leasing grazing land is also attributed to a couple of factors. One being the insecurity felt due to their experience with the commercial ranching schemes which displaced pastoralists. Secondly, the area has immigrants who lease large parcels of land, and has increased resource use conflicts in the area. We cannot rule out the influence of the elite Bahima (politicians, professionals and businessmen) who have also grabbed extensive parcels of communal grazing land without 'adequate' compensation to the displaced customary pastoralists.

In Kasese District the minority group of Basongora pastoralists is being marginalised by the re-activation of cotton industry grown by the originally mountainous cultivators mainly the Bakonjo. Various government Institutions, game reserves and national parks were allocated large parcels of land on the plains which have put pressure on the grazing land. As a result there is a rush by both the cultivators and the elite of the Basongora to lease large parcels of land on the rangeland.

Rather similar to NDA, in Nyabushozi the Karamoja Development Agency (KDA) was established in Karamoja to supervise the general transformation of the Karamoja region and bring about its rapid economic and social development. It has to ensure that in the developmental process of Karamoja region the Karimojong acquire the necessary skills to enable them to participate in the solution of the socio-economic problems of the region. Provision of sufficient water for the purpose of developing agriculture and animal industry in the region and promote, diversify and increase the productive capacity of the region is a specifically stated goal. The scheme has yet to be assessed to establish the extent to which it has avoided past mistakes of alienating pastoral grazing land.

On the other hand however, there is no widespread leasing of land in Karamoja. While a few isolated stretches of land under communal grazing land in Karamoja region have been reduced to open access, especially among the Jie, Matheniko and the Upe, private ownership of land has been resisted. A branch of the Department of Lands and Survey was at last opened in Moroto in April, 1991 but by the time of finalising this report it was not operational. The officials reported and then left. Hence, the office is not functioning. A District Land Committee, however, had been formed. Basically, this committee deals with allocation of plots in the urban areas, but has hardly any business in rural areas except where NGO's have acquired land for their projects.

Examining rangeland tenure and pastoralism in historic perspective reveals that the laws and development policies that govern the administration of land in Uganda have over time gradually transformed customary tenure to a significant level. Communal grazing land has been encroached on by cultivators. According to local respondents opposed to individualization of grazing land in Ankole area it was reported that communal grazing areas had been taken by chiefs and reallocated to cultivators. Cattle owners were therefore squeezed out and the communal grazing land is gradually shrinking.

The introduction of the native freehold in Toro and Ankole, after the mailo land in Buganda in 1900, plus finally the Land Reform Decree of 1975 all made a drive towards private ownership of land. This has been mainly intensified by the view that under private ownership of land, the producer attains incentives to undertake long term investments, permanent improvements on land and thus increase productivity. In view of the state, communal grazing and customary tenure are never considered appropriate for bestowing incentives for this purpose.

Land reform proposals arising from studies by MISR/LTC and submitted to the government for consideration, recommended private land ownership in the form of freehold throughout the country. The proposed land reform however recognizes customary claims on any parcel of land not already alienated in freehold or leasehold. This may permit pastoralists under different groupings to use a parcel of land under customary tenure status. They may eventually, if fully convinced, register parcels of grazing land.

D. FACTORS THAT HAVE INFLUENCED PASTORALISM IN UGANDA

The state of rangeland tenure in Uganda has therefore been shaped both directly and indirectly by multiple factors. The main factors being:-

- i) Colonial government policies which focussed on making colonial administration in Uganda self-financing through production of cash crops in a modernization process for purposes of both taxation and raw material supply.
- ii) State land tenure policies aimed at introducing individualization as a means to promote investment incentives among agricultural producers.
- iii) The post-independence state of the state that pastoral areas were idle and unproductive, and the consequent focus on the establishment of commercial ranches as a cheap source of beef for urban dwellers and for export purposes.
- iv) Conservation strategies for wildlife, forests, and other natural resources that disregard pastoralists, and alienate the grazing land from the people.
- v) Other competing development projects on land resources, such as irrigation schemes refugee settlement camps, prison farms and military barracks, which have nothing to do with pastoralism. All found punctuating the grazing land along the cattle corridor.
- vi) Encroachment on pastoral areas by immigrants with a background of cultivation. Examples are the Bairu of Ankole (mainly of Bushenyi District), the Bakiga of Kabale District, the Bahororo of Rukungiri District, Baganda from Masaka and Rakai Districts, and the Bakonjo of Kasese District against pastoral areas in Bukonjo area.
- vii) Related to (vi) above, is the case of an influx of exiled Rwandese of whom some are Tutsi pastoralists who also own herds of cattle. This adds greater land use pressure and complicates matters by increasing competition for scarce resources. See map 2 for the trend of immigrants to pastoral areas, and movement of pastoralists to marginal grazing areas.
- viii) Breakdown of the traditional institutions among the pastoralist themselves, where even land is grabbed by fellow pastoralists. Also reflected in inter ethnic conflicts.
- ix) Political instability during the 1980-86 protracted war which dislodged the Bahima who had settled in Ngoma sub county in Luwero District. At the same time, lack of discipline among the state soldiers and lack

of effective protection from the Turkana of Kenya encouraged the Karimojong to arm themselves with machine guns, which in turn intensifies cattle raiding in the area.

- x) International boundaries which limit pastoralists within the state boundaries.

CHAPTER THREE

SYNTHESIS OF CONCEPTS AND MODELS

A. INTRODUCTION

Nothing else has marred the understanding of pastoralism as the misconception of concepts and theories applied to explain the performance of pastoralism. An attempt is undertaken in this chapter to clarify some of the basic concepts used about pastoralism and also set a theoretical background that facilitates an understanding of pastoralism.

Pastoralism is defined generally as an extensive production system which depends on more than 50 percent of income from livestock. It includes nomadism, transhumance and agro-pastoralism. Nomadism is a highly mobile production system that does not undertake any cultivation and does not have any base on the rangeland. Transhumance is a production system that is highly mobile yet pastoralists move between definite seasonal bases every year. Some pastoralists practice a form of semi-transhumance, whereby part of the family and/or livestock seasonally move and part remain sedentary and are involved in cultivation. Agro-pastoralism is a production system whereby crops are grown in a particular season but the same parcel of land is grazed during the dry season when the crops have been harvested.

B. TYPES OF PROPERTY REGIMES

Property is not an object such as land, but is rather a right or a benefit stream that is only as secure as the duty of all others to respect the conditions that protect that stream, (Bromley, 1989). When one has a right, one has the expectation in both the law and in practice that one's claims will be respected by those with corresponding duty. In other words, these are social, political, economic and, of course, 'legal' arrangements through which individuals and communities gain access to the use of the resources. Property rights therefore may be defined as a set of rights and obligations governing the access of an individual or group of people to the stream of benefits which can be derived from a resource.

Most literature on pastoralism talk about four types of rangeland property regimes namely, state property, private property, common property and the non-property rangeland tenure referred to as 'open access', (Bromley 1989; Swallow 1990). Each style of approach to rangeland management is related to a bundle of rights an individual has or a group of individuals have over the resources and how the rest of the community recognizes those rights .

According to Bromley (1989), a resource regime derives its meaning from the structure of rights that characterizes the relationship of individuals to one another. It is noted that a regime may be referred to as 'common property resources' or 'private property resources'. These merely refer to management styles rather than types of resources; what has been managed as common property can be changed and run as private property by changing the rights structure over the resource.

The concept of a 'bundle of rights' is a yardstick or an indicator of the management style of the regime. If the bundle of rights is comprehensive, the occupant whether an individual or a corporate body, may have exclusive rights to manage the regime as a private property. If the state has some controlling interest in the property, the resource is called a state property or government property, in some countries it may be regarded a 'public' property and the occupant does not have exclusive rights. A management style in which occupants or individuals who have access to the property manage it in consultation and pursue or follow an agreed code of conduct among themselves is referred to as common property. To the contrary, Open 'access' reflects complete lack of ownership; where there is no property element since it is open to anyone who gains access by physical presence.

C. CHARACTERISTICS OF PROPERTY REGIMES

Most literature on pastoralism identify three property regimes and one non-property regime. In this text characteristics of each type of tenure regime are outlined following closely as were identified by Swallow B.M. (1990:3).

1. Non-Property Regime

(i) Open Access

- (a) Each livestock owner achieves access to the water and forage available on an area of rangeland by the physical presence of his or her animals on the rangeland.
- (b) Each livestock owner who achieves access ignores the consequences of his or her behavior for other rangeland users.

In line with these attributes, it therefore follows that under open access, there are no restrictions on grazing. Land is used freely with no controls limiting an individual or group's entry to or use of a rangeland resource. One gains access through physical presence on the resource. While livestock are owned by individuals or groups of individuals, the resources necessary for livestock, such as water and grazing land, are free for all. There is no element of ownership or exclusion of others from the range resource. In such a situation, the tendency is for each individual livestock owner to maximize his private use of the available pastoral resources. The individual owner cannot decrease the pressure on the grazing land by reducing the size of his or her own

herd as one would have no guarantee that other livestock owners having access to the same land would do the same, (Windstrad, 1975:149). In such a situation there is no management of the resource and there is no source of authority among those who gain access to the resource.

According to Swallow, however "... a distinction is drawn between non-property regimes in which agents achieve open access and regimes in which they achieve coordination access to particular resources. In each open access regime, each agent who achieves access ignores the consequences of his behaviour on other agents who access the resource. In a coordination-access regime each agent who achieves access follows a strategy that is contingent upon others' expected reactions to that strategy" (Ibid:4).

2. Property Regimes

(i) State Property Regime

- (a) The state or some state organization has legal title to the income generated by the resource.
- (b) The state has the ability to exercise control over use of the resource and income generated by the resource.

One of the property regimes which has an element of ownership is state property in which the state has controlling interest. Common forms of state property are forest reserves, game reserves, national parks, departmental farms and government sponsored ranches. In Uganda, however, though all the land is vested in the state and leased on specified conditions, a title is issued and land may be mortgaged in a financing institution to obtain funds, on loan, for further developments.

(ii) Private Property Regime

- (a) Individual legal entities have exclusive rights to some income generated by the resource.
- (b) Individual owners have secure expectations that they can gain access to future income generated by the resource.

In other words the rights accrue to an individual owner or group owner, in a form of a corporal property. Under private property arrangements, individual herders or a group of herders under a corporate body have exclusive rights to specifically defined areas of grazing land.

A decision is taken and accordingly implemented as there is no need of consultations.

(iii) Common Property Regime

- (a) No single individual has exclusive rights to the income generated by the resource.
- (b) Group members have secure expectations that they can gain access to future income generated by the resource.
- (c) There are functioning membership criteria.
- (d) There is an enforcement mechanism for punishing deviant behaviour.

Under a common property arrangement, the rangeland is utilized collectively, but regulations exist which establish qualifications for gaining access to the grazing areas. Qualifications may be based on ethnic affiliation or residence in a specific area which uses the commons. Individuals generally group together along either tribal, clan, or sub-clan lines. In most pastoral areas in sub-Saharan Africa, access to grazing is minimally restricted by members in the community or ethnic group which claims territorial rights over the area. Bennett et al. (1986:5) observed that producers (pastoralist) move with herds at intervals and in varying patterns and combinations of semi-permanent residence or encampments maximizing the availability of pasture in a droughty or seasonally variable climate.

The main theoretical thrust to coordinated access rangeland tenure is that each user follows a strategy that assumes cooperative behavior and punishes non-cooperative behaviour of other users. This is in contrast to the open access regime in which individuals or groups using the resources are assumed to ignore the consequences of their behaviour on other rangeland users. It derives from the theory of repeated games, and, according to Swallow, it extends the analysis of Runge (1981) on the basis that each livestock owner depends upon the strategies of all other livestock owners sharing the same rangeland.

Coordinated access performance relies on users' cooperation in respecting the expectation of the norms of the other members in the community. This was common in African communities. The norms are not written down but have generally been observed.

With reference to the attributes outlined above, the characteristic distinguishing open access rangeland tenure from common property is the set of restrictions limiting access and use. That is the conscious governance of the grazing resource through self-enforcing or internally enforced social contracts in property. Since the behaviour of pastoralists and the performance of rangeland management institution are generally associated with common property regimes, the subject is given detailed attention under the findings with particular reference to Uganda.

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D. RANGELAND MANAGEMENT AND CARRYING CAPACITY

Any parcel of land has a carrying capacity equal to the number of livestock it can sustain while maintaining biologically optimal levels of forage production. Long term maintenance of optimum levels of forage requires that livestock numbers be maintained at (or below) carrying capacity. When stock levels exceed the range's carrying capacity, forage is reduced below the biological optimum when considered in terms of some unit of time. Degradation will result when natural forage productivity is reduced more or less permanently because of long lasting damage to productivity of the resource base due to soil erosion caused by chronic overgrazing or change of vegetation composition toward less desirable forage species (Jarvis, 1984). Long term maintenance of forage production requires that livestock holders who wish to maximize production of forage and livestock make their short term stocking decisions consistent with long term maximization criteria.

However, as Ian Scoones(1989) puts it, the issue of carrying capacity remains debatable and has led to misleading environmental policies which may not be in line with local economic objectives. It is argued that the issue embraces both ecological and economic aspects. Ecological carrying capacity is determined by environmental factors. Economic carrying capacity is the stocking rate that offers maximum economic returns and is determined largely by the economic objectives of the producers.

In the literature, the relationship between rangeland management and its effects on rangeland conservation depend on the management regime under consideration. Open access rangeland tenure causes concern among analysts.

According to the theory of the "tragedy of the commons" (Hardins, 1968), over-exploitation of common resources will occur because each herdsman, as a rational decision maker, seeks to maximize his private gain. The individual herdsman weighing costs and benefits in a personal perspective finds gain in adding another animal to his herd. It is beneficial to the individual to add one more animal, but it is costly to the society as a whole due to the resulting over-exploitation of the resource in the form of over-grazing. In Hardin's words:

"As a rational being each herdsman seeks to maximize his gain. Explicitly or implicitly, more or less consciously he asks---What is the utility to me of adding one more animal to my herd? This utility has one negative and one positive component. (1) - The positive component is a function of the increment of one animal. Since the herdsman receives all the proceeds from the sale of the additional animal, the positive utility is nearly +1. (2) - The negative component is a function of the increment of one animal. Since however, the effects of overgrazing are shared by all herdsmen, the negative utility for any particular decision-making herdsman is only a fraction of -1. Adding together the components of partial

utilities, the rational herdsman concludes that the only sensible course for him to pursue is to add another animal to his herd" (1968; p.20).

Hardin's discussion of the tragedy of the commons generated much debate. Some analysts (Bromley, 1982; Sandford, 1983; and Bruce, 1986) argue that the model of the tragedy of the commons is of limited relevance and open to question. They assert that commons are not equivalent to open access situations, and that the very notion of a commons implies a community which controls access to it, though the extent and effectiveness of the control may vary greatly across cases. Galaty and Johnson (1990) introduced the concept of 'pastoral continuum' and argued that in East Africa, pastoral groups occupy distinct expanses of rangeland over which they exercise sovereignty. Common rangeland management assumes some internal enforcement of rules and limits on behavior. By definition, under common property tenure, land is used collectively but conscious internal governance exists within the community and explicitly or implicitly regulates access to the resources.

For purposes of this report, "open access" means grazing practices in which there is no control in determining where, when or who utilizes grazing resources. "Communal property" will be applied to grazing practices in which there is some degree of internal control of grazing including rules governing who grazes where, when, what number of animals to graze and the time limit. In other words, there are limits to both group membership and resource use. There is a source of authority and a pattern of conduct. In this report we use the term 'Common Property' as an intellectual short hand for communal resource tenure.

CHAPTER FOUR

FINDINGS

A. INTRODUCTION

In this chapter an attempt is made to identify the main areas of rangeland resource alienation and the resource management strategies that have developed over time in Uganda in light of the tenure regulations and development policies outlined in the previous chapters. Much was derived from spot observations and discussions with the people in the cattle corridor when conducting the RRA. Bearing in mind the characteristics attributed to each type of property regimes, an attempt was made to identify the pastoral areas in Uganda managed under each types of property regimes. In respect of common property resources the discussion is carried further to cover other tenure and pastoral resource management issues.

B. OPEN ACCESS RANGELAND TENURE

Open access regimes allow individuals or groups to make use of scarce resources without regard for the interests of others who may also seek to make use of the same resources. Since there is no ownership there are no rules to govern the use of the resources. What is known is the principle that access is determined by ones physical presence to the resources. In other words the first to gain access or capture the resource becomes the beneficiary of the benefit stream arising from the resource.

In practice, it is difficult to find open access rangeland tenure. In Uganda, there are no explicitly open access areas. However, on visiting the refugee camps, we observed the grazing practice that may be equated with open access rangeland tenure. Examples of such areas are Nakivale in Bukanga County, Oruchinga in Isingiro County in Mbarara District, Kyaka I and Kyaka II settlement camps in Kabarole district, and Katonga game reserve just south of Kyaka I and II. Grazing in these areas is, to a certain extent, open access. It was noted that no refugee has exclusive right over the grazing land, and each livestock owner among the refugees achieves access to the water and forage available by physical presence of the animals on the rangeland and, certainly, ignores the interests of other users. The indigenous pastoralists around these refugee settlement camps also graze their cattle within the camps without any restrictions. It is the complete absence of recognized regulations and source of authority that defines refugee settlement camps as under open access resource regime.

Open access in Uganda was only sighted in areas where the management has broken down as in case of the refugee camps. Other areas considered to be

under open access were around rural administration centres particularly parish headquarters in Mbarara District. Such areas are grazed by whoever gains access to them without any restrictions. They are locally referred to as 'kalandalanda' in the western, particularly in Ankole area.

C. STATE PROPERTY

State property in the pastoral areas of Uganda includes government sponsored ranches, departmental farms, forest reserves, game reserves, and national parks together with prison farms and military barracks plus any other projects run by the state.

(i) Government Sponsored Ranches

Government sponsored ranches in the country were developed in phases by both the central government and local authorities and were eventually allocated on signed contracts to applicants for further development and utilization. The state has interest in the way these resources are managed, may charge a fee for their use, and can reallocate them, although the ranchers own the livestock and the income that accrues from livestock products.

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

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

The ranches that were developed include Ankole Ranching Scheme (phase one) where ranches were developed between 1962 and 1968 and 10 ranches (phase two) developed in the 1970's; Masaka Ranching Scheme which had in total 59 ranches, seventeen of those having been developed in the first phase from 1962 to 1968, while 42 in the Mawogola area were developed in the second phase during the 1970's; and other ranching schemes developed by local governments in 1960s including Singo Ranching Scheme with 34 ranches and Buruli Ranching Scheme with 27 ranches, and Bunyoro ranching scheme with 37 ranches which were developed in the 1970's.

Additional ranching schemes had been proposed in what had been described as agriculturally marginal tsetse fly infested areas and virtually unoccupied areas. Those are shown in table 1.

Table 1: Other Ranching Schemes which had been Proposed

Ranching Scheme	District	Number of Ranches	Ranch Unit
1. Buyende	Kamuli	16	600
2. West Madi county	Moyo	16	1200
3. Zoka county	Moyo	20	1200
4. East Madi	Moyo	39	1200
5. Jonam county	Nebbi	40	1200
6. Palabek	Gulu	30	1200
7. Bokora county	Moroto	20	1200
8. Pian county	Moroto	10	1200
9. Singo county	Mubende	20	1200
10. Kyaka county	Kabarole	20	1200

Source: Adopted from the Report to the Government of Uganda by the Commission of Inquiry into Government Ranching Schemes, (P.23, Dec 1988).

According to the Gregory Report, which formed a technical guidance in implementing the ranching schemes, introduction of some type of individual land tenure to ensure that the ranchers would actually reside on the ranches was emphasized. However, this was not adopted in allocating the ranches and remains a source of conflict in these pastoral areas.

Besides clearing the land of tsetse flies, the government constructed perimeter fencing and installed two valley tanks in each of the ranches in Ankole/Masaka Ranching Scheme. Any additional valley tanks and paddocks were constructed by the ranchers themselves (Commission of Inquiry, 1988; p.28). Especially during phase one, government provided services included the designing and planning of the lay out of ranches and the establishment and maintenance of feeder roads and fire breaks. Ranchers also benefitted from the subsidy scheme which covered cattle dip construction materials, fencing materials, water tanks, and pipes. Additional services included veterinary services, market services and research services. Though these services deteriorated in the 1970's, the government had fulfilled its commitment. The ranchers received free land and a variety of ranch-related services at virtually no cost. It is significant to note that the stocking and management of ranches were entirely a responsibility of individual ranchers.

The main objective of setting up the ranching schemes had been to obtain, by rapid and radical development of land and animal husbandry practices, production of beef and milk to satisfy the internal demand with the surplus exported. The government, with the assistance of USAID cleared areas of tsetse flies and demarcated them into blocks of 5 square miles (1,200 hectares) each, and allocated the government-sponsored ranches to promote beef industry in Uganda. Unfortunately, the resident pastoralist population was not educated in the skills necessary to establish such ranching schemes on their traditional grounds. Even the selection criteria for ranch allocation was unclear to them. The procedures for application were also too elaborate for an illiterate population to follow. The advertisement in national newspapers, published in English, remained largely inaccessible to the pastoralist, and the terms and conditions of occupancy of the ranches were not made clear to them.

Thus, the ranching schemes marginalized the pastoral people, leaving them without alternative grazing land. Many pastoralist were made landless and yet held huge numbers of livestock. These displaced landless pastoralist struggled to settle with their herds as squatters in Lake Mbuho National Park, forest reserves, private ranches, game reserves, and on government-sponsored ranching schemes, at times on terms dictated upon by individual ranchers or ranch managers. The ranches remain one of the areas of serious rangeland tenure conflict between displaced pastoralist and commercial ranchers.

Owing to increasing shortage of grazing land in pastoral areas in Uganda, some pastoralists have been pushed out of cattle keeping and resort to a subsistence agriculture. This has brought about increasing socio-economic differentiation in pastoral societies. A situation noted in West Africa and in Kenya whereby pastoralist are being transformed from independent rural producers into cowboys herding other peoples' animals is becoming common in Uganda. Furthermore, established and proposed government sponsored ranching schemes seal off remaining pastoral areas and curtail the traditional movement pattern of pastoralist in search of water and pasture for their livestock, particularly during times of drought.

(ii) Game Reserves and National Parks

Uganda is endowed with a great diversity of wildlife. In the traditional pattern of pastoralism, wildlife has co-existed with the pastoralist. The whole of Karamoja region is a controlled hunting area. It is also the home of Kidepo Valley National Park, Matheniko Game Reserve, Bokora Corridor Game Reserve, and Pain-Upe Game Reserve. The game reserves in Karamoja area alone cover 6,908 square kilometers. National parks and game reserves are exclusively used for wildlife. The relevance of this issue in this report arises out of the creation of national parks. Animal sanctuaries have very often been promoted to game reserves and game reserves promoted to national parks as is the case with Lake Mbuho National Park in the southwest of Uganda. What is particularly of concern to pastoralism, is the fact that in national parks and

game reserves, all human activities other than those connected with the management or utilization of wildlife resources are strictly prohibited.

The creation of national parks and game reserves exclusively used for game is an issue that needs closer examination. The National Park Act is very strict and rigid. It adopts a "hands off" approach and does not allow any form of local utilization, upsetting the traditional spirit of co-existence between wildlife and the pastoralist, and creating negative attitudes and antipathy to wildlife. Increasing exclusion of the pastoralist by wildlife conservation measures, especially the creation of national parks, is an area which deserves attention to explore means of achieving the process of community empowerment and participation in conservation. A realistic approach with the view of reducing conflicts between competing land use interests, taking into account equitable distribution of benefits among interested parties including pastoralist, is a crucial matter in conservation strategies.

A case to consider is Lake Mbuo National Park which was formerly a game reserve stretching over 250 square miles (approximately 648 square kilometers) covering the southern part of Nyabushozi county. The area was very strategic for livestock grazing due to its vegetative pasture in the valley and the availability of water from the park's lakes and rivers. In 1983, Lake Mbuo Game Reserve was declared a national park. In 1987/88, it was reduced to its present size of 100 square miles (259 square kilometers) as shown on map 2. Of the remaining 150 square miles (389 square kilometers), 120 square miles (311 square kilometers) were allocated to pastoralist around the national park, and 30 square miles (78 square kilometers) were allocated to Kanyaryeru resettlement scheme. Part of the 120 square miles (311 square kilometers) allocated to pastoralist adjacent to the park falls under government-sponsored ranching schemes and private ranches.

To make matters worse, the 30 square miles (78 square kilometers) under the Kanyaryeru resettlement scheme was created in 1988 to accommodate 600 families who had been displaced from the war-ravaged district of Luwero. These people lost most of their cattle during the war as they trekked through cross-firing in Luwero district, during the 1981-86 protracted war. These families are now expected to survive on cultivation, under a hostile climatic and ecological environment to crop cultivation. Each family is strictly limited to 40 heads of cattle, and subject to eviction from the camp if they exceed this unit. This does not take into account the size of the family and the structure of the herd. Furthermore, the area is adjacent to the park with similar terrain and vegetation, and in their routine grazing, settlers are likely to graze their cattle in the national park. In the long run, they are bound to accumulate livestock and gradually intensify the land use conflict with the authorities of the park.

Following the declaration of the park, all fishing villages were prohibited except only one on Lake Mbuo. There were about 200 families with 200,000 heads of cattle within the park (New Vision; May 6, 1991). The government registered them with an intention of resettling them elsewhere. The people

were also trying to consolidate their occupancy by resorting to cultivation of bananas. These families include those who customarily occupied the area even before the creation of the game reserve as well as more recent arrivals to the area, such as new immigrants from other parts of Nyabushozi and neighboring counties and Rwandese refugees who infiltrated the area from the refugee settlement schemes not far from the park. Efforts to demarcate the boundaries of the national park were reportedly frustrated by the local authorities in the district despite the willingness by some donor agencies to finance the project.

Taking into account various land use interests in the area, including Lake Mburo National Park, the fishing villages, the government sponsored ranching schemes, the private ranches, the Kanyaryeru resettlement scheme, the pastoralist on their customary grazing area, plus the refugees from different camps, the area deserves serious investigation with particular emphasis on community participatory approach and possibilities of promoting co-existence of pastoralist with wildlife.

It was after much conflict between the pastoralist and the commercial ranchers that a Ranch Restructuring Board was constituted to accommodate landless pastoralists.

The resettling of squatters by the Ranches Restructuring Board is a political move which is apt to offer a short-lived solution unless backed with rigorous investigations examining the root cause of the land use conflicts and with the adoption of long-term systematic policies.

D. PRIVATE PROPERTY

The concept of individualization of grazing land is used here to refer to a situation whereby the local community recognizes exclusive rights of an individual or group of individuals over a parcel of rangeland, in a more or less private capacity. Individualization has all the attributes of a private property except the legal recognition such as acquisition of titles. All along, policies regarding land tenure in Uganda were focussed on developing a land tenure system that encourages individualization. It was also contained in the recommendations of the African Royal Commission (1958). Individualization in Uganda is common whereby an individual or group of individuals through continuous use of a parcel of land for purposes of cultivation or grazing attains exclusive use. The method of acquisition varies from occupation to inheritance and purchase.

Because of pressure on rangeland resources and because movement of livestock in a traditional pastoral pattern is no longer feasible, a strong sense of individualization of land rights has evolved among pastoralists especially in the areas of Mbarara District.

Individualization has not emerged by accident in pastoral areas. Individualization is a step towards settling. The Karamoja Development

Agency (KDA) is charged with settling the Karimojong, just as the Nyabushozi Development Association (NDA) facilitates pastoralists to acquire and lease parcels of grazing land.

According to the Commission of Inquiry Report, the establishment of ranching schemes in areas cleared of tsetse fly by government had the immediate effect of increasing the number of private ranching entrepreneurs in western Uganda. Private enclosures in this write up refers to both fenced farms and those farmers who graze their animals on confined parcels whether fenced or not.

Table 2: Extent of individualization of communal grazing land as compared to cattle in Mbarara district

County	Open access % total	Communal % total	Private % total	Total cattle
Kashari	1	20	70	80,047
Rwampara	29	49	22	33,066
Ruhaama	34	61	5	53,570
Isingiro	35	40	25	49,786
Bukanga	63	34	3	87,600
Ibanda	28	30	42	32,084
Kazo	12	15	73	131,972
Nyabushozi	3	10	83	226,678

Source: District Veterinary Office Mbarara, March 1991.

Reference to table 2 reveals that Nyabushozi and Kazo counties have the highest number of cattle and the highest private farms. Though the area is historically known to have the greatest number of pastoralists, hardly have any rangeland left without any claim on it by individuals in a private capacity. Communal grazing property accounts for only 15 and 10% of the land area, while individualized parcels for grazing account for 73 and 83 per cent in Nyabushozi and Kazo counties respectively.

Even where game reserves have been de-gazetted, as is the case in Nishenyi valley in respect of the former Nishenyi Game Reserve, all that was traditional Bahima grazing land was divided up into private ranches. Some of the Bahima are 'squatters' or tenants of absentee landlords on so called "telephone ranches". Pastoral issues remain very pressing in this area. Unless easy movement is created and displaced pastoralist also gain access to grazing land, pastoralism based on transhumance in these areas will be phased out. Most important the welfare of displaced pastoralist is bound to continue

deteriorating as they do not have access to range resources and have no alternative at their disposal.

Private ranches vary in size. Some are as small as 30 acres while others exceed five square miles. All these have attributes of a private property regime in the sense that individuals have exclusive rights to income generated by the resource and have secure expectations that they can gain access to future income generated by the resource. Also observed is the rush to fence grazing land. In fact, in Nyabushozi the only development association, a local NGO, had acquisition of titles as one of its development projects by assisting the residents to submit their lease applications and collectively have them processed.

Most of the examples of Uganda's land tenure types cited to this point occur in the Bahima pastoral area of Nyabushozi and Kazo counties in Mbarara district. This reflects how dynamic the evolution of rangeland tenure is among the Bahima in western Uganda.

E. COMMON PROPERTY REGIME

1) Characteristics

As noted earlier the characteristics of common property regime as a resource tenure are not as open access situations where property relationships do not exist. In essence common property regime has similar characteristics attributed to private property.

"In one important sense then, common property has something very much in common with private property exclusion of non-owners; common property is a corporate group property. The property-owning groups vary in nature, size and internal structure across a broad spectrum, but they are social units with definite membership and boundaries, with certain common interests, with at least some interaction among members with some cultural norms, and often their own indigenous authority systems." (Bromley, and Cernea 1989:15).

Access to communal resources can be held in different ways. In most cases access is determined by the membership to a given corporate unit owning those resources such as a clan or community or by permission of the unit. Access also can be had through inheritance. Moreover there exists rules concerning who may use the resource, who is excluded from the resource and how the resource should be used. So, there are rules on access to or exclusion from proprietorship of communal natural resources.

2) Pastoral areas under common property regimes

Common property regimes were the only traditional ways typical of African pastoral resource management until disrupted and transformed by a couple of factors that have weakened the indigenous pastoral institutions. In Uganda communal resources are generally shrinking. Communal grazing by ethnic groupings is still widely practiced in Karamoja area. The Karimojong economy is characterized by a semi-nomadic pastoralism combined with agricultural mono-cropping. At the onset of the dry season, Karimojong herders move with a proportion of their stock to the wetter grassland plains in the west. Traditionally, the movement was a broad southwestward trek by the Bokora-Matheniko herds to the seasonal swamps and dry season grazing along Soroti/Karamoja boundary. The Pian traditionally move their herds west between the mountain massifs of Elgon and Kadam. The Jie wander to the west towards Gulu district along traditional transhumant routes to southern Karamoja. At the beginning of the wet season, the movement reverses back to the settled homesteads, and the concentration around a limited watering point is relieved.

It may be possible to relate grazing practices in Karamoja to the strategy of common property which by definition specifies and enforces regulations on rangeland access and rangeland use. Each livestock owner who uses a common property rangeland is bound to observe the agreed upon pattern of grazing. It was observed that the Karimojong graze within ethnic groupings. The code of conduct on the pattern of grazing is assumed to be known by individuals in a specific locality.

In other pastoral communities in Uganda communal grazing is limited. The trend is towards individualisation of communal grazing land. Some isolated cases of communal grazing could be sighted in Kasese District in Busongora county and on tips of hilly areas and in some dry areas in Mbarara Districts. The Basongora in Kasese District also practice communal grazing though with much constraints due to the fast growing cotton industry and institutional projects to which land has been allocated for cultivation and other purposes. Nakasongora area in Luwero District is generally covered with large institutional and private ranches. In Soroti District communal grazing is equally on the decline.

3) Common property regime at household level

A household is generally defined as a group of people who live and dine together. In Uganda the members of a household are members of a family - an extended family which includes other members besides those of the nuclear or elementary family. There could be even friends. The interest of a household in the management of natural resource under common property regime is essentially in the benefit stream of the resource.

In Uganda the members of the household attain access to the nature resources by virtue of their household being a member of the social group governing the resources. In case of pastoral areas, herds of cattle are collectively owned by the members of the household under the overall supervision of the head of the household. The pasture under common property regime are collectively utilized by a relatively larger group than one household. The household is a component of the group and shares similar interests with the whole group for sustainable utilizations of the rangeland.

In case of pastoralists practicing nomadism or transhumance as is the case among Karamojong, several households live and migrate together for the security of both themselves and animals. The herding and milking loss of any animal is a matter that directly affects the household. In a strict sense of the word however, no where in Uganda is nomadism being practiced. Even the Karamojong who seem to be very mobile essentially practice transhumance.

4) The role of a lineage, clan and a community in the management of common property regime

A lineage is referred to as a corporate group recruited by descent and a clan is composed of persons claiming common descent. Except for increasing pressure on land and the dynamics of the society, members of a lineage used to live quite close and could collectively manage a productive resource under a common property regime like grazing land. A clan and lineage just like any other form of a community are distinct social units with all qualities to manage the natural resources under common property regimes. They have a sense of shared membership resource and purpose. According to the Mitch Ducan Dictionary of sociology, "a community is a collectivity of people who occupy a geographical area and engage in an economic activity and constitute a self-governing social unit with the same values and experiencing feelings of belonging to another". It is typical of the range management in African societies. It is on that background that common property regimes are considered indigenous to African societies. The notion that traditional African style or range management made no allowance for collective management or individual exclusion is no longer valid. We know that indigenous range management were common property regimes.

5) Sustainability of common property regime

A combination of the land reform policies, outlined in chapter II, conservation policies related to wildlife, and forests together with commercial ranching and various government interventions under development policies plus population growth, all have mounted pressure on natural resources managed under common property regimes particularly pastoral resources. In Uganda this had disrupted the traditional social structure pattern under CPRs leading to environmental degradation, impoverishment, vulnerability and in many cases famine as is the case in Karamoja.

It was observed that under common property regimes all the members of the household fully participate for their survival and work is divided on the basis of sex and age groupings thus ensuring full employment in the community. This is however disrupted by demographic growth and the internal cohesion distorted. For the common property regime to survive and equally create employment for the growing population, the institutional arrangement and production per unit area must keep pace with the changing process. This means failure to keep pace, the only solution will depend on a combination of institutional arrangement and apply each type of resource management where it fits best. To reach such a stage demand for in-depth studies to understand the pastoral institutions

6) The role of women in common property regime

Under common property, the issue is not who controls the natural resource but how access to the facility is made possible. Even under pastoralism in Uganda where women little control over the livestock particularly cattle, access to the livestock products especially milk is ensured to enable the women to feed the members of the household. It was noted that women are entirely responsible for milking and even churning milk which adds value to it.

It is observed that by their role in a household, women rely most on common property resources either for home consumptions or for generating income for the household. Unlike under private property regime access to the resource under common property regime is determined by ones membership to the community other than the individual's capacity to purchase or control the resource.

7) Environmental implications under common property regime

Examining rangeland management in Uganda, in light of different types of rangeland tenure, reveals environmental hazards related to natural resource degradation. Pastoral areas, since they are under arid and variable climate, require balanced land use. Increasing pressure on grazing land creates environmental complications.

The practice of settling and cultivating in areas traditionally used for grazing has profound effects. In the first place, it increases pressure on the remaining grazing area. The effect of this are exemplified by Rushenyi County of Bushenyi District. The area has experienced an influx of immigrants from densely populated areas of Kabale, Kisoro and Rukungiri Districts. Some of the arid areas have been settled and cultivated, and , as a result, the remaining grazing areas of Rubaare and Ngoma Subcounties have become overgrazed.

Overgrazing manifests itself in two fashions. A mild manifestation of overgrazing is the grazing land's loss of the most nutritious species, giving way to the less nutritious robust species. This is the case in most pastoral areas of Mbarara and Moroto districts dominated by Acacia. A more drastic effect is

reduction in the vegetation cover of any species. The pasture becomes too short to be picked up by livestock. In some cases, the land is left bare of pasture of any sort. This has been the case in the surrounding areas of the Lake Mbuoro National Park along Rwizi River. With the removal of pasture cover, an area becomes extremely susceptible to soil erosion. Soil erosion has been very severe in some parts of Nyabushozi County in Mbarara District where gullies are easily noticed.

In areas where settlements and cultivation are newly established in less favorable arid conditions, vegetation cover in the form of crops can fail to occur because of the very unreliable rainfall pattern. In such circumstances, soil remains unprotected against wind erosion. Worse still, soil erosion destroys water dams through silting. This has been seen around Moroto and Kotido towns in Karamoja. Karamoja experiences high temperatures during the rainy season, combined with desiccating winds during dry spells resulting in persistent drought which generally manifests itself in about four serious crop failures out of every ten years. Most of the water dams constructed during the 1960's in Ankole and Karamoja silted.

The effectively open access practices on grazing land in settlement camps has had clearly adverse effects on natural resources there. Due to uncertainty of tenure, the refugees in all settlement camps have never made an attempt to curb overgrazing. The detrimental effect of overgrazing on range resources can be seen in these areas, as indicated in table 3.

Table 3: The State of Refugee Settlement Camps 1991

Camp	Extent	District	Population	Comments
Nakivale	218 sq kms	Mbarara	14,000	Excessively overgrazed
Oruchinga	34 sq kms	Mbarara	4,949	Showing bare ground/gullies
Kyaka I	75 sq kms	Kabarole	5,020	Not overgrazed, relieved by Katonga Game Reserve
Kyaka II	220 sq kms	Kabarole	6,432	Southern part quite over grazed

Around the Lake Mburo area, and along the Rwizi River, overgrazing is clearly noticed. Those areas have been heavily overgrazed because herders are attracted there with large numbers of cattle due to the permanent source of water. It had been estimated, before the park was reduced, that one-eighth of it had been overgrazed. Nomadic and semi-nomadic cattle keepers who run to the park from neighboring Gayaza Sub-county in search of water were held responsible for overgrazing the park. Some of the cattle keepers have grazing land both in Gayaza Sub-county and in the park. It was, however, noted that many of the cattle in the park are owned by absentee herders some of whom are military officers and bureaucrats in towns. In these overgrazed areas bare ground and gullies are easily noticed. A similar situation can be observed in Katonga Game Reserve.

As a measure against overgrazing, in this respect, Lake Mburo National Park authorities had restricted settlement of squatters to two kilometers away from the park. The attempt to demarcate the boundaries of the Lake Mburo National Park could not easily take place as local politicians and administrators interfered from time to time. The claim for a cattle corridor through the park to Lake Mburo had been deemed unjustified by the park authorities since ranchers had fair access to Lake Kakyera on the eastern side of the park and the Rwizi River on the western side of the park. The Ranch Restructuring Board, however, facilitated the movement of cattle belonging to squatters to Lake Mburo, Lake Kakyera and to large dams north to the ranching scheme, (New Vision July 13 1991).

On the other hand, there is a school of thought that Ankole cattle in the park may eventually turn out to be one of the great attractions in Lake Mburo area. Similarly, it had been noticed that 'ungulates' migrate out of the park onto the ranches preferring to graze where cattle graze.

Overgrazing in the government-sponsored ranches, has been brought about mainly by squatters who encroached on the ranches due to lack of grazing land elsewhere. The Commission of Inquiry into Government Ranching Schemes noted that, although in some schemes land degradation was not alarming because of controlled stocking levels, there was evidence of previous deterioration in others which was worsening due to the invasion of squatters with large numbers of cattle, leading to overstocking. The commission further observed that soil erosion caused by overgrazing is occurring in nearly all communally grazed areas outside the ranches (Government of Uganda, the Commission of Inquiry into Government Ranching Schemes, 1988).

Overgrazing and its accompanying environmental degradation are found across all types of rangeland tenure in Uganda. In some of the essentially open access refugee settlement camps overgrazing is extreme. In Ngoma and Rubare Sub-counties where there are numerous immigrants and in Lake Mburo National Park especially along the Rwizi River, overgrazing is also advanced. Resource degradation is equally noticeable on rangelands governed by more individualized tenure systems. In areas outside the government sponsored

ranches and private ranches, especially in Nyabushozi and Kazo Counties where individualization is emerging, overgrazing is prominent and is having detrimental effects on the resource base. Thus, overgrazing and environmental degradation are found at both extremes of the property rights spectrum.

8) Conflict resolution under common property regime

Over time, conflicts over land involving pastoralist have become very acute. This has been due to various factors, including the alienation of communal pastoral resources to other activities, population pressure due to both immigrants and pastoralist themselves including livestock population and a strong sense of individualization gradually emerging.

The government approach to land use conflicts varies from one case to another. The most recent case of conflict in Uganda was centered on government-sponsored commercial ranching schemes in western Uganda where the government responded by appointing a nine-man commission of inquiry to look into the set-up of the ranches and their management with a view to effecting reforms and improve efficiency of both existing and future ranches. The Board was also charged.

In its report, the Commission of Inquiry into Government Ranching Schemes recommends continuation of developing some of the ranches on the same pattern as they were and splinting some to accommodate squatters. The squatters included, among others, the indigenous displaced landless pastoralist. Though the government could not endorse all that was contained in the report, it established a Ranch Restructuring Board to scale down the ranches to 3, 2, and 1 square miles; while at the same time identifying and resettling the squatters. The board was also charged with providing a long term policy regarding the management and development of pastoral resources in Uganda (General Notice No. 182 of 1990).

At the time of compiling this paper, the Ranch Restructuring Board had completed the modalities of subdividing the ranches and was about to resettle the squatters. This is an area that will need monitoring and eventual evaluation in respect of its effects on the management of pastoral resources in the area and to what extent it eliminates land use conflicts.

As noted by Nsibambi (1989), the government has often politically intervened to reverse cases where evictions, within the mechanism of the LRD 1975, must have been effected. President Amin, in whose regime the notions of LRD 1975 were introduced and the law empowered evictions, with reference to land problem in Ankole (Mbarara and Bushenyi Districts), is quoted to have appealed to the land owners who had bought a lot of land not to evict their tenants on a very short notice, (Uganda News 1972 No 4220). The government very often intervenes for example by appointing committees to listen to the involved parties, making the administration of the LRD very difficult.

Nevertheless, the government interventions and decisions are based on averting instability that would have resulted in mass evictions.

In Uganda, pastoralists do not have any organization that would assist them to pursue the law even if they would win a case. They have to use the conventional judicial systems which itself is very complicated and expensive. The LRD 1975 encourages leasing land without consent as indicated earlier. It does not recognize customary occupancy of land and is thus not in favor of pastoralists who normally graze their livestock communally on customary land tenure. This has, to a certain extent, intensified conflict between customarily settled pastoralist and commercial ranchers interested in leasing the same land.

Conflicts emanating from crossing international borders have been recorded and at times have resulted into armed struggle. Pastoralist in practice turn to the government to intervene in case of conflicts. There is no organization that has ever intervened and/or taken government to court due to conflicts and crisis involving pastoralists. It may even be seen as superfluous since governments tend to show sympathy under the guise of development, and apparently show concern in solving any conflicts or problems facing pastoralism. The major problem arises out of misconceptions about the pastoralism when seen as unproductive activity. Under such circumstances, misleading policies are undertaken creating areas of tension as a result of having left socio-economic issues still unsolved.

In the case of pastoralism in Karamoja, the situation is worsened by cattle raiding practices which create insecurity within the area and neighboring districts. Since conflicts in such circumstances are militarized, the government very often intervenes militarily where administrative measures fail. There is a need of recognising the traditional conflict resolution machinery under CPR. Unless special advocacy is arranged to protect pastoral interests it may take time before pastoralists fully deploy the conventional legal machinery.

CHAPTER FIVE

CONCLUSIONS AND RECOMMENDATIONS

Apparently, in Uganda the factors that contribute to human suffering among the pastoralist system emanate from cumulative effects of state adhoc policies and development strategies as envisaged by the state and development agencies including Non-Government Organisations. It is particularly a reflection of failure on part of the government agents and NGOs to understand pastoralism and differentiate basic goals of pastoralist from that of the development agencies. The factors are generally related to resource tenure problems, management policies and breakdown of traditional institutions and administrative capabilities under common property regimes.

All development policies and programmes have been initiated with a view of commercializing pastoralism and rapidly increasing productivity in pastoral areas for purposes of providing a cheap source of beef to the urban dwellers and for export purposes. This is, in a way, a departure from the goal for pastoralists which is basically survival. Pastoralism, in the traditional form, is an efficient system of rangeland management performing efficiently at subsistence level. There is need therefore to recognise the pastoral institutions and values of pastoralists as a basis of any development strategy of pastoralism communities.

Development policies related to the transformation of pastoralism from the subsistence to a commercial level in a market economy, must involve the pastoralists themselves as the forces of change. Otherwise, pastoralists are faced with increasing resource use conflicts and total displacement together with impoverishment without any matching alternative.

They should be given a decisive voice in the formulation of policies about resource management in their areas through conscientisation about the nature of pastoralism, emphasizing advantages and limitations related to the ecosystem in practicing pastoralism. In this respect, human resource development among pastoralists is a crucial requirement not only in building up technical knowledge and capabilities, but also in creating new values to help individuals and communities to cope up with rapidly changing socio-economic, political, environmental and development in their respective areas. As noted by Cees de Hams, that technical answers are available to many of the specific problems facing livestock development in Africa, but the major constraint lies in introducing change into existing socio-economic systems, exacerbated by inexperience in adapting technology to suit local conditions (Nestle et al, 1973).

It is, therefore, recommended that in introducing any development project in pastoral areas, it is important not only that the local community be involved but also that the project be designed and located to fit within the framework of their values and traditional technological knowledge.

Another area of concern is the stress on pastoral resources by various policies and programmes which do not take into account pastoralism. The exclusion of pastoralism is on the increase without finding alternatives for the pastoralists themselves. Pastoral areas and institutions have been disrupted and the pastoralists displaced so much that in some instances it is impossible to reverse the trend. It is even difficult to establish the costs involved. Marginalising of pastoralists in terms of social services, level of education, involvement in the political decision making machinery as is the case with Basongora in Uganda is a major cause of failure of development strategies in pastoral areas.

At times the pastoralists are displaced without realizing that physically some activities in the area have been curtailed. This is one of the areas that needs investigation to formulate realistic policies that will establish sustainable resource use system. It is therefore recommended that projects designed for pastoral areas should take caution in displacing the local communities because, unlike cultivators, it is not possible to find a suitable formula to work out compensation for pastoralist, leave alone environmental costs.

In conserving wildlife, it is important to take into account the interests of the local community. It is pertinent to encourage community participation and harmonize co-existence. In this regard, there is a need to amend the Parks Act 1964 and the Game Preservation Act 1964, and embark on other related constitutional and legal undertakings to reflect, among others, integration and sustainable resource exploitation.

There is a need for a case-by-case studies to explore the state of rangeland resources as they are managed and the effects to the communities in the area. What exists now is a disrupted form of pastoralism making it difficult to perform efficiently. Various resource management models are applied, but very little is known about their actual after-effects in practice. A number of fundamental socio-economic management questions remain unanswered or partially answered: To what extent pastoralists have been empowered to adjust to the changing socio-economic and political pattern related to the management of rangeland resources? What is the performance of the pastoral economy in the rapidly developing market economy? How can pastoralism best be influenced causing minimum resource degradation, human suffering in terms of displacement, impoverishment, constant hunger and attaining sustainable use of resources? What type of educational system that will empower the pastoralists in effort to defend their interests in a dynamic society. To what extent is the indigenous knowledge in pastoral resource management known so that it is taken into account at any stage of programme design in a pastoral economy, in respect of livestock production and diversification of a pastoral economy and

pastoral institution set up for decision making at micro and macro level. These could be exhaustively answered when a case by case studies of different pastoral societies in Uganda are undertaken.

Related to the grazing pattern on the rangeland, some issues should be examined: why do some animals, such as ungulates, migrate out of the park onto the ranches preferring to graze where cattle graze as is the case in Lake Mbuoro National Park? Is there a natural symbiosis that may be exploited to promote co-existence?

We do not have any data on how different types of resource management regimes affect pastoral resources in terms of rangeland, productivity, efficiency, social equity; and on conflict resolution mechanisms; evolved regarding issues of rangeland tenure and rangeland resource use.

The position of women in pastoral economy potentially faces great change. In only very rare cases women may own cattle. Where women may own cattle, when allocating land to individuals, women with livestock are generally overlooked. This is yet another area which needs rigorous investigation and analysis.

Most striking of all is the observation that resource degradation is common throughout different rangelands. It is necessary to examine the root cause of rangeland resource degradation and overgrazing on different property management strategies. The fact that Uganda is lacking a national land use policy intensifies the resource use conflicts. Owing to different alternatives between different forms of management and organization, there is a need for serious studies to establish the kinds of choices that can be made for various levels of management strategies. Lack of a coherent national policy on pastoralism has led to the marginalisation of the pastoralists. Uganda may need to address itself on a pastoral development policy in its National Development Programmes in a coordinated manner. The fact that Uganda is developing a national environmental action plan is a most welcome step.

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