Interviewer Name: Martin Nankunda

Transcriber Name: Martin Nankunda

Interview date: 26/09/2019

Respondents Name: Medard

Household ID: 5900081

Age: 49

Title status: Joint title

Occupation: builder

Second source of income: Farming

Highest level of education: P.3

Marital status: Married

Number of years lived in the village: 49

Number of children: 8

Number of people living in the HH: 6

Roof material: Iron sheets

House material: mud and poles

Interview start time: 09:45 am

Interview end time: 11:20 am

Duration: 01:33:09

The interview took place in the respondent’s house. He was well dressed because he was leaving home to buy building materials in town. He has two plots of land where one of them was titled and he has a joint title. The plot that was titled is about 3 acre and he has a banana plantation and plants other crops. The reason why he decided to title is because part of his land has marram soil and he was afraid that since they are now in the town council, they can use his land to repair roads in the town council and compensate him less than now that he has a title. He is in between poor and middle income judging from his house structure and household items.

He is married leaving with the wife and children. he has 8 children but 3 have their own households. He was welcoming and appreciative for the opportunity to get a free title because he wouldn’t have got it by himself. The respondent was very thankful of the title and asked about the why the other 2 people that we selected out of the 5 people in the village did not get their titles and I told him that that’s the reason we are interviewing them again to know such cases. there a few interruptions where the respondent was talking on phone, but I could wait for him to end his phone call and we continue the interview

**Warm-up**

I: How are you today?

R: I’m very fine, how are you?

I: I’m also fine thanks. You look smart today?

R: Yes, I was going to town but decided to wait for you since I had an appointment with you.

I: Well thank you for waiting for us, and what plans did you have for today?

R: I wanted to go to town in *Bwizibwera* (neighboring trading center) to buy building materials because I’m a builder and I also do farming. Those are my sources of income. But I decided to come back after receiving your call since it’s still it’s early, I can go later.

I: Ok, we are sorry if we interfered with your program.

R: No, I can go later because I was going to get materials and take them to the site

I: So, that means, you build for other people?

R: Yes, I build for other people to get money and get school fees for children and take care of my family.

I: Ok, I see, is profitable to build for other people?

R: It’s not very profitable but you can get basic necessities and pay school fees for your children, so that the family does look bad in society but it’s not much.

I: Ok, how regularly do get houses to build in a month?

R: In a month you can get like once, or even take 2 months without getting a job. Then you go back home and concentrate on farming at home in that case.

I: Thanks for explaining this to me, but how has been your today? And how does your normal day go?

R: My day has been ok, and that’s the program I had toady, to get those materials and start working.

I: And your normal day, what do you do?

R: On a normal day when am not going to do constriction, I go to my banana plantation and do what’s needed to done. If it’s weeding, I do wedding and if it’s pruning, that’s what I will do.

R: So, other than building and farming, is there anything else do you do to earn income?

I: No, that’s all.

I: I was thinking you could be teaching other people to build houses?

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R: No, only my children are teachers?

I: Ok, are they teaching from around this village?

R: No, they teach in Mbarara.

I: Ok, in general, how is life in this village?

R: Ok, the village would be bad but like now we have planted but the rains are not coming, but if they come, you find that you have what to eat and what to sell as surplus.

I: But I thought this was a rainy season?

R: Yes, it is but we last received rain like in July this year. At first it rained for some time but latter, we have only had sunshine thought. So, what we planted, is not getting out of the soil well.

**Background, household structure and land ownership**

I: Thanks for explaining all this to me, I get the picture, but I would like you tell me about your household, whom do you stay with? And how are you related?

R: We stay in this household 8 members, that’s me, my wife and 6 children. But there are children you study, but don’t stay here, they are in boarding school. But now I have children who go to school and come back home.

I: But overall how many children do you have?

R: I have 8 children but three don’t stay here.

I: Tell me about their studies.

R: One has completed secretarial studies, the other is a primary teacher, and other is a nurse. So, those don’t stay here.

I: What about the other 3 who stay here?

R: They are all still in primary.

I: So, they are only three 3 who are in school and stay here. Do have children who haven’t started school, for example grandchildren that stay here?

R: No, I don’t have grand children here and all the other children are in school.

I: It seem hard to get school fees, since you have had children in higher institutions of leaning. Tell me about it.

R: School fees like I told you, we get it through my building job and the additional money is got from the crops we plant for example coffee and bananas.

I: So, how long have you stayed in this house?

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R: You mean how long I have stayed with my wife, because we have been together for 25 years now?

I: I mean staying together in this household.

R: In this house, we have stayed together for 18 years.

I: So, where were you staying before you came here?

R: We were staying at my father’s place.

I: Is your fathers place in this village?

R: Yes, like where you left your car.

I: Oh ok, so, how many plots of land do have?

R: I had 3 plots but now I have 2 plots.

I: Tell me, about it, how did it go?

R: Because of school fees, I had to sell one plot of land.

I: It must have been a difficult decision, tell me about it.

R: Yes, it was very difficult, but when children went to higher institutions of learning, I decide to sell part of my land and pay their school fees. But good enough some of them have completed school like I told you and they don’t stay here.

I: I’m curious to know how much of your land did you sell to send your children back to school?

R: It was small like 3 quarters of an acre.

I: Ok, the two remaining plots, are in this village?

R: Yes, they are in this village.

I: Well, we will talk more about the other two plots, but I would like to know about the decision to sell one plot of your land to pay school fees, how did you come up with it? Tell me about it.

R: Yes, I first talked to my wife about it. We looked at it and agreed it was the only way to get school fees for our children.

I: So, you agreed with your wife without any arguments?

R: Yes, I agreed with my wife and children because they were old enough to make decisions and agreed to sell the land

I: I see, but in the end, who made the final decision to sell the land?

R: We all agreed together like I have told you. When I brought the suggestion, everyone agreed because they knew what the money was going to do.

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I: Ok, who makes decisions on land and other things in your household, for example what to plant and when to plant it?

R: It’s the same way, we all agree on everything we do. We sit down as a family and agree together; let’s plant this or that.

I: Give an example of how that happens or tell me about most recent decision you have made as a family

R: Yes, there is part of our land that wasn’t hard to cultivate and not fertile so, we agreed that we plant mangoes there and we all agreed. Even when we have been planting in other places, we must agree to first let the land to fallow for some time like three seasons and it regains fertility. So, that’s how we agree and decide together.

I: So, tell about the decision to plant mangoes, who came up with idea? And why?

R: Ok, mangoes, I thought that since the land couldn’t yield with other crops, let’s plant mangoes because they can also earn us income as a family and can do better in such soils than any other plant.

I: How is the market for mangoes in this village?

R: Well we haven’t harvested because our mangos are still young. But the other people in the village who gave us the seedlings and have mangoes, have the market and are earning well from it.

I: Ok, thanks for explaining that to me and before we proceed to another topic, is there some thing that you would like to tell me about your family that you think we haven’t talked about?

R: Maybe about the problems we have as a family which is lack of enough income in the family. And, we don’t have enough land for cultivation which forces us to look for land to rent elsewhere.

I: Oh, I see, you told me, here where we are is the land that was titled? If yes, how big is it?

R: Yes, but you see, your things of surveyors we don’t understand then, because they talk in acres. And the fact that I have never measured it, I don’t know how big it is.

I: But if you can make any estimate how big do you think it is? Or how many acres did the surveyors tell you your land is?

R: I think it about 3 acres

I: it seems a bigger plot of land do you have workers who work on it?

R: No, we don’t have workers

I: How about the other plot you own, how big is it?

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R: The other plot is also approximately 1 acre.

I: So, how did you acquire this plot where you stay?

R: This plot at is titled, I got as inheritance from my father but the other plot I bought it.

I: Tell me more about the land you inherited, how did it go?

R: After our father died, he had made a will and we inherited everything that he had. So, that’s how I got this plot.

I: Ok, will ask you more about that but now I would like to know about your education background. What is the highest level of education that you attained?

R: Me, I never studied, I stopped in primary three.

I: So, you told me you father also stays in this village, how long have been in this village?

R: Now I’m 46 years old and have been staying in this village for all my life.

**General land**

I: Thank you for explaining all this to me but now I would like to ask you about general land. How do people in this village acquire land?

R: In most case the way I got this land is the same way other people get land in this village. That is through inheritance from their parents. Others look for money and buy land, but they are few. Most of the people in this village get land from their fathers.

I: Ok, tell me about the process of buying land in this village.

R: Ok, when you have money, you can ask from other people and find out who is selling. Then you bargain and if you agree, you go to the chairperson and make an agreement. The chairman stamps the agreement after you have paid for the land.

I: Talking of agreements, what does is mean to own land? What does land ownership mean to you?

R: Land ownership is like now that I have a land title. That’s when you can know that you own land otherwise if you don’t have title people know that just you have land where you stay but they might not know that you own it. And any time someone can steal it from you but this one where I have my title nobody can steal it.

I: How does some steal your land when you don’t have a title? Give an example.

R: Yes, some can get a title for land without your knowledge if you don’t have a title already and chase you away from the land.

I: Has it happened before in your village? tell me about it?

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R: Yes, can bring a title and plant stones in your land before you know it, they grab your land. It has happened in this country, not once or twice but many times. For example, there’s a neighbor in another village that put stones in another person’s land and the case went to court but in the end the person who had a title, is the one that won the case and grabbed the neighbor’s land. Some other times land titles are duplicated because I know to get a title you need all the neighbors to your land to sign for you but people forge them and you find they have fake signatures of the neighbors but if you have a title even though the person has more money than you, you can get the land back if you report to the authorities.

I: Just to be clear, has this happened in this village and what action was taken in such cases?

R: Yes, it happened but nothing has happened to help the poor. Because the people who do such already know the owner of the land is too poor and he can’t do anything about it. But if it was possible, everyone would get their own title but due to lack of enough money, it’s not possible.

I: If someone in this village wanted to gain access to land that he does not own, how would they go about it other than renting that you have already talked about?

R: Other than renting land, you can buy land. You just tell other people if they find land for sell or rent, to inform you about it.

I: On that point, if someone wanted to sell his own land, does he need to consult other people in the community?

R: Well, he can only consult his family because other people might not be concerned on the land. If the family agrees, he can go ahead and find a buyer.

I: Why do you think he shouldn’t consult people outside the family?

R: Because you see, people outside your home can not decide for what to do with your land. Other people can agree with you to sell your land. But they say if your wife and children don’t agree, you can’t sell the land

I: But who says that if your wife and children don’t agree, you can’t sell the land?

R: Let’s say you have agreed with other people and the chairperson and your wife, to sell part of your land but your children don’t agree, I can’t be done. It’s not possible.

I: I would like to know why it’s not possible to sell your land without the children’s approval yet it’s your land?

R: It’s not possible because the children have not agreed and according to the local council laws now, you cannot sell land without your children’s signatures. The law says if you want to sell anything with the family you must first agree with the family members.

I: Tell me more about this law, when did it start?

R: Ok, I this this law started in 1995

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I: And what does it say? Tell me more. How did it come by?

R: As a man if you want to sell anything in your household, you must agree with the family first and if they disagree you can’t sell.

I: Does such a law work in villages like this one?

R: Yes, it works because people follow it. Especially the buyers because if a buyer doesn’t follow it and later the children or wife disagree with sale, it’s the buyer that loses. That’s why a buyer needs to go to the chairman and make sure the children and the wife have agreed. So, that why the law works in villages.

I: Oh, I see, how can a person who owns land in this village but does not stay in the village, keep control of his land?

R: He can keep control of the land but also has some fear especially if the land has not title. Because the ways to steal land without a title are easy. But if the land has a title, even if you spent 80 years, you can be sure the land is ours.

I: I’m curious to know what causes this fear on land when a person doesn’t stay in the village? is only when you don’t have a title?

R: What makes them afraid is that they are far away from the land and they can’t be sure of who is stealing the land. It could be the neighbor they left in charge of the land. Because neighbors can cultivate near your land and they keep stealing the land using a hoe buy encroaching a few meters into the land. By the time you know it, because you are far, you find the have already stolen like 8 meters of the land. If it’s like a fenced farm, they can shift the fence poles and when you came back after like 3 years, you find that your land has been stolen.

I: So, what would you advise someone who has land in this village but does not stay in the village?

R: The best option would be to get a land title if they have money. But like had told you most people don’t have money to process titles but that would the best option to control your land

I: Is there any other way in case you don’t have a title?

R: No, that’s the only way.

I: If someone wanted to use this land what ways would he go about it?

R: Now that there are phones, you can contact the of the land and agree to use the land or you can talk to the caretaker of the land and reach an agreement to use the land. By renting it by the way because you can’t get free land in this village.

I: So, you earlier told me that you have sold land before, tell me about it. How did it go?

R: I like told you earlier because of poverty and lack of school fees for my children, I agreed

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with family that it was the only way to get school fees for our children. So, I contacted my neighbor who had money, we agreed on the fee. So, that’s how it went and sold my land.

I: So, you sold to your neighbor?

R: Yes, when I told him, he came and looked at the land, we agreed the amount, after we called the chairman and other neighbors and signed an agreement.

I: So, how big was the land that you sold?

R: It’s was 1 acre and a quarter.

I: Like you told me that you can’t sell land without your wife’s signature, in your opinion, what are the advantages of including a woman’s name on such transaction document?

R: The good thing about it is that, things are for the family and we men sometimes, we are greedy, you can sell land without your wife’s or children’s knowledge and don’t put the money into good use but if the wife signs on such a document, she knows how much the money is and what it is going to do which is good for the family.

I: Anything else good about including a woman’s name of transaction documents?

R: Yes, it’s like, if there is when a woman who wants to turn against the buyer and say she was not aware of the sale. But if she has her name on the agreement then that can’t happen because the buyer has proof. That’s why even children should also sign that in future they don’t say the didn’t their parents sold the land.

I: And what could be the disadvantages of including a woman’s name on these transaction documents?

R: there’s no disadvantage of including a woman’s name on such documents because it’s proof that whole family has agreed to sell the land. Otherwise the buyer can wake up to find children using the land and if he asks, they tell him they weren’t aware of the sale of their land. Then it’s now upon you the buyer to report the case to the chairperson. The worse scenario is when the wife and children are not included in the agreement and man dies and the children claim the land. They owner might have agreement signed by the man but lose the land because the wife and children did not sign on these documents. Because the children don’t have proof that it’s their father that sold you the land. In that case they can remove the buyer from the land.

I: Has it happened before in this village that a person sells land without his wife and children and later when dies, the children and wife claimed the land? Tell me about it.

R: Yes, it has happened before. There one person that sold the land and died but later when the children returned the buyer was chased out of the land.

I: Was this case in this village?

R: Yes, there is a man who lived on that side of that hill

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I: Where were the children living when their father sold the land?

R: All of them were doing their business elsewhere.

I: Did this case go to the courts or it was solved at local level?

R: The case went to court and questions were asked on how the buyer got the land without the children and wife signatures and ended giving the land back to the children. and the law is there you can sell without the family approval. So, the man lost the case just like that.

I: Ok, you told me that you inherited land from your father, how did it go? tell me about it?

R: For us, our father, we were 6 boys and before he died, he gave each on of us our share and showed where our boundaries go. So, when he died, everyone went to his land and started using it.

I: Were you married at the time you started using your share?

R: No, I was not married. But after that, it’s when I built here and married

I: You have only talked about boys, didn’t have sisters?

R: Yes, we had sister too and were also given there share of the land. And that land now is where our mother stays. But all the girls are married and in case the marriage fails they can come back and use their land.

I: How many are the girls?

R: They are 3 girls and if our mother dies the will share the land amongst themselves.

I: I thought it was only boys that inherit land from their parent?

R: No, that was long time ago but now, even girls inherit land.

I: Ok, what has changed today?

R: You see now there is gender equality, and both boys and girls are now equal. People saw it was not right to give only the boys, yet they are all children.

I: How did it happen that people started realizing that now, both girls and boys are equal?

R: At the time, it was minister Matembe Miria that found out the boy were favored more than girls and started a campaign and took the matter to parliament and a law was passed for gender equality. It was also in the 90’s there but before, our mothers weren’t getting land.

I: Thank you for explaining this to me but do expect to inherit more land?

R: No, I don’t expect to inherit more land because nobody will give it to me.

I: Ok, so, you had told me about people in this village being afraid of losing their land, tell me more about.

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R: Yes, people are very afraid of losing their land because when we were being given these titles, you could see the egger in people to get titles. Most of them were wondering how much it takes to get a title, but we told them, we also didn’t know because our titles were free. but in the end when brought the titles, they told us it’s around 2.5 million shillings for the land like mine. But people don’t have such money, but you can sense the need for the title. What most people are afraid of, is that now we are in a town council, and any time the town council tell you, we want to make a road here and if you don’t have a title they can’t compensate you well. For example, I have marram soil on my land, town council can come an tell me they want to use this marram to construct roads, if I don’t have a title, they can do whatever they want. Other thing is, a rich man can come and buy land next to your land and build a mansion next to you. Only that, makes people afraid for their land. Because most people who buy land in this village, don’t buy a lot of land. They buy small pieces of land but get titles for them and build good house there. And the local people who have bigger land that they inherited get afraid.

I: What exactly scares people when rich buy land in their villages?

R: If it was people they are used to in the village, they wouldn’t get scared but if see people that they don’t know well, buying plots of quarter an acre and investing in a lot of money to build houses, the get afraid.

I: Has it happened in this village that a rich person grabs land from someone in the village?

R: No, it has happed, but I think in the future it might start happening and that’s what people fear.

I: So, what do you think should be done to help people who are afraid of losing their land?

R: The solution is to help them get titles because most people don’t have enough money to get titles.

I: Ok, what does family land mean to you?

R: Family land means that every in that family has authority over that land. Because there can not family without a wife and children. So, it means they must have authority on that land for it to be family land.

I: So, you mean family land is land for the husband, wife and children all having authority over that land?

R: Yes,

I: But some people say family land is land for you and your brothers that your father gave you to use together?

R: You see that’s president Museven’s idea but for us we have already jumped it and shared the land. But why it doesn’t work is that, you find in a family, the father has left you with a farm and a banana plantation.

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But not all the children can afford to buy a cow and put it on that farm since we all can’t be equal. But if you have your own part, you can also do things that you can afford to do. But if it’s one piece of land for all, you find that others are gaining a lot from it and the others are not. Therefore, that’s why we decided to share our land because we can’t all have money at the same time. But if you have your own share, you can choose to plant trees, graze sheep if you can’t afford cattle.

**Baseline awareness of titles**

Thank you for explaining this to me and I am getting the picture. But now I would like to ask you about your thoughts on land titles.

I: So, tell me, how do feel about your title.

R: I feel good about it because it can help me. If I had this title before I sold off the plot, I told you about, I would never have sold it. Because I would have taken it to the bank, and I get a loan and pay school fees and pay the loan slowly.

I: Oh, I see, but tell me about the process of getting this title, how did it go?

R: At first, we didn’t know it was a title because we were visited by more than five different people asking different things and we thought they were doing “research”. Even others that would have gotten titles, but only 3 of us got titles out of the 5 people that were selected in the village. I think the other feared the thing we were talking about. Because the first people that came, measured the land and I think some people got scared that their land would be stolen. So, the 7th person is the one that told us that we were going to get titles and we became very happy. Until the surveyed our land put stones and we got our titles.

I: Were you given any conditions for example if you don’t certain things, you would not get a title?

R: No, the were no conditions, we were taught about the purpose of getting title and one them is the one I told you about being in a town council and the importance of having titles.

I: Since there were no conditions on the title, tell who are people on your title, and tell me in detail the reason why you choose to include those people on the title?

R: The people I included on the title, is my wife and my children, because I might no longer be alive, and my wife and children can use this title without pointing fingers at one another that they are not included on the title. For example, having only my wife’s name and she later chases away the children that they are not on the title or the children chasing away their mother because she wasn’t included. I wanted everybody in the family to have authority on the land.

I: So, how did arrive to this decision to include your wife and children on the title? Did you discuss it with your wife or children?

R: The way they were asking everyone separately, they asked me what would happen to the land

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if am dead, whom would I want to remain on the land and who I want as an heir? So, with these questions, I thought it was right to include my children and wife in the title. The children were not around, they were at and my wife since they were taking to us separately, we did not discuss it. But I thought it was best that I include them on the title.

I: I’m curious to know why you thought it was the right thing to do to include your wife and children on the title?

R: I wanted this to be family land and you can’t have a family without a wife and children. you first get a wife, then children and that a family. So, it means the land is there’s and it also mine.

I: So, why do think other husbands choose not to include their wives on the title?

R: It’s also their thinking and it also depends on how the marriage started and is now. Because you find some women in 5 years, they separate with their husbands 80 times. And a man asks himself why he would include such a woman on his title. Other men think that their wives will not share land well with their children when the husband is dead and decide not to include them but me, I had a different thinking.

I: What has your experience having the title for example what in your life that has change because of it?

R: There has not been any change so far because we recently got the title. So, we haven’t sat down like a family to discuss what to do with our title for example getting a loan that I told you about. So, we have discussed to see what to do with the title because the children are still in school.

I: So, are there thing that in your life you expected that change, but haven’t changed?

R: Yes, like I told that the children are still in school, but there are a lot of things that I need change because when you are cultivating, but without investing in good money but if take this title to the bank and get money you shift from using hands to cultivate or plant more and earn more

I: So, that means you haven’t gone to the bank yet? How about the other 3 that also received title, have they used them to get loans?

R: We haven’t gone to the bank yet and I know if the other 3 have also gone to the bank.

I: So, which banks would you go to or which banks do most people use to get loans in this village?

R: Because we are in a village not a town, we have our SACCOs the we can use.

I: Actually, when we were coming here, I noticed a big signpost of Rwanyamahembe SACCO. So, is there any SACCO where you have an account?

R: Yes, we have an account in Biruga omututu SACCO.

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I: From its name is only for the famers, or even other people can join

R: It’s mainly for farmers.

I: So, in general how do you think other people think about titles?

R: Like I had told you, there is no one who does not like a good thing, but the only challenge is lack of enough money. but everyone would want a title.

**Intra-household discussion and bargaining**

I: Thank you for explaining this to me, but I would like to change the topic and ask you about your marriage and the discussions you could have had with your wife before getting a title. But I would like to first ask you, how long have been living together with your wife?

R: We have been living together for 25 years (respondent picks a phone call)

I: Do you mind telling me about your 25 years of marriage?

R: You know, marriage is not easy because most of us, we started our marriages without money, got children without money but now were are ok because our children are going to school and we don’t have any problems with my wife, and for that reason that’s why I decided to include my wife on the title because we have never separated. Even the children have not disturbed me either.

I: Are you legally married for example do you have a marriage certificate?

R: No, we are not officially married

I: So, do you feel supported by your wife? How?

R: Yes, because in everything we do, we must sit on the table and discuss and agree together. If I have an idea, we discuss it and she can also give me advise. If we agree on a certain thing that we would like to do, I feel supported by my wife. And we most of the times agree. So, I can say, she supports me.

I: Can you give me an example of how you felt supported by your wife recently.

R: For example when we were taking children back to school, I suggested to her that, let’s sell our goat and get money to take children to school and she said she have some money she had been saving in a village saving group and instead of selling the goat, we used that money. Or take a loan from that saving group and I this way, I feel supported by my wife. I most cases it is doing everything together with wife, that I feel supported.

I: Ok, why do some couples don’t feel supported by their partners?

R: Like I told you, everyone has their own thinking. Sometimes the women we marry, get

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married when do know why the got married. Even men too, get married and don’t know why they marry. You get married to some because they have money and later the money reduces and start quarreling day and night. Some other times, men tell a lot of lie before marriage and later when the woman finds out the truth, that’s when mistrust begin and, in the end, you have conflicts in the home. Because of lack of trust, each one starts working separately and there is no support for one another.

R: Ok, like you told me you discuss everything with your wife and come to agreement, but make the final decision in the household?

I: When I bring my suggestion, she also brings hers and we agree together and go with the best option. We look at what’s right and what’s wrong and decide together which one to go with.

R: You told me that you did not discuss with your wife on the decision to include her name on the title, I’m curious to know why you did not discuss this decision with your wife?

I: That was not possible because everyone was talked to separately and when they asked me whether in include anyone’s name on the title, I decided to include my wife and children.

I: So, in your opinion, how much do you think your wife knows about titles and land titling?

R: I think she know less because we recently got the title and we both didn’t know much about them before we got this opportunity and we haven’t sat down do discuss about the title.

I: Thanks for explaining all that to me. Am wondering; what do you think the title means to your marriage? What does she think about her name being included her name on the title means to your marriage?

R: I think she now understands that the land now belongs to both of us and if not there, she is the owner of the land. That’s the first thing she knows. Secondly, she knows that if we need money, we can take this title to the bank and get a loan, buy more land or invest the money. This means the title can earn us money and as you know most of the problems in a home are causes by lack of enough money, so, this title can help reduce conflicts in our marriage. But we have not been having many conflicts.

I: Thanks for explaining this to me, but now, I would like as you about norms around land. We understand that most land is owned by men in Uganda. There are some aspects to this system we’d like to understand especially concerning women. We do not have an opinion on them in one way or the other, but we would like to know what you think on this subject. Do some women own land in this village? how did they acquire this land?

R: Yes, some women own land in this village. some buy land, others inherit land from their parents.

I: Is there an example of a woman who owns land in this village you can give me?

01:04:02

R: Yes, there is woman behind here who owns land, but she is a widow and got land from her late husband.

I: So, that’s another way how women come to own land in this village?

R: Yes, and it’s the commonest because there are few women who can afford to buy land in this village.

I: Are there women who jointly own land with their husbands for example those who work together with their husbands and buy land.

R: That’s very good if people could work together to buy land but it’s rare in this village.

I: Ok, do you think women want to jointly ow land with their husbands, or they prefer their own land separately from their husbands?

R: It would be better to jointly own the land and know this land is for the family. I think most women in this village would also prefer to jointly own land with their husbands. And like I have told there are very few women who can afford to buy their own land.

I: Ok, I would like to know if your wife inherited land from her father.

R: I think she will because her father is still alive, but I hope she will inherit land.

I: Lets assume she has inherited land from her father, what would happen to this land? What authority would you have on this land?

R: It would be far from here and it would better to sell it and buy other land here but that depends on her because me, I don’t have any authority over that land. If she can’t sell it, then it can stay there because women always have this fear that what if the marriage fails and we separate with my husband.

I: So, why do you think women always have this fear of separation?

R: It’s their thinking and it usual because of what other people tell them. It might not be her thinking, but they easily get influenced by other people. because women always say that if you inherit your land join it with the husband’s land, the man will have more authority on that land that a woman or even take it from the woman.

I: You have told me about the law that prohibits men from selling land without their wives’ approval. I’m wondering if this law applies even when the man has a title that does not include a woman’s name?

R: It doesn’t matter whether her name is included on the title or not for example you may have had your title before you married, but still if you want to sell that land, you must first consult your wife. Because after marriage the land becomes for the family, even when you already had buildings in Kampala, if you want to sell them, you should consult your wife.

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I: Ok, do widows sometimes remarry?

R: Yes, they do remarry.

I: What are some of the reasons for remarrying?

R: They remarry especially when they are still young.

I: So, can a widow stay on the land with the new husband or she must go elsewhere?

R: No, if she remarries, she must go elsewhere with new husband.

I: Tell me more, what happens to the land when she remarries goes elsewhere?

R: If she remarries and goes with new husband, the relatives to the man or the children take control of the land but for her she can’t stay on the land.

I: I’m just wondering, why can’t she remarry and stay on the land? What if she has children to care of the former husband wouldn’t it better to stay on land and take care of these children?

R: That’s a mistake to bring another man in the former husband’s land because this new husband did buy this land and this land belongs to the children of the former husband. She can have a man secretly on the land if she not going to have more children. but if she wants to have more children, she can’t stay on the land.

I: So, what happens to the land if she remarries and gets more children with new husband?

R: This can bring conflicts on the land but the children of the new husband, have no authority over this land. This land belongs to the children of the former husband.

I: Ok, is it ever the case in this village that a male relative tries to grab land from the widow?

R: Yes, such thing happens, but these days, it’s well known that if a man dies a widow takes control of the land and property of the man. So, relatives to the man these days find it difficult to grab widow’s land. If she has her children on the land, there is no way you can chase her away from the land.

I: So, what if she doesn’t have children, can she stay on the land after the husband dies?

R: If she doesn’t have children, she can’t stay on the land. The relatives can chase her out of the land. Because nothing shows that she has been a wife in that family. Children are proof that she belongs to that family otherwise the land goes back to the hands of the relatives of the husband.

I: Ok, has the treatment of widows changed in recent history?

R: Yes, it has changed because the past you could find widows suffering, being chased away from the land and not given the husbands property. But now, widows stay on the land and manage their husband’s property.

I: So, what has caused this change in treatment of widows?

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R: I think it’s because of the laws. Government laws are in place to prohibit the relatives and other people from disturbing the widows because it now well-known like I have told you, if a man dies the woman must take control of all the property of the former husband. Because now if the widow feels disturbed by the relatives, she can report anywhere, and her case can be heard.

I: At which levels are these laws?

R: These laws are at local level and LC3 is the highest level a widow can report to. For example, if she reports a case a LC1 and it doesn’t get resolved, she can proceed to LC2 up to LC3. At LC3 such cases usual get resolved.

I: I’m wondering, do people follow these laws?

R: Yes, they are followed because no one is above the law. Laws are laws they must be followed

I: Do the rich people you told me about earlier also follow these laws?

R: Yes, but the problem is that they prolong a cases and the poor get frustrated because sometimes the poor don’t have money to keep going to court. They can even take the case to Kampala so that the poor can’t not afford to go there, time to time. They end up grabbing their land because the get frustrated and give up.

I: Remind me, when were these laws enacted?

R: It’s in 1995. They were passed in the parliament

I: Ok, in general, what makes husbands want to include their wives’ names on the title?

R: I think if there is trust in the family, where you find the man and woman agree together in the home, then a man can include the woman on the title.

I: What problems would arise from not including the woman’s name on the title?

R: I recently found out that if you don’t include a woman’s name on the title, children tend chase away their mother in case the man dies. For example, there family in this area that are chasing away their mother from the land.

I: Would you mind tell me more about this family?

R: The man had his two sons but on of the sons died. When he died, he had children and a wife that stayed on the land. Their father had made a will before he died. Now, the other son who is a live made his own will and is chasing away the children and the mother of his late brother. And the children too have their grandfather’s will that they are basing on to stay on the land. In this will their grandfather disowned the son who is still alive. So, the case is still in court.

I: So, whom did the father leave the will to?

R: The father left the will with his close friend and the will was read to the whole family after his death.

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So, his grandchildren are using this will to chase away their uncle from the land because it says in the will that he was disowned by their grandfather.

I: So, who was in control of land when the father died, since he had disowned the son and the other son had died?

R: The father dad left the land to his daughters and grandchildren.

I: So, how do you think having a joint title can help in such a situation?

R: You see, if you include everyone in the title it can help reduce disputes on the land. For example, if the father had a title it would be easier to settle this case because the title can’t be duplicated in the same the so other son has forged his own will. Because there is a lot of confusion on which will is right or wrong which might lead to both parties killing one another.

I: You had told me that including your wife’s name on a title reduces conflicts in the family, tell me more about it.

R: If the woman is included on the title, she gets her authority on the land and even when the man dies, no one can chase her away from the land. This makes her more responsible for land and family at large. In that way conflicts in the home reduce because the woman feels more comfortable in the family.

I: I’m wondering then, why do other men think that including a woman’s name on the title increases conflicts in the family?

R: Most me who don’t include their wives’ on the title, already it’s a sign of lack of trust for one another and most of the men think that since the already don’t trust their wives, if they include them in the title, the wives will become more disrespectful since they are sure that they own the land too which leads to more conflicts. But for a think a disrespectful woman remains the same whether you include her on the title or not.

I: So, how would a person resolve conflicts that arise after including a wife’s name on the title?

R: Me I think including your wife on the title reduces conflicts. By the time you include her on the title it means you don’t have conflicts and they won’t start after including her name on the title, no. for example, including my wife on the title, we did not argue who should be included or not. If we didn’t have conflicts, then they can’t start now that I have included her name on the title.

I: In other families, if there are conflicts after including the wife’s name on the title, how do you think can they be resolved?

R: There are organisations that were put in place to mainly deal with conflicts in marriage, I think in this case they can help to resolve such conflicts.

I: Would mind giving me examples of these organisations?

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R: I can’t tell their names, but I hear them on radio.

I: Thank you for explaining all that to me. I would like to ask you about land disputes. what is the common cause of disputes over land?

R: If you find that you don’t cooperate with your neighbor, they first deny you a road to your land by stopping you from passing through their land. Then disputes begin and end up going to court. In the end the court force your neighbor to give you a road to your home. The other cause is when people try steal their neighbors land for example those who don’t stays on the land. After like a year people who don’t stay on the land come find that the boundaries of their land have been shifted and a few meters of their land stolen. This also causes disputes and is common in villages like this one.

I: Can you give me a recent example of a land dispute in this village

R: Yes, in the same way I was tell you about, it was about the road where the neighbor refused give a road to the other neighbor and the case went to court for a long time. But later the person who was refusing to give a road to his neighbor later died. But case was already in high court in Mbarara.

I: So, what happened after his death?

R: After his death court directed that there should be a road and now it there. And the complainant was also directed not ask for compensation in damages during the case since the other person had died. Because he got the road the court found it fair not again ask for the family to pay for damages since the person that would pay for damages was dead.

I: So, what is the common cause of land disputes within a family?

R: It caused mainly by misunderstandings in the family for example, you can find 4 boys in a family fighting one another claiming the others took a bigger share of the land or they fight for the location of their shares where all of them want a particular plot of land. Some times it happens that, before sharing the land one of the son has already prepared virgin land and has been using it but when the father dies and they want to share the land, the others boys all want this land that has already been prepared. Also, men who sell land without their wives’ approval.

I: Is common in this village that men sell land without consulting their wives?

R: It’s not common these because buyer can’t buy without the wife’s signature but otherwise it would be happening.

I; Ok, how do land conflicts get resolved within a family?

R: Most land conflicts in families and outside the families are all resolved by courts because other means all fail. So, it the court that decides.

I: What other ways do you try to resolve these conflicts and why do they fail?

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R: Of course, if there is a land conflicts the first thing to do is call the other party in the conflict and other people in the village and try to resolve it. In most cases, the chairperson is always involved in these conflicts. And a solution is always given but people refuse to accept and move the case to the next level and keep going when the lose up to court.

I: I see you first try to resolve the case by involving other people in the community but at what point should the community get involved in these conflicts.

R: You see, it very hard to convince someone on the matters of land without the help of the community. Therefor the community must be involved from the start so that it can help to resolve the case very fast. If that was the case, people wouldn’t go to court, but you can tell someone that this is someone’s land, and this is his boundary and they insist yet we all in the same village and we know everyone’s boundary.

I: So, would it help to resolve land conflicts if someone has freehold title for example in the case of the man that refused to give his neighbor the road?

R: Yes, because when you have a title I think if someone refuses you not pass through his land you can’t take the to court but also with the title the roads can be clearly demarcated so that everyone knows there must be a road here. But in the above case, the person who sold the land to owner of the land now, was his brother and for him he had given the neighbor the road but when this other brother bought the land, he decided to brock the road.

I: So, in general what should be done to help people who have problems of land security?

R: I think the government to should help people and reduce on the money required to get a title so that everyone can afford to have a title. That’s the only way people can be helped.

I: So, how about you, have you ever had any disagreements over land?

R: No, I have never had any problems on land.

I: Can you tell me how you have managed not have any land disagreements?

R: You just decide to leave in peace with other people. if there is any problem, you try and talk to your neighbor and come to agreement (respondent picks a phone call).

I: We are about end our interview and you were still telling about how you have managed not have any land disagreements.

R: Yes, I was telling that when you staying with other people, you should avoid conflicts because if you don’t know how live with other people, that’s when disagreement increase but when you that you have made a mistake, you can explain to other people and avoid getting into conflicts.

I: I see, not all people have the some thinking as you and they could the ones causing the conflicts.

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R: You see, for example if your neighbor is digging and encroaches on your land, you call that neighbor and talk to the about their mistake and ask them not procced digging into your land. And make the land together with *emigorora* (plant used for land marking) so that next time they will not exceed their boundary.

I: Thank you for all that you have explained to me. But lastly, whom do you thinks we are?

R: I think you are part of the people that gave us free land titles.

I: And whom would you say gave you the land title?

R: It’s the world bank

I: Well, thanks again for time today, and if you have any questions you can ask.

R: What I would like to ask is that, we are five people in this village, chosen to receive titles but only three of us got titles. I’m wondering what could have been the problem.

I: I’m also not sure why they did not receive their titles and that’s one of the reasons why we are conducting these interviews. So, we shall talk to them and get to understand why the did get their titles. And if you have any other questions in the future about land, feel free to contact the number on the latter I gave you.

R: Ok, I will again read through later

I: Well then, thank you.

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