Land Related Disputes In Uganda And Pathways To Addressing The Conflicts From Citizens' Perspective

by

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Abstract

In this paper we use empirical evidence in Uganda to examine land related disputes and citizens' preferred choices to resolving land wrangles. The thrust for undertaking this study was that despite various legal, policy and institutional measures put in place by the government of Uganda to curb land related wrangles, disputes over land have astonishingly become the order of the day. First, we employ a probit model to explore the factors predicting the likelihood of encountering land related disputes. We then examine citizens' perceptions in regard to who they consider to be best suited to handle these disputes; and thirdly we use a multinomial choice model to explore the role of socio economic and demographic variables in predicting households' choice of the authorities perceived to be best suited to address land disputes in Uganda. The findings are based on Afrobarometer dataset for a nationally representative sample of 2400 adult Ugandans. Findings show that 23 percent of Ugandans have been involved in land disputes over the past five years. The main types of land conflicts experienced include disputed land boundaries (46%), family land wrangles (30%), land frauds (23%) as well as land grabbing/illegal settlement (22%). The most trusted authority in addressing land disputes are traditional or informal structures involving clan or family members (44%). These are followed by Local government leaders comprising District and sub county leaders (24%) and formal courts of law (22%). The study found out that gender, education attainment, direction the country is taking, lived poverty, and regional variations significant factors ($p<0.05$) in predicting the probability of encountering land disputes while rural-urban differences were statistically insignificant ($p>0.05$). Our findings further show that educational attainment, age, citizens perceptions of the direction which the country is taking, Region, and Lived poverty are significantly vital ($p<.05$) in shaping citizens' preferences for authorities best suited to address land-related disputes. A key recommendation from the study was the need to establish collaborative frameworks involving local leaders, clan heads, and government representatives in resolving land disputes. This inclusive approach ensures diverse perspectives are considered and leads to culturally sensitive and widely accepted resolutions.

1.0 Introduction

Land is a finite resource with a perfectly inelastic supply curve, no matter how high the demand rises, the total amount of land remains fixed (Samuelson & Nordhaus, 2010). As a fundamental factor of production, land plays a pivotal role in economic activities, forming the foundation for agriculture, real estate, industry, conservation and natural resource extraction. Its scarcity makes

it an invaluable asset, central to both economic development and societal needs. In this regard, Temesgen (2020) contends that as populations grow and economies expand, land becomes a battleground as well as a centre for social, economic and political life and other competing demands all vying for space and this in turn generates land disputes, land grabbing, and conflicts over ownership and use, as individuals race to claim their share and seek to benefit from this precious asset.

In Uganda, land disputes have become alarmingly frequent. News reports in contemporary Uganda's media are rife with cases of land evictions, property destruction, unauthorized exhumation of graves, and even brutal murders linked to land conflicts (Aljazeera, 2023; Nalweyiso, 2023; Oyel, 2023; Human Rights Watch, 2023; Uganda Police Force, 2021). Between 2004 and 2020, land-related problems surged from 5% (Deininger, 2004) to 22% (Hiil 2020), with severe consequences disproportionately affecting vulnerable groups like widows and orphans. Poor households, in particular, bear the brunt of these conflicts, which not only threaten livelihoods but also hinder economic progress and exacerbate inequality (Wandera, 2022).

In its 2022 crime report, the Uganda police highlighted a rise in land-related crimes, from 478 cases in 2018 to 561 in 2022, representing a 17% increase. Fraudulent land titles, false registrations, criminal trespassing, and land grabbing were identified as the most common forms of land-related crime (Uganda Police Force, 2023). Similarly, a recent study by the Hague Institute for Innovation of Law (Hiil, 2024) identified boundary disputes and land grabbing as the most serious land conflicts in Uganda, with 23% of Ugandans reporting land as their most pressing legal issue. The costs involved in land dispute resolution render many helpless (Hiil, 2020). Whereas the law gives strong protection to bibanja-holders who are among the most vulnerable groups that they cannot be evicted as long as they pay an annual nominal rent (Obusuulu) fixed by law (Aljazeera, 2023), in practice however, cases of eviction of bibanja holders or being forced to share their bibanja with mafias (Monitor, 2023) are rampant (Hiil, 2024).

Formal courts handling land cases are being castigated for not doing much to help solve land problems. In such courts, land cases tend to drag on for too long without delivering the required justice (Judicial integrity committee, 2011). Formal courts are also viewed as corrupt and unjust, especially to poor and vulnerable people without the social connection to support their claim and accompany them through the legal process. The Judiciary (2017) report revealed that a significant

number of fraudulent and irregular land dealings in Uganda are reportedly facilitated by the land registries and in other situations, magistrates and judicial officers have been accused of corruption and taking bribes from wealthy parties involved in the case (Judicial integrity committee, 2011) hence denying justice to the poor complainants. Due to the slow nature of judicial process many individuals prefer to resolve conflicts through direct confrontation rather than waiting for court decisions (Monitor, 2021). Local government officials are also often overwhelmed by the volume and complexity of land disputes. Such disputes do not only stifle investment on land, but they also divert scarce resources (labour, time and money) to solve them (Obaikol, 2014).

This situation is worsened by the involvement of security forces, who on a number of instances, have been caught on the wrong side of the law for either providing protection to land grabbers (Land Portal, 2021; Monitor, 2021) or being actively involved in land grabbing (Monitor, 2022). Therefore, when institutions meant to protect the vulnerable take long or become compromised, public confidence in formal systems erodes, driving citizens to seek alternative methods of conflict resolution (Kansiime & Harris, 2020., Rugadya, 2009). Community Mediation, Government Interventions, Legal Reforms are some of the efforts that have been initiated to address the problem land conflicts in Uganda but with mixed results (Aljazeera, 2023). How victims would want land disputes to be resolved is of great interest to development scholars and policy makers alike. The paper explores the factors that increase the chances of facing land disputes and examines ways to resolve these conflicts from the perspective of those directly affected.

1.1 Statement of the Problem

Land disputes are among the most common and contentious conflicts in both rural and urban areas of Uganda (Obaikol, 2014). Reports of land evictions, property destruction, unauthorized exhumation of graves, and brutal murders linked to land conflicts are increasingly dominating Uganda's media. The slow pace of the judicial process exacerbates the situation as victims resort to violent confrontations instead of waiting for court verdicts (Nile Post News, 2023). Despite the alarming rise in these disputes, there remains a significant gap in the empirical research on the risk factors driving land conflicts, as well as citizens' preferred methods for resolving them. This study seeks to address this critical gap by identifying the socio-economic, cultural, and institutional factors contributing to land disputes. Furthermore, by integrating the perspectives of those directly affected, the research aims to amplify the voices of citizens in shaping land dispute resolution

mechanisms. Understanding which authorities or mechanisms citizens trust most for conflict resolution offers valuable insights for policymakers and stakeholders in designing effective, community-responsive solutions. Ultimately, this research aims to contribute to the fields of land governance and conflict resolution, providing a foundation for more inclusive and sustainable development outcomes in Uganda.

1.2 Specific objectives

(i)   To explore the factors associated with the likelihood of experiencing land related disputes.

(ii)   To examine citizens' perceptions in regard to who they consider to be best suited to handle land related disputes in Uganda.

(iii)   To analyze the factors shaping citizens' choices of officials considered best suited to handle land related disputes in Uganda.

2.0 Literature Review

Land disputes in Uganda constitute a significant portion of cases in formal courts. The persistent nature of these disputes, along with their negative impacts highlight the need for effective conflict resolution mechanisms. This section presents a review of existing literature of risk factors for experiencing land disputes as well as an overview of various dispute resolution mechanisms.

2.1 Factors associated with the likelihood of experiencing land related disputes

Research has consistently shown that gender plays a significant role in land disputes, with women often facing more disadvantages compared to men. A study conducted by the World Bank (Deininger, 2004) in Uganda found that female-headed households were more affected by land conflicts than their male counterparts. This disparity is largely attributed to the fact that women are less likely than men to possess documentary evidence of their land tenure (Norwegian Refugee Council, undated). The vulnerability of women is exacerbated when the male head of a household dies, as they become more susceptible to losing their land to male heirs or influential community members (Giovarelli & Wamalwa, 2011). USAID (2021) found that female-headed households were 14.9% more likely to experience land disputes than male-headed households. However, female-headed households that had purchased their land were less likely to encounter conflicts,

suggesting that the mode of land acquisition plays a role in dispute likelihood. Further insights from Feyertag et al. (2021), using a sample of 33 countries, examined the perceived security of land and property rights among 28,132 women and 25,048 men. The study revealed that women are more likely to feel threatened by internal sources of insecurity within their family or community, particularly in cases of divorce or spousal death, over the long-term duration of their tenure. However, it was noted that the overall perceived tenure security did not differ significantly between men and women.

Interestingly, some studies point to a different trend where men report land disputes more frequently than women. Although women often feel insecure about their land rights, men may engage in disputes more due to their sense of entitlement and societal norms that support male dominance in land ownership (Hanstad, 2020). Peterman et al. (2010) argue that this discrepancy may stem from women's underreporting of land disputes, influenced by socio-cultural factors such as a lack of awareness about their rights or fear of reprisal. In areas where land tenure is insecure, men are more likely to assert their claims aggressively, leading to disputes. This is especially evident in regions with high levels of land investment and speculation, where the stakes for male landowners are higher (Giovarelli, Wamalwa, & Hannay, 2013). On the other hand, women may avoid disputes out of fear of social stigma or because they lack access to legal resources (Hanstad, 2020). As competition for land intensifies, so does the likelihood of disputes among male landholders (Giovarelli, Wamalwa, & Hannay, 2013).

With regard to location, research also demonstrates that land disputes are more prevalent in rural areas compared to urban settings. One key reason for this as Samilu (2024) explains is the lack of awareness among rural residents about their land rights, which makes them more vulnerable to evictions. Weak governance and reliance on agriculture in Sub-Saharan Africa, as highlighted by Deininger and Byerlee (2022), further exacerbate land conflicts in rural regions. Similarly, Boone (2021) observes that traditional land tenure systems contribute to disputes, while Ahmed et al. (2023) emphasize that fragile legal frameworks in South Asia's rural areas increase the likelihood of land conflicts. Overall, economic dependence on land and weaker administrative structures in rural settings lead to more frequent disputes compared to urban areas.

Education plays a significant role in reducing the likelihood of land disputes. De Janvry and Sadoulet (2020) argue that educated individuals have a better understanding of land rights and can more effectively navigate legal systems, thereby reducing their risk of land conflicts. Monkkonen et al. (2021) similarly found that education helps rural inhabitants participate more meaningfully in local governance, which mitigates land-related conflicts. However, Deininger and Castagnini (2006) caution that higher education levels might also lead to increased reporting of disputes, as individuals become more aware of potential conflicts. In this sense, education can both lower the actual occurrence of disputes and increase their visibility through reporting.

Poverty is a major driver of land disputes, particularly in rural areas. Economically disadvantaged individuals often struggle to assert their land rights, which increases the risk of conflicts. In rural Bangladesh, Ali et al. (2020) identified poverty as a significant predictor of land disputes. Similarly, Mearns et al. (2019) found that marginalized groups in Sub-Saharan Africa are disproportionately affected by land conflicts. Deininger and Jin (2021) further emphasize that poverty creates economic vulnerability, heightening the risk of disputes as individuals with limited resources are less able to defend their land claims.

Age is another demographic factor influencing the likelihood of land disputes. Older individuals may be more susceptible to disputes related to inheritance, as observed by Smith et al. (2020), while middle-aged individuals often face property-related challenges, as discussed by Li et al. (2019). Younger adults, on the other hand, may encounter land conflicts as they seek land for housing and economic activities (Brown et al., 2021). According to the Hague Institute for Innovation of Law (Hiil, 2024), Ugandans aged 40 years and above are significantly more likely to face land problems compared to younger individuals. The report also found that men, individuals with limited education, and those able to meet their basic needs were more likely to experience land-related conflicts.

Land disputes also vary significantly by region, particularly in Uganda. In central Uganda, the mailo land tenure system often results in complex ownership issues, leading to disputes (Bashaasha et al., 2011). In the northern region, the legacy of conflict and the return of displaced populations present unique land ownership challenges, contributing to disputes (Rugadya, 2009). Additionally, rapid urbanization in areas like Kampala has led to speculative land transactions and related

conflicts (Goodfellow, 2017). The Northern region has been identified as the most prone to land disputes, followed by the Central region (Hiil, 2024), underscoring how regional dynamics shape the likelihood of land conflicts across different parts of Uganda. Additionally, land in these regions is critical for agriculture, the main livelihood for many, leading to disputes over fertile land, particularly in areas with significant agricultural potential (Joireman, 2011).

2.2 Pathways to addressing land related disputes

Land disputes along with their negative impacts on social and economic development, highlights the need for effective conflict resolution mechanisms. These disputes are addressed through a variety of mechanisms broadly categorized as formal, informal, or hybrid. This review of existing literature provides an overview of various dispute resolution mechanisms, including formal, informal, and hybrid approaches. Wehrman (2008) outlines several methods, including consensual and non-consensual approaches, customary systems, religious-based resolutions, and land tribunals. These mechanisms aim to foster mutual respect and trust, which are crucial for resolving conflicts. Similarly, Benny (2020) emphasizes the importance of amicable settlements through mediation, where disputes can be resolved without resorting to formal litigation, which is often viewed as a waste of time and resources. Both authors advocate for out-of-court solutions such as negotiation, conciliation, and mediation, highlighting their role in fostering peaceful, cost-effective settlements.

Formal government interventions in land dispute resolution are also evident in countries like Indonesia and the Netherlands. Hariyanto et al. (2024) describe how Indonesia protects land ownership through registration systems, restrictions on foreign ownership, and regional governance plans. Likewise, in the Netherlands, land ownership is safeguarded by a transparent and systematic land registration process, providing legal certainty for all parties involved (Hariyanto et al., 2024). These formal mechanisms, although effective in countries with established legal infrastructures, highlight a contextual gap, as similar approaches may not easily translate to nations with weaker governance structures, like Uganda.

Informal mechanisms, particularly those involving local leaders or community-based actors, are also significant in resolving land disputes. Kigula (1993) discusses how local governments, clan heads, and mutual agreements between parties play a key role in informal dispute resolution, especially in rural Uganda. Benny (2020) similarly notes that local mechanisms often involve

mediation through traditional systems, where disputes are settled amicably, at a low cost, and in a timely manner. Both authors underline the importance of these informal mechanisms, suggesting that they are particularly useful when formal legal channels are inaccessible or inefficient. This convergence of perspectives underscores the efficacy of informal mechanisms in ensuring quick and less resource-intensive resolutions. Mediation is increasingly seen as a viable alternative to litigation in resolving land disputes. Both Benny (2020) and Rahmalia et al. (2024) underscore mediation as a win-win solution for parties involved in land disputes. Mediation offers advantages such as reduced costs and time, and it avoids the bureaucratic delays often associated with formal litigation. This shared view highlights the growing preference for mediation, particularly in settings where formal systems are slow or prone to corruption. Despite its merits, however, the success of mediation depends on the parties' willingness to accept the outcome, which presents a limitation in cases where mutual agreement is difficult to achieve.

Traditional mechanisms, such as those used in Somalia and Uganda, are another avenue for land dispute resolution. In both contexts, conflict resolution is often handled by elders or local leaders through negotiation, mediation, and arbitration (Expanding Access to Justice Program, 2020). While such systems are culturally relevant and often preferred due to their simplicity and cost-effectiveness, they face challenges, including favoritism and clan loyalty, which can undermine their impartiality. This highlights a methodological gap, as there are limited empirical studies examining the extent to which traditional mechanisms can be integrated with formal systems to improve land dispute resolution. Land reforms are also a crucial part of conflict resolution strategies. Pablo et al. (2024) argue that reforms not only prevent disputes but also empower citizens and enhance welfare. While land reforms offer structural solutions, their long-term effectiveness in preventing disputes remains under-researched, particularly in Uganda. The literature indicates a need for more in-depth studies on the impacts of land reforms, especially in regions where historical land ownership patterns and governance issues complicate the implementation of reforms.

2.3 Conclusion

The literature presents a wide range of mechanisms for resolving land disputes, ranging from formal legal systems to informal, community-based solutions. While formal approaches like land registration systems have proven effective in developed nations, informal and traditional methods

remain vital in rural contexts, particularly in Uganda. Despite these diverse options, significant gaps remain in the literature. Contextually, there is a lack of research specific to Uganda's unique socio-cultural landscape. Methodologically, empirical evaluations of dispute resolution mechanisms are sparse, limiting a comprehensive understanding of their effectiveness. Others lack real-time assessments, underscoring the need for more contemporary research on land dispute resolution in Uganda.

3.0 Methodology

The paper draws upon round 9 secondary data collected by Afrobarometer in 39 countries in 2021/2023. Afrobarometer is a pan-African, nonpartisan survey research network that provides reliable data on African experiences and evaluations of democracy, governance, and quality of life. Round 9 surveys (2021/2023) cover 39 countries. Afrobarometer conducts face-to-face interviews in a language of a respondent's preference. The Afrobarometer national partner in Uganda, Hatchile Consult Ltd., interviewed a nationally representative, random, stratified probability sample of 2,400 adult Ugandans between 7 and 25 January 2022. A sample of this size yields country-level results with a margin of error of +/-2 percentage points at a 95% confidence level.

Both descriptive and inferential analysis were employed in the analysis. To explore the factors associated with the likelihood of experiencing land disputes, we use a probit regression since the outcome variable is a binary variable that consists of only two possible outcomes coded as 0 or 1. To determine the key determinants of citizens' choices for officials considered best suited to handle land related disputes in Uganda, this paper uses a multinomial logistic regression, a predictive analysis that estimates the probability of choosing a particular official over others based on a variety of independent variables. The dependent variable has four categories: Local government leaders (who constitute Sub County leaders District leaders), Formal courts of law, Clan/or family and others (i.e., Security forces / Some other leaders). Each respondent is assigned to one of the four mutually exclusive categories. Independent variables include several socio economic and demographic variables.

3.2 Model Specification

3.2.1. Probit model

To assess the likelihood of an individual experiencing a land-related dispute, we define a binary outcome variable Y as follows:

$$Y = \begin{cases} 0 \ \textit{If a respondent did not encounter land−related disputes in the past 5 years} \\ 1 \ \textit{If a respondent encountered land−related disputes in the past 5 years} \end{cases}$$

Given the binary nature of Y, a probit model was suitable to estimate the probability of experiencing land disputes. In a probit model, this probability is linked to a latent variable Y* which represents the underlying propensity to experience a dispute. The relationship between Y and Y* is defined as:

$P(Y=1|X) = \mu(X\beta)$…………………………………..…………………………….1

where μ is the cumulative distribution function (CDF) of the standard normal distribution, X represents the matrix of independent variables, and β is a vector of coefficients. The latent variable Y is assumed to be a linear function of the independent variables:

$$Y^* = \boldsymbol{\beta_0} + \boldsymbol{\beta_1\beta X_1} + \boldsymbol{\beta_2 X_2} + \ldots \boldsymbol{\beta_k X_k}$$
$$+ \boldsymbol{\varepsilon} \ldots\ldots\ldots\ldots\ldots\ldots\ldots\ldots\ldots\ldots\ldots\ldots\ldots\ldots\ldots\ldots\ldots\ldots\ldots \boldsymbol{2}$$

Where:

B_0 is the intercept

$\beta_1, \beta_{2,\ldots} \beta_k$ are the coefficients associated with each independent variable

ε is a standard normal error term

The explicit form of the Probit Model is specified as follows:

$$\boldsymbol{log}\left[\frac{p(xp\_disputes)}{1-p(xp\_disputes)}\right] = \boldsymbol{\alpha} + \boldsymbol{\beta_1(sex)} + \boldsymbol{\beta_2(Educ)} + \boldsymbol{\beta_3(Resd)} + \boldsymbol{\beta_4(Age)} +$$
$$\boldsymbol{\beta_5(lived\ poverty)} + \boldsymbol{\beta_6(region)} + \boldsymbol{\beta_7(occup)} + \boldsymbol{\beta_8(ctry\_direction)} +$$
$$\boldsymbol{\varepsilon}\ldots\ldots\ldots\ldots\ldots\ldots..\boldsymbol{3}$$

3.2.2 Multinomial logistic regression

Each choice of authority perceived best suited to address land disputes requires particular conditioners and at the same time offers diverse possibilities for the victims of land disputes. Generally speaking, in its most simple form, the decision of the authority considered best suited

can be stated as follows: an individual will opt for authority B instead of A, if the expected utility of choosing B is higher than the expected utility of A. In other words, since individuals differ in observable and unobservable characteristics, it is assumed that an individual compares the utility from authority B to the utility from A and will choose B if the discounted marginal benefits from the latter exceed the perceived marginal costs. In the context of this study, the above statement means that an individual i will prefer authority B if:

$$U_{iA}\left(E_{iA,}D_{iA}\right) < U_{iB}\left(E_{iB,}D_{iB}\right) - C_{iA} \rightarrow B(f,d,c) \ldots \ldots \ldots \ldots \ldots \ldots \ldots \ldots \ldots \ldots \ldots \ldots \ldots \ldots 1$$

Where Ui represents utility of the individual i in choosing A or B, which depends on Socioeconomic factors (E_i) such as Education, Employment status, lived poverty, Region and Residence); Demographic attributes (D_i), such as sex and age; and how these attributes are valued in A and B, respectively. C represents the costs to choosing a given authority by the ith individual. These consist of out-of-pocket costs equal to all costs (f) related to say distance to reach the authority of one's preferred choice (d), and psychocultural costs (c) that are specific for each individual. Holding everything constant, the individual i will for instance be less likely to choose formal court systems if he or she expects a higher utility elsewhere, net of cost that he/she is likely to incur. Henceforth, the decision is a positive function of expected utility in a victim's preferred choice, a negative function of expected utility in other choices, and a negative function of the costs to be incurred.

The expected payoff of seeking a viable alternative depends on demographic and socioeconomic characteristics. This is because such characteristics either affect utility directly, or because they affect the cost of accessing such a choice. In this study, the independent variables were the demographics and socio-economic factors that affect one's choice. To do so, a model for choosing any of the four choices was performed. These include: 0 Local government leaders, 1 Clan/Family, 2 Formal courts and 3, Other leaders / Security forces. These choices were considered by means of a four-level multinomial logistic regression which allows us to observe which variables are significant for each of the choices given, as well as the direction of the relation of each independent variable. Thus, the reduced-form of the multinomial logit model derived from the utility maximisation of equation 1 may be expressed by the probability of choosing one of the four alternatives as follows:

$$prob(Y_{ij} = s) = \left.\ell\beta_0^1 sX_{ij}\middle/ \sum_{p=0}^{p} \ell\beta_0^1 pX_{ij}\right. \ldots\ldots\ldots\ldots\ldots\ldots\ldots\ldots\ldots\ldots\ldots\ldots\ldots\ldots\ldots\ \mathbf{2}$$

with $\beta_0=0$ and $\beta^1 sx_{ij}$ being a set of demographics (i) and socio-economic(j) factors. In this four-level multinomial logistic regression model, the dependent variable takes four values. The model - prob(Yij=s)- compares the likelihood of choosing clan/family, formal courts and other leaders / security forces while the probability of choosing Local government leaders is the reference category. The goal in this study was to estimate significant variables that account for the likelihood of choosing any of the four options. STATA version 15 is the statistical software package that was used to carry out all the analysis. The level of significance used in all the statistical tests run is the conventional 5%.

4.0 Findings and Discussion

This section focuses on the presentation and discussion of the findings. First, the demographic variables provide a context for understanding the perspectives and experiences of the 2,400 respondents interviewed. This information is important as it helps to show the variables which were hypothesized to influence their views on land disputes and other related issues in Uganda. From the findings in Table 1, Men (51.2%) slightly outnumbered women, and the majority of respondents' level of educational attainment was generally low, with 45.9% having only primary education and 9.4% with no formal education. Most respondents (73.2%) reside in rural areas, and nearly half (49.7%) aged 18-30, indicating a youthful population. Over half (51.5%) believe the country is heading in the wrong direction, which may be linked to the high levels of poverty experienced, as 41.9% categorized as belonging in either moderate (28.1%) or high lived poverty[1]. Regionally, the Central region has the highest representation (27.5%) followed by the East (26.1%) and slightly skewed against people in Northern Uganda (20.8). Agriculture remains the dominant occupation (41.8%). This highlights the socio-economic struggles faced by a predominantly rural and economically vulnerable population.

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[1] Afrobarometer's Lived Poverty Index (LPI) measures respondents' levels of material deprivation by asking how often they or their families went without basic necessities (enough food, enough water, medical care, enough cooking fuel, and a cash income) during the past year. For more on lived poverty, see Mattes and Patel (2022).

4.1 Prevalence and types of land disputes

From a sample of 2400 Ugandan adults contacted 541(23%) stated that they, or a member of their household encountered land related issues in the past five years. This implies that the prevalence of conflicts over land by the time of the survey stood at 23 percent which aligns with trends observed in previous studies. Deininger (2004) reported that land-related issues affected only 5% of the population, but this figure surged to 22% by 2020 (Hiil, 2020). By 2024, the Hague Institute for Innovation of Law (Hiil) found that 23% of Ugandans considered land their most pressing legal issue, a figure which resonates with the findings from Afrobarometer's Round 9 dataset, indicating a consistent rise in land conflicts over the years. The persistence of this issue suggests that despite efforts to address land disputes, effective solutions remain elusive, leaving land conflicts as a significant challenge in Uganda. Consistent with Hiil (2024), our findings also identified disputed land boundaries (33%) as the most common land-related disputes experienced in Uganda. This consistency suggests that boundary disputes remain a prominent issue across different studies, reflecting their widespread and unresolved nature. Nearly a quarter (22%) experienced a problem of family land wrangles which points to intra-family tensions as another key driver of land disputes. This implies that most of the issues on land are associated with boundary demarcation and inheritance disagreements. Additionally, land fraud such as duplicated or forged land titles, or illegal selling or buying of land and illegal settlement each account for 16% of land disputes while eviction orders represent 10% of land disputes in Uganda.

Figure 1: Land disputes and types
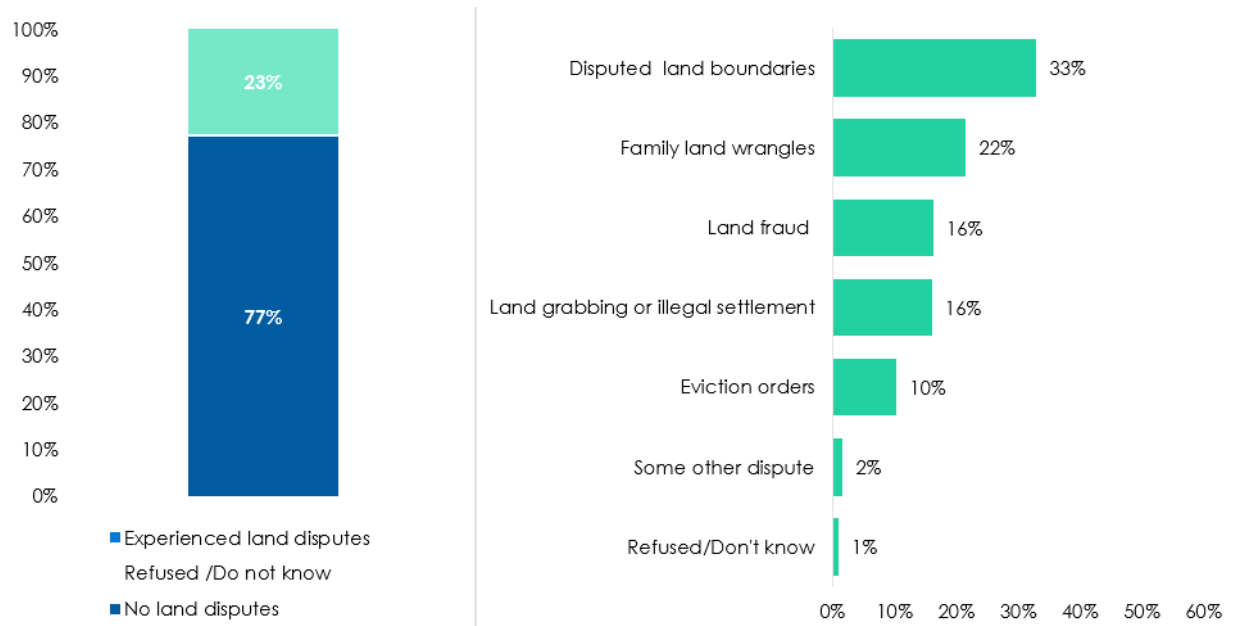
4.2 Factors Predicting The Likelihood Of Encountering Land Related Disputes In Uganda

The findings from the probit regression provide significant insights into the role of demographic and socio-economic factors in influencing the likelihood of land disputes. For purposes of understanding the dynamics surrounding land conflicts, the findings in this section present both corroborative and contrasting results when compared to existing empirical literature. In the results of the probit regression, five variables were found to have significant influence on having encountered land disputes in the past five years preceding the survey. VIF (Variance Inflation Factor) and tolerance were used to detect multicollinearity in regression analysis. All values for the VIF ranged from 1.12 to 3.47, well below the threshold of 10. This suggests that multicollinearity was not a significant issue among the predictors. The likelihood ratio chi-square test was used to determine whether the model was statistically significant. From the table, the LR chi2 of 160.90 had a significant p-value (0.000<0.01) which indicates that the overall model was a good fit. In other words, at least some of the predictors contribute significantly to explaining the likelihood of encountering land disputes.

We find that women are significantly less likely (β=-0.13, p<0.05) to encounter land disputes than men and according to the value of the marginal effects, the probability of experiencing land disputes is 4 percentage points lower among women. Our findings contrast with much of the

existing literature, which highlights women's vulnerability in land tenure, particularly due to their lack of documentary evidence and susceptibility to land loss (Giovarelli & Wamalwa, 2011). A key explanation for this disparity could be the underreporting of disputes by women, influenced by socio-cultural factors such as fear of reprisal, lack of awareness of their rights, or limited access to legal resources (Peterman et al., 2010; Hanstad, 2020). Additionally, men may be more prone to engage in land disputes due to societal norms that support male dominance in land ownership, leading them to assert land claims more aggressively, particularly in areas with high land speculation (Giovarelli, Wamalwa, & Hannay, 2013). However, in line with USAID (2021) finding, the lower risk of women encountering land disputes could be because the land they purchased the land which suggests that formal ownership greatly offer women greater protection.

For education, people with the dummy coefficients for no education, primary and secondary are all negative which implies that individuals whose highest-level academic attainment falls in any of these three categories are less likely to have encountered land disputes compared to their counterparts in the reference category (those with post-secondary education). In particular, experiencing land disputes was significantly lower ($p<0.01$) by 8 and 11 percentage points for people with no formal and secondary education compared to those with post-secondary education. The findings align with the broader scholarly discourse on the protective role of education. De Janvry and Sadoulet (2020) and Monkkonen et al. (2021) underscore that higher levels of education enhance individuals' ability to navigate legal systems, understand land tenure rights, and participate effectively in local governance, thereby mitigating the risk of disputes. The inverse relationship between education and land disputes observed in the study further corroborates Deininger and Castagnini's (2006) assertion that educated individuals are more likely to be aware of legal protections surrounding land, which in turn may reduce their vulnerability to conflict. However, the fact that secondary education does not appear to offer significant protection suggests that the nature of education specifically the transition from secondary to post-secondary plays a crucial role in shaping individuals' ability to assert their rights effectively.

Although not statistically significant ($\beta=0.036$, $p>0.05$), Ugandans in rural were found to say that they or a member of their family encountered land disputes compared to people in urban areas which was in line with our apriori expectations and to the broader literature. Despite the

insignificant influence, the findings align with empirical evidence emphasizing the higher prevalence of land disputes in rural areas. Numerous studies (e.g., Samilu, 2024; Deininger & Byerlee, 2022) identify rural regions as more susceptible to land conflicts due to weaker governance, greater dependence on agricultural land, and traditional tenure systems. The insignificant finding may suggest that while rural residents are more likely to encounter disputes, other mitigating factors such as local conflict resolution mechanisms or recent policy interventions may reduce the statistical difference between rural and urban regions. Moreover, the increasing commodification of land in urban areas, coupled with rapid urbanization and speculative land transactions (Goodfellow, 2017), may be narrowing the rural-urban divide in land disputes.

Results further show lived poverty as one of the major determinants of encountering land disputes. From the results, people in moderate and high lived poverty were significantly more likely to have experienced land disputes. calf housing adoption. In the values for marginal effects, our findings show that holding other factors constant, people in moderate lived poverty are 8 percent likely to report having encountered disputes over land compared to those in the reference category. This percentage tends to rise to 11.0% in people experiencing high lived poverty. of the marginal effect. The implication of these findings is that being in No/Low lived poverty is a protective factor against encountering disputes a finding which corroborates the extensive literature linking poverty to land insecurity. Ali et al. (2020) and Mearns et al. (2019) note that economically disadvantaged populations often lack the financial means, social capital, and access to legal resources necessary to assert their land rights effectively. Deininger and Jin (2021) similarly posit that poverty exacerbates vulnerabilities, leaving individuals susceptible to exploitation by more powerful actors. This result reinforces the argument that poverty is a central predictor of land disputes, reflecting the broader structural inequalities that underlie land governance in developing contexts.

We also found out that people who perceive the country as moving in the "right direction" were significantly less likely to encounter land disputes (β=-0.30, p<0.01) by 8 percent points. This is an intriguing result that in the sense that positive perceptions of the country's trajectory may be indicative of greater trust in institutions, legal frameworks, and dispute resolution mechanisms, which could contribute to reducing the incidence of conflicts. This highlights the importance of governance, stability, and public confidence in shaping land tenure security, a theme indirectly

touched upon by Deininger and Byerlee (2022), who associate weak governance structures with heightened land disputes in rural areas.

In relation to region, we also found significant variations in encountering land disputes. The negative dummy coefficients for East (β=-0.36, $p<0.01$), Central (β=-0.17, $p<0.01$) and West (β=-0.59, $p<0.01$) suggest that the risk of encountering land disputes is significantly lower among Ugandans in these three regions is significantly lower compared to people in the Northern region. This means that people in the Northern region are at the highest risk of experiencing land disputes than people elsewhere. The findings provides empirical support to the literature that emphasizes the historical and socio-political context of land conflicts in Northern Uganda. The region's history of displacement, land restitution, and contested ownership following decades of conflict (Rugadya, 2009) has created a unique set of challenges that persist in the post-conflict era. Bashaasha et al. (2011) also observe that the complex nature of the mailo land tenure system in the central region often leads to disputes, but the northern region's long-standing land issues appear to make it disproportionately affected.

In addition, although the risk of experiencing land conflicts is lower with a rise in age, we find age insignificant ($p>0.05$) in differentiating people who encountered disputes and those who did not. Occupation is also a non-significant factor. Nonetheless, the risk is relatively higher in people involved in agricultural (2%) and non-agricultural occupations (3%) compared to people who are not employed. The lack of statistical significance contrasts with findings from previous studies, such as Boone (2021), who emphasizes the role of agricultural expansion and land speculation in exacerbating conflicts. The absence of significance in the current analysis may suggest that the nature of land disputes transcends occupational boundaries, with other factors such as land tenure systems and local governance playing a more prominent role than the economic activity of landholders.

Table 1. Probit regression for factors predicting the likelihood of encountering land related disputes (n=2342)

| Variable	Percent	Coef.	Std. Err.	Marginal effects	VIF	1/VIF
Gender (Ref=Men)	51.2%					
Women	48.8%	-0.13**	0.06	-0.04	1.12	0.90
Level of education (Ref=Post-secondary)	9.3%					
No formal education	10.9%	-0.29*	0.15	-0.08	2.14	0.47
Primary	46.3%	-0.05	0.11	-0.02	3.38	0.30
Secondary	33.5%	-0.39**	0.11	-0.11	3.47	0.29
Location (Ref=Urban)	26.8%					
Rural	73.2%	0.036	0.07	0.01	1.16	0.86
Age (Ref =18-30)	49.7%					
31-45	26.8%	-0.03	0.07	-0.01	1.18	0.84
46-60	15.8%	-0.08	0.09	-0.02	1.2	0.83
61 and over	7.6%	-0.20	0.13	-0.05	1.13	0.88
Direction country is taking (Ref= Wrong direction)	51.5%					
Going in the right direction	48.5%	-0.30**	0.06	-0.08	1.15	0.87
Lived poverty (Ref-No/Low lived poverty)	30.0%					
Moderate lived poverty	41.9%	0.32**	0.08	0.08	1.48	0.67
High lived poverty	28.1%	0.40**	0.08	0.11	1.52	0.66
Region (Ref=North)	20.8%					
East	26.1%	-0.36**	0.08	-0.11	1.72	0.58
Central	27.5%	-0.17**	0.09	-0.06	1.93	0.52
West	25.6%	-0.59**	0.09	-0.17	1.72	0.58
Occupation (Ref =Not employed)	21.8%					
Agriculture / farming / forestry	41.8%	0.07	0.09	0.02	2.01	0.50
Non-agriculture	36.4%	0.12	0.09	0.03	1.91	0.52
Constant		-0.72**	0.17	-4.35		
n = 2,342 LR chi2= 160.90 p-value = .0000 Pseudo R2= .064						

Table excludes don't know/No responses

*Note: *p<.05; **p<.01. The reference category is "No"*

4.3 Authority perceived to be best suited to address land disputes in Uganda

The most trusted authority in addressing land disputes is clan or family members, with 44% of respondents expressing higher preference for traditional or informal structures to resolve land issues over other approaches. Local government leaders comprising District and subcounty leaders

come second (24%) while formal courts of law are regarded suitable by 22% of respondents and therefore come in the third position, demonstrating a slim trust in the formal legal system. Other leaders account for 5%, while both security forces and the belief that no one is equipped to handle disputes each represent 2%. A small percentage (1%) refused to answer or indicated they did not know. Overall, the data emphasizes the significant preference for local and traditional authorities in managing land conflicts in Uganda, with formal institutions being a secondary choice.

Figure 2: Authority best suited to address land disputes
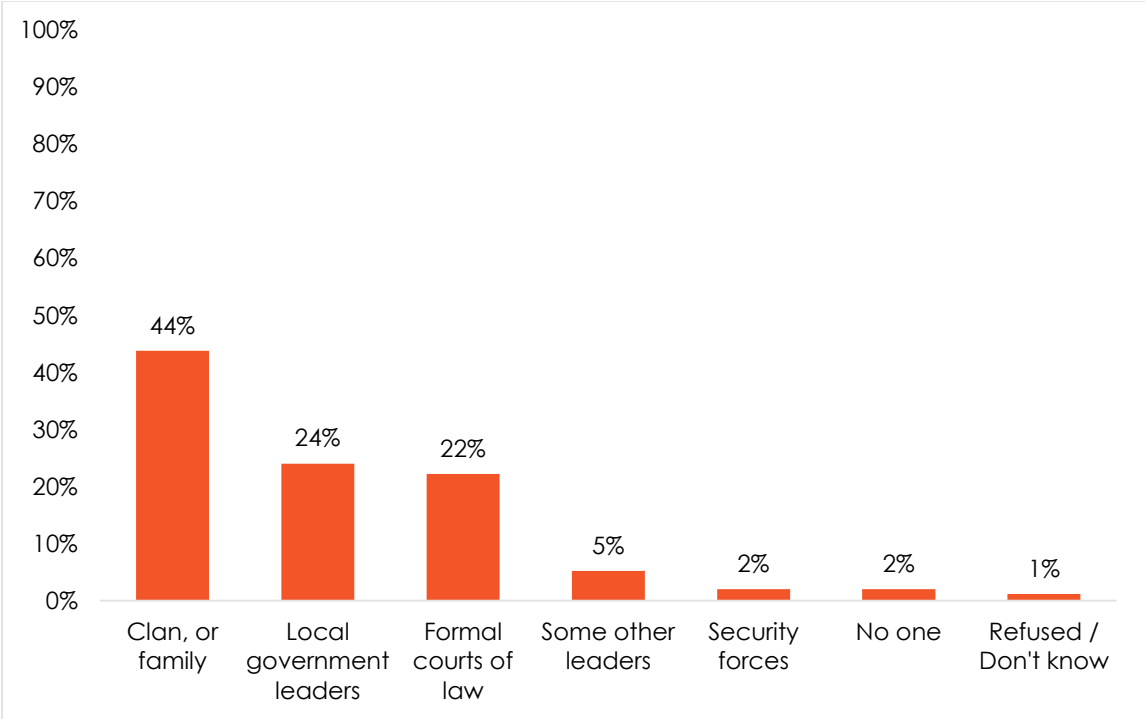
4.4 Results of the multinomial model

The findings of this study regarding the determinants of citizens' preferences for authorities deemed best suited to resolve land-related disputes in Uganda help in understanding the social, economic, and demographic factors at play. The multinomial logistic regression analysis reveals some significant trends that echo and contrast with existing literature on land dispute resolution mechanisms. In the analysis, two categories "Some other Leaders" (5%) and "Security Forces" (2%) were combined into one category, labeled "Other Leaders/Security Forces," to create a more substantial group representing 7% of the total sample. This combination is conceptually reasonable as both groups likely play auxiliary or alternative roles in resolving land disputes, as opposed to

the more formal authorities like clans, local government leaders, and formal courts. This was done in order ensure a more robust sample size and interpretable estimates in the multinomial logistic regression model.

In the model, people whose preference is for local government leaders were in the reference category. In the results of the multinomial regression, we found notable preference for local government leaders among rural residents instead favor clan/family structures (β=-0.72, $p<0.05$) and formal courts (β=-0.89, $p<0.01$). This finding aligns with previous research suggesting that local governance structures can effectively mediate land disputes due to their familiarity with local contexts and relationships (Wehrman, 2008; Benny, 2019). In rural settings, where community ties and local governance play crucial roles, the inclination to rely on local leaders may reflect a desire for accessible and culturally relevant dispute resolution mechanisms. The preference for local government leaders suggests an appreciation for formal structures that are nonetheless grounded in community dynamics, contrasting with findings by Hariyanto et al. (2024), which emphasize the effectiveness of formal legal systems in contexts with robust governance infrastructures.

Although people with primary, secondary and post-secondary education are more likely to prefer clan/family, formal courts and other leaders/security forces compared to those with no formal education, The analysis reveals that individuals with primary, secondary, and post-secondary education are more inclined to prefer clan/family and other leaders/ security forces, compared to those with no formal education. However, we only find education partially significant with respect to other leaders (β=2.91, $p<0.01$) as opposed to local government leaders. This partial significance with respect to other leaders underscores the complex interplay between education and dispute resolution preferences. While higher education is often associated with a greater understanding of legal rights (de Janvry & Sadoulet, 2020), it may also cultivate a sense of empowerment that prompts individuals to seek alternative forms of conflict resolution, such as clan or family involvement, which they may perceive as more efficient or culturally appropriate. This observation diverges from the expectation that higher education uniformly leads to reliance on formal legal systems (Deininger & Castagnini, 2006).

We also found people aged 46-60 years having significantly higher preference for other leaders (β=1.26, $p<0.05$) instead of local government officials. The preference for other leaders among

individuals aged 46-60 years could stem from generational differences in trust toward formal institutions, as older citizens might have experienced varying degrees of satisfaction with local governance and formal systems throughout their lives (Smith et al., 2020). This finding contrasts with the literature suggesting that younger individuals are often more open to formal channels for resolving disputes, indicating that age-related dynamics are more complex than previously understood.

We also noted that citizens' valuation of overall direction the country is taking influencing their choice of who is considered best suited to address conflicts over land. In the analysis, victims of land disputes who consider the country as going in the right direction exhibit significantly higher preference for clan/family as opposed to local government leaders. in resolving land disputes.

Although not to a significant extent (p>0.05), the same group of people would also prefer formal courts of law (β=0.18) and other leaders (β=0.37) instead of local government leaders. Interestingly, the study finds that victims of land disputes who perceive the country as moving in the right direction show a preference for clan/family (β=0.52, p<0.05) over local government leaders. This finding suggests that the perceived stability and progress in governance might lead individuals to seek resolution within their traditional social frameworks rather than through formal channels. This contrasts with studies indicating that confidence in state institutions typically increases reliance on formal dispute resolution mechanisms (Goodfellow, 2017). The implications are profound, as they indicate that perceptions of national governance can significantly shape citizens' expectations and experiences of conflict resolution.

There also exist regional variations in citizens preferences to who is considered best suited to handle land disputes. We find the probability to prefer clan/family is significantly lower (p<0.01) among citizens found in the Central (β=-2.55) and Western (β=-1.268) compared to their counterparts in the North. This means that Ugandans in the North find Clans more suitable in resolving land conflicts than those in the Central and Western. The regional variations observed, with a significantly lower preference for clan/family structures in the Central and Western regions compared to the North, further support the literature highlighting how historical and contextual factors influence land disputes (Rugadya, 2009). This divergence emphasizes the need for tailored approaches to dispute resolution that take into account the unique socio-political histories and

relationships within different regions, aligning with Benny's (2019) assertion about the importance of contextuality in conflict resolution strategies.

Economic vulnerability was partially significant with respect to people in moderate poverty whose preference for other leaders was found to be significantly lower in relation to other leaders/security forces (β=-1.00<0.05) when compared with government leaders. The findings show a significant preference for local government leaders over other leaders/security forces suggests that economic vulnerability influences choices regarding authority figures. This is consistent with Ali et al. (2020), who note that economically disadvantaged individuals often struggle to assert their rights effectively.

On the other hand, we find a lack of significant findings related to gender and occupation ($p>0.05$). This indicates that while these factors may play a role in individual circumstances, they are not primary determinants in shaping preferences for authorities in land dispute resolution.

Table 2: Multinomial logistic regression for choice of authority perceived to be best suited to address land disputes *(The reference category are Local government leaders)*

Variable	Clan/Family		Formal courts		Other leaders / Security forces	
	Coef.	Std. Err.	Coef.	Std. Err.	Coef.	Std. Err.
Gender (Ref=Men)						
Women	0.08	0.26	0.07	0.28	0.45	0.41
Level of education (Ref=No formal education)						
Primary	0.04	0.44	0.34	0.51	1.09	1.26
Secondary	0.18	0.48	0.22	0.55	1.46	1.29
Post-secondary	0.55	0.61	0.35	0.66	2.91**	1.36
Location (Ref=Urban)						
Rural	-0.72*	0.33	-0.89**	0.33	0.01	0.52
Age (Ref =18-30)						
31-45	0.49	0.3	0.68*	0.31	-0.2	0.52
46-60	0.46	0.37	0.2	0.43	1.26**	0.53
61 and over	-0.51	0.52	0.34	0.55	-0.96	1.51
Direction country is taking (Ref= Wrong direction)						
Going in the right direction	0.52*	0.26	0.18	0.29	0.37	0.43
Lived poverty (Ref-No/Low lived poverty)						
Moderate lived poverty	0.18	0.34	0.26	0.37	-1.00*	0.51
High lived poverty	0.06	0.37	-0.01	0.41	-0.73	0.54
Region (Ref=North)						
East	0.10	0.34	0.08	0.44	0.58	0.66

Central	-2.25**	0.36	-0.21	0.38	0.31	0.61
West	-1.26**	0.39	0.49	0.42	-0.08	0.76
Occupation (Ref =Not employed)						
Agriculture / farming / forestry	0.07	0.37	0.19	0.42	0.47	0.62
Non-agriculture	-0.28	0.37	0.07	0.41	-0.54	0.63
Constant	1.40*	0.70	-0.28	0.77	-2.86	1.53

n=503
Log likelihood =-558.0
LR chi2 =174.58
p-value=.000
Pseudo R2=0.1235

Note: *p<.05; **p<.01. The dependent variable in this analysis is "Authority best suited to address the land dispute". The reference category is "other leaders"
Table excludes "Don't know", "Refused", "No responses", "Not applicable" as well as people whose response to the dependent variable was "No one"

4.5 Conclusions and policy implications

In explaining the risk factors associated with the probability of experiencing land disputes, we find gender, education attainment, direction the country is taking, lived poverty, and regional variations key predictors, while rural-urban differences and the role of occupation are statistically insignificant. With regard to pathways for mitigating land disputes, our findings show that educational attainment, age, citizen's perceptions of the direction which the country is taking, regional context, and economic vulnerability are significantly vital in shaping citizens' preferences for authorities best suited to address land-related disputes. While some findings corroborate existing literature, others reveal contradictions which underscores the necessity for further research to understand citizens' views in relation to land dispute resolution mechanisms in Uganda. Future research should therefore delve deeper into the interplay of these factors, particularly the role of perceptions and regional histories, to develop more effective and contextually relevant dispute resolution frameworks.

Given the strong preference for sub county and district leaders (i.e. local government leaders) in rural areas, it is crucial to strengthen these governance structures by training these officials in conflict resolution, negotiation, and legal rights related to land ownership. Such programs are vital in empowering local government leaders to address disputes more competently. Since the findings show that education influences citizens preferences for dispute resolution authorities, we suggest tailored educational campaigns that highlight the benefits of formal legal systems and local government interventions to help in aligning citizens' preferences with more formal dispute

resolution mechanisms. The fact that citizens' perceptions of the country's direction significantly influence their authority preferences implies that government efforts should focus on improving public trust in formal institutions through transparent governance practices and effective communication. The significant regional variations in preferences for authorities best suited to address land disputes calls for tailored strategies to fit the cultural and historical contexts of different regions. In areas where clan and family systems are preferred, integrating informal mechanisms with formal processes can create hybrid systems that respect local customs while providing legal legitimacy. Findings further underscore the need to establish collaborative frameworks that involve local leaders, clan heads, and formal government representatives in dispute resolution. This participatory approach can help ensure that diverse perspectives are considered and that resolutions are culturally sensitive and widely accepted.

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