

Tenure Transformation Through the Land Fund: An Evaluation of Outcomes and Challenges in Uganda; Case study of Selected Districts in Western Uganda

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Keywords; Land tenure security, Land Fund, Land governance, Mailo land system, Tenure reform

SUMMARY

Land tenure security is still a major challenge in land governance in Uganda. It is especially a problem in areas where the Mailo land system and absentee landlordism have had an impact. The Government of Uganda responded to this problem by creating the Land Fund through the 1998 Land Act. The Land Fund is a tool that helps in acquiring land as well as in securing tenure of lawful and bona fide occupants of land. This paper assesses the success of the Land Fund in some districts of Western Uganda (with a particular emphasis on Kibaale Town Council) in a mixed-methods research. Quantitative data was gathered from 150 respondents (55 beneficiaries and 95 non-beneficiaries) and key informant interviews as well as a policy review were used in conjunction. The results indicate a substantially higher level of tenure security among the beneficiaries. The majority (80%) have a land title certificate and this has prompted an increase in permanent investments. Besides, there have been no eviction threats. On the other hand, non-beneficiaries suffer from insecurity in every aspect of their lives. They have limited documentation, face considerable risks of being evicted, and have lots of disputes over their land. According to the study, the Land Fund has the power to change tenure relations radically and to induce investment. However, there are a number of things that limit its general influence such as insufficient funding, bureaucratic inefficiencies, and weak beneficiary selection, and political interference, which point to the requirement for institutional and governance reforms to make tenure security universally available in Uganda.

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1. INTRODUCTION

Land tenure insecurity has remained a persistent and deeply rooted challenge in Uganda, particularly in regions historically affected by colonial-era land policies. The introduction of the Mailo Land System under the 1900 Buganda Agreement created a legacy of absent landlordism, where the indigenous community, especially in Western Uganda, found itself occupying land without legal recognition. This colonial system confused structural land inequalities and caused controversies, forcibly eviction and economic stagnation due to uncertain ownership. In response, the government of Uganda established the land funds through the 1998 Land Act, aimed at preventing this historical injustice by facilitating land acquisition from absentee landlords and renovating this historical injustice and redistributing it to lawful and bona fide occupants. The Uganda Land Fund was conceived as a tool to increase land tenure security, promote justified land ownership and reduce land -related struggles. Despite its ambitious intentions, the impact of land funds has been forced by insufficient wealth, bureaucratic disabilities, weak institutional coordination and politicization of implementation processes.

International experience-like Land Funds in Guatemala and Comprehensive Agricultural Reform Program (CARP) in the Philippines (CARP)-assuming that well-funded and transparent-managed land revision programs can contribute significantly to the tenure security and rural development. These comparative examples highlight the importance of structured policy structure, community participation and institutional accountability, often decreasing the land fund implementation of Uganda. The theoretical foundation of this study has been anchored in the tenure safety theory, which believes that individuals are more likely to invest and manage land continuously when their ownership or user rights are legally recognized and preserved. Tenure security is, therefore, not only a legal or administrative issue, but also a socioeconomic and political condition that supports sustainable development and social justice. The study focuses on selected districts in Western Uganda, particularly Kibaale Town Council in Kibaale District—a region historically affected by Mailo land tenure and longstanding landlord-tenant conflicts. The rationale for the research lies in the need to empirically assess the effectiveness of the Land Fund in transforming land tenure relations, identify key implementation challenges, and provide evidence-based recommendations for reform. This evaluation is crucial for informing national land policy, improving governance, and enhancing the security of tenure for marginalized communities across Uganda.

2. RESEARCH OBJECTIVES AND QUESTIONS

2.1 Main Objective:

The primary aim of this study was to evaluate the effectiveness of the Land Fund as a policy instrument for enhancing land tenure security in Uganda, with a specific focus on selected districts in Western Uganda. The study sought to examine whether the Land Fund has successfully transformed insecure tenure arrangements into more formalized, documented, and secure land rights for lawful and bona fide occupants.

2.2 Specific Objectives:

1. To assess the level of land tenure security among tenants by occupancy in Kibaale Town Council, Kibaale District.
2. To evaluate the land tenure security of beneficiaries who have received support through the Land Fund program.
3. To examine the strengths and weaknesses of the Land Fund in securing tenure rights within the study area.

2.3 Key Research Questions:

1. How secure is the land tenure of tenants by occupancy in the selected study area?
2. To what extent has the Land Fund enhanced tenure security for its beneficiaries?
3. What are the key institutional strengths and challenges affecting the Land Fund's ability to secure land tenure?

3. METHODOLOGY

This study employed a mixed-methods research design, combining both quantitative and qualitative approaches to provide a comprehensive evaluation of the Land Fund's impact on tenure security. The mixed approach allowed for triangulation of data, thereby enhancing the reliability and depth of the findings.

Quantitative data were collected through structured questionnaires administered to 150 respondents, comprising 55 Land Fund beneficiaries and 95 tenants by occupancy in Kibaale Town Council, Kibaale District. The questionnaire captured information on land documentation status, eviction threats, land disputes, investment behavior, and access to credit.

Qualitative data were gathered through key informant interviews with government officials, land administrators, and local leaders involved in the implementation and oversight of the Land Fund. Additional insights were obtained through a review of legal and policy documents, including the 1998 Land Act and the 2013 National Land Policy.

The study employed a stratified random sampling technique for selecting household respondents across different landholding blocks to ensure representativeness. Purposive

sampling was used for selecting key informants based on their expertise and roles in land governance.

For analysis, quantitative data were processed using Microsoft Excel to generate descriptive statistics such as frequencies and percentages. A Tenure Security Indicator Matrix was applied to compare the tenure conditions of beneficiaries and non-beneficiaries. Qualitative data were analyzed thematically and synthesized into a SWOT analysis framework to evaluate institutional strengths, weaknesses, opportunities, and threats affecting the Land Fund's implementation.

4. KEY RESULTS / FINDINGS

The study revealed significant differences in tenure security outcomes between Land Fund beneficiaries and tenants by occupancy in Kibaale Town Council.

Land Fund beneficiaries demonstrated markedly higher levels of tenure security, with 80% holding formal land titles, 85.5% reporting permanent investments (e.g., buildings, perennial crops), and 0% experiencing eviction threats. In contrast, the majority of tenants by occupancy continued to face tenure insecurity. Only 7.2% had informal agreements, while 40% had no documentation at all. About 23% reported eviction threats, and 32% experienced land disputes, with boundary disputes being the most common.

These disparities are summarized in Table 1 below:

Indicator	Beneficiaries (n = 55)	%	Non-Beneficiaries (n = 95)	%
Holding formal land title	44	80.0%	0	0.0%
Holding informal agreements	4	7.2%	57	60.0%
No documentation	0	0.0%	38	40.0%
Made permanent investments	47	85.5%	28	29.5%
Experienced eviction threats	0	0.0%	22	23.0%
Involved in boundary or land disputes	1	1.8%	32	33.7%

In addition to quantitative results, qualitative interviews highlighted several institutional factors influencing the implementation of the Land Fund. The analysis revealed a mixture of strengths, weaknesses, opportunities and threats that affect program performance. Among the strengths were the existence of a robust legal structure under the Land Act of 1998, increasing public demand for possession regularization and the successful formalization of land securities for a beneficiary segment. However, these gains have been harmed by remarkable weaknesses, including inappropriate and inconsistent financing, bureaucratic delays, selection processes and weak monitoring and evaluation systems. On the occasion of the opportunity, stakeholders pointed to the growing potential for donor support, the integration of digital land administration systems and the possibility of public partnerships to improve implementation. Despite these

perspectives, Land Fund continues to face threats such as political interference in land allocation, capturing elite benefits and persistence of unresolved historical complaints that corrode public trust and limit equitable access.

These findings show that although the Land Fund has had a positive impact when implemented, particularly in guaranteeing land rights and stimulating investment among beneficiaries, its overall effectiveness is impaired by systemic and operational challenges. The contrast between beneficiaries and non-Beneficiaries emphasizes the need to expand access, improve governance and direct marginalized occupants more effectively.

5. DISCUSSION AND INTERPRETATION

The results of this study highlight the mixed impact of the Land Fund on the transformation of tenure in Uganda. Significant improvement in land tenure security among beneficiaries - evidenced by formal title, increased investment behavior, and almost absence of eviction threats - confirms the potential of Land Fund as a transformative tool to address the historical injustices of the earth. These results are closely aligned with the Objective two, that sought to evaluate the tenure security of the beneficiaries of the land fund and confirm that, where implementation effectively occurred, the program led to improved legal protection and socioeconomic empowerment.

On the other hand, objective one, which examined the status of tenants through occupancy, revealed persistent vulnerability. The high proportion of non-documented tenants, along with widespread land disputes and eviction threats, indicates that a large segment of the population remains unprotected. This reinforces the existing literature (Rugadya et al., 2009; Mukwaya, 2020), which documents the chronic insecurity faced by tenants in Mailo land, particularly in regions such as Kibaale with a colonial legacy of the absentee landlords.

The comparison between these two groups emphasizes the unequal distribution of the benefits of the Fund, pointing to questions in the selection of the beneficiary and the reach of the program. This supports the discoveries of other studies (Bashaasha et al., 2011) who criticized the Land Fund for limited scale and elite capture. In addition, the SWOT analysis linked to the objective three - revealed systemic institutional weaknesses, including sub - finance, bureaucratic delays and political interference. These challenges echo the concerns raised in national policy assessments and international comparative studies, such as Guatemala and Philippines, which emphasize that well -financed and transparently managed land programs are critical for success.

The study also found that formal inauguration status encouraged long -term investment and reduced conflict, supporting the theory of possession security, which postulates that land rights guarantee development, increase access to credit and promote sustainable use of land. The implications for land governance are significant: although the bottom of the earth is conceptually solid and succeeds in isolated cases, its broader impact is limited by weak institutional capacity and governance failures.

Therefore, for Land Fund to perform its full potential, reforms are needed to improve transparency, improve financing mechanisms and strengthen the legal and institutional structures that guide their implementation. These steps are essential not only to expand access

to tenure security, but also to ensure that the program contributes significantly to the widest agenda of Uganda Land reform.

6. CONCLUSION AND RECOMMENDATIONS

This study provides critical information on the effectiveness of the Uganda Land Fund as a mechanism for addressing the Land tenure insecurity, particularly in historically contested areas, such as the Kibaale district. The conclusions confirm that the beneficiaries of the land fund enjoy significantly improved tenure security - enhanced for access to formal land titles, reduced incidence of disputes and increased confidence of investment. On the other hand, tenants by occupancy who did not benefit from the program continue to face chronic insecurity, with many missing documentation and facing threats of eviction.

The study's key contribution lies in its comparative analysis of tenure outcomes between beneficiaries and non-beneficiaries, highlighting both the transformative potential and structural limitations of the Land Fund. It also provides a SWOT-based institutional evaluation, offering a practical framework for policymakers to identify and address critical implementation challenges.

Based on the findings, the study recommends:

- Scaling up funding and coverage of the Land Fund to reach more vulnerable tenants;
- Streamlining institutional coordination between national and local agencies to reduce bureaucratic delays;
- Improving transparency in the selection of beneficiaries to avoid elite capture;
- Strengthening monitoring and evaluation frameworks to track outcomes and inform adjustments.

While the study was limited to a single district and focused primarily on Mailo land arrangements, it offers a replicable approach that can be adapted for broader national or regional assessments. Future research should consider a longitudinal evaluation of tenure outcomes over time and expand the geographic scope to assess comparative dynamics across Uganda's different tenure systems.

In sum, while the Land Fund has demonstrated pockets of success, realizing its full potential will require structural reforms, sustained political will, and inclusive policy dialogue to ensure that land tenure transformation becomes a reality for all Ugandans, not just a privileged few.

Keywords

Land tenure security; Land Fund; Mailo land; Uganda land reform; Absentee landlordism; Land Ownership

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BIOGRAPHIES

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