

ECONOMICA

WOMEN *and the* GLOBAL ECONOMY

PODCAST: Property Rights: A Conversation with the Ugandan Activist Peace Musiimenta

HOST: Welcome to the International Museum of Women and this podcast for *Economica: Women and the Global Economy*.

One of the fundamental rights women fight for worldwide is the ability to buy land in their own names. When women are often treated as property themselves, a woman who defies the rules can be seen as something unnatural.

PEACE MUSIIMENTA: *In Uganda they have the saying that if you build a house as a woman they call you [speaks Ugandan], meaning "That woman who has built herself a house." It has a derogatory meaning. That woman!—That woman who has built herself a house!*

HOST: Peace Musiimenta studies African women's struggle for economic independence. She is a lecturer in the Department of Women & Gender Studies at Makerere University in Kampala, Uganda. *Economica* curator Masum Momaya sat down with Peace Musiimenta at the 2009 conference of the International Association for Feminist Economics. She began with a background on how women make a living in Uganda and Africa in general.

MUSIIMENTA: The livelihood of most women and men depend on land because of agriculture you have to dig, you have to harvest. Land is the major resource. But in the history of Africans, in most cases the patriarchal societies, where inheritance is through the line of, or the lineage of, a man.

Given the background the gender relations in Africa women are counted as property of men. So, as transformation is coming in there was need to have women also partaking of land, of these resources. And when the changes came in especially the problems of HIV/AIDS, the wars, the conflicts, there was a need for women to come up and own land so that they can feed their children. And the women are the ones who really do a lot of cultivation. For example, in Uganda, 80% of the women contribute to labor agriculture and they don't own land but they have access to land through a male figure. So, if you have your husband, he can give you land to cultivate but he can decide to use what you

have cultivated and sell it, because it is his land. And that is the conflict, the basis of the conflict.

And some of the men sell and marry other women. You know, you kind of contribute him marrying another woman through your land. So, women started fighting not struggling so that they can have also control over land. So that if I have my land I have cultivated you don't sell my yields without my consent.

In Uganda for example, when this conflict came up we had to amend the constitution and in 1995 we had the so-called most gender sensitive constitution, which provided for women to have a right to ownership of property, to have a right to buy land, and to—also, there was an amendment of the constitution in '98 which provided that if you are living with a man and you own land, if your man is to sell the land, you have to sign that you have consented for him to sell.

But even then, with this provision, the men are very tricky. He will get the chairman of the local council and connive with him. They bring another women who will sign as Mrs., so the man will sell land you see people coming to evict you and you are like, "What, when did you sell?" Then you go to the [LCCI] he come with his wife. You say, "But I'm the wife, I never signed." See, here is the signature. And most men have really tried to fight the idea that women should co-own land.

So, you are there, you have access, you are the one who works the land but you don't own it. So that brings about a conflict. You know, unlike other countries where survival can depend on business, survival can depend on other things, our survival depends on the land you have. So it is the land that determines how you be successful. But because of patriarchy, which looks at women as lesser in value and some women as property because—you've heard about bride price?

MOMAYA: Tell us what it is.

MUSIIMENTA: Bride price, it used to be a token of appreciation, where the man who's marrying a woman appreciates the parents who brought her up by giving maybe a cow or giving some gifts. But with the economy turning into monetary, then money became an issue. So men started haggling and bargaining, if your husband comes he say, no we need this much, we need how many cows—twenty, ten. So, in the process they commodified the women.

So even if you are educated they still the culture demands that the man pays something. And in the paying most people have made it like a business. They will begin saying, my daughter has two degrees, you are going to pay us two million or five million. So as they pay they devalue you as a woman. So you go to this home and the man rules, say "Hey, I paid all the money to your parents so don't ask for all this. You don't have a say on my land. This is my land. I also bought you, you are part of the things that I own." So it brings up a conflict. And of course it is very difficult to do away with it because some

parents want it as a source of income with poverty rising. You see the more daughters you have, the more money you will get from men.

Recently we have a very nasty experience where a woman was forced to breastfeed puppies, dogs, five of them. She had the baby and the man brought these puppies and said, you have to feed them. Because the cows that they would have got milk from to feed the puppies were taken by your father, I give them to your father. So now my puppies don't have milk and she was forced to breastfeed. And so she ran away from the home and when she went to the police to report, they arrested the man and then she started complaining, "But you arrest him now where will I go. I can't go back home my parents are poor. The money that was given to them is already finished. I have nowhere to go. You better help me and leave the man. I still love him you can forgive him." But I guess it was taken up by feminists and gender activists to arrest the man and help the woman.

But that shows that really, dependence syndrome, where women depend on men, is still high. And because of that bride price paying, then the men count women as part of their property. However, the situation is changing with educated women. Because when I get my money and I want us to buy land combined, we buy land, we put the land title in our names. So, some men have refused that, others accept. Those who refuse then women start buying land secretly. You buy it through your brother or another relative, you write a land title and hide it, which is also causing tensions sometimes.

Also women who have not got a lot of education are trying to save some money. So you like, you cheat the system, your husband gives you money to buy food you buy less and save. So that at the end of the day you can raise money to buy some land somewhere in the village as a way of fallback position—"In case this man chases me, where would I go?" That is mostly what women think about: "If this man chases me where would I go?" Going back to your home is difficult because in a way they sold you. And if you don't have a job, formal job then you have to look for somewhere, a land where you'll start digging for your children and yourself. So that women have also started doing that.

Also some men, in some families, there are men who have decided that, you know, from me my daughter will get land. She will inherit part of my land, so that she's also important or she has something to live on. But the challenge is as girls inherit land, then they become powerful and the men fear them. And some girls are hesitating to accept their offer you know, to inherit so much land from your father. Then you'll have no man to marry you because they fear that you know, this is a powerful woman I can't marry her because she has land. So the conflict is still there.

Even in other countries in Africa it's the same problem of culture versus modernity. One leg we are in the modern, another leg we are ancient culture. The culture says no women should inherit, while modernity says, I can inherit. The other problem has been

HIV/AIDS. There are more men dying, HIV. You find there are more widows than widowers.

So, as women lose their husbands to HIV/AIDS, the relatives of the man grab land. They tell this woman, "You know now that your husband is no more, you don't belong to this tribe." So they want to chase you and take away the land where you have been living. So that is why women are now beginning to say, "I need my own land where I have a say, where the title can be in my names." And that is bringing about tension women are looking at what happens if this man is gone, I have no land, I have no house. So what can I do?

Because in urban areas even those who are in urban areas you have to have land back home. Unlike the developed countries you have to have a burial ground. Yes, when you die where will you be buried. You have to have land where you'll be buried.

So, as a woman as taken to this home and they treat her like she's a foreigner, she's a stranger, she has to go back. She has to begin thinking of, now if I die as married woman and my parents are not allowed to take my body back home. I'm supposed to be buried there. So what do I do, I have to get to my land, land where I belong. So it is kind of fighting for belonging. I should belong to a home.

And so, if you see that your husband might not really give you that belonging then you begin thinking of buying your own land in the village or outside in the outskirts of the town.

MOMAYA: So my understanding is that part of who got to own land and who had the right to own land came about as laws that were put in place through the system of colonization and the British rule. Do you know if women were allowed to have their own land and hold titles to land prior to—

MUSIIMENTA: Colonization?

MOMAYA: Yeah, prior to colonization.

MUSIIMENTA: Prior to British colonization land ownership, land tenure was customary. Where each tribe, each custom had its own way of owning land. The land belongs to us as a group.

MOMAYA: Okay.

MUSIIMENTA: That was before colonization.

MOMAYA: Is that women and men included in the group?

MUSIIMENTA: Yes.

MOMAYA: So the whole—

MUSIIMENTA: Women and men. And women belonged to their husbands.

MOMAYA: Still. Okay.

MUSIIMENTA: And it was allowed that, women would allow, you have your husband who can have as many as five wives and that is okay. And the man was supposed to buy land for you, all the wives. So, even if he deserted you, he will not sell the land because the land belongs to the family. So, he cannot sell the land. He cannot chase you. He can only desert you, marry another one, leave you with your children and build another house. So that was the customary arrangement.

But after the independence, actually during colonial times then the British started coming in with other people. The Aryans, the Indians came in, the British came in. They also wanted to own land. So they started selling off some land. As this tribe sells part of the land it is now given as an individual who does not belong to this family and the land reduces. As a result, the men took advantage also that you know, I can also buy land from another tribe and be independent of my society and do what I want.

And that started the conflict because now people started separating from, away from home. When you are away from home your father has no authority to say, “Don’t chase that woman, give her land.” You can even say, “I bought this land with my money, it’s not your land.” So when it was still under customary, purely customary it was easy for the parents to give orders to the children; never sell this land, this land belongs to us as a family. If you want to sell, you sell it to your brother so that it remains within the family. And that affected women because now women were, we are losing earth protection of our family, of the way of the community and being individuals.

And also, during colonialism of course we started formal education. Women were beginning to get education, joining universities and as a result they started to look, really I also have a right, I can say I don’t want to be part of this home where my husband has five wives. So women started—and Christianity came in also promoting monogamous families. So they said, you have to have one wife if you want to be a Christian. So this whole arrangement of having—being polygamous was diluted. So women who did not want to be a polygamous families, if their husband marries another one you no longer want him and you want to be independent.

And so women also started thinking of how can I survive without a man. If your man chases me. Initially there was nothing like, if your man chases me. You’d know you are going to get married, you’ll die there whether you were beaten, whatever happens there was no divorce. But now people are divorcing—you can’t manage this relationship you get out. But when you get out, where do you go? Is the question. That is why women have to think and say, we also want to own land because of that.

MOMAYA: What do the young women coming up today, you said there's a tension between cultural and modernity and people fighting for their rights versus resisting long standing customs. What do young women who are growing up today, girls and young women, how do they approach this issue? Are they more likely to say, "I must have land, this is very important to me, it's something that I make a priority in terms of my own desires for my life." Has there been a shift in terms of how young women view the right to land?

MUSIIMENTA: Actually the young women are very, very focused. Some girls finish university and they are looking at, "I need to buy land in a village or I need a plot of land in this city. And this has actually increased the tension because men are not prepared to accept women who are so focused and hardworking. So when they see this girl she has just finished university and she's thinking of buying land, what kind of woman would this be? This woman will overshadow you. Marrying that one means you'll never be seen. So they shy off on them. Of course there are some men who are courageous and they can cope with such hardworking women. But most women are now focused on preparing themselves to be independent. Of course there are those who are not, those who are socialized to depend on men. But still they also want to get money from men and do something for themselves.

MOMAYA: Is it difficult for women—in the cases of women co-owning land with their husbands or like you said through their brothers or someone—is it hard for them to have the assets to put up money to buy some of the land? Has there been a historical disparity between women's ability to even—assuming the laws are in place that women are allowed to co-own and have their name on the title—have they had the assets to be able to put into that land? Have women been able to have access to their own money and control it historically or is that something that is also more recent?

MUSIIMENTA: I would say it's not recent because even in the tradition where women do not have money but they also their ways of having something to themselves.

MOMAYA: Okay.

MUSIIMENTA: But the women who are building the houses, there are many. Because some men who are really trying to hold onto their masculinity. They want you to have all the money, you bring it and buy saucepans and spoons and house and bed sheets and curtains and paint their house, buy the carpets. All those things that are really not very valuable resources. Because the threat is, if you contribute 20% or 50% and the man contributes 50% he will have lost the control over you. So the way to control us women is to make sure that they still control the most valuable resources, which is land, house—

MOMAYA: House.

MUSIIMENTA: And maybe a car. But house and land, those ones are very, very crucial resources. So when you contribute they've got you as a woman who is really going to be powerful and a threat to their masculinity.

In Uganda they have the saying that, if you build a house as a woman they call you [*Speaks Ugandan*] meaning, That woman who has built herself a house! It has a derogatory meaning, connotation. That woman! That woman who has built herself a house! It brings a very bad message to be called "That woman who has built herself a house." But now women are defying that, they don't care whether you can call them [*Speaks Uganda*] those who have built themselves a house. They really enjoy having their own houses.

Because men have become threatened and partly I think, we as feminists, as women activists, as gender activists that somehow we are moving very fast on empowering girls and not empowering boys. One thing that you forget is these people have to partner.

MOMAYA: Yes.

MUSIIMENTA: If they're the same generation they say empower girls, keep them in school, empower girls to work hard. The boys who are living here are still entrenched in their traditions of thinking that I'm the boss. So, they meet a girl like you who is empowered, you know what you want and then the man wants to boss over you. He says, "I am your husband." You say, "Yes I know that." "As a husband I'm going to tell you what to do. I'm going to keep the money, bring the money," and you're like, "Wait a minute, that money goes to my account, which means I also know how to budget." Then you begin conflicting from there, divorce and fighting and so on.

And this has actually contributed to domestic violence because men still want to exert their pressure and culture on women who have been empowered and not accept degradation, depression and oppression.

MOMAYA: What is happening in terms of legal formalization to allow women to own land as sole property owners and not jointly with men?

MUSIIMENTA: Yeah, the laws are very clear. Women are allowed to own land.

MOMAYA: By themselves?

MUSIIMENTA: Yes, but what does the family, what does the culture say? Despite the rules, the stopping of women from owning land is on the increase. And sometimes it is the men, your husband can connive, even with the local law enforcement officers. So he can go through the local councils. They will sell you land which is not there. Some women have bought land that is not there. You go and buy and even check on lands and they tell you this land is there. You find that they made another land title— duplicated.

MOMAYA: Just like that.

MUSIIMENTA: Recently it was found out. Some people you buy land and you don't have it. And if you have bought this land secretly you see how traumatized you'd be. You bought it and nobody knew and now the land is not there.

MOMAYA: And your money then—

MUSIIMENTA: Your money is lost.

MOMAYA: Oh my gosh.

MUSIIMENTA: Yes. Basically the rule is there, and there's no law supporting or promoting land grabbing, but land grabbing is there. And as you were saying on this social aspect, the land issue is becoming a very hot issue. There are some tribes that are fighting even with *pangas* and machetes. They are chopping each other into pieces because of land. Even recently, we had a conflict in Uganda and Kenya because of the land. So the land issue is becoming a big problem and because of the population growth Uganda is currently 30 million people from 21 in '91. So, in a period of 10 years, we have gone swoosh.

MOMAYA: Wow.

MUSIIMENTA: Yeah, so the progression of growth is increasing the pressure on land and so everybody's ready, I need to have land, grab the land, have land. It's a big issue. Not only to women but also to men. People are fighting because of land.

MOMAYA: Everyone wants some.

MUSIIMENTA: Yes. And with this breaking relationships, women have also to have land.

MOMAYA: By themselves.

MUSIIMENTA: Yes.

MOMAYA: Now that more women are owning land by themselves and that there is this phenomenon of land grabbing, have you seen in Uganda an organized backlash by men in terms of wanting to put women in their place? Or as you said, there have been some increases in domestic violence. Do you see that on a large social scale, in terms of just more attacks against women or more—just stronger opposition of women in different contexts?

MUSIIMENTA: It may not be that formally organized, but at the back of most men is that women should be put in their position.

MOMAYA: Place.

MUSIIMENTA: There is a saying which is also in our language [Speaks Ugandan]—“Even if a rat grows fat and big and wide, it still remains the prey for the cat.” But even if a woman is educated, she has the money, she’s powerful, she still remains under the control of a man. So they’d want to try and show it doesn’t matter how educated, how powerful out there in the public you are but you are still under my control. And others actually make it worse that if you are powerful in the public he revenges indirectly. When you come home he’s like, “Now you leave your ranks and everything at the doorstep.” When you come in, you behave like a woman. You either accept or you get out of the house.

So, it is there in most of the traditional men who have failed to change it’s still there that you have to tame the women. They called it taming, you have to tame her so that she fits in her position as a wife. Because you married her to do this for you, to serve you and to work for you and to produce children for you. Not to go out and come when, looking at the door for you to open. So it is still there.

MOMAYA: So the last question I’d like to ask, and then I’ll give you a chance to say anything else that you would like, is if you could speak comparatively to other countries in Africa. It seems like there are some places in Africa where women are still fighting for the right to even sign the title deed and have their name as part of it. And I don’t know if there are places are further along in terms of the advancement of women and land rights. So could you share any comparative insights that you have of other places in Africa?

MUSIIMENTA: The place I know like, our neighbors, Sudan, Egypt, Somalia, Ethiopia, the situation of women is still bad. Because for them unlike Uganda they are not even allowed to talk to strangers so you cannot even buy anything without being in the company of your husband. They are not even allowed in Ethiopia, there are some tribes that don’t allow women to walk away from the house. You have to remain in the house, send your husband for whatever you want.

The Sudan situation is just so bad because of the influence of Islam, where their women are more or less treated like property. Even schooling is limited—they don’t allow to go to a certain level of schooling. The Sudanese, Ethiopians who are studying, they’re studying outside their countries, the women, most of them in Europe, Uganda. Those are the Ethiopians, the Sudanese who are studying as feminists. So those who are there, you don’t even have to struggle for land when you don’t even have a say about your sexuality, about your other immediate basic needs. So land becomes this non-issue because for us what made help for Uganda is the constitution that provides for these

