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GENDERED IMPACTS OF LANDLESSNESS ON PEOPLES IN UGANDA: A case of Batwa from Southwestern Uganda.
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GENDERED IMPACTS OF LANDLESSNESS ON INDIGENOUS PEOPLES IN UGANDA:

A case of Batwa from Southwestern Uganda.

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Cover photo: Landless Batwa in Kisoro district.

Photo by Michael Nsibambi during field work 2017.

DEDICATION

I dedicate this research work to my beloved mother Mrs. H.N. Mayanja. Your inspiration, encouragement and love will always live forever and in memory of my beloved late father-Engineer G.W.B. Mayanja.

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ABSTRACT

This thesis analyzes gendered impacts of landlessness on indigenous peoples in Uganda with a case study of Batwa in Southwestern Uganda. I further highlighted the causes of landlessness and challenges it creates for indigenous peoples in Uganda, and highlighted the gaps between the protection and the implementation of land rights of indigenous peoples. It gives a general overview of Land Rights in Uganda, historical Land Rights in Uganda (Pre-colonial period before 1894), Colonial Era (1894-1962) and the status of the Land Tenure System in Uganda. This chapter also consists of the theoretical framework upon which the study was built with a description of the theories of Intersectionality and Indigenous Feminism laying a background of the analysis of this study.

Furthermore, indigenous Batwa women were placed at the center of the study because they have cultural gender challenges as women, and at the same time, as indigenous people. The challenges of landlessness are discussed in relation to indigenous theories used. Different research tools and indigenous research methodologies were employed to come up with the data which was analyzed in relation to the theories and the suggested recommendations are highlighted.

Keywords: Landlessness, Indigenous peoples and Gender

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FIGURE AND PHOTOS

ACRONYMS AND ABBREVIATIONS

ACHPR	African Commission on Human and Peoples' Rights
GLTN	Global Land Tool Network
ILO	International Labour Organisation
IWGIA	International Work Group for Indigenous Affairs
MLHUD	Ministry of Lands, Housing and Urban Development
NFA	Natural Forest Authorities
NDP	National Development Plan
ULC	Uganda Land Commission
UN	United Nations
UNDRIP	United Nations Declaration on the Rights of Indigenous Peoples
UNESCO	*United Nations Educational, Scientific and Cultural Organization*
UOBDU	United Organisation for Batwa Development in Uganda
GEL	Global Environment Facility
MBIFCT	Mgahinga and Bwindi Impenetrable Forest Conservation Trust Fund
BMCT	Bwindi-Mgahinga Conservation Trust
NGOs	Non-Government organizations
FPP	Forest Peoples Programme

SRVAW   Special Rapporteur on Violence Against Women

IPs   Indigenous Peoples

FGDs   Focus Group Discussions

NSD   Data Protection Official for Research

UiT   The Arctic University of Tromsø

IBEACO   Imperial British East African Company

DISO   District Internal Security Officer

RDC   Residence District Commissioner

NAADS   National Agricultural Advisory Services

SACCO   Savings and Credit Cooperative Organisations

VSLA   Village Saving and Loans Association

1 CHAPTER

1.1 Introduction

In East Africa, there is no single clear-cut definition of indigenous peoples. Clifford (2007) asserts that they can be "native to a particular place, original to their lands rather than having migrated from elsewhere". Most indigenous peoples' livelihoods depend on access and rights to their traditional land and natural resources. However, they suffer from discrimination and are regarded as less developed and less advanced by the dominant populations. They are subjected to domination and exploitation within the national political and economic structures that are designed to promote the interests and activities of national majority as Clifford (2007, pg. 89) states that "Discrimination, domination and marginalization violates the rights of indigenous peoples". These are similar challenges indigenous peoples face worldwide.

Cobo's 1987 definition of indigenous peoples is in line with Clifford and UNDRIP 2007. Cobo, however, puts more emphasis on self-determination. He has four criteria for defining indigenous peoples, namely: self-identification, cultural distinctiveness, priority in time and the fact that they are dispossessed. Therefore, most indigenous peoples in Uganda (IPs) have a challenge with land rights violations, which are the main causes of their landlessness. Although landlessness has a big negative impact on the IPs, indigenous women are more affected than indigenous men because in many instances women in Uganda face cultural gendered challenges simply due to the fact that they are women. For instance, formal decision making is mainly by men among Batwa[1] communities, and women only have informal influences on decision making through husbands and sons (Ssenkaaba, 2015). Therefore, Batwa women are faced with differing situations within different dimensions of their lives socially, economically, ethnically, culturally and politically because they are women and at the same time they are indigenous. Yet, they hold multiple positions such as mother, wife and care takers of homes. These factors have placed indigenous women at the forefront of being heavily affected by the challenges that affect indigenous communities in general (Chandra, 2005).

Based on the above information, and literature about indigenous peoples in the East African region, I was compelled to investigate the gendered impacts of landlessness on indigenous

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[1] Batwa is the plural form for a person from this ethnic group, and Mutwa stands for singular

peoples in Uganda. I selected Batwa in Southwestern Uganda as my case study and my discussion is mainly cantered on Batwa women as all indigenous women in East African region face the same challenges (Lewis, 2000). The photograph below shows some landless Batwa people in Kisoro standing in front of their temporally house structure. This land was donated to them by the Church of Uganda (Kisoro Diocese) after their eviction from their ancestral land. However, they still feel insecure for not having any legal documents for it like a land title.

Photo 1. The landless Batwa in Mikingo Village Kisoro Hill.

Source: Researcher from the field 2017

Being a Ugandan, born and raised in Uganda, I have witnessed the challenges that most indigenous communities face like land grabbing, discrimination and marginalization by the dominant population. I was therefore compelled to carry out research about gendered impacts of landlessness on indigenous peoples in Uganda. Therefore, four research questions formed the basis of my research project

1.2 Research questions

My main objectives for this research project is to analyze the gendered impacts of landlessness on indigenous peoples in Uganda, below are the research questions.

i.   What are the causes and effects of landlessness among Batwa in Uganda?

ii.   What ways are Batwa women specifically affected by landlessness?

iii.   How have the Batwa been supported by different stakeholders to solve the problem of landlessness?

1.2.1 Problem statement

Most indigenous groups in Uganda have a common experience of what the International Working Group for Indigenous Affairs (IWGIA) has referred to as "State-induced landlessness and historical injustices caused by the creation of conservation areas". This led to the eviction of Batwa from Bwindi and Mgahinga forests (IWGIA 2016) on grounds of being government's protected land for nature conservation. Lack of protection of their land rights and their eviction from their ancestral land made them landless. I was, therefore, compelled to analyze the impacts of landlessness on indigenous peoples in Uganda looking specifically at the case of Batwa in Southwestern Uganda. Because women are affected more than men, I decided to focus mainly on the women. Although the 1995 Uganda Constitution offers no protection for indigenous peoples, its Article 32 places a mandatory duty on the state to take affirmative action in favor of groups that have been historically disadvantaged and discriminated. Despite several pieces of legislations that are meant to protect customary land rights such as the 1998 Land Act and 1995 National Environment statute that are in place in Uganda, Batwa's are still not able to secure rights to their land. They have been oppressed, marginalized, and discriminated, facing a lot of injustices and social inequalities due to the landlessness. The government of Uganda has not done much to protect and promote indigenous people's rights, which could be connected to Uganda not ratifying the International Labour Organisation (ILO) Convention No. 169 (IWGIA 2016) and Uganda's absence from the voting on the UN Declaration on the Rights of Indigenous Peoples in 2007. This would guarantee the rights of indigenous and tribal peoples as independent states. The Uganda National Land Policy 2013 states that: "land rights of indigenous people as ancestral and traditional owners, users, and custodians of various natural habitats and their survival is dependent upon access to natural resources". However, the establishment of national parks and conservation areas with large scale commercial enterprises such as mining, logging, commercial plantation, oil exploration, dam construction and others take place in violation of rights of the IPs, as the access to their natural resources is controlled by the government.

Indigenous peoples in Uganda occupy land on the basis of precarious and unprotected land rights systems which exposes them to constant evictions, for instance from forests by the Natural Forest Authorities (NFA). In some cases the government is non-compliant with the provisions of the constitution that provide "prompt, adequate and fair compensation prior to

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taking their possessions" (The 1995 Uganda Constitution). The Uganda National Land Policy (2013) provides room for compensation or an offer of alternative land to people before any eviction is conducted. But Batwa people were evicted from their ancestral forest land without consultation, adequate compensation or offer of alternative land. This affected them socially, economically, ethnically, culturally and politically whereby challenges that affect indigenous communities affect indigenous women heavily as they are more susceptible to the challenges and vulnerabilities worldwide (Chandra, 2005).

1.3 Background to the study

The 1995 Ugandan constitution states that all 65 ethnic groups of Uganda are as of the 1st February, 1926 considered to be Uganda's indigenous communities, but it does not have a clear definition of the term "indigenous". In 1962, the British made border adjustments where the Eastern province (Dudolf) was transferred to Kenya hence forming the present boundaries of Uganda. This was a result of merging different tribal territories which led to the loss of some Ugandan identities to other countries. This was a big challenge to the new Ugandan nation leading them to "under-communicate the tribal or ethnic diversity found in the country" (Anderson, 1991). Furthermore, Kagumba (2013) also discusses, "the Ugandan government relies on a colonial construct of creation of state borders to determine indigeneity".

Musubika (2017), states that "according to the African Commission, the term 'indigenous peoples' is a term and global movement fighting for rights and justice for those particular groups who have been left on the margins of development, and who are perceived negatively by dominating mainstream development paradigms, and whose culture and ways of life is under threat" (2017:18). Therefore, Batwa, Benet and Karamojong people in Uganda fall under this definition. Based on the 1995 Uganda constitution and Musubika's definition discussed above, and being a Ugandan by nationality as well, I categorized Batwa as indigenous peoples of Uganda.

Historically, Batwa were forest-dwelling hunters-gatherers, living and practicing their cultural and economic way of life in the high mountainous forest areas around Lake Kivu and Lake Edward in Uganda and the Great Lakes region of Central Africa. Their main subsistence activities were fruit gathering, hunting, pottery, weaving baskets, harvesting honey, collecting herbs that were a source of income and practicing music and dance for recreational purposes.

Traditionally, Batwa had three types of houses; caves, "omuririmbo" and "ichuro" in which the caves and "omuririmbo" were their main houses. Ichuro were used for resting and storing food including meat, honey, beans and sorghum. Today the Batwa number is approximately 6,700 living within the present state boundaries of Uganda, mainly in the southwest region (IWGIA 2016). A report about cultural assessment in October 2013 from Fauna and Flora International states that their principal language is Rutwa with Rukiga and Rufumbira being the minority in a community dominated by Bakiga and Bafumbira respectively.

Currently they are no longer able to live only as hunters and gatherers, but they practice agriculture and live as squatters on other people's land after their eviction in 1991 from Bwindi and Mgahinga forests (IWGIA 2016). According to the data collected by The United Organization for Batwa Development in Uganda (UOBDU) in 2007, Batwa are found in six districts, including: Kabale, Kisoro, Ntungamo, Lwengo, Mbarara and Kanungu, located in the southwest part of the country (see map in Fig.1 below). As a result of their exclusion from their ancestral forests and the loss of their traditional lifestyle, the majority of Batwa in Uganda suffer severe poverty, discrimination and socio-political exclusion from other ethnic groups. Unlike Batwa in Burundi, who have political representatives, there are no known Batwa holding positions of political responsibility in Uganda today (UOBDU, et al 2015).

Figure 1: Map showing the location of Kisoro the research area among districts occupied by Batwa in Uganda
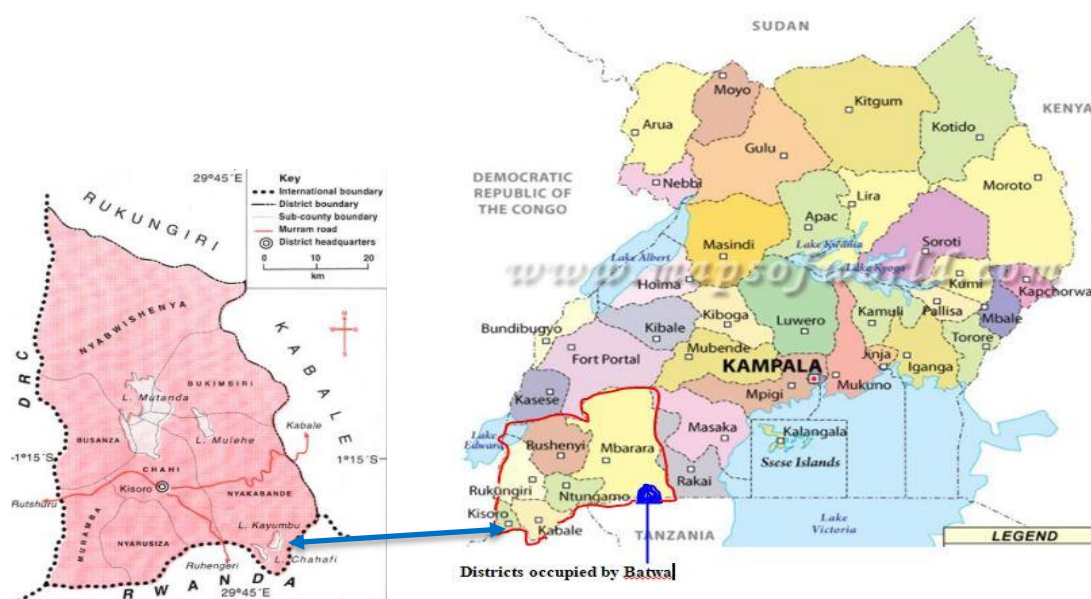
Source: www.maps of world.com

1.4 Indigenous peoples and women in context

Different states define indigenous peoples differently. Uganda opted to categorize the would-be indigenous peoples as ethnic minorities (Constitution of The Republic of Uganda 2006) because the 1995 Ugandan constitution states that all 65 ethnic groups of Uganda are as of 1st February, 1926 considered to be Uganda's indigenous communities. De Varennes 1997 defines minorities as "a group of individuals sharing common ethnic, religious and linguistic characteristics and who are numerically inferior to the rest of the population of the state".

Similarly, Francesco Capotorti's special report of the UN Sub-Commission defines ethnic minorities as a group that is numerically inferior to the rest of the population of the state. They possess different religious and linguistic characteristics differing from those of the rest of the population and very determined to preserve, protect and promote their culture and traditions. Ethnic minorities around the world sometimes face challenges similar to indigenous peoples, such as disempowerment, stereotyping and discrimination economically, politically, culturally and socially (ACHPR, 2011). However just being an ethnic minority does not automatically mean one has challenges; in some cases, such as Jewish people, and many Asian minorities in the US, for example, ethnic minorities live a free life like the dominant groups in such countries. But for the case of Batwa in Uganda, they are victims of the above mentioned challenges.

The perception, categorization and contextualization of indigenous peoples on the African continent vary from country to country and community to community. In Uganda, all people are considered indigenous, and this means that people like the Batwa are actually treated unequally. For example, areas that are occupied by pastoralists and hunter-gatherers are under-developed, gazetted[2] and denied access to the natural resources upon which their survival as people depend on and they face eviction from their land (ACHPR and IWGIA, 2005).

Dispossession of land and natural resources is a major problem due to the economic interests of the more dominant groups and large-scale development initiatives that tend to destroy their lives and cultures rather than improve their situation. This has a great negative impact on the lives and cultures of indigenous peoples in Africa. For example in East Africa, the Ogiek (or

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[2] Gazetted areas are places under tight control by the government of Uganda and restricted from public access without the government's permission such as National parks, wildlife education centers, world heritage sites etc.

Okiek) and Hadzabe, hunter-gatherers living in Mau Escapement in the Rift Valley Province of Kenya and Northern Tanzania, and Batwa in Uganda all face similar challenges of oppression, land grabbing, illiteracy, poverty and others (Lewis, 2000).

In Uganda, women are seen as the mothers, teachers, generally the primary care takers and protectors of all children right from the time of birth. Although the comparison of women to "mother earth" is sometimes romanticized, it is certainly true that indigenous women worldwide are more susceptible to a lot of challenges and vulnerabilities than indigenous men (Chandra, 2005). At the same time, women are the most vulnerable group, a fact that has received much attention both in the media, academia and research (Matembe & Dorsey, 2002; Tamale, 1999), but indigenous women's challenges have not gotten much attention and lagged behind a bit. This is still a big challenge not only to the indigenous women but also to the entire nation. Although indigenous women's challenges such as social, political, ethnical, cultural and economic differ from nation to nation, all need critical attention which should be tackled differently according to the gravity, situation and category of the challenges.

Indigenous women face double marginalization. In the first place, women are oppressed both within their own culture, and in the larger society because of being women. They are culturally at a lower position in Batwa society than men despite the fact that most hunters and gatherers tend to be at almost the same level. Due to the Batwa's dispossession, it created male dominance over women and this patriarchal setting hinders self-determination and the recognition of indigenous women as equally important stakeholders in the indigenous movement alongside indigenous men. Secondly, these women are indigenous people, and are subjected to the denial of human rights, domestic and gender based violence, discrimination, oppression, land grabbing, illiteracy and poverty. The double oppression and violation of their rights makes women lag behind and feel inferior to men, yet they deserve equal rights and opportunities and if given opportunity might have the ability to perform as well as men. For example, Alice Nyamihanda is the first female Mutwa graduate who is a secretary for education in UOBDU and very effective in her job. However, to attain this goal it has to be a collaborative approach from civil societies, academia, non-government organizations (NGOs) and the governments. As many girls are taking Alice as their role model, there is a likelihood of more women going further in education like her. I was compelled to use Batwa in Southwestern Uganda as my case study to draw attention to different stakeholders to understand the effect and causes of landlessness of indigenous peoples in Uganda. The

involvement of different stakeholders can be a stepping stone for the advocate and implementation of Batwa land rights.

I therefore wish to draw the attention of the international community, Ugandan government, civil societies and all stakeholders to join hands with Batwa agencies such as UOBDU to strengthen, advocate and protect the land rights of indigenous peoples in Uganda.

1.5 Conceptual /theoretical framework

According to the nature and topic of my research project, my theoretical framework dealt mostly with intersectionality with the incorporation of indigenous feminism to a lesser extent in order to have a proper analysis of all my data. Intersectionality deals with domination and discrimination which is intertwined with social identities and oppression (Crenshaw, 1989). Indigenous feminism focuses more on decolonization, how indigenous women stories are portrayed, and also a review of patriarchy at all different forms and levels (Olsen, 2016a).

Intersectionality helped me to clearly conceptualize the social inequalities, systems of injustices which results in the negative effects affecting the landless indigenous Batwa in Uganda. Batwa women often face oppression by Batwa men and other men from the dominant communities. It is assumed they are culturally/traditionally empowered to be superior to Batwa women and is a big challenge that affects most of indigenous women in Uganda. Therefore, the indigenous feminism concept helped me to identify how this subordination violates women's rights and the challenges they face socially, economically and politically as male dominancy is considered to be a cultural trend (Frye, 2000). The concept of intersectionality and indigenous feminism will be discussed in the next chapter in a broad context.

I fused the two above discussed approaches that complement each other to be in a better position to analyze the negative effects affecting the landless Batwa and how it affects Batwa women as a result of being indigenous, and at the same time, women.

1.6 Relevance of the study

This study focuses on gendered impacts of landlessness on indigenous peoples in Uganda with the main focus on the vulnerable Batwa women in Southwestern Uganda. It further looks at the gaps in the implementation of Batwa land rights that has resulted in socio-political and economic forces leading to their landlessness in Uganda. After losing 355 square kilometers of land following their eviction, Batwa have been forced to change their social and economic practices from those of hunting and gathering to practicing agriculture. They are now living as squatters on the land of others, mostly from dominant ethnic groups (UOBDU

2007). This has greatly affected Batwa and especially Batwa women, leading to violation of their rights and resulting in school drop outs, unemployment, deaths, early pregnancies and street children. The eviction from their lands has had multiple effects and these have been the most severe for women.

This thesis further highlights the dispossession and alienation from their traditional lands and resources as a result of the establishment and management of protected areas, including UNESCO sites that are inscribed on the World Heritage list" (UNESCO 2012).

Article 32, subsection one of the UN declarations on the rights of indigenous peoples states that: "Indigenous peoples have the right to determine and develop priorities and strategies for the development or use of their lands or territories and other resources". Therefore, in order to determine how a right based approach of securing land rights and in turn that cultural rights do not face "extinction", the indigenous peoples need protection over their land rights. Although a lot of studies analyze challenges faced by indigenous peoples in Uganda such as Akabwai (2007), Elizabeth (2009), Ssenkaaba (2015), Musubika (2017), Wordofa and Dereje (2004), Mirzeler (2000), no specific study has been conducted to examine the gendered impacts of landlessness on indigenous peoples in Uganda. For these reasons, I chose to use Batwa as my case study with the main focus on Batwa women who are the most affected. In addition, their marginalization is multiplied throughout society, because it impacts all of the children they care.

The aim of this study is to make a contribution to the literature and to the discussions of scholars who aim to understand the gendered impacts of landlessness on indigenous peoples, in particular in Uganda. It further alerts the Ugandan government and international organizations that indigenous peoples in Uganda deserve equal rights over their land.

1.7 Outline of the thesis

This thesis is made up of six chapters. Chapter one contains the introduction to the topic and gives a general overview of the entire case study with its objectives and relevance of the study.

The second chapter consists of a review of the term indigeneity in the African and Ugandan context, and how different scholars discuss this issue. It is also in this chapter that I review previous research in relation to Land Rights of Indigenous peoples in Uganda, general overview of Land Rights in Uganda, historical Land Rights in Uganda (Pre- colonial period before 1894), colonial Era (1894-1962) and the status of Land Tenure System in Uganda.

This chapter also consists of the theoretical framework upon which the study is built.

The third chapter gives a detailed account of study and how it was conducted, what transpired in the field and the tools used to gather the data which include sampling, participant observation, interviews, life stories or narratives, archive materials, methodology, indigenous research paradigm, Ethics & Reflexivity.

The analysis of my data is combined in the fourth and fifth chapters where I present and discuss the findings of my study in relation to the research questions in chapter one. It consists of the following sub-topics; relating intersectionality and indigenous feminism to the study, colonialism and indigenous peoples in Uganda, colonialism and the Batwa people in Uganda, effect of colonialism on Batwa people, racism and general observations.

Chapter six is where I summarized the findings, stated what this study adds onto the academic sphere and recommendations.

2. CHAPTER: LITERATURE REVIEW AND THEORETICAL FRAMEWORK

2.1 Introduction

This chapter looks at the theoretical framework, reviews the previous research and the concept of indigeneity in both the African and Ugandan context. I divided the entire chapter into three sections where the first section is about the historical background of land rights in Uganda. I then look at what other researchers have written about the various legal and institutional policies that protect land rights of Ugandan citizens and how they are implemented. In the second section, I discussed the concept of indigeneity in both African and Ugandan context and how Uganda conceptualizes the term ethnic minorities. It is in this section that I still focus on Batwa women and Batwa in general and how Uganda describes indigenous peoples. Then the third section is where I discussed the theoretical framework upon which the study was built.

2.2 Section one: Previous research in relation to land rights of Indigenous peoples in Uganda

2.2.1 General overview of land rights in Uganda

Ross (2013) describes how customary land rights featured prominently within legal pluralism in Uganda during the 1990s. Today, there is a lack of proper state protection, and customary laws are up for new review because of multiple problems experienced under legal pluralism, when citizen rights are recognized more than state interests. Since the land tenure system is mainly through formal registration and acquisition of land titles, Indigenous land rights are not given much attention, leading to huge acquisition of their land by the dominant groups. Also the government sets up economic activities such as mining, lumbering, national parks and big agricultural schemes. Indigenous peoples are restricted from accessing such areas and are forced to move to other regions that are agriculturally-based where they are subjected to discrimination and suffering.

Land rights protection in Uganda is currently unstable and not streamlined, which affects not only indigenous peoples but all 56 ethnic groups. Article 26 of 1995 Uganda's constitution states that "every person in Uganda has a right to own property either individually or in association with others which includes land". This implies that individuals, institutions and communities are offered protection to land rights by the Constitution and the Land Act. This sub-section addresses protection of land rights of women, minorities, bonafide and lawful

occupants in different categories. It further addresses provisions within the law that provide for their right to land and the different ways in which these rights can be enforced and protected. Section 24 of the 1998 Land Act details the right to land, graze, hunt, gather honey and other forest resources for food and medicinal purposes as well as other purposes among the community. However, the 1998 Land Act of Uganda failed to address land claims of minority and marginalized groups. This propelled the Uganda National Land Policy to try to bridge these gaps that contain important recognition of the rights of minorities and pastoralists whose rights are to be guaranteed by the state. This policy recognizes ethnic minorities/indigenous peoples as ancestral and traditional owners, but development of natural resources often takes place at the expense of their rights (Land Rights Handbook Draft January 2014). There are two ways in which land rights can be categorized in Uganda; formal and informal land rights. In formal land rights, the owner has the right to occupy the land, build on it or pass it over to his/her heirs as long as that individual registered it and has the map in the government record office as the law states, which prevents other people from coming on to it (Lemmen et al., 2015). In informal rights, a group of individuals (such as a clan, community) have traditional rights to use a piece of land (UN-Habitat, 2012). In order to have a clear discussion of the current land rights issues, a brief overview of land rights in Uganda leading to the present situation is discussed below.

2.2.2 Historical land rights in Uganda (customary tenure in pre-colonial period (before 1894)

Land was held under customary tenure systems before Uganda became a British Protectorate in 1894. This is where customary systems guaranteed access to land through membership in a social kinship and group with no rights (Bruce, 1988). In customary African tenure rules, land was plenty with scarce labour and due to that scarcity of labour, there was plenty of land which anyone could have as long as his labour force could accommodate (Barrows & Kisamba-Mugerwa, 1989). Traditionally, people considered customary tenure as a medium that defined and bound together social and spiritual relations within and across generations (Njonjo, 2002). This applies to many African countries land that belonged to families of whom many are dead, few are living, and countless members are still unborn (Lawrence, 1966). Land rights are differently applied in different ethnic groups all over Uganda, although customary tenure predominates in the northern, eastern, and the West Nile sub-regions (Kamanyire & EPRC, 2000).

Although customary tenure in Uganda is currently based on pre-1894 customs, according to the Uganda National Land Policy, customary tenure has three main problems: (a) it discriminates against women (b) it impedes the advancement of land markets and (c) it does not provide security of tenure for landowners (Ministry of Lands, Housing and Urban Development, 2013). This propelled the Ministry of Lands, Housing and Urban Development, (2013) to assess customary tenure as lesser to other tenures that have titles for proof of ownership in courts of law and in the administration of justice regarding dispute resolution. Therefore, the Ministry of Lands, Housing and Urban Development (MLHUD) in Uganda regarded the customary tenure system as inferior in practice to other forms of registered property rights, which is a challenge to transformation (ibid.).

2.2.3 Land tenure systems in the colonial era (1894–1962)

British colonial administration made several attempts to formalize customary tenure in Uganda during the colonial period. They believed that industrialized farming was better than small-scale farming that the Ugandans were practicing, and that large-scale farming would stabilize the Uganda Protectorate economically and be self-sustainable (Batungi 2008). Since large scale agricultural farms could only be established by foreigners, the protectorate had to secure agricultural land to the foreigners, and this led to the introduction of formal private land ownership by registered title (ibid). Three new forms of land tenure, namely Leasehold, Freehold and Mailo Tenure, were introduced (Olanya, 2011). Nkioki (2006) asserts that the Queen of England declared the rest of the land in Uganda as 'crown land' belonging to the British, and customary land tenure was recognized but within limits (Mugambwa, 2007). Indigenous Ugandans had a right to occupy any land under the Crown Lands Ordinance of 1903 but were not granted freehold or leasehold with prior license or consent in accordance with their customary law (ibid.).

2.2.3.1 Leasehold, Freehold Land and Mailo Land Tenure Systems in Uganda

Leasehold land tenure means holding a given piece of land for an agreed specific period by the lessor and lessee (1998 Uganda Land Act). According to the Ministry of Gender, Labour and Social Development, 2010, there are two types of leasehold tenure in Uganda today. These include Private leases and Statutory leases which are given to individual landlords and corporate groups/individuals under public act terms respectively. With private leases, the landlords/owners are responsible for giving out agreed terms and conditions while statutory leases are only granted by the Uganda Land Commission (ULC) on public land. In case of the

breach of the lease contract, the leaser has the ultimate right of revoking the ownership. Currently there is a contradiction between the National Land Policy and the 1995 Uganda Constitution over converting leases on public land into freehold in Uganda. Article 237(5) of the 1995 Uganda Constitution gives the right to the government of Uganda to convert any lease given to any Ugandan citizens on public land into freehold. However, the National Land Policy does not concur with it as it states that "leaseholds granted out of former public land without any customary rights should not be converted to freehold, since the land was not customarily owned at the time of grant of the lease and should continue to run as leaseholds, with the citizens of Uganda keeping the reversionary interest" (Ministry of Lands, Housing and Urban Development, 2013). This causes many Ugandans to lose their land rights.

Freehold land tenure means the holding registered land in perpetuity is subject to statutory. This system follows some qualifications that are described in 3 of the 1998 Land Act. Different kingdoms like Ankole, Toro, Bunyoro Buganda and others signed agreements with the British protectorate and all automatically qualified to be part of Uganda protectorate. Freehold tenure was standardized and given authority of compulsory registration of titles and disposition because the terms of tenancy and tenants on land and title holders were not negotiated well (Mabikke, 2014). The current laws provide for conversion from leasehold tenure or customary tenure to freehold as public policy regards it as freehold (Ministry of Lands, Housing and Urban Development, 2013). The registration is deemed expensive, but freehold also has some challenges to public regulations since the terms were not conditional (ibid., p. 19). In Uganda, 'mailo land tenure' means holding registered land under the 1900 Uganda agreement. This land must have full statutory qualifications which are clearly described in section 3 of the 1998 Uganda Land Act (Government of Uganda, 1998). It was during the 1900 Uganda Agreement that land was dealt with under political and military issues. This led to the change of Buganda land tenure to freehold tenure under article 15 of the 1998 Land Act for political leaders (West, 1972). This led to Ugandans getting land in square mile blocks hence the term mailo (Barrows & Kisamba-Mugerwa, 1989). Official mailo was allocated to the Kabaka (king), royal family and high officials whereas Private Mailo was allocated to political officials who were the chiefs. Issues concerning mailo land are attached to Buganda government and are not supposed to be subdivided or sold but passed on intact from the original office holder to his successor (Kamanyire & EPRC, 2000). Therefore,

Mailo owners have rights in the land, akin to those of freehold and can dispose of land as they wish (ibid.).

2.2.3.2 Crown Land Ordinance, 1903
In 1903, Crown Land Ordinance declared all land in Uganda to be 'Crown land'. This implied that this was legally agreed upon in Uganda and the rights of Africans were protected. However, Crown land excluded chiefs from acquiring land as it was in the agreements signed by different kingdoms in Uganda such as Buganda kingdom (Central Uganda) Toro, Ankole and Bunyoro kingdoms (Western Uganda) (Olanya, 2011). All native Ugandans had the right to have land anywhere outside these kingdoms and were not subjected to being granted licenses or consents in accordance to customary law under freehold or leasehold (Mugambwa, 2007).

2.2.3.3 Land Reform Decree, 1975 and 1995 Constitution and 1998 Land Act
In 1975, the late President Idi Amin issued a Land Reform Decree where all land was vested in government as a way of protecting all the people of Uganda (Barrows & Kisamba-Mugerwa, 1989). Mailo and freehold systems were abolished and transformed into leases of states. This led to the mailo tenants becoming sub-leasers and suffering at the expense of the mailo land owner meaning tenants faced eviction involuntarily (ibid., p. 10). This meant that all public land vested in the government was to be administered by the Uganda Land Commission (ULC) who was in charge of giving out leasehold tenure on such land (Olanya, 2011).

However, the 1995 Constitution of Uganda repealed Idi Amin's Land Reform Decree and made radical changes in state land. Article 237(1) of the 1995 Constitution, states that "land belongs to the citizens of Uganda," which made Uganda one of the African country to ratify ownership of land as property to its citizen (Ministry of Lands, Housing and Urban Development, 2013). The management of all land acquired by the government in Uganda and abroad was given to the Uganda Land Commission (ULC) as per the 1995 Uganda Constitution and section 49 of the 1998 Land Act. The four historical leasehold, freehold, mailo and customary land tenure systems were also restored (Government of Uganda, 1995, 1998).

The Land (Amendment) Act 2010 provides protection to lawful and bonafide holders and their successor against eviction as long as the ground rent is paid. However, this does not clearly state how much one pays depending on the economic activities on that land between the tenant and land owners, which often leads to conflicts and eviction (Ministry of Lands, Housing and Urban Development, 2013).

2.2.4 Status of land tenure security in Uganda today

According to the National Development Plan (NDP) 2010/2011–2014/2015 in Uganda, the system of land ownership is complicated and not streamlined for easy accessibility of land for any usage (Government of Uganda, 2010). This is due to the rapid change and complicated land tenure system in Uganda where the population growth is high, oil has been discovered, policy interventions and land acquisition by national and international investors have contributed to these changes (Ravnborg, Bashaasha, Pedersen, & Spichige, 2013).

It is very likely that the majority of Ugandans cannot afford the cost of securing land rights in accordance to the recognized law (Ministry of Lands, Housing and Urban Development, 2013). According to the Uganda National Land Policy laws, land rights mechanisms are not trusted to guarantee tenures security to land users especially the vulnerable (ibid., p. 31).

It is believed in Uganda that 95 per cent of Ugandan land owners do not have land titles to guarantee their security of tenure (Government of Uganda, 2010) and this leaves them in fear of being evicted, depriving the poor from social, economic, political and civil opportunities, especially women (UN-Habitat, 2014). This is due to the corruption, legal and regulatory constraints, culture, squatters, historical issues, shortage of relevant skills such as land surveying and complicated bureaucratic process in accessing land tiles (ibid., p. 161).

The Global Land Tool Network (GLTN), whose Secretariat is hosted by UN-Habitat, recognizes that security of tenure for the poor can best be improved by recognizing a range of types of land tenure beyond individual titles (UN-Habitat, 2014).

Although different institutions and organizations in Uganda recognized that land tenure is beyond title, land rights violation is rampant in the country especially towards indigenous peoples. The creation of conservation areas, such as national parks and national forest areas, multinational companies that clear land for mining crop exportation and world heritage sites

is one of the major challenges that led to Batwa's restriction and prohibition from accessing their natural resources due to the eviction from their ancestral lands. Thus, my focus is on the eviction of the Batwa from ancestral lands for conservation purposes as discussed below.

2.2.4.1. Creation of Conservation areas at the Expense of Batwa People

According to the report from Working Group on Indigenous Population (WGIP) in 2005, Bwindi and Mgahinga forests became national parks for gorillas in 1991, enabling authorities to evict the Batwa definitively from the forest on grounds of being government's protected land for nature conservation. These national parks are managed by the Ugandan government through Mgahinga and Bwindi Impenetrable Forest Conservation Trust Fund (MBIFCT), which was changed to Bwindi Mgahinga Conservation Trust (BMCT) in 1994[3] and funded by World Bank's Global Environment Facility (GEF).

The overall objective of BMCT is the protection of the forests, also responsible for the Batwa component which specifically seeks to address their needs as they were particularly affected by the creation of the National Parks. The Government of Uganda was required to provide an indigenous peoples plan to ensure that there is participation and benefits of the Batwa to World Bank. It was approved and funded for four years in order to manage the created national parks; however, parks were created without consulting or seeking any consent of the Batwa as required by international law. A statement by a representative of the BMCT at the 5th World Bank Congress in 2003 confirms that the access to forest products in the National Parks was denied to Batwa creating hostility against the protected areas by local communities (UOBDU, et al 2015).

2.2.4.2. Restrictions and Prohibitions on Indigenous Land-use Activities in World Heritage Sites

Some protected natural areas are inscribed on the World Heritage list with tight restrictions imposed on indigenous land-use practices such as hunting, gathering, farming or animal husbandry. This violates indigenous peoples' cultural and subsistence rights moreover, in some areas restrictions and prohibitions have come as a direct result of World Heritage status[4]. Myrna Cunningham noted in her interview with the Chair of the United Nations Permanent Forum on Indigenous Issues:

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[3] Bwindi Mgahinga Conservation Trust (BMCT). Accessed on 09th /02/2017 http://www.bwinditrust.ug

[4] It should be noted that the Operational Guidelines recognize that "no area is totally pristine and that all natural areas are in a dynamic state, and to some extent involve contact with people. Human activities, including those

> "In some cases, indigenous peoples are treated as threats to their own territories, especially in instances where management systems of these sites are imposed, based on Western norms and perspectives unrelated to their own governance systems. There are also instances where indigenous peoples have been pressured to leave or been forcibly removed following the establishment of World Heritage protected areas."

(UNESCO, pp. 53-54- Paris: World Heritage No. 62 (February 2012)

Following Cunningham's interview, Batwa indigenous people faced a similar incidence and were forcibly removed or pressured to leave following the establishment of the protected areas leaving them landless and "wanderers" in Uganda.

In conclusion, land rights in Uganda tenure systems do not lie on a single line. They may overlap with one another and take a variety of forms. Registered freehold should not be the ultimate form of land rights, but is one of a number of appropriate and legitimate forms (ibid.), implying that all people in Uganda including Batwa have ultimate land rights and making them landless is a violation of their rights.

2.3 Section two: Indigeneity in Africa and East African context

The issue of indigeneity in the African context has a lot of controversies as the term seems to be foreign on the African continent. There is always a challenge to define who qualifies as indigenous and who does not. To address these controversies surrounding indigeneity in the African context, the African Commission on Human and People's Rights come up with criteria that makes the term more applicable to the African continent. For example, it specifies that indigenous people's culture differs from the dominant community or ethnic groups, and is likely to face extinction with time. These minority groups depend on their traditional land and natural resources. In most cases such people are discriminated against by the dominant ethnic groups and are regards as undeveloped, "uncivilized" and are subjected to domination and exploitation within the national economic and political structures.

Furthermore, the commission confirms that these marginalized groups usually live in geographically isolated areas and are denied the right to participate in any decision-making regarding their development hence a threat to their cultural continuity (ACHPR, 2006).

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of traditional societies and local communities, often occur in natural areas. These activities may be consistent with the Outstanding Universal Value of the area where they are ecologically sustainable." (para. 90).

Historically, the term indigeneity in the African context referred to the descendants of those who occupied a given territory, which was conquered, invaded or colonized by white colonial masters (Saugestad 2008). The white colonial masters' culture was different from those of the native Africans who are the first comers (Ibid). This implies that the white colonial masters left most colonized African countries in the subordinate position. As a result of the white colonial invasion, Africa was partitioned and Border States were created, leading to the merging of different ethnic groups into one nation-state. This led to cultural distortions as different ethnic groups could not freely maintain their cultures due to displacements. Still today it is a challenge to ethnic groups who are wondering and struggling to find their origin (Saugestad 2008). For instance, the Samia people found on the border of Uganda and Kenya share almost the same culture, norms and traditions, but you'll find that some are considered to be Ugandan while others Kenyan. The United Nations Sub-commission on Prevention of Discrimination and Protection of Minorities and according to Cobo's 1987 four criteria for defining indigenous peoples as discussed in chapter one, separating Africans into indigenous or non-indigenous creates social classes and different rights. If I use an example of Rwanda's situation, the neighboring country to Uganda, during 1933-34, the Belgians conducted a census and introduced an identity card system that indicated the Tutsi, Hutu, or Twa "ethnicity" of each person. The identity card "ethnicity" of future generations was determined patrilineal; all persons were designated as having the "ethnicity" of their fathers, regardless of the "ethnicity" of their mothers (Magnarella, 2002) hence creating women's subordination under men.

2.3.1 Hunter-gatherers in African context

Many researchers have asserted the complexity of hunter-gatherers in the African context and are taken as the first inhabitants of the current territories they live in (Spielmann and Eder 1994). However, the historical assertion is not believed on the African continent as it is based on the archaeological data (Diop, 1974) but IWGIA 2000, pg.2, confirms the prevailing belief is in the anthropologists who believe all humans were hunter-gathers. There are uncertainties in academia where hunting and gathering exist as an autonomous activity in the history of African communities during the past and the modern times. Therefore, the term 'hunter-gatherers' is currently used in Africa to refer to groups which are 'strikingly diverse socially, ethnically and economically (Ndahinda, 2011).

A lot debate by anthropologists has occurred which inspired a revisiting of the early research on historical and cultural identity of (Southern) African hunter-gatherers. This led to the Kalahari debates between proponents of opposed 'traditional' and 'revisionist' views (Barnard, 2006). 'Revisionists' regarded the San as an underclass and questioned their claim of identity as 'first peoples' entitled to indigenous peoples' legal protection on grounds that their livelihood depends almost on hunting and gathering since time immemorial. This questioning of their indigenous status is very problematic because often other more powerful ethnic groups can also claim indigeneity for their same territories (Guenther et al. 2006, p. 21). Hunter-gatherers in Africa face a lot of resistance from other societies on the grounds that whether expressly or implicitly, identifying them as indigenous peoples can result in the dichotomization of various groups forming national populations into 'natives' and 'settlers'. This resulted into categorizing or grouping them into "pygmies" and "non-pygmies" living in central, eastern and southern Africa and East-Africa. This is a similar situation facing the San in Southern Africa (Lee and Hitchcock 2001, p. 26).

African hunter-gatherers or (former hunter-gatherers) are estimated to total around 400,000 peoples (Lee and Hitchcock 2001, p. 260). However, the suggested findings from different studies total the number of "pygmies" to be between 200,000-500,000 peoples (Lewis and Nelson 2006, p. 9; IWGIA 2000b, p. 11) out of the total estimated number of all hunter-gatherers or former hunter-gatherers in African. Hunter-gatherers from central, eastern or southern African share common experiences of marginalization and discrimination wherever they live in political and socio-economic spheres. Lee and Hitchcock 2001, p. 260 assert that these communities face "a shrinking of land base, pressures to subordinate themselves to state policies that limit their mobility and freedom of action particularly in the area of conflict with wildlife management policies and strong pressures to assimilate to the cultural practices of their neighbors". Due to the similar marginal and dispossessed conditions African hunter-gatherers have, they are often included on the global indigenous peoples' literature and are thus on the agenda of the indigenous peoples' rights (IWGIA 2000a). This has led to indigenous rights activists advocating for justice of indigenous peoples through a common language based on the historical entitlement to fundamental land rights basing on the cultural distinctiveness.

2.3.2 The situation of Indigenous people and Batwa women in Uganda

Uganda lacks a clear distinction between indigenous peoples and ethnic minorities as it has never ratified ILO Convention No. 169, which guarantees the rights of indigenous and tribal peoples as independent states being absent in the voting on the UN Declaration on the Rights of Indigenous Peoples in 2007 (ILO/ACHPR, 2009 pg.410).

However, Uganda being a member of UN, it has aimed to protect and promote the rights of indigenous people. This is also articulated well in the 2006 constitution of Uganda under section iii subsection ii on National Objectives and Directive Principles of State Policy. It states that; "....every effort shall be made to integrate all peoples while at the same time recognizing the existence of, amongst others, their ethnic, religious and cultural diversity". It is still the same constitution of the Republic of Uganda that considers "all the 65 ethnic groups of Uganda are as at 1st February, 1926 to be Uganda's indigenous communities." In Uganda, the term "indigenous" is used to describe different ethnic groups that have historically been living in the present Uganda within its demarcated boundaries since its declaration as a British protectorate; in other words, all Ugandans are indigenous (Equal Opportunities Commission Act of Uganda, 2007). Furthermore, this way of using the term "indigenous" is used differently from international organizations. Uganda chose to use aboriginality in relation to European colonists to identify indigenous peoples (ACHPR, 2011).

On September 20th, 2010, UOBDU and FPP submitted a joint report about the disproportionate human rights violations of the Batwa women to the United Nations' committee on the elimination of discrimination against women. Batwa women experienced multiple forms of discrimination as indigenous women in Uganda. Their basic human rights and fundamental freedoms such as the right to take part in politics, education, employment, health, and being represented are violated. Their human rights as women also have to be appreciated in the wider context of the communities in which they belong.

Batwa women have not yet benefited from affirmative action under this government, in spite of the protections and provisions in the 1995 Uganda constitution for special measures towards women and vulnerable people's rights. For instance, they are subjected to forced labor in exchange for being allowed to stay on other people's land and are sexually abused, along with many other forms of violation.

From the above discussion, the two organizations that submitted this report called upon the United Nations' committee to emphasize in its recommendation to Uganda, that the Batwa women face multiple forms of discriminations which are a result of the intersection between gender and ethnicity. Therefore, Uganda should have measures that ensure the Batwa women's human rights are well implemented and must attain their full land rights as members of an indigenous group and their human rights as women.

2.4 Section three: Theoretical framework

Indigenous women are mostly victims of 'intersectional discrimination.' These forms of discriminations compound each other and are inseparable (Banda & Chinkin, 2004). At the same time these inseparable challenges come as a result of being indigenous and being a woman. These are coupled with challenges of marginalization and discrimination which is under-looked as a woman especially in the African society. Feminism speaks universally for all women regarding gender (McCall, 2005). Intersectional approaches show how different forms of discrimination like how race, class, gender and sexuality are aspects of identity which deprives the subordinated groups from enjoying their human rights (Collins, 2000). This 'intersectional discrimination' involves multiple forms of discrimination which are inseparable worldwide. Women in different parts of the world have different forms of challenges in their lives that are socially, economically, culturally and politically interconnected. Therefore, with that interconnection, I decided to fuse indigenous feminism with intersectionality as both theories can complement each other in order to analyze the different dimensions of indigenous women.

2.4.1 Intersectionality

The term intersectionality refers to ways different people experience oppression in different formations and varying degrees of intensity which are influenced by the intersectional systems of society (Vidal, 2014). This term was coined by Kimberlé William Crenshaw, an American leading scholar of critical race theory and a civil rights advocate (Crenshaw, 1989). Indigenous women experience multiple forms of discrimination because of their gender and ethnicity as they belong to linguistic or other types of minorities groups in the countries they are found. This is widely acknowledged by international human rights bodies and Yakin Erturk a former United Nation's Special Rapporteur on violence against women, said during the session of the United Nation's Permanent Forum on indigenous issues in 2008 that:

''Indigenous women stand at the intersection of gender and racial inequality. It has also become well known that since women are not a homogenous category, gender equality strategies designed in a vacuum do not work. Failure to recognize the intersectional nature of systems of operation and integrate a racial and gender perspective when analyzing indigenous women's status will ultimately result in future reinforcement of their subordination to both patriarchy and racism. Therefore, in addressing the status of indigenous women, it is essential to identify racial elements of gender discrimination as well as gendered elements of race discrimination"[5].

Therefore, the need for new models of research that is sensitive to the diverse social experiences and inequality has always been recognized by social researchers (Seale, 2012, p. 61). In order to understand the challenges that different classes of people have in society, intersectionality ideology should concur with Seale that different classes of people have different challenges.

Article 44 of UNDRIP (2007) emphasizes that all the rights and freedoms recognized by the Declaration are equally guaranteed to male and female indigenous individuals. This Declaration further calls upon the States to take effective measures and, where appropriate, to ensure continuing improvement of the economic and social conditions of indigenous peoples with particular attention to the rights and special needs of indigenous elders, women, youth, children and persons with disabilities. Notably, it also calls upon the state to take measures to ensure that indigenous women and children enjoy full protection and guarantees against all forms of violence and discrimination. Clearly the Special Rapporteur on Violence Against Women's (SRVAW) work in relation to violence in the family, community in relation to culture and the impact of economic, social and reproductive health policies requires contextualization to indigenous women. This ensures that the declaration is applied with reference to its intersection with gender-based violence and keeping in mind indigenous women's rights to be free from violence and discrimination while furthering indigenous peoples' collective rights[6]. This was stressed by the (SRVAW) in a report analyzing the role of the United Nation's special mechanisms in order to appreciate the intersection between indigenous peoples' collective right and the rights of indigenous women.

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[5] Yakin Erturk, statement at the United Nations Permanent Forum on Indigenous Issues 18 May 2008.
[6] 15 years of the united Nations Special Rapporteur on Violence against women (1999-2009) Acritical review initiated and guided by Yakin Erturk, N, United Nations, 2009,p.49.

The theory of intersectionality looks at different multiple interactions of identities that are interrelated such as class, gender, religion, sex orientation, and nationality to mention but a few. These fall under the social, cultural and biological categories where the different categories create a system of oppression that reflects the intersection of multiple forms of discrimination (Crenshaw, 1989). These different social identities can be described and analyzed as one and at the same time they challenge each other (Olsen, 2016). Patricia Collins (2002) a black feminist advocate also argued that cultural patterns of oppression are not only interrelated but are bound together and influenced by the intersectional systems of society, such as race, gender, class, and ethnicity. Victims of multiple oppression need the intersectionality approach in order to exercise equality from the society they are found. These intersectional systems of society discussed above are what Collins referred to as 'interlocking oppression' (ibid). Batwa women fit in Collins' argument as they face multiple dimensions of oppression amongst themselves (men and women), from dominant societies and the government ranging from political, economic, social and cultural. Due to the different ways in the creation of a social hierarchy, using intersectionality might be difficult in making conceptualizations at these multi-dimensional levels in the African context. It is better to present what intersectionality does than to define it as May (2015, p. 18) argues it that intersectionality has no clear-cut definition in the African context.

2.4.2 Indigenous feminism

Feminism can be defined as a theory that seeks men and women to be equal politically, economically and socially. It further describes and explains women's situations and experiences where respect is a better recommendation for their authority as women (Green, 2007a). Feminism is "an ideology based on a political analysis that takes women's experiences seriously" as well as a process "of organization and of action (ibid p.20). However, this theory does not subscribe to differences between men and women or similarities between men and women, nor does it refer to excluding men or only furthering women's causes. It caters to both genders although other branches of feminism do deal with it differently; however, they all have a similar analytical approach they use which is typically a social concept of power relations between men and women as a unifying factor (Frye, 2000, p. 196). Still more, indigenous feminism does not call for conflicts between men and women, rather it just highlights the social injustice and solutions of men over women as Green (2007b, p. 26), quotes;

"Indigenous feminism is not a man-hating ideology, nor a unilateral rejection of cultures, traditions or personal and political relationships with men. It is not a subordinate form of other feminisms, nor is it a political stalking horse by colonial ideologies".

From the above quote, it is clearly evident that this theory highlights the injustices and solutions that both men and women can take to live in a harmonious society. Indigenous women from indigenous communities in the U.S, Sápmi (Sami land), Aotearoa/New Zealand and Australi, for example, also seemed to be using a feminist analysis, drawing on feminist theories or organizing principles in political and community activism in their writings (Green, 2007a).

Indigenous feminism identifies ways that women can be liberated from the men's subordination. It is these feminists who identified the major human violations such as racism, sexism, colonialism (Green, 2007a) where colonization is seen as having a negative effect on the gender relations of indigenous peoples. This is due to the colonial system which affected family relations, children's upbringing and division of labor by locating women first and foremost in the domestic sphere (Smith, 2010: 151). Indigenous feminism varies but has a common ground which focuses on decolonization, indigenous women stories telling, and different critique of expressions of patriarchy (Olsen, 2006) thus being directed towards non-indigenous and indigenous patriarchy.

Although indigenous communities have struggled to attain self-determination and feminist indigenous women struggle to overcome men's power supremacy and colonialism, they do still have a big challenge of resistance from the majority ethnic groups towards indigenous men and women. This implies that indigenous liberation movement still has challenges towards patriarchy, colonialism and sexism (Green, 2000).

Indigenous feminism deals with theoretical issues such as history, politics, social, economic and cultural issues of indigenous societies. It is for these reasons that I employed this theory in this research as it deals with such issues about indigenous peoples, both men and women, whom I chose to investigate about. Furthermore, I analyzed the indigenous women's experiences of oppression with possible solutions to oppression such as power structures between dominant institutions, indigenous institutions and families are further explored.

2.4.3 Relationship between intersectionality and Indigenous feminism

Indigenous feminism highlights the injustice of indigenous men over indigenous women politically, economically and socially. It is where indigenous women are subjected to racism, sexism, subordinations and indigenous patriarchy by men. Intersectionality expresses the ways different people experience oppression in different forms and varying degrees of intensity which are influenced by the intersectional systems of society. It further shows how different categories of women in society experience racism, sexism, and subordination meaning indigenous women stand at the intersection of gender and racial inequality. Therefore, both theories recognize the challenges and inequalities women face in society although they are experienced differently but both theories move hand in hand with each other/complement each other.

Indigenous feminism further identifies ways how women can be liberated from the men's subordination as this theory tends to argue that women's life is dependent upon the relationship between men and women and tries to identify ways that women can be liberated from men's subordination. The theory of intersectionality looks at different multiple interactions of identities that are interrelated such as class, gender, religion, sex orientation and nationality thus recognizing the injustices women go through in society as a whole. The different categories create a system of oppression that reflects the intersection of multiple forms of discrimination (Crenshaw, 1989) and Olsen also notes that, "unlike indigenous feminism, intersectionality allows for recognition of differences between women and between men, not only between women and men". (2016a, p.9)

It was after reconciling with other research carried out by many scholars about indigenous peoples in Uganda, that Batwa in Uganda have been written about in different aspects. Having read information from different researchers like Kagumba (2013), Kidd (2008) Jerome (2000) and others, I became curious about how to carry out research about the gendered impacts of landlessness on indigenous peoples in Uganda with the case of Batwa from Southwestern Uganda. It was after realizing that some gaps were not fully explored, such as the effects on mainly women; I thus chose the above discussed theories to analyze my findings in this thesis.

For instance, according to my findings, studies revealed that Batwa are capable of changing their traditional life style from being hunters and gatherers to agriculturalist without

abandoning their traditions and culture if they are given rights over the land that they are allocated as per further discussion below. The study further revealed that the discussed challenges Batwa women face as a result of being landless can also be wiped out, they can live in harmony with other ethnic groups and their Batwa men can uphold their traditions and culture. The analysis and description of how the entire data was collected is in the next chapters. Therefore, I fused the two theories that are different, yet complimentary. Using these two theories, I was in a better position to analyze the negative effects affecting the landless Batwa and how it affected Batwa women as a result of being indigenous and women at the same time, making their society a better place for both men and women without women being oppressed due to power relations.

3 CHAPTER: METHODS AND METHODOLOGY

3.1 Introduction

This chapter presents the detailed tools and methods of data collection that were used during and after field work, to come up with meaningful results. Due to the nature of the study, both primary and secondary data were collected using a variety of methods. The reasons I chose these tools and methods are also explained as well as the challenges encountered while engaging them. I further explained my position in this research project, how I related with my study population and the ethical issues that I followed. Data was collected from different informants such as Government officials, non-government Organizations (NGOs), religious leaders and Batwa natives. Field data was obtained through Focus Group Discussions (FGDs), participatory observations and guided interviews with all informants.

3.2 Research design

A case study research design was used by adopting multiple methodologies including qualitative and participatory approach methods. The qualitative strategy gives room and the possibility to study in-depth issues that are related to questions of "how and why" (Brinkman & Kvale, 2005). These were used flexibly to supplement, complement and counter one another as each method had its own strengths and shortcomings. This field research design was used because the topic researched required a wealth of data about people and their experiences rather than aggregated classifications, categories and characteristics of the issues in question. All in all, the research design was a descriptive study.

3.2.1 Qualitative Research Design

According to Neill (2006), qualitative research is research involving detailed, verbal descriptions of characteristics, cases, settings, people or systems obtained by interacting with, interviewing and observing the subjects. Qualitative research typically starts with the use of document review to collect five main types of data summaries: Phenomenology, Grounded theory, Ethnography, Case study and Historical. However, for the case of this study, only three out of five were employed as deemed to be appropriate to the nature of this research summarized in Table 1, below.

Figure 2: Table showing types of Qualitative Research

Case study	I took Batwa people in Southwestern Uganda as my case study and my discussion is mainly centered on Batwa women as all indigenous women in the East African region face the same challenges. Currently they are no longer able to live only as hunters and gatherers but they practice agriculture and live as squatters on other people's land after their eviction in 1991 from Bwindi and Mgahinga forests. Basing on the above information, I chose to investigate the impact of landlessness on gender among indigenous peoples in Uganda.
Grounded theory	My strategy aimed at gaining a close and intimate familiarity with Batwa and Organizations that advocate for their rights. Through this, data was easily collected since I identified with these people through participant observation and Focus Group Discussions. I also introduced myself in the district security organs which made my respondents feel free with me during my interview processes. These were the core methods that I used to identify the gendered impacts of landlessness on indigenous peoples in Uganda.
Historical	I focused on interviews and archived history of Batwa, their traditional lifestyle, where they lived and their activities. I further looked at their current life style after their eviction in 1991, the gendered impacts of landlessness as a result of their exclusion from their ancestral forests and the loss of their traditional lifestyle. The majority of Batwa in Uganda suffer severe poverty, discrimination and socio-political exclusion from other ethnic groups.

Source: James Neill (2006)

Neill (2006) defined the above discussed three types of qualitative research as follows:

- ➢ **Case study** attempts to shed light on a phenomenon by studying, in-depth, a single case example of the phenomena. The case can be an individual person, an event, a group, or an institution.

- ➢ **Historical** is the systematic collection and objective evaluation of data related to past occurrences in order to test hypotheses concerning causes, effects, or trends of these events that may help to explain present events and anticipate future events.

- ➢ **Grounded theory** is developed inductively from a corpus of data acquired by a participant-observer.

3.3 Area of study

The study was carried out in Kisoro district in Southwestern Uganda, a district with a number of evicted Batwa from Mgahinga forest which is their ancestral home land. I interacted with different respondents, Batwa and non-Batwa from four villages namely the Mperwa, Mabuye, Meru and Mikingo Villages. I was also able to visit the Kisoro District Headquarters, UOBDU head offices, Kisoro Church of Uganda Diocese and the Baptist church head offices (a Pentecostal church).

3.4 Sampling

With sampling techniques, I used purposive, snowball and convenient sampling. I purposively selected some of my informants, with a main focus on obtaining rich data to answer my questions about the study. These included government officials, religious leaders and NGOs whom I categorized as key informants. Then I used the snowball technique, where I got more information from another person who is more knowledgeable about the topic in question as a result of being referred by another person (Punch, 2013). Lastly was convenient sampling which is based on the accessibility, willingness and availability of informants to avail information (Tagoe, 2009). All in all, I felt that the three sampling techniques I used were more appropriate for producing positive results for my research. My sample size was about 20-30 informants, divided into two categories; Key informants (government, religious and NGO members) that were not necessarily Batwa people but they could speak English and had reliable information and knowledge about land rights in Uganda with written sources. The ordinary informants were Batwa natives who could neither read nor speak English. Neither read the survey and the key informants needed to know English because most of the questions

required written references which are in English such as the land bill, Land Act, constitution, land acquisition act and others whereas Batwa natives could not give me appropriate responses because they were not in the position to read English. The Batwa's experiences were basically true life stories, discussions and interviews about their views and culture which were basically conducted in their native language they understand well, as required in indigenous research. It was for these reasons that I had to get a translator as I could neither speak nor understand the Rutwa language.

Among the government officials was the deputy Residence District Commissioner (RDC) Kisoro district. Pastor George of the Baptist church and the Diocesan Secretary of the Kisoro Church of Uganda, Mr. Stephen Ruzaza were among the religious informants. The last category of my key informants were from UOBDU Miss. Peninah Zanika (the chairperson), Miss Winfred Mukandinda (the land rights officer), Miss Alice Nyamihanda (the secretary for education) and Mr. Henry Neeza (the capacity building officer). All my key informants and a few Batwa I interacted with consented to use their names, while other Batwa preferred to remain anonymous but all consented to use their photographs in this thesis. Therefore, I labelled all the female Batwa informants as "Group A" while the males as "Group B" because all were in Focus Group Discussions (FGDs).

3.5 Data collection methods

This study was mainly qualitative as this strategy gives room and possibility to study in-depth issues which are related to questions of "how and why" (Brinkman & Kvale, 2015). It was based on a "case study" of Batwa from Southwestern Uganda. Yin[7] (1984) defines a case study as an empirical inquiry that investigates a contemporary phenomenon within its real-life context, when the boundaries between phenomenon and context are not clearly evident, and when multiple sources of evidence exist. Creswell (1998) an ethnographic researcher and a writer stressed that a case study is an exploration of a "bounded system" or a case (or multiple cases) over time through detailed, in-depth data collection involving multiple sources of information rich in context. Both Yin (1984) and Creswell (1998) show that case studies involve multiple sources of evidence on the topic of study, whereas Stake (1995) considers "the case" as an object of study. Given that there are different understandings of the concepts

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[7] Yin is a psychologist and neuroscientist

of gendered impacts of landlessness on indigenous peoples in Uganda, it was important to adopt a case study basis in order to obtain multiple sources of evidence that exist.

Furthermore, Patton (1987) states that "case studies become particularly useful when someone seeks to understand some particular problem or situation in great depth and can identify cases that are rich in information. It is rich in the sense that a great deal can be learned from a few examples on the phenomena in question". Case Studies make causal links in real-life interventions and the real-life context in which an intervention has occurred evident.

Yin (1984) shows that case study strategy is preferred when casual relations are to be established, when multiples of evidence is used, and when the investigator has little or no control over events happening. Case studies help explore situations in which the intervention being evaluated has no clear, single outcomes. Often concerned with factors in the context, the research is time consuming and therefore the number of cases to be included should be limited to provide clear lessons for its replications. Yin (1984) further stressed that this methodology might be explorative, descriptive or explanatory. The components of a case study are: the case study questions (what, why, who, where, when and how), the case study unit of analysis, as related to initial research questions, the procedural logic linking the data to the prepositions and the criteria for interpretation of the findings.

Due to the nature of this study, I was compelled to adopt both primary and secondary data sources. Primary source data was directly sourced from informants through Interviews, Focus Group Discussions (FDCs), and life stories/narratives. The secondary sources were mainly the internet, journal articles, reports, books and online library materials with other additional data collection methods such as photographs, recordings and field notes in order to achieve the desired objectives.

3.5.1 Interview

Data was collected using face-to-face interviews. The purpose of a qualitative interview is to understand themes of the lived daily world from the subject's point of view, to unfold the meaning of their experiences, and to uncover their lived world prior to scientific explanation (Brinkman & Kvale, 2015). In this case, this research tool helped me to gain greater understanding of the issues about gendered impacts of landlessness on indigenous peoples in Uganda with a case study of Batwa in Southwestern Uganda, focusing mainly on women who are the most vulnerable and affected by this challenge. I conducted some interviews with guiding questions noted on an interview guide, while in other cases, no interview guide was

used. These were administered to the two mentioned categories who were the key informants (not necessarily Batwa people) and Batwa natives whom I considered to be knowledgeable as far as the research themes were concerned. Some of these people were already involved in community development activities and were people that Batwa, at times, turns to in times of crisis and are seen as the heart of the community. I also established close acquaintances that necessitated my understanding and representation of social realities in the context of landlessness through normal conversations with these people rotating around my research topic. When choosing key informants to be interviewed, I tried to choose those who seemed to be knowledgeable about land rights in the district and I also interviewed ordinary informants whose views are not usually heard and were approached like the rural illiterate Batwa people. All these interviews were recorded, videotaped and noted down in the note books for archive and referral purposes.

3.5.2 Life Stories or Narratives
Through life stories or narratives, I came to understand the great negative impact of landlessness among Batwa people. It was shocking to hear the stories and challenges these people faced and are still facing. Due to the grief and sorrowful events in their lives, at times, they shed tears when narrating their stories. My aim was to know how their life used to be in the past and how it is now by asking them to narrate any story about their life concerning land grabbing and its impact on them in order to have a strong backbone of my analysis and concrete arguments. However, this method was based entirely on the willingness of my informants to share with me their life stories without being coerced and my role was to listen attentively and probe for more clarification where necessary in order to understand the exact story that related to my research topic.

3.5.3 Archived materials

This is data that was accessed through the internet or perusal of recorded or published information from different libraries. These included the Makerere University library, the UiT library, Google Scholar, and YouTube, among others and deep review of various online journals on the internet. I used the all the above mentioned sources to expand my knowledge about the study. All sources had related and relevant literatures about Batwa in general while others were specifically focused on their land rights and their eviction from their ancestral homeland.

3.5.4 Focus Group Discussions (FDGs)

A Focus Group Discussion (FGD) is a group discussion of approximately 10 - 20 persons guided by a facilitator, during which group members talk freely and spontaneously about a topic[8] in question. A FGD is a qualitative method and its purpose is to obtain in-depth information on concepts, perceptions and ideas of a group. It aims to be more than a question and answer interaction with the idea that group members discuss the topic among themselves, with guidance from the facilitator. I employed this method to acquire information from Batwa as they are shy about having a one on one discussion and like working and living together. They feel free to share any information about themselves in a group and easily open up compared to interviews. It was out of their consent that they agreed to film them, record them and even take their photos and agreed to be used in this thesis.

3.6 Methodology

Having carried out research in the scientific way for my bachelor's degree, my brain was focused on this method, which made it a challenge to adapt to indigenous research paradigm. However I was able to carry out my research as a result of attaining good knowledge in a course entitled Methodology and Methods in Indigenous Studies. This course widened my understanding in that it reminded me of my position when carrying out my research. Indigenous research is the done differently from the scientific research framework. With indigenous research, it is mainly based on the interests and locality of indigenous peoples with the main aim/objective of supporting their indigeneity and use of indigenous concepts as well as language as much as possible (Olsen, 2016a, p. 2).

3.6.1 Indigenous Research Paradigm

With the scientific research paradigm, the emphasis/concentration is mainly on the researchers and their participants. When it comes to indigenous research, their views and interests are never considered. Indigenous scholars worldwide therefore, invented what is called 'indigenous methodologies'. One of the world's most famous indigenous scholar Linda Smith made changes in research paradigm and encouraged many other scholars who carry out research to adapt them, and follow her invented framework which upholds self-determination and fostering social justice to indigenous peoples (Smith, 2012).

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[8] The impacts of landlessness on indigenous peoples in Uganda with a case study of Batwa from Southwestern Uganda.

Indigenous methodologies emphasize the importance of indigenous research paradigm where knowledge is believed to be shared with all creation rather than only the people who are being researched. This implies that everything is relative and there is no absolute truth or description of reality. It all depends on the action of the observer and the nature of the experiment or investigation (Musubika, 2017 op.cit. Deloria & Foehner, 1999, p. 33). Musubika further wrote that; 'Vine emphasizes that an indigenous research paradigm fetches its foundations from the notion that knowledge is relational, meaning that knowledge is shared with all creation' (Musubika, 2017, p.31). This implies that research includes all surroundings, an indigenous research paradigm is all about building a close relationship with the people and their surroundings (Shawn, 2008). Shawn further presents the indigenous research paradigm using four elements namely; axiology, methodology, epistemology, and ontology which are closely interrelated and interdependent. Therefore, a researcher studying indigenous peoples should research with them, but not on them, with a respectful and reciprocal manner such that the results of the research are useful to the indigenous community (Shawn, 2008, pp. 66-79).

I went to the field bearing this in mind and I had to fulfilling the requirements of carrying out research in this community by explaining who I was, what I was there for and how my research would be beneficial to them and to me. Due to the abject poverty of Batwa, they all demanded money first, and I explained to them that the research was not commercial, it was purely for academic purposes and I hoped it might benefit them. I had also to avail them with the letter I got from the police and tell them that I was referred to them by Henry Neeza, the capacity building officer at UOBDU. Because of the trust they have in this NGO (UOBDU) which advocates for their rights, they all cooperated. I noticed that whenever I talked about Henry of UOBDU, they would easily open up to me and I identified with them, by sitting, eating, hugging and dancing with them which made the entire process easier and faster. In indigenous research, people equally have an opportunity to share, ask questions and feel included in the research process because it is a way of honoring and giving back to them. It is further important for researchers to recognize and keep a good relationship with the community he is studying and make every effort to not dominate or take advantage of people (Smith, 2012). However, as a member of a dominant Ugandan society and not a Mutwa, it was not very easy to fully identify with them but I tried my best because I was forewarned by the police, RDC and UOBDU at the beginning that I should identify with them if I was to

have successful research process with them. This was concurring with Shawn's indigenous research paradigm which emphasizes building a closer relationship with ideas and things that surround the people.

3.7 Ethics and reflexivity
3.7.1 Who am I in this research?

I am a Muganda by tribe, born in central Uganda in the Buganda Kingdom, one of the strongest Kingdoms in Uganda. I am not a Mutwa, meaning I clearly had an outsider position in this research which was emphasized by the fact I do not speak Rutwa, Rukiga or Rufumbira language and had to depend on a translator for all the interviews and discussions that were not conducted in English. Therefore, one may wonder why I got interested in researching this marginalized ethnic Ugandan group.

Being born from one of the largest and dominant ethnic groups in Uganda, I had almost all privileges ranging from health, education, shelter, and rights over property because my grandfather was a chief in the kingdom and my late father was a clan head. However, I was touched and hurt in realizing that in Uganda there are some ethnic minority groups that are being deprived of their rights yet all citizens of Uganda have the right to shelter, education, ownership of property and land and it's the Uganda government's job to protect them and their properties (The Constitution of Uganda 1995).

Batwa people face a lot of challenges as a result of being evicted from their ancestral forest land without consultation, adequate compensation or offer of alternative land although the Uganda National Land Policy (2013) provides room for compensation or offer of alternative land to people before any eviction is conducted.

I strongly feel that solutions to such challenges can be found despite the fact that in some cases the government is non-compliant with the provisions of the constitution that provide "prompt, adequate and fair compensation prior to taking their possessions" (The 1995 Uganda Constitution).

Studying Indigenous Studies also widened my understanding about the challenges facing indigenous women, and in Uganda, women are considered to be the chief custodians in any society as they are primarily the first care takers and mothers of the nation. So, this led to my investigation about the impact of landlessness in the lives of Batwa women considering this ethnic group is highly patriarchal, with men holding much of the power to decide and do things. This portrays males as being superior over females and regarding land rights, women

definitely have no say at all which is a question of power relations. Therefore, as a man with a platform of writing an academic text of this magnitude, I feel obliged to bring out such challenges so that solutions are sought.

3.7.2 Ethics

Having attained knowledge in indigenous research methodology as described by (Chilisa, 2012) about the ethics of indigenous research, I had to put into consideration the research ethics when conducting my fieldwork research. First, I had to apply for approval from the Data Protection Official for Research (NSD) which was approved after fulfilling all necessary requirements and I also got a recommendation letter from UiT which clearly stated the purpose of my research. These were supporting documents because previous researchers were unethical in their research and traumatized some indigenous peoples. For example, the 'Measuring Heads' by Evjen (1997) where the Sami were traumatized according to the way the researchers dehumanized them while doing their research.

Maurstad (2002) says researchers should be able to protect information provided by their informants because publicizing some of their information without their consent may turn out to be unethical. I had to ask for permission from the police in Kisoro district and the RDC to allow me to carry out research about these indigenous peoples who are considered to be vulnerable. I was fortunate that all my informants agreed to publicize their information and photos after I asked for their permission because failure to seek permission can be taken as an invasion of their privacy. It can be harmful and as a condition that subjects people to the possibility of harm by depriving them the protection that privacy offers; although the harm may be both foreseeable and unforeseeable (Seale,2012, p. 64).

Articles 32 of UNDRIP (2007) calls for prior consultation with indigenous peoples in processes that affect them and there is also need for free informed consent of the people in question. Coming to Article 6 of ILO 169 Convention, it also calls for consultation of indigenous and tribal peoples on issues that affect them where they can be able to engage in free and informed participation in policy and development processes that affect them (ILO, 1989).

Therefore, throughout my entire research I had to respect my informants' decisions as promised because they too trusted me with this information. All in all, any research project has to be thoroughly considered, not merely as a single contribution to the body of academic knowledge, but rather in respect to indigenous peoples' interests and needs (Smith, 2012).

3.8 Challenges faced

For any carried-out research, there are usually constraints that a researcher anticipates of which some are met while others are not. Therefore, with my research, some of my anticipated constraints were met and I was able to overcome them because I went to the field having prior solutions to them.

The greatest challenge I faced was language barrier. Some of my informants (Batwa) speak Rutwa, Rukiga and Rufumbira and I cannot speak any of these languages. They could not speak English or Luganda, my mother tongue, which are the only languages I understand apart from my key informants who happened to speak English and a little of Luganda. One of my key informants who could speak Rutwa, Rukiga and Rufumbira languages, volunteered to translate for me in English and for the informants.

Due to their abject poverty, some of the informants expected material gains from me, realizing that I'm a student from Europe and born in Kampala city. Diehl (2002:9) notes that informants undergoing difficulty and challenges "expect visitors to become active advocates for their cause." I had to explain to them very clearly that I had nothing to offer and the research was entirely for academic purposes with the hope of having a positive impact on their situation can contribute to literature that would be used by different stakeholders for their (Batwa) benefit. Some cooperated while others did not, until after I identified with them and they felt I was part of them by eating, drinking, hugging them which some people do not do. In that way, they realized that I did not have money and felt I was part of them hence opening up and speaking to me willingly without offering them any material or monetary items.

Lastly, another challenge was the bureaucratic process to meet some key informants. Sometimes they were too busy to be interviewed and this would lengthen my stay in the field in order to meet them. However, prior appointments were made either physically, written or through phone calls to key informants before I conducted interviews with them.

All in all, I can boldly say my fieldwork research went well as planned and the above mentioned challenges were expected. To me these were learning lessons about how a researcher should conduct him/herself in a proper manner to get information from informants willingly.

4. CHAPTER: EFFECTS OF LANDLESSNESS ON BATWA

4.1 Introduction

This chapter contains a detailed account of the effects of landlessness on Batwa. These were shared by my informants with the findings in relation to the research questions stated in chapter one above. Most of my key informants consented to use their names and as well as a few Batwa I interacted with, while other Batwa in the Focus Group Discussions (FGDs) preferred to not to use their names but all consented to use their photographs where necessary in this thesis. Considering the ethics of indigenous research, I decided to label all informants who preferred not to use their names as "group A and B" where all female Batwa informants were "Group A" while the males were "Group B". Still more, it is in this chapter where I explain how I came in contact with Batwa in villages discussed in the previous chapter.

4.2 Visiting villages occupied by Batwa in Kisoro district

On June 12th, 2017 I made my first trip to Kisoro despite the fact that I was born, raised and educated in Uganda. For all the years I have lived in Uganda, I read, saw photos and watched the news about Batwa's culture, way of living and lifestyle. My second day in Kisoro district was mainly for introducing myself and my translator to the District Internal Security Officer (DISO) and the police, stating the reason of my stay in the district. My translator and I were further referred to the Residence District Commissioner (RDC) who also requested the supporting documents from other security organs and the introduction letter from my University. The deputy RDC was interested in my research topic and agreed to set up an appointment to interview him upon my request and suggested we go to UOBDU, the main NGO that advocates for Batwa's rights. He told us that without UOBDU's consent letter, most of the Batwa will not agree to give us any information because they have more trust in UOBDU than the government organizations. Surprisingly for all the FGDs we had, a consent letter from UOBDU was first requested, was presented, and at the mention of Henry Neeza (the capacity building officer), all would respond positively. Even those who were hiding in their huts would come out. It was from these people that we would also be directed or lead to other groups and villages in which knowledgeable people about the topic in question (snowball sampling) gave us more information about NGOs that helped them. Batwa who are helped by the Church of Uganda Diocese, the Baptist church (a Pentecostal church), the Adventist church, UOBDU and other individual well-wishers are in Mperwa, Mabuye, Meru and Mikingo Villages in the Kisoro district which I visited. Focus Group Discussions (FGDs)

was the main methodology applied and as well as face to face interviews with the key informants from the supporting organizations in all the mentioned villages.

Although most Ugandans assume Batwa people are "backward and uncivilized", it is a common stereotype, and to my surprise, all the villages I went to and all Batwa I interacted with were more intelligent and organized than what some Ugandans assume. As described in Chapter 3, indigenous women experience multiple forms of discrimination because of their gender and ethnicity as they belong to linguistic or other types of minorities in the countries they are found (Crenshaw, 1989). So, the mind-set of some Ugandans about Batwa is that they should be organized in a similar way like most ethnic groups in Uganda in order to be considered organized. Considering all the villages that I went to, Batwa had their own elected leaders whom they respected. For example, they cannot respond to any question without their consent and they set up rules to minimize the number of people addressing them as a tourist attraction, thus photographs are never taken without their permission. Although they are marginalized and few in these villages, they are well organized in their communities. However, due to the patriarchy nature of Batwa's society which was brought about by the displacement as previously discussed, most leaders were males. Out of the four villages that I visited, only one village (Meru), had female leaders. This is what feminism theory is all about, where patriarchy is seen at all different forms and levels and caters to both genders although other branches of feminism do deal with it differently, they all have a similar analytical approach, which is typically a social concept of power relations between men and women as a unifying factor (Frye, 2000). However, it is worth noting that indigenous feminism does not call for conflicts between men and women, rather it just highlights the social injustice and solutions of men over women as Green (2007b, p. 26), quotes;

> "Indigenous feminism is not a man-hating ideology, nor a unilateral
> rejection of cultures, traditions or personal and political relationships
> with men. It is not a subordinate form of other feminisms, nor is it
> a political stalking horse by colonial ideologies".

This could be some of the factors that led to the election of these females in these villages. These are neighbouring villages and I found out during the FGDs that the elevation of these women to that leadership level was due to the sensitization done by Alice Nyamihanda as secretary for education in UOBDU. She is the first female Mutwa to graduate from the higher institution of learning with a diploma in education, thus her employment with UOBDU.

4.3 Effects of landlessness on Batwa men and women

Batwa are affected in numerous ways being landless. These effects range from social, psychological, physical and economic effects.

4.3.1 Psychological effects

Some Batwa are psychologically traumatized due to misunderstandings they feel from the owners where they are squatting. They have become wanderers moving from place to place and are chased off the land any time or any day while those who secured land may have it taken away from them by force. This does not only affect them psychologically but also it does affect them physically. They find difficulty in getting another place for settlement, at times they are given a lot of restrictions which are unbearable. For instance, if one dies they are not allowed to bury the dead on the land they are given yet their grave yards might have been taken by the person who grabbed their land.

A direct case in this example was about a family that was deprived of their rights over their land on which they had lived since 1960. It was grabbed by a rich tycoon on the assumption that this family was poor and could not develop this land, local government statute in the district demands. Land is considered to belong to the local government, which expects people to develop it. Those who cannot develop it are vulnerable to having it taken, or "grabbed" by people with more resources and capable of developing it. However, the occupant must legally be compensated before vacating – but only if he or she poses legal documents showing proof of ownership. It is unfortunate that the amount of compensation is stipulated on the negation and bargain power of the parties, and this leaves most Batwa being cheated, receiving compensations that are not equivalent to the value of the land. In some cases they are not being compensated at all, because most Batwa are extremely poor and lack any legal documents ascertaining ownership of the land. In one case that I found, Mr. Rwubaka John (amutwa), being poor and lacking any legal documents to show proof of ownership, lost his land to a rich tycoon without compensation. John Rwubaka's daughter in Kisoro town took courage to narrate to me the life of the entire family in going through in Rutwa as her mother and her young sister could not hold back tears. It required a translator since I could not speak Rutwa language and she could not speak my native language of English.

> *…Our father got this land from our grandparents in 1960. He was born here, we were also born here and our grave yard was over there. Three years ago a rich guy came from Kampala and said this land belongs to him and that he bought it. We asked him who sold it to him (She refused to*

disclose the names). He started selling part of the land and we went to the police to report the case but we were not helped. He sold our grave yard and they built that huge house over there. The government has not come to our rescue because we do not have land titles. We remained with this house as you see it and yesterday another rich man from Rwanda came and was chasing us away. We resisted and he brought the police, showed them his documents and our father was taken to the police. He is now jailed because he tried to fight the land owner. We have nowhere to go and the police have even refused us to see our father, our mother is sick. We do not know what to do. The Residence District Commissioner said that it is safer for our father to stay in prison until the case is taken to court. We have asked the rich man to compensate us and he refused, now we are on God's mercy.

(Narration by the first daughter in the middle wearing a stripped dress)

Photo2: Evicted family and the rich man's house on their former grave yard.

Source: Researcher from the field 2017.   **Former grave ya**rd

Land grabbing is a big problem in Kisoro, and it is mainly on Batwa's land. During my interview with Winfred Mukandinda the land rights officer of UOBDU, she said:

> *... Batwa have a problem of rich people grabbing their land by force. Sometimes they pay them little money that cannot help them sustain their lives or is not even equivalent to the land taken. Some people just take it by force by coming with fake documents, claiming the land belongs to them and Batwa are sent away without any compensation. All this is a result of Batwa not having proper land titles on which they can base their claim. As UOBDU, we try to follow such cases and sometime look for lawyers to help those who are evicted but it is not easy and it's a long process.*

Through interviews and listening to such live stories, I was able to understand the effects of landlessness on Batwa. This implies that indigenous land rights are not well implemented or protected in the case of Batwa in Southwestern Uganda. With the concept of narrative and narratively, we are able to understand and make sense of the social world (Clark, Kjorholt and Moss, 2005). Narratives focus on actions and events with detailed personal experiences that makes one understand the world and the place where such actions took place through active participation. Through narratives, people are able to recall, recruit and review their lives, valuing them as expert witnesses rather than mere sources of data (Atkinson, 2004).

4.3.2 Economic effects (Labour exploitation)

Due to landlessness, Batwa resorted to providing cheap labour to people with land such as farming, grazing animals and doing domestic work in exchange of a plot to construct a hut to stay. They are exploited by the majority ethnic groups, given little money just to buy few basic necessities such as food and clothing as a result of not having any other alternative means of survival. This domination and discrimination which is intertwined with social identities and oppression (Crenshaw, 1989) is as a result of having no land to practice their traditional way of living. It is a big challenge to Batwa themselves but they have no alternative means of income hence excepting little pay as my male informants in a focus group discussion in Mperwa village narrated:

The most painful thing is that we are given little money yet we do a lot of work for the rich. We dig, look after their animals but the money they pay us is not equivalent to the work we provide. We know that we are underpaid but for the sake of our children's survival we agree to do it for the little money. If the government had given us land the energy we put in digging for other people, we would do it for ourselves and live a happy life. Despite all the services we offer to these landlords, if one of us dies we are never allowed to burry on their land and we only have to run to UOBDU or to the churches and ask for a burial space.

4.3.3 Social effects (Women's sexual harassments)

There are several consequences of landlessness Batwa women face. Being care takers, mothers of children and wives, the consequences of landlessness affects them more by sexual harassment which is rampant among them. For example, one of the stories directly connected to my research topic was about Muhindo. She lives in Mperwa village and was sexually abused and impregnated as a result of squatting on someone's land. She delivered a fatherless baby because she was uncertain of who the real father was because she was sexually abused by many men for a long time. Her story was Rutwa and I used Stuart to translate since I could not speak Rutwa language.

I was working for a man digging, looking after his sheep and goats in exchange for giving me a piece of land to build my hut. He later divorced his wife and I started cooking for the children and looking after them. He had three brothers who used to force me to have sex with them. If I refused, they would report me to the boss and say that I do not look after his children well and he threatened to send me away. Because of the fear for being chased away, I accepted to have sex with them every day. When I got pregnant the boss sent me away, because he never wanted to have me in his home when am pregnant. He told me to go to the man who impregnated me. I told him that it is one of his brothers. He asked me who exactly I told him all were using me, he called them and they denied. He believed them and sent me awa.y I started staying here until I delivered my baby. But I do not know his real father and I have no support. A mujungu (White Man) came and started building houses for the homeless Batwa on this land which was donated to us by a rich Mufumbira man. I cannot tell you their names without their permission.

> *So this is my house. When it is completed, I will move in but none of us were given any documents. You never know whether this man can also chase us away or his children when he dies. Non- Batwa men sleep with us at times by force or give us some money saying we have good luck and they'll get rich.*

(Narration by Muhindo who is breast feeding her baby)

Photo 1: Resettled informant in front of her hut and her new constructed house

Source: Researcher from the field 2017.

I discovered through the interviews I had with different people and organizations that there are many cases of rape and defilement against Batwa girls and women, Batwa and non-Batwa men. They are threatened to be sent away from the donated land by some people if they report the case to the authorities or refuse to accept to have sex with some people. Due to the fear of losing a place to stay, Batwa women accept while others keep quiet when they are raped or defiled. This eventually leads to early pregnancies, fatherless children, school drop outs and at times, the spread of STDs to fellow Batwa as a result of not having safe sex intercourse. This is a big challenge to all organizations that are helping the Batwa as Peninah the chairperson UOBDU narrates:

> *Batwa women and girls have a problem with sexual abuse. Each year we receive over 20 rape cases or defilement and some of our sponsored girls*

end up dropping out of schools. It is unfortunate that these rape and defilement cases are not only by non-Batwa men, but also by Batwa men. Girls are deceived with simple gifts by the non Batwa men while women are threatened to be thrown off the land and at times with little money to buy necessities such as food, cloths, sanitary towels and others. By the time we come to know about the case, there is usually no evidence as they do not report immediately. It has led to the spread of STDs amongst the Batwa because most Batwa men prefer unprotected sex despite the fact that we try to get them condoms to encourage protected sex and also as a way of a family planning method. All these challenges these women face are a result of not having land. Otherwise if they had, they would be in a position to use it profitably and sustain them.

It is also evident from Peninah's interview above that in such a situation, some Batwa men use the power culturally vested upon them to take women's proceeds against their will and harass them into having sex with them where women cannot resist. One could perhaps say that this kind of power relationship gives impetus to domestic violence. However, the situation is not as mentioned above for all villages I visited.

Another informant Betty said;

We sometimes accept because our husbands have no money, yet we need money to treat our children. Others demand sex first when we go asking for jobs before giving you one. I personally faced that problem when I went looking for a job of washing clothes. The guy first used me before giving me the job and he continued asking me to visit him regularly of which I did because am a single mother and I wanted money to take my sick child to the hospital.

Looking at Betty's story, it implies that landlessness is also a major cause of poverty among the Batwa and extreme poverty pushes some of them to have sex with men so that they can be offered money to sustain themselves.

4.3.4 Loss of Batwa's traditional culture

As discussed in the background chapter above, historically Batwa were forest-dwelling hunters-gatherers, living and practicing their cultural and economic way of life in the high

mountainous forest areas. Their eviction did not only lead to being landless, but it led to new adoption of their way of living where they are now practicing agriculture as a source of livelihood. It has further led to the adaption of languages for the ethnic groups where they live in order to survive. As women are the custodians of everything related to a child's upbringing in most African societies, children directly copy activities, behaviors, and languages from their mother because they spend most of their time with them when their fathers go to other activities like hunting. As a result of Batwa women speaking languages of the societies they stay with and work for, the children automatically pick up the same languages, losing of their culture. This is a major concern for the Batwa as one of my old informants in a FGD says:

> *We are very concerned about our culture. I really feel bad that our children are copying other cultures because they cannot freely practice ours in the communities more dominated by other people… I feel sad when my grandchildren cannot fully express themselves in Rutwa. I feel like I am a bad grandfather and I feel our hands and ideas are tied. We were able to practice and keep our culture but the government issue of taking our ancestral land has ruined our culture and in a few years' time out culture shall be no more.*

Another young man added on the point of cultural loss, he said that:

> *The worst side of these evictions in addition to the loss of our culture is the intermarriage. Some of the Batwa girls have been assimilated into the Bafumbira and picked up their culture, (marry them meaning they are having Bafumbira children other than Batwa children). Another problem we face is about those who are sponsored by some NGOs to go to school, some are shying away from saying they are Batwa yet they would be the ones to fight for our rights because some of us are not educated. They end up calling themselves Bafumbira or others Bakiga, and drop our culture. That is the most hurting thing and I am sure if we were givenr land, let's say a village, we would not be having such problems.*

4.3.5 Early marriages

The problem of early marriages is rampant among Batwa girls due to idleness as a result of not being in school and lack of jobs. As Batwa do not have permanent homes, they keep moving from place to place, and it has affected their education in a way that children cannot

settle in a school for a long time. This led to children, especially girls, getting tired of being in school on the assumption that they are too old for the class. The last resort is marriage which does not only put their lives in danger but also the lives of the children they bare because they are not being old enough to take care of the family or have children. This led to the increase in both the maternal and infant mortality rate. Following the interview I had with Alice a Mutwa (the education secretary in UOBDU), she emphasized the cause of the above challenge is lack of permanent land for the Batwa. She cited different organizations such as CARE, UOBDU, the church (Baptist, Seventh day Adventist and the Church of Uganda) have tried to sponsor Batwa at different levels of education. Unfortunately these organizations, at times, never achieve their goal due to constant unplanned relocations of Batwa to other villages which are at times far away from the schools the children have been attending, hence dropping out of school at an early age.

4.4 Causes of Batwa's landlessness

The above discussed effects of landlessness to Batwa were fueled by a variety of factors that range from political economic and social factors. Politically, it dates far back during colonialism in Uganda. Briefly, Uganda became a British protectorate in 1894 and gained independence on the 9th of October, 1962 from the British. The British colonizers used divide and rule policy which helped them to keep their subjects weaker and eliminated the creation of tensions among the various tribes in Uganda by creating a form of nationhood and common identity amongst the different ethnic groups of Uganda (Kefa, 2006:14). However, Batwa (Pygmies, as they were formerly referred to) were neglected on claims of being hostile yet they were protecting their culture. Their area was not developed in terms of infrastructures, it was actually treated unequally compared to others in Uganda.

4.4.1 Colonialism in Uganda

Uganda and Kenya were recognized within the British influence under the 1890 Anglo-German Agreement. The Imperial British East African Company (IBEACO) took control over Uganda from 1890 to 1894 (Morris and Read, 1966).The southwestern part of Uganda (where Batwa are) was then a part of Rwanda, and became part of present-day Uganda only in 1912.

It is important to determine whether the attainment of territorial sovereignty by the colonial masters over geographical areas occupied by Batwa extinguished pre-existing rights in land.

For instance, the case of Mabo and others vs Queensland[9] was found in that: 'a mere change in sovereignty does not extinguish native title to land'. Therefore, the British colonizers who defined the boundaries of Uganda and independence do not in and of themselves extinguish the pre-existing customary rights of Batwa to land.

In July 1890, the Anglo-German Agreement was signed between the British and the Kingdom of Buganda for the purpose of the British colonizers extending and consolidating their rule in Uganda. IBEACO representatives granted the Kabaka [10] and his kingdom power and protection where IBEACO was in return for acknowledgment of the supremacy of the company (Cannon, 1961), meaning Buganda's land was under full protection.

The British colonizers used the indirect rule system of governance where they used the Buganda Kingdom as the nucleus to extend their influence to the rest of Uganda (Morris and Read, 1966). Therefore, all the laws and rules about land rights that were passed in Buganda would eventually have an impact on the whole country. However, the Batwa were directly left out of the laws concerning land rights systems because during this time, the Batwa were barely mentioned due to the fact that their area was under German control and this was done in 1894 after Uganda was declared a British protectorate.

After Uganda attained independence in 1962, the British colonizers declared Uganda an independent nation and people were separated from the neighbouring countries (Schroeder et al., 2005). In the view of these authorities, the colonial definition of the boundaries of Uganda and subsequent independence did not extinguish the pre-existing customary rights of the Batwa to land. The British's rule was that all communities could remain in possession of the land they occupied – but only if they proved 'cultivation and regular use'. The phrase 'regular use' is unlikely to include hunting and gathering, since cultivators had to be settled in one place for their land to be recognized as 'cultivated and/or regularly used' and therefore possibly owned.

Being hunters and gatherers, the Batwa were affected by this rule concerning their land ownership as stated above about the interpretation of the phrase 'regular use'. Following the autonomous powers and authority Uganda got from the British colonizers, it used such

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[9] High Court of Australia, 'Mabo vs Queensland (No. 2)', 1992, 145 CFR IFC 92/04, specifically paragraphs 61–62.
[10] Title for the King of Buganda Kingdom.

powers to develop any part of the country they wished. This led to the gazetting of Bwindi and Mgahinga forests as national parks and forest conservation areas, which meant that Batwa were restricted from accessing them.

However, colonialists did not keep in mind that Africa as a continent had its own system of doing things that promoted harmony with all people and their identity. When they came to Africa, they seemed to have assumed that Africa was more backward than Europe, and thought what they came along with was the best for Africans (Huisman, 2001; Wa Thiong'o, 1994). This led to branding so many African activities as "satanic" and "backward". For example, all ethnic groups in Africa had their own way of worship and the same applies to the Batwa people. They had their cultural and religious belief: a myth they believed in that their king as a god, "Buuki" and was responsible for promoting their culture, traditions, wealth and defending the forest against encroachment by non-Batwa communities, who is now believed to disappear mysteriously when they were evicted from the forest (Fauna and Flora International 2013). This cultural belief was disputed by the colonialist who introduced Christianity in Uganda on the assumption of being satanic. For that reason, colonialists had to engage or consult Batwa people about their belief before imposing Christianity to avoid their religion from being looked down upon. Much as Africa needed to get in touch with the outside world for developmental purposes, but it is not true that all they brought was the best for Africa.

Following the autonomous powers and authority Uganda got from the British, Ugandan government used such powers to develop any part of the country they wished. This led to the gazetting of Bwindi and Mgahinga forests, the ancestral home land for the Batwa, into national parks in 1991 leading to the eviction of the Batwa without their consent or alternative land to live (IWGIA 2016) thus leading to Batwa's landlessness which eventually contributed to their suffering as discussed above.

4.4.2 Uganda's tourism industry

Due to the economic development through the tourism industry, the government of Uganda established national parks and conservation areas with large scale commercial enterprises such as mining, logging, commercial plantation, oil exploration, dam construction and others. They were evicted from Mgahinga and Bwindi's impenetrable forests where they lived since time immemorial in coexistence with the environment and in full reliance on these forests for economic and spiritual sustenance. These forests were turned into national parks in 1991 with Uganda's mountain gorillas as a tourism attraction, leading to the eviction of Batwa without

their consent or giving them alternative land to live (IWGIA 2016). Indigenous peoples have the right to benefit from their natural resources. The denial to access such natural resources rendered Batwa poor thus leading to their exploitation as discussed.

In addition to above, the deputy RDC of Kisoro cited the problem of poverty in Kisoro as a district and being one of the major challenges the district faces during my interview with him. He specifically cited Batwa being more affected by poverty. In his words, he said;

As a district, we are having a lot of problems such as unemployment, health, security and education. The government is handling one by one and at the moment security, education and health are covered. However, there is a problem of unemployment and this is not only in the Kisoro district but is almost country wide. As much as the government has tried to solve that problem through the introduction of National Agricultural Advisory Services (NAADS) and the creation of Savings and Credit Cooperative Organizations (SACCO) to enable people borrow money with a low interest rate and start up income generating activities. But the Batwa are in abject poverty and cannot get loans, so they end up selling their lands cheaply and end up landless. Being semi-illiterate, some don't even understand the agreements they are signing (putting a thumb print on) and you find that the land taken is not equivalent to the money given. So we resorted to not allowing any person to buy their land unless he has gone through government institutions or NGOs that advocate for Batwa's rights to help them from being cheated when it comes to paper work authentication.

Poverty[11] is at its peak to the extent that some Batwa cannot afford to construct permanent houses on the land donated to them. For instance, the land in Mikingo village which was donated to Batwa by the church of Uganda has both permanent and temporary structures. I was reliably informed by the Diocesan secretary that the church constructed the permanent structure, because of the poverty Batwa face, they sold off windows, doors and iron sheets in order to get money. The church buys new iron sheets and doors and they still sell them so the problem keeps re-occurring. When the new ones to come to the land, they have to construct

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[11] Leaving below USD1.90 per day (World Bank poverty line)

temporary structures made of Taplin, papyrus and polythene materials because they do not have money. Below are the two photographs showing the state of life the Batwa in Mikigo village.

Photo 2: Permanent houses constructed by church of Uganda for Batwa in Kisoro district.

Source: Researcher from the field 2017.

The above structures were under renovation by the Kisoro church of Uganda diocese which built these houses and the doors, windows and iron sheets sold off by Batwa

Photo 3: Mutwa man near his temporary houses

Source: Researcher from the field 2017.

Photo 5, shows a new mutwa that has been given this piece of land by the church of Uganda and had no money to build a permanent structure hence the temporary structures behind him.

4.4.3 A change in Batwa's traditional lifestyles

There are some Batwa who got land from well-wishers and NGOs, but then failed to practice agriculture being that their traditional life was mainly as hunters and gatherers. A change to agricultural lifestyle affected them so much as they were not used to it, finding it hard and ending up having nothing to eat.

This resulted in looking for a person to buy their land in order to get money for food which resulted in money vanishing in no time and the sellers ending up landless. In order to solve this problem, the deputy RDC and the diocesan secretary told me that they do not give Batwa land titles for the given land or any legal document about their land ownership in order to prevent them from selling their land. There is no way one can buy land without any legal document ascertaining ownership of the seller as it is one of Uganda's regulations for selling land to have proof of ownership which must be either a lease certificate or land title. Therefore, with this strategy there is hope for lessening the chances of Batwa being conned of money or underpaid the equivalent amount to the size of land taken. The government and

some land donors decided to tighten these regulations with the hope of curbing down the problem of Batwa's land being taken and remain landless.

4.5 Institutional contributions to solving problems of landlessness among Batwa in Southwestern Uganda.

A number of different institutions such as NGOs and church organizations have contributed tremendously towards solving the problem landlessness among Batwa people. The contributions are in varying categories ranging from social, political and economic spheres. Therefore, I am discussing these contributions under the 3 categories mentioned above.

4.5.1 Social Contributions

Owning land is one of the most prestigious and vital things to many ethnic groups in Uganda. Land is a source of wealth, it is where most of the people's lives depend through farming, hunting, medicinal, worship and gathering. Being deprived of ownership of land is the most depressing and unjust impact one ever gets. Therefore, denying Batwa the right to their ancestral land did not only affect them psychologically, but it affected them even physically, providing a lot of challenges that might lead to the extinction of these indigenous people. As a result of the ''would be likelihood'' mentioned, different institutions have come up to contribution towards solving the problem of landlessness among Batwa people in southwestern Uganda as Winfred UOBDU, the land rights officer shared with me in the interview I had with her below:

> *…UOBDU as an NGO, we have tried to make sure that we have community sensitization in all districts where Batwa live. The sensitization helps the Batwa to be accepted in the communities they live in as Batwa and appreciating their culture. There is a big problem they face of cultural difference where their culture is under-looked by other ethnic groups where they live. As an NGO that advocates for their rights, we feel it's our obligation to have sensitization programs that will reduce or stop this social discrimination.*
>
> *We have also gone further to work with other institutions that have the same vision and objectives as us like CARE international, Bwindi Mgahinga Conservation Trust (BMCT) by supporting social empowerment, welfare and equal participation by Batwa and non-Batwa in community management. For example, in 2013, BMCT held thematic*

workshops for 17 resettled households covering areas such as rights, genders issues, conflict resolutions, sanitation and hygiene.

From the above interview, I assume that the extreme poverty of Batwa, is the main cause of excessive use of alcohol maybe as a means of consolidation and relief of the stress they have as a result of being landless. I was informed by women during FGDs that men (husbands) mistreat women (wives) with the assumption of being the head leaders in any family. Batwa men's ego has led to continued domestic and gender based violence hindering Batwa's household development. Batwa women in particular have been exposed to different forms of physical violence. For instance, women told me that they are never involved in central household decisions. In most cases that is where the fighting erupts, the wife gets hurt and all household items destroyed.

Following the discussion I had with Henry (the community officer UOBDU), the demanding consequences of domestic violence between Batwa men and women were equally targeted and fully explained in gender and conflict resolution workshops conducted by BMCT. The purpose of these workshops was to enable the Batwa to understand the gender roles and provide tools where husband and wife can work as one team to improve the income and welfare of their families. These workshops also included anger management training techniques which greatly reduced the incidences of domestic violence among the Batwa as testified by Nduchire one of my informants.

...I used to go drinking with my husband. After getting drunk, we would start fighting at the bar and at home we would fight using pangas. In most cases we injured ourselves and the following day we did not have anything in the house. This made us live in poverty as the money we could earn was used to buy alcohol. Now we no longer fight after the trainings from UOBDU and BMCT workshops because we understood that alcohol and fighting is bad and we no longer drink alcohol.

Christian organizations have contributed a lot towards the social welfare of the Batwa. They have provided them with shelter, food, love and land. These church organizations include the Baptist church, Seventh day Adventist church and the church of Uganda. I realized that the

major principle these church organizations is love as the diocesan secretary of the church of Uganda said:

> *...Love is the major and vital principle as the church we use towards Batwa people. They have gone through a lot and are discriminated in all forms which led to losing their self-esteem and at times becoming violent with other people. It was the late Bishop Ernest Sharita who came up with the idea of buying them land, provide shelter and food for them when they were evicted from the forest they were staying in 1991. The church bought land just behind the district headquarters and resettled them. They had their own challenges, used to practice incest, were illiterate so the church took those who wanted to study in school while those who did not were given vocational skills like carpentry. As a way of terming them because they used to be very violent, the church preached to them the gospel of our Lord Jesus Christ and many converted to Christianity. With time, violence reduced, incest stopped and some are able to get jobs using the vocational skill they have. However, we still have a challenge of alcoholism which is the major cause of violence among themselves and other people in the surrounding communities...*

Pastor George of the Baptist church had the same explanation. He summed up Batwa's issues into three which are in relation to other people, creation of awareness and love which he said is the major principle for their transformation as he says below:

> *...I started working with the Batwa in 2012 after realizing that they are being discriminated against in the current districts they are in now. The Baptist church bought them land, built them houses, gave them food and integrated them with the community by bringing them to church and letting them share the same seats with other people in the church despite the hygienic conditions they were in. As a result of our good relations with them and other people, we were able win their trust and we convinced them to integrate them with people in different villages. At the moment the Baptist church has relocated 15 homes scattered in different villages such as Nabande, Kanyabugu, Kyahi in Rutare and mushamba.*

> *We identified their problem which was water and we came up with an idea of harvesting water from their houses when it rains. This water was not used by the Batwa only, it was used by the whole community during the dry season and this created the awareness in the community that the Batwa are no longer hostile neither illiterate as people used to think that they do not bathe. In the long run people started cooperating with them, they taught them how to dig, how to rare goats, sheep and cows. As we speak now they are living a transformed life in that they used to beg me and the visitors who would visit them but now they are the one who are giving me and my visitors' fruits, animals and food.*
>
> *As a way of solving the problem of illiteracy, the church sponsors all their children, we buy them uniforms and books and when you find them at school you cannot identify a mutwa child and a non-mutwa child. So my appeal goes to all Ugandans and the government to show love to these people. Those thinking they are backward should change their perception towards them and help in any form to liberate them…*

As a result of the involvement of different institutions, hygiene and sanitation greatly improved the health and self-esteem of Batwa. The resettled households have bathing shelters, drying racks, hand-washing facilities, and pit latrines. They have learned how to bathe and wash their cloths hence a reduction in sickness among Batwa and increased acceptance and respect from the neighboring communities as Dorotia testifies;

> *…I used to not to care about my clothes, whenever it would rain, they would become wet and I did not have soap or water to clean them when they were dirty. But now I wash them, hang them on the wire and my house is very clean. I also dress smartly like other women and am happy that am recognized and I attend church services without being discriminated...*

4.5.2 Political Contributions

The recent land laws that were formed by the government of Uganda were in 2013, but still these laws were not favouring Batwa in any way. For instance, the local government in Kisoro district asked people to develop their land and allowed for another capable person to take it if the owner cannot develop it. It is under such conditions, as discussed earlier in

chapter three, that John Rwubaka's land was taken by a rich man without compensation on the assumption that he is poor he cannot develop it. Most of Batwa own land without titles or any legal document showing their ownership except those who have land purchased by CARE and BMCT were provided with legal documents called Occupant Agreements. From the interview I had with John's family, I was told that CARE tried very much to protect their land and to prevent the rich man from sending John away. CARE got them a lawyer who was later bribed and abandoned the case. However, the family was grateful for the efforts CARE accorded to them, in spite the fact that corruption is high and the lawyer was bribed. This organization managed to fight for them and they were not completely thrown away, they were at least able to have a small piece of land where his house is situated.

UOBDU is advocating for Batwa's rights in different ways through contacting international and national human rights organizations to help Batwa attain the rights that they are deprived of. For example, on the 8th of February, 2013, Batwa filled a case against the Ugandan government in the courts of law demanding their rights. UOBDU is behind this case by lobbying for lawyers who can help the Batwa as they cannot afford to hire any lawyers. During my interview with Peninah, the chairperson UOBDU, she boldly commented on corruption in the government of Uganda which hinders their services despite the government's liberalization of all organizations that are willing to deal with Batwa's issues. In her words she said;

> ...The government frustrates our efforts in that when we follow any case concerning the Batwa, it takes a long time to be heard in courts and transferred to far away courts where transportation is high yet we are not given any assistance from the government. We also have a problem with other NGOs being uncooperative with us. For example, we tried to form a trust called Batwa Land Trust which can help Batwa with land issues such as keeping land titles to save them from land grabbers. Unfortunately, the trust did not last long because some organizations that buy land are not willing to give them full ownership of the land given to them...

As a way of bridging the gap between the local community leaders and Batwa, UOBDU has involved local leaders in the activities they do. UOBDU believes that improving the lives of

Batwa in a long term perspective involves the creation of a good relationship between Batwa, the surrounding communities and local service providers such as health centers and local governments. Therefore, BMCT and UOBDU decided to invite district leaders to visit the resettled Batwa to see the improvements in sanitation, garden and livestock farming which shows Batwa's determination to become self-reliant.

In addition to the above, Winfred, the land rights officer in UOBDU, said BMCT procured land plots for the Batwa because without access to land, the Batwa would have little or no chance of developing sustainable livelihoods. Therefore, nine houses were constructed by BMCT on the procured plots in 2013 and nine Batwa families were resettled making the total number of 31 resettled Batwa families in Kisoro and Kabale districts. It is therefore, worth noting that this was a tremendous contribution of BMCT towards solving the Batwa's landless challenges. Having permanent houses and access to land gives the resettled Batwa a solid foundation for obtaining food security, developing new income generating activities and living in a properly constructed houses greatly improve any family's welfare and health. It is a gradual process of resettling the landless Batwa and they are grateful to all organizations that have come to their plight as Joselin a mutwa and one of my informants testifies.

> *...What a difference! I used to offer labor in exchange for food which kept me and my family alive but I was over exploited and used a lot of energy to satisfy someone to give me food. Thanks to BMCT, when they gave me a house and a plot of land, I can now grow my own food on the land given to me and am satisfied that my energy goes entirely on my land and my family's life has greatly improved. I appeal to other organizations and people with a good heart to join the organizations that are helping all Batwa to resettle and I pray that even those who have not yet gotten land will one day get their own land.*

4.5.3 Economic Contributions

Economically, the mentioned organizations and individuals above (UOBDU, CARE, BMCT, Baptist, Adventists and Church of Uganda) have contributed tremendously towards solving the Batwa's landless challenges. A number of Batwa who adapted to agriculture received sheep, goats and different seeds of quality that led to good harvests. They were also able to

get access to workshops about modern farming conducted by UOBDU and the National Agricultural Advisory Services (NAADS) through the Ugandan government.

CARE further went on to use Village Saving and Loans Association (VSLA) as a methodology not only to empower the resettled Batwa economically but also as a way of integrating them in the surrounding communities. Through the formation of VSLA groups that consist of Batwa and non-Batwa, all members benefited from them by accessing loans that they used to improve their lives. It further helped in the reduction of social differences and prejudice that hindered the integration of the Batwa with other ethnic groups through weekly interactions.

So far 35 VSLA groups have been formed in districts occupied by Batwa with a total number of 956 members of which 50 percent are women and in particular 28 percent (264 members) are Batwa, says Winfred[12], the UOBDU land rights officer. VSLAs have promoted a saving culture among Batwa, and especially Batwa women who have taken up financial management and proved to be skilled at making investments which created alternative financial services in the rural areas of Kisoro district where micro-finance and banks do not exist. With the introduction of free livestock donations, there is a reduction in the conflict between wildlife authority and Batwa for hunting animals from the national parks as meat which is a major delicacy in their culture. They have an alternative of the animals that are rare whenever they want to eat meat as Jackson and an informant from Rushaga say;

> …I received one goat and two sheep from BMCT which gave birth to kids
> and lambs so I now have 8 goats and 12 sheep. So whenever I want to eat
> meat I slaughter one of them and it feels good that I no longer have to
> enter the national park illegally to hunt whenever I need meat.

Livestock rearing has several benefits such as providing proteins, selling of the animals which contributes to Batwa's economic income and creating employment opportunities as well as providing manure which improves the soil fertility hence better crop production.

In conclusion therefore, the most important solution for helping Batwa is securing them alternative land and issuing them legal documents of ownership in order to have security over

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[12] Numbers compiled in the Batwa bulletin volume 2 produced by UOBDU and CARE in 2013.

their land. The determining factor for this is love and acceptance of Batwa with their culture by the surrounding communities, as it seems hard to convince the government of Uganda to give them back their ancestral land which is now Uganda's national parks.

5. CHAPTER: ANALYSIS OF THE FINDINGS

5.1 Introduction

This chapter presents the major findings of this study that I discuss and makes reflections in relation to the theoretical framework. The research results in this chapter are reported by means of presentation and discussion of the themes identified during the coding of the primary data. Primary data mainly focused on answering the research questions with responses from various informants. Furthermore, interpretations of the findings have also been provided.

5.2 Relating intersectionality & indigenous feminism to the study

Batwa are situated in the southwestern region of Uganda; the majority of the population in this region are non-Batwa and have a biased mind-set over Batwa who are stereotyped as "uncivilized, backward and illiterate". This has greatly affected Batwa psychologically and physically hence leading to low self-esteem. The problem of indigeneity has affected Batwa women more than men, as they face double identities of indigeneity and femininity. It is because of this challenge that I chose to use intersectionality and indigenous feminism in theories in this research project as they complement each other.

The aim of intersectionality is to understand the related systems of oppression, domination and discrimination that overlap within such social identities and how to deal with them. Batwa women face such oppression, discrimination and domination from the outside community (non-Batwa) where they live, and also from within their own community, which is being dominated by Batwa men. As the Batwa are landless, the donated pieces of land are occupied by huge numbers of Batwa. This has led to women being sexually abused by their husbands, and relatives in their community because people are living much closer together than they traditionally were hence men developing lust for the women. Women have to cater for the family and men only drink alcohol all day long, believing it is a woman's duty as their tradition says to fend for the family. As a result of having a huge burden within their society, it has escalated to women being victims of sexual harassment from different men including their landlords in order to maintain their offered land .This has paved the way for oppression and subordinations in different ways as a result of being women and, at the same time, indigenous. Olsen (2016a, pp. 9-11), argues that gender and sexual identity can emphasize, de-emphasize or complicate indigenous identity, and yet indigenous identity can downplay,

twist or strengthen gender and class identity thus the intersectional approach helps one to understand that people are from a diversity set of contexts (Olsen ,2016a).

When I first stepped into Kisoro town, I saw street children roaming around the town begging, scavenging from the rubbish pits, and at times sniffing petrol and other drugs. I was disturbed and asked myself: where could these children be coming from and who are their parents? To my surprise, I discovered later that they were homeless and fatherless Batwa children who are a result of the sexual abuse Batwa women experience. I was further told during a focus group discussion in "Group A", in the Mikingo village, non-Batwa men rape them with a belief that having sex with a mutwa woman brings good luck such as having successful businesses, farming and other good things. Another reason for having sexual intercourse with them is for the exchange of a piece of land to stay or food for their children. They end up being impregnated and sometimes contract HIV or other STDs, and children are born without fathers because men deny being responsible for fear of their marriages breaking up or being shamed for having an affair with a mutwa woman. They are often chased off the land because they lack legal documents stating their true ownership, and this has led to the increase of street children and robbery as they are never in school because of constant relocations and an inability to access schools. This is one of the biggest challenges the Batwa face and the community sees them as problem in the entire Kisoro district. Different churches that help them as mentioned earlier are trying to secure the legal documents so that the problem of constant relocation in search for settlement is reduced. In doing so, the church hopes that it will reduce on the crime rate in the district.

In addition to the above, when these women seek help from the police they are not helped. Sometimes the women are accused of being liars or not taken seriously, depending on the way they look and the person they are accusing. So they are left with nowhere to go and are ignorant of the protocol to follow if one wants to be helped. Therefore, this has left the Batwa in a state of hopelessness and helplessness due to the different challenges they face. However, this does not apply to all indigenous women. It applies to some categories within the bigger umbrella of indigenous women worldwide where each group is placed differently, faces different challenges of life and has differing experiences in life. This compelled different churches in the Kisoro district to donated land to the Batwa after their eviction, although some still do not have any legal documents ascertaining their ownership. The church is

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working to secure them legal documents ascertaining ownership of the land they are giving to the Batwa, and they have confidence in the church that they will not be evicted.

All in all, the above mentioned underlying factors are intersectional systems of society with which Batwa women interact with as a result of being landless and it propels their oppression and further subordination both from within their own society, and from more powerful outsiders.

Feminism is "an ideology based on a political analysis that takes women's experiences seriously" as well as a process "of organization and action" (Green, 2007a:p.20). Olsen (2016a, p. 1) argues that indigenous feminism deals with decolonization, telling stories of indigenous women and presenting a multi-layered critique of different forms of patriarchy. This means that these women's stories are of different multi-layered forms from the patriarchy in that they experience not only from the community they live in but also within their same community as Batwa. Batwa indigenous women have fallen prey to three major forms of human rights violations: colonialism, racism and sexism, these are all made it worse by the fact that the women are landless.

5.2.1 Racism, Patriarchy and Sexism
Batwa people were left out during the colonial era, with no access to education and no development at all, based on the assumption that their traditions were "backward and un civilized" by colonialists in Uganda. This led to the stereotyping, stigmatization and discrimination of Batwa, and the branding as "backward" and illiterate, which escalated the sense of racism between the Batwa and other ethnic groups in Uganda. For instance in my interview with Penninah, the chairperson UOBDU, she said racism has gone as far as to the marriage level where a non-mutwa is not supposed to marry a mutwa. It is considered an abomination if it happens, which is typically racism. This is a challenge mostly on the African continent in that international human rights bodies also know that indigenous women experience multiple forms of discrimination because of their gender and ethnicity (CEDAW, 2007; CERD, 2003). This makes indigenous women stand at the intersection of gender and racial inequality and for that matter it is vital to integrate a racial and gender perspective when analyzing indigenous women's status in order to curb down the element of subordination at both levels of patriarchy and racism (Ertürk, 2009).

In the patriarchy societies of which Batwa belong to in Uganda, men are traditionally placed in a higher position than women. Therefore, the Batwa men are at a more privileged level than the women since this supremacy is strengthened by their culture. This inequality is a product of Batwa culture as well as their marginalization. The 1993 Declaration on the Elimination of Violence against Women states that: "Violence against women is a manifestation of historically unequal power relations between men and women, which have led to domination over and discrimination against women by men and to the prevention of full advancement of women, and violence against women is one of the crucial social mechanisms by which women are forced into subordinate positions compared to men". This paragraph highlights the challenges of women's subordination to men which has affected the Batwa women not only from their husbands but also from the land owners where they live, facing all sorts of violations with the acceptance of being women. This implies that the subordination here is not only by indigenous men, it is also by the non-indigenous men, and further argued by indigenous feminists that indigenous communities have been subordinated by non-indigenous communities around them (Green, 2007a) as with Batwa women in southwestern Uganda.

Due to the vulnerability of Batwa women as discussed in chapter four and in the above paragraph, they are sexually assaulted and molested by the Batwa and non-Batwa for the sake of satisfying their sexual desires. Because traditionally their society puts men above women in all aspects such as decision-making and maintaining the land acquired, women end up becoming victims of such abuse.

Following the different interviews I had with the Batwa and non Batwa, I clearly realized that the Batwa have an idea about their land rights but have a challenge of not being able to make their voice heard as the majority are illiterate cannot read or write. This puts them at a higher risk of facing all different kinds of violations without means of defending themselves as discussed in chapter three in the case of the land grabbing of John Rwubaka in Kisoro. From the interview with Peninah, the chairperson, and Winfred, the land rights officer of UOBDU, they said the organization advocates for the Batwa rights however they have a lot of challenges in helping them acquire their full rights from different organizations with no help from the government.

I was informed that the Church of Uganda and the Baptist church have also tried to get them land, and the Baptist church has integrated them with other non-Batwa communities to avoid discrimination in Kanyabunju, Nabande, Mushabo and Kyahi villages. The pastor's efforts have yielded positive results in that those integrated are sending their children to school and they are not discriminated against by fellow children. They have also managed to shift from being hunters and gatherers to agriculturalist as they cannot access their natural forest to practice their traditional life style. This will reduce the level of illiteracy with time as those Batwa who are resettled can send their children to school without having a problem of constant relocation. Religious leaders have further preached the gospel to them and some converted to Christianity and follow the Christian doctrine of not practicing fornication and adultery. This drive reduced the rate of STDs spreading and incest among the Batwa, hence a reduction in the issue of fatherless children and women's sexual harassment. The church thinks converting to Christianity might be one of the possible reasons in the reduction of the above mentioned problems

5.2 General observation

This study found out that, although both genders are experiencing some level of vulnerability and challenges as a result of being landless, Batwa women are at the centre of different forms of violations compared to men. Due to challenges the Batwa have faced since their eviction, they are all willing to abandon their lifestyle (hunter and gatherers) and adapt to the new agricultural lifestyles if they are allocated land with titles, meaning they have autonomous ownership over it. Although they are ready to change, they feel they would rather be hunters and gatherer. The only challenge that limits them is no forest to practice their lifestyle and the government's restriction about killing wild animals. One Batwa leader acknowledges the fact that culture is dynamic, not static, and has tried to convince fellow Batwa to adapt to sustainable agriculture to improve their lives.

From the findings of this study, Batwa women seem dissatisfied with several aspects of the way men treat them both within their society and outside. Although patriarchy is a complex and resilient process, they have hope that some institutions and international organizations will respond to their plight of solving the landless issue. They believe this can be solved through allocating land to them with full control and ownership. This will reduce the reinforcement and masculinity demonstrated by men within generations that are infused with long standing traditions (Schroeder et al., 2005) as they are the driving factors for women's

violations. From the interviews I had with Batwa women and other people, I realized that Batwa women are carrying a huge burden in the society, such as child bearing and rearing, cooking, general household chores, finding food and other necessities for their families which need to be reduced for the betterment of their lives. Due to the abject poverty, I observed that infant and maternal mortality rates are high among the Batwa with a high risk of the increased spread of HIV as women are shared by many men within their communities. The last observation was a high crime rate due to a number of street children who do not attend school and my assumption is that it is likely to increase as they grow older unless something is done first to avoid the influx of these children on the streets. On the contrary to women's suggestion above, the male dominancy could result in changes such as loss of land, loss of ability to hunt and the role of men in their traditional culture that triggered men's behaviors towards women.

Presently, the Batwa's challenges are mainly based on being landless as discussed in chapter four and five above. This has contributed to the increasing vulnerability of Batwa men and women where they battle with stigma, racism and stereotypes by other ethnic groups around them. All my Batwa informants acknowledge the efforts done by NGOs, the different church organizations and individuals to see their social life and economic status improve. Furthermore, they call upon the community they live in and the government of Uganda to embrace them the way they are and call upon the government to respond quickly and positively to the negotiations they have through UOBDU, their main advocating NGO for their land rights.

Chapter six below contains deliberations, conclusions, a summary of the findings and the suggested recommendations from the Batwa.

6. CHAPTER: SUMMARY AND CONCLUSIVE REMARKS

6.1 Summary

The underlying objective of this study was to analyze the gendered impacts of landlessness on indigenous peoples in Uganda using Batwa from southwestern Uganda as my case study. I mainly focused on the causes and challenges of the landlessness that the indigenous peoples in Uganda face and the gaps between the protection and the implementation of land rights for indigenous peoples. These are highlighted with the suggested recommendations from the indigenous Batwa people. Furthermore, I specifically analyzed the impact of landlessness of indigenous peoples in Uganda with a main focus on Batwa women. My sample size was between 20-30 informants who I divided into two categories: key informants, as discussed in chapter three above, were mainly government, religious and NGO members that were not necessarily Batwa people and ordinary informants who are Batwa natives. This study was mainly based on the data I gathered through qualitative ethnographic fieldwork in Kisoro district in Southwestern Uganda through interviews, narratives and archival records. According to the nature and topic of my study, I dwelt mostly on the theory of intersectionality with an incorporation of indigenous feminism theory to a lesser extent in order to have a proper analysis of all my data.

I divided this thesis into six chapters. Chapter one introduces the topic and gives a general overview of the entire case study with its objectives and relevance. This was intended to give a clear context of how indigenous peoples are perceived in Uganda. I placed indigenous Batwa women at the center of the study, and discussed the impacts of landlessness to Batwa in general in the preceding chapters.

In chapter two, I reviewed the existing literature and how different scholars discuss the term indigeneity in the African and Ugandan context. The discussion about indigeneity was in order to locate the status of my study population in relation to Uganda and internationally in regard to defining indigenous peoples. It is also in this chapter that I reviewed previous research in relation to Land Rights of Indigenous peoples in Uganda, a general overview of Land Rights in Uganda, historical land rights in Uganda (Pre- colonial period before 1894), the colonial era (1894-1962) and the status of land tenure system in Uganda. This chapter also consists of the theoretical framework upon which the study was built with a description of the theories of intersectionality and indigenous feminism laying a background of the analysis in which I viewed this study.

In the third chapter, I gave a detailed account of the study and how it was conducted, what transpired in the field and the tools used to gather the data which included sampling, participant observation, interviews, life stories or narratives, archive materials, methodology, indigenous research paradigm, ethics and reflexivity.

The analysis of my data is combined in the fourth and fifth chapters, in which I present and discuss the findings of my study in relation to the research questions in chapter one. It consists of the following sub-topics: villages occupied by the Batwa in Kisoro district, causes of the Batwa's landlessness, and consequences of landlessness to Batwa women. I related institutional contributions in solving the problem of landlessness among Batwa people in southwestern Uganda to intersectionality & indigenous feminism to the study, colonialism and indigenous peoples in Uganda, colonialism and the Batwa people in Uganda, the effect of colonialism on Batwa people, racism and the general observations.

Then in chapter six which is my last chapter, I summarized the findings, stated what this study adds to the academic sphere.

6.2 Contribution made by the study

This study might serves as the voice of the marginalized and discriminated Batwa to different stakeholders on a local, national and international level about how Batwa's eviction from their ancestral lands has affected them economically, politically and socially. It has further pointed out how Batwa women have been affected more as a result of being landless but have managed to take care of their family despite the challenges they have from within their societies and outside their societies.

Having revealed the challenges Batwa have gone through in adapting to the new lifestyle from their traditional way of living in this study, there is a likelihood of the Batwa changing from being hunters and gatherers to agriculture, as seen with those with land living a better life, implying that the acceptance of the culture is dynamic not static.

Although Batwa have been greatly discriminated against, this study has pointed out the contribution made by different institutions in bridging the gap between Batwa and non-Batwa through income generating activities they jointly have which has not only boosted their economic income but also improved their social welfare.

My study employed indigenous methodologies by putting the interest of the researched people at the center other than scientific research methodologies which do not articulate the aspects of indigenous research well. It also tackled the issues of patriarchy, racism and effects of colonialism to Batwa which led to being discriminated against by other societies in Uganda.

6.3 Conclusion

According to the African Commission, the term 'indigenous peoples' is a concept on which a global movement is based on to fight for rights and justice for those particular groups who have been left on the margins of development, and who are perceived negatively by the dominating mainstream development paradigms, and whose culture and ways of life is under threat. Based on the 1995 Uganda constitution, I categorized Batwa as indigenous peoples of Uganda because they fall under this definition. Batwa are hunters and gatherers who are determined to protect their culture, preserve and promote it; however, their culture is on the verge of extinction due to their eviction from Mgahinga and Bwindi forest in 1991 by the government of Uganda to create national parks.

This rendered them landless and restricted their access to ancestral land hence the hindrance from practicing their culture leading to its extinction. They are no longer able to live only as hunters and gatherers, but they practice agriculture and live as squatters on other people's land

This study has illustrated that Batwa have faced a lot of challenges as a result of being landless, and Batwa women are at the center of different forms of violations compared to men, although both genders are experiencing some level of vulnerability and challenges such as racism, discrimination and human rights violations. Different institutions such as NGOs, churches and individual Batwa organizations (UOBDU) have tried to solve the challenge of the landlessness Batwa face but there are still more needed to implement and protect their land rights as other ethnic groups in Uganda.

With this study, I hope to draw the attention of different stakeholders to understand the effect and causes of landlessness of indigenous peoples in Uganda. The involvement of different stakeholders, the international community, Ugandan government and civil societies in

conjunction with Batwa organization (UOBDU) will be a stepping stone for the advocacy and implementation of Batwa land rights of indigenous peoples in Uganda.

6.4 Way forward

Different issues concerning the well-being of the Batwa have been tackled by a number of agencies, individuals, government and academia. Such issues are political, social and economic but all center on the issue of discrimination. Among the Batwa's issues is the problem of landlessness. Different NGOs have advocated for their right to own land but are never successful. This problem created abject poverty among Batwa, and the government of Uganda created a platform for NGOs that assist Batwa to operate smoothly. However, such interventions are hindered because the Batwa lack land on which some projects can be implemented. Sundal (2010) attributes failure of such programs to poor design and implementation strategies, failure to involve the intended beneficiaries and inadequate information flow between the implementers and the would-be beneficiaries. This implies that there is a gap and some measures that need to be considered in order to have the most viable options to respond to the status quo.

I employed intersectionality and indigenous feminism theories in this study and most female activists in Uganda such as Miria Matembe and Sylvia Tamale have written generally about gender related issues in Uganda (Musubika 2017). The social injustice they articulate is not specific on issues of women in marginalized communities, but rather women inequalities in Uganda as a whole, although they are in line with intersectionality and indigenous feminism theories that Matembe and Dorsey (2002) highlight the issue of women being considered property in terms of bride price and are not subjected to any decision making in their homes or beyond as opposed to men. In the same argument, Tamale (1999) supports affirmative action policy 14 as a way to counter the domination and supremacy of men in the decision making processes.

The dominance Batwa women experience in their homes hinders the process of affirmative action to take place because they are not like other women in Uganda. First of all, they are marginalized, discriminated against which leads to low self- esteem, which in turn creates a challenge for Batwa women to come out and stand against men in any area of responsibility such as political leadership. Batwa's tradition of respecting men could be a reason why Batwa men harass women sexually, taking it for granted that it's a default for men to control women.

To curb this problem, there is need for mass sensitization throughout Batwa communities and for men to accept that a woman getting into higher positions of leadership is not a cultural degradation but rather an opportunity for all Batwa strong people who can advocate for their rights rather than outsiders fighting for them.

The issue of resettling Batwa done by different stakeholders is an effort to improve their situation, but it is not solving it because the given lands have no legal documents that confirm the Batwa's of their ownership. In cases of conflicts between the Batwa over land, it became hard to settle such disputes without documents of ownership showing clear land boundaries. Anyone dubious can sell another person's land, or, those interested in grabbing land can take it on the assumption they are buying it, which makes the problem of landless a repetitive cycle.

Most of the projects set by NGOs require land set up, and without land their implementation is hindered. However, such projects should also promote Batwa's cultures such that their cherished traditional identity is maintained rather than projects that aim to change them to be like the dominant societies. Therefore, for proper sustainability of such projects, Batwa must be consulted on what they feel is good for their community other than imposing on them a project which might not be of their interest. This calls for negotiations and collaborations between the implementers and Batwa people to prioritize their ideas as noted by Nadasdy (2005) that local people possess knowledge that governments operatives do not, and hence incorporating such knowledge in management processes and policy can possibly improve the situation.

Commendable work by different researchers in the field of research and advocacy on the general issues of Batwa people has been widely undertaken, and I wish more researchers would write more about the social, political and economic issues amongst Batwa women in particular. That research can help to better understand the issues affecting both Batwa men and women, so that better policies and programs that respect their culture and prevent discrimination against women can be put in place.

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