

# LAND AND HOUSING MANAGEMENT

**WEEK 1:**

**INTRODUCTION TO MAIN CONCEPTS**

**LECTURER: MS. GLORIA ANGELA MUKOVA (MSc.)**

# Introduction

- General course introduction
  - Course description
  - Course objectives
  - Learning outcomes
  - Course content and coverage
- Week one introduction
  - Week one Objective
  - Introduction to concepts

# Course description

Land has been, and still is one of the **most valued assets**, and with that, one of the **leading causes of wrangles and disputes** in communities. On this one resource, a good percentage of **life's basic requirements is dependent and even existent**. With the growing populations comes higher demand for space and increased competition for land and housing for the increasing numbers.

# Course description ... ..

The course covers the **land and housing concepts**, looking in details at **land ownership and acquisition** in Uganda and how this ownership and acquisition **influences housing development**. The focus on land, especially for housing gives insight into different **approaches that can be used to increase housing availability** and therefore address the current deficit, as well as improve tenure security.

# Course objectives

- To enable participants appreciate and understand the **linkage between Land and Housing**, and identify issues in different communities related to the concepts.
- To expose participants to the **regulatory environment**, hence develop skills to examine the different regulatory documents (including policies) in relation to land and housing.
- To expose participants to the different **tenure systems**

# Course learning outcomes

By the end of the course ...

- Demonstrate knowledge of land tenure systems
- Demonstrate an understanding of the regulatory environment in relation to land and Housing Administration, management and development
- Be able to analyze and explain housing development patterns, methodology and the difference in housing outcomes
- Appreciate the challenges and limitations in the housing sector

# Course content and coverage

- 10 major topics – with subtopics
- 14 weeks – spread across a period of 14 weeks

**Week one: Introduction to main concepts**

# Week one objective

- To get a better understanding of the major concepts

# Introduction to main concepts

- Land
- Land management and administration
- Land development
- Housing
- Housing development
- Housing management and administration
- Land tenure and tenure systems
  
- Background of tenure systems in Uganda

# Land

- Physically
  - Solid, natural surface of the earth not permanently covered by water
  - Elements – minerals, soil, rocks, mountains, forests, fields ...
- Economically
  - A resource – all activities
  - A factor of production – primary input. Not consumed, but no production is possible without it
  - Has no cost of production
  - Usage can be switched, supply cannot increase
  - An asset – including anything;
    - On the ground
    - Above the ground
    - Under the ground



Source: Freepik ([Land Photos | Free download \(freepik.com\)](https://www.freepik.com))

- Characteristics of land
  - Natural and free – not the outcome of human effort
  - Fixed quantity – total quantity does not change
  - Indestructible – it is permanent, imperishable, non extinct
  - Primary factor of production – we start with land in all production – industrial, agricultural etc.
  - Immovable – can't be migrated or transported
  - Multiple uses

# Land management and administration

- The application and operationalization of the rules of land tenure – **land administration**
  - Guided by information on land, people and their rights
  - Involves recording of information – in form of registration
  - Process helps in management of information on rights to land. Implemented through procedures;
    - Procedures for land rights – rights transfer
    - Procedures for land use regulations – controls
    - Procedures for land valuation and taxation – methodologies

- The process of handling the use and development of land resources = **land management**
- Sustainable use and stewardship of land to achieve social, economic and environmental objectives
  - Enforcement and protection of rights to land
  - Implementation of strategies and practices – optimize productivity

# Land development

- Conversion of raw land into productive land – **land development**
- Process of transforming undeveloped areas into functional and valuable uses
  - Process involves various steps and activities – acquisition, construction/  
actual development



Source: [Freepik.com](https://www.freepik.com) [Premium Photo](#) | [Aerial Views Golf Club](#)  
([freepik.com](https://www.freepik.com))

# Housing

- Social obligation
  - Ensure – house or shelter – somewhere to live
- Buildings or structures
  - Individuals or families live
  - Meet particular national regulations
  - Different housing situations – age, economic status, origins and location



Source: freepik.com  
[Shelter Photos | Free download \(freepik.com\)](#)



- Housing sector
  - Contributes to economic growth
  - Creates employment
  - Fixed capital formation
  - Enhancement of quality of life

# Housing development

- Process – constructing houses in a particular area – residential or commercial use
  - Includes
    - Site identification and selection
    - Feasibility studies
    - Land acquisition
    - Planning and designing
    - Approvals and zoning
    - Construction
    - Quality control
    - Property management

# Housing management and administration

- Coordination, planning and Oversight – housing related activities, policies, programs and standards
  - Aimed at provision, maintenance and operation of the housing sector
  - Done by both the private and public sectors
  - Involves
    - Compliance and regulations
    - Property development
    - Maintenance and repairs
    - Client support services
    - Financial management
    - Communication and stakeholder engagement

# Land tenure and tenure systems

- **Land tenure**

- Relationship among people in respect to land – legal or customary; individuals or groups
- Simply – property rights in relation to land
- Property rights are a component of land tenure ...

- **Land tenure systems**

- Rules – invented by society

- regulate behavior on land

- How individuals, or groups can **access, hold onto**, or even **use** land or property

- Determine land resource use – who, when, how long, what etc.

# Background of Land tenure systems in Uganda

## 1. Pre-colonial period

- Customary land ownership – communal/ tribal tenure, clan tenure and nomadic tenure
  - Communal/ tribal – ownership vested in ruler as trustee – Buganda, Bunyoro, Toro
  - Clan – ownership by clan. Individual and family rights to fields or agricultural products recognized – Acholi, Kigezi
  - Nomadic – grazing rights – all members of the tribe. No specific rights vested in individuals – Karamoja

- Access and usage of land governed by customary rules
- Transfer of land – inheritance
- Land independent of single and superior landlords
- People's relation to land based on;
  - Traditional tenure
  - Territorial control
  - Access through a social network
- Each community with varied customary practices

## 2. 1900 and the colonial period

- First attempt to formalize means of holding land – British
- Customary deemed not good
- Aim –
  - Grant Freehold
  - Gain rights over unoccupied and unused lands – for the crown
  - Establish boards of trustees – protect peasants
- Resistance

- British signed agreements with different kingdoms – transition to other holdings
- First Agreement – Buganda kingdom and British colonial government –  
Buganda agreement
  - Resulted into formalization and redistribution of customary land
  - Buganda land – 19600 Sqm.
    - About half divided into square miles, some parts given to the church and academic institutions, the rest to the British governed by government.

- **Resultant tenure systems** - Crown land, Mailo land and Freehold
  - Crown land – designated for administration, administered by the government on behalf of British protectorate
  - Mailo land – given to Kabaka and his chiefs
    - Official Mailo – land held by virtue of holding an office in the kingdom
    - Private Mailo – estates given to individuals as private property
  - Freehold land – given to churches and academic institutions

***According to Lilian Mono Oryema***

- Tooro and Ankole kingdom agreements
  - Similar to Buganda
  - Resulted into – Crown land, and Freehold estates
- In other parts
  - Customary land turned into freehold – no consultations

### 3. The post-colonial period (1962-1995 and 1995-date)

#### Existent systems continued

- 1962 – 1995
  - Crown land renamed – public land
  - The land reform decree (1975) – all land held by state, all public land,  
Mailo converted into **Leasehold**
  - Freehold abolished

- 1995 – date
  - Constitution and Land Act 1998
  - Abolished Land reform decree
  - Restored Mailo, and Freehold, in addition to Leasehold
  - Customary – again recognized
  - Constitution declared land – belongs to the people

- Existent and recognized tenure systems
  - Customary tenure system
  - Freehold tenure system
  - Mailo tenure system
  - Leasehold tenure system

# Summary of week one

- Concepts
  - Land – resource, asset, factor of production – everything on, under and above the surface
  - Land administration – application and operationalization of rules of tenure
  - Land management – process of handling the use and development of land
  - Land development – conversion of raw land into productive land
  - Housing – shelter, house to live in
  - Housing development – process of constructing housing for commercial or residential use
  - Housing administration and management – coordination and planning, compliance and regulations
  - Land tenure – relationship among people in respect to land
  - Land tenure system – rules by society to govern land use, ownership and acquisition

# Summary week one ... ..

- Background of land tenure systems
  - Pre-colonial period; 1900 – independence; 1995 – date
  - Different tenure systems
  - Existent and recognized tenure systems
    - Customary
    - Mailo
    - Leasehold
    - Freehold

# Conclusion

We shall be meeting these concepts throughout the course, I hope you have a better understanding of them.

Next week we delve into the land tenure systems and understand how they operate

# See you soon

# References

1. Oryema, L.o. W., (2019). The changing face of Land tenure in Uganda: period before 1900 to date.
2. Freepik, (2023). Land photos, retrieved from [Land Photos | Free download \(freepik.com\)](#)
3. Freepik, (2023). Shelter photos retrieved from [Shelter Photos | Free download \(freepik.com\)](#)