SACRED FORESTS IN MODERN GANDA SOCIETY

by

William S. Gombya-Ssembajjwe
Department of Forestry
Makerere University
Kampala, Uganda

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INTRODUCTION:

Institutional arrangements can be extensive in form. They include; the particular options available, the sequencing of those options, the information provided, and the relative rewards and punishments assigned to different sequences of the actions. All these can affect the pattern of outcome achieved. The particular structure of the physical environment involved also has a major impact on the structure of institutional arrangement and its results. Thus, a set of rules used in one physical environment may have vastly different consequences if used in a different physical environment (Ostrom. 1990).

The traditional institutional arrangements are based on non-modern local indigenous knowledge. This system of knowledge surrounding natural resources has gained much attention in recent times. The reason for recognition and appreciation of local knowledge is growing, partly because of the realization that this knowledge can make a large contribution to development (Indigenous knowledge and Development Monitor, 1994).

Traditional beliefs should be viewed as important sources of information and knowledge that can help human-kind to avoid costly mistakes in development projects and assist the traditional groups in their development within their indigenous cultural framework (Garden and Mtallo, 1990). A failure to recognize and respect local institutions can lead to failure of development projects.

Traditional institutions are based on traditional beliefs and knowledge. Banuri and Marglin (1993) made a useful distinction between 'modern' and 'non-modern' knowledge systems. 'Modern' knowledge, on which modern institutions and development, are based, is largely western science. This knowledge has a powerful and

dominant position in the world today. It is characterized by a belief in universalism, individualism and objectivity, has an instrumental view of nature and is not connected to place. Due to its claim to universalism, other knowledge systems are not recognized or if they are, they are labelled inferior, and viewed to be characterized by ignorance or superstition.

In forestry, institutions for governance of forest resources based on modern scientific knowledge, claim superiority over other institutions based on traditional knowledge. This is because modern knowledge is transmitted through written words. Furthermore, data is quantitative, and collected by scientists (who do not use or depend on the resource that they study), and materialism and emphasis on economics gains are stressed.

Traditional knowledge systems are sophisticated and in some cases more effective in natural resource management. It is often transmitted orally, based on observations and experience, and use a holistic understanding in which all elements are interconnected. It is qualitative and rooted in social context (Johnson 1992).

By investigating how systems operate in a scientific way, elements of such systems are separated from each other to get a better understanding, and in doing so connections and linkages are seldom emphasized (Johnson,1992). Both modern and traditional knowledge systems are changing and people generally use some combination of the two contrasting systems to modify and alter the institutional arrangements governing the natural resources.

The institutional arrangement, in the Ganda culture (culture of the Baganda, people from Buganda), concerning the governance of sacred forests has been in existence since the 14th century. The significant aspects of this institutional arrangement are those based on the community's culture, history and beliefs (religion). While many of such beliefs may be labelled 'Superstition' by

outsiders, or even some forest extension workers, or community members, they have to some extent been effective in conserving small but arable tropical moist forests, in Buganda (Central Uganda) as in many other African countries.

Traditional knowledge on which traditional institutional arrangements are based can be important for development. For example, research, by several Scholars, suggest that many community forestry projects have failed because implementors have not understood the social aspects of local traditional institutions, governing the local forests that exist within a community. Development agents have instead tended to build new institutions, replacing or undermining the indigenous ones. These new institutions often do not recognize the existence of local groups nor conflicts within a community (Fisher, 1991) . Yet existing local institutions, although not always equitable are based on social mores processed within a community as well as local ecology and are sometimes but not always better equipped to govern local resources.

Local institutions can both be learned from and built on. While some may be effective equitable and strong without any outside support (like monitoring the use of forest resource, where the institutional arrangement calls upon the whole community to act as forest guards). Else where in Uganda, such a system of monitoring was practiced by the communities surrounding Echuya Government Forest reserve, in Kabale District and there is limited evidence of encroachment and deforestation of this forest as compared to other forests, like Lwamunda Forest reserves in Mpigi District, Mbale forest reserve in Luwero district and Bukaleeba forest reserve in Iganga district, were monitoring is done by Government employed Forest guards (Banana and Gombya-Sembajjwe, 1993).
Some institutions may be weak and might benefit from outside influence. For example, land and tree tenure in cases where land ownership is different from forest ownership or where land and

forest ownerships are different from users, has caused some conflict in use of the forest resource.

Objectives

The overall objective of this paper is to contribute to the discussion concerning the future of traditional institutions that have existed for long in modern society. Consequently, this paper addresses itself to the following:-

(a) Culture history and beliefs in the governance of sacred forests.

(b) Traditional knowledge, traditional institutional arrangements and community development.

(c) Learning from local institutions and building on them for possible improvements.

Background Information

Forests in Uganda have played an important role both economically and culturally. While forests have been a source of income to government in form of royalties paid by commercial forest users, they have also helped to preserve cultures of different communities within the country. This role can only continue if forest resources are governed in a manner that ensures sustainable utilization. However, current use of the resource does not indicate that future consumption is presently given its due respect.

There is an increased demand for forest products, for example, over 90% of the country's total energy requirement is generated by wood-fuels (Background to the Uganda Budget 1993-94). There are several factors leading to increased demand for forest products and they include:-

a) increased population,

b) lack of close, cheaper substitutes,

c) reduced sizes of forested areas, and

d) reduced stock of the forests.

The desire by the country for increased agricultural output is putting tremendous pressure on agricultural land which is currently extending into forested areas mainly due to:-

i)   lack of cheap fertilizers to increase yield on existing farm land,

ii)   lack of land where new farms can be created, and

iii)   the conceived idea or belief that forest soils are fertile.

All these factors, plus several others not mentioned here like wood harvesting, are causing rapid deforestation and the situation is worsening with time. In 1992, the Uganda National Environmental Action Plan (NEAP) committee estimated that deforestation was occurring at a rate of 500km^2 while the Food and Agricultural Organization (FAO) of the United Nations (1993) estimated that deforestation in Uganda was occurring at rate of 650 km^2 annually.

Assuming that the two bodies used similar methods of estimation, then it is clear that deforestation increased by 150km^2 in a matter of one year. Although forests in Uganda are under different institutional arrangements, the incentives to deforest them are similar and in most cases, they are short-lived like monetary gains. This paper is based on the findings of the study on Traditional Forest Reserves (TFRs) in Mpigi district, the International Forest Resources and Institutions (IFRI) pilot study conducted in the four Uganda's agro-ecological zones, one zone in each of the following districts Mpigi, Luwero, Iganga, and Kabale, and on the field study for my PhD currently being carried out in Mpigi district.

Land tenure and Forest user Rights

In Uganda all natural forests belong to the landlords, the government, religious organizations and individuals. There are four types of ownership in addition to government ownership. They include:-

i) Customary tenure. This system is based on communal and /or

clan/family rights. This pattern predominated over 70% of the land until 1974 and emphasized group use-rights to land use rather than individual rights.

ii) Freeholds which included freeholds, adjudicated freeholds and native freeholds.

iii) Mailoland, which is a modification of freehold applying in the central region.

iv) Leaseholds - both on Private and public lands.

The current land tenure system in Uganda was developed through the Buganda Agreement of 1900 between the British government and Buganda government. In Buganda, prior to this agreement there were at least four categories of rights of control over land (Mukwaya, 1953). They included:-

a) Rights of clans over land;

b) Rights of the king and / or chiefs;

c) Individual hereditary right; and

d) Peasants rights of occupation.

Rights of clans over land accrued to the heads of clans and subclans. The particular land involved was viewed as clan ancestral land, the traditional seat of the head of the clan or subclan who claimed a right to reside on such land. Other members of the clan had no right to reside on such land but were permitted to bury the dead members on it. Sale was not permitted, and on the death of the clan head, the estate was not divided among children but rather it was passed on to his successor in the role of headship. Clan land was not alienable to strangers.

The king held paramount title on all the land in Buganda. He granted land to his great chiefs (Bakungu) and to his lesser, but numerous chiefs (Batongole). The grantees had usufruct rights in the estates attached to their chiefly offices. These rights in

land run strictly with the chiefly office, and the land was not commonly available for the chiefs personal heir to inherit.

Individual rights over land were as a result of long undisputed occupation and/ or original grant by the king. The rights could be acquired by a chief or by an individual peasant. The establishment of such rights involved access to the king and his Bakungu through which one's permanent claim over a particular piece of land received royal recognition. The public act royal recognition of these rights consisted of planting of a bark - cloth tree (Ficus natalensis) on that piece of land by royal messenger (Gombya-Sembajjwe, 1990). Plots under this tenure system were normally small in size but valuable, and could be inherited by one's children and carried no political duties.

Peasants were free to choose the chief under whom to live. A peasant got a piece of land for his undisturbed occupation under a chief where he, the peasant, was to respect his chief, render him some tribute (Nvujjo and Busulu) and occasionally work for him. In summary, the peasant got the following rights over land:-
- Undisturbed possession of the land;
- Right to use all the land he cleared;
- Common rights on unoccupied land including
     (i) common grazing rights,
     (ii) collection of water, wild food, building poles and firewood.
- Upon the peasants death, the heir had a right to remain in occupation.

Upon signing the 1900 Buganda agreement, under which the British government was to offer protection to Buganda Kingdom, land was divided between the king and the royal family, and the chiefs, under mailoland system, who acquired titles deeds for their land. The land which was not occupied, namely the forests, swamps, and woodlands were shared between the Buganda government and the

British colonial government, the later taking the biggest share. From this time the role of chiefs in administering the land changed because the colonial government emphasized the production of coffee, cotton, and tea. Forest portions on the land acquired by individuals was classified as agricultural land, and some owners, locating to tenants for production of cash crops. To ensure security of occupancy of land the original arrangement of Nvujjo and Busuulu was adopted but now payable in monetary terms.

As the protected area expanded, different type, of land tenure systems were developed for different regions. For example, in Toro and Ankole kingdoms freehold was adopted while leasehold and customary tenure were adopted for the rest of the country.

The 1975 Uganda government Land Reform Decree No.3 made all land public, and abolished the Nvujjo and Busulu arrangement that existed in Buganda for such a long time, thus removing the security for tenancy. As under this decree the landlord can issue a notice of eviction to the tenant and carry out eviction after six months upon compensation for developments on the land, but not for the land and other natural resources on it.

Implementation of this decree has been very difficult, if not impossible, so the land tenure in practice and what is legally binding are not the same. Therefore, although the 1975 land Reform Decree declared all land to be public land subject to leasehold, this has not been closely followed by either the land administrators or the land owners.

Government Forest Policy and Sacred Forests
In pre-colonial Buganda, the land and natural resources on them like the forests, belonged to the king but tenants had user rights to these forests. The king was the head of all cultural institutions in his kingdom, including the sacred forests, and users of such forests for cultural purposes were doing so on the

behalf of the king.

In colonial period sacred forests remained under private ownership
(either individuals or, families or clans). However, the colonial
government whose interest in the forests were either timber
production or protection of water catchment areas formulated a
forest policy for management of only forest reserves, ignoring all
forests on private lands in its policy. The sacred forests
differed from forest reserves not only in purpose and use but also
in definition. Gerden and Mtallo (1990) defined a sacred forest as
" a forested area no less than approximately 0.04 ha which is
protected by the residents of the adjacent area in accordance with
their customary law. The existence and management of sacred
forests are not based on government laws. On the other hand, IFRI
(1993) defined a forest as "an area of a least 0.5 ha, containing
woody vegetation (trees, bushes, etc) exploited by at least 3
households being governed by a similar legal structure.
Both these definitions can be used for the purposes of discussion
in this paper, but with some qualifications. During my study of
TFRs in Mpigi District, I came across areas which had been
deforested either through natural process or by human activities
and some of the communities they served regarded them still as
forests. Furthermore, while collecting data for my PhD study in
the same district, I came across areas that could be regarded as
grassland but having a single sacred tree in them and the
communities around insisted that such areas are forests because of
the tree in them. Their argument was that even the big sized
forests of today started with single trees, but with time and
limited disturbance forests were farmed around such sacred trees.
Forests which came about in this manner include a sacred forest
known as Magezigomu, about 10 ha in size, which started with one
sacred tree species (Canarium schweinfurthii) which grew in a grove
of one Magezigomu. Magezigomu forest is now a lake-shore forest
characterized by species such as Piptadeniastrum africanum,
Pseudospondias macrocarpa, Lovoa brownii, etc, all of which are

timber trees species found in government productive forest reserves.

This clearly indicate that there is a need to compromise on the definition of a forest.

Uses of sacred forests and use rights

The most important use of sacred forests in central region and probably elsewhere in Uganda and Africa is cultural.

Most of the sacred forests in Mpigi are historical sites of either where an important person in a clan was buried or formally a home of an important leader which on abandonment, turned into a forest, or sites where ancient founders of some communities planted a tree, or sites where someone encountered some supernatural spirits,

In Kiganda culture, the king was the head of cultural activities so in a sense all sacred forests were under his control, and some of these forests like Magezigomu serve the community as a source of firewood and timber in addition to its cultural function. Other uses of these forests include hunting of duikers, bushbucks, edible cane rats and wild pigs and gathering of fruits, mushrooms, etc.

Sacred forests are also an important source of medicines. This is done in two ways:-

    (a) Through consultation with ancestral spirits, who prescribes a combination of different herbs either from that particular forest or from other forests for treating a sick person;

    (b) By gathering the leaves, roots and/ or bark of medicinal plants/like Vernonia amygadalna (roots and leaves) for treating malaria, Sapium eliplicum (bark) for bathing newly born babies (masaali) Garcinia huillensis for treatment of cough, (Mutunuka) Phyllanthus capilaris for measles.

Other sacred forests such as Nakayaga play a protective roles as well, protecting potable water catchment area.

Others, eg, Mukasa being homes of ancestral spirits are used for

appeasing the spirits responsible for rains, wealth, giving birth
to children, etc. So they used to be centers of entertainment as
the appearing activities used to include sacrifices of food, meat,
beer, which were enjoyed on by the communities surrounding such
forests in the forests themselves.

It must be emphasized that original use-rights of sacred forests
were not extended to harvesting for timber, and charcoal.
Harvesting for firewood was only permitted for use within the
forest. However, now due to the high demand for and scarcity of
timber, charcoal and firewood some sacred forests such as
Magezigomu are being harvested for these products (Gombya-
Sembajjwe, 1994).

Tenure and Management of sacred forests

Tenure, which includes both user and ownership rights
(Fredenberger, 1994) can be complicated in sacred forests.
However, the communities surrounding these forests usually
understand the tenurial arrangements of such forests. In cases
where there is no clear tenure and management system in place the
sacred forests have disappeared or are disappearing.

Sacred forests and sometimes the land on which they are situated,
are privately owned, either by an individual, a family or a clan.
However, their use is extended to anyone within the Ganda culture
provided the use is cultural. In some cases the land itself is
under a different ownership from that of the forest. This
situation could lead and has led to conflict for the use of the
forest and land. (Fortmann and Nihra, 1992).

For example, most of the sacred forests in Buganda are on mailo
land tenure system whereby, officially, the landowner ownes and
manages the forest on the owned land as well. Yet, the use of such
forest is open to both members of the community surrounding that
forest and even those from outside that community. The forest is
a common pool resource (Ostrom, 1990).

However, most sacred forests are looked after by someone else

usually possessed by some ancestral spirits for which the forest exists, but with support of community members surrounding that forest.

Control of use of sacred forests.

Forests managed by communities or individuals can entail different types of controls. Management of sacred forests is accomplished through a system of sacred controls and through community norms. Sacred controls are defined as norms based on religious beliefs, enforced by internalization of norms, community sanctions or religions leaders (Fortmann and Nihra, 1992).
The sacred forests have great cultural and historical values for families, clans, community members and the tribe as a whole. Beliefs in spiritual powers govern the sacred forests. There are no written rules to describe forest management. Instead, community members grow up knowing the "dos" and "do nots" surrounding the use of these forests. This knowledge was and is passed on from generation to generation orally and observations. Spiritual sanctions in combination with fines or penalties, in form of chicken, sheep, goats, beer smoked coffee beans, etc, are used for rule enforcement. The fines are normally consumed by all interested members of the community. The beliefs and sanctions employed in governance of sacred forests reveal characteristics of the "non-modern" system of knowledge discussed by Banuri and Marglin (1993). This knowledge is embedded in community's experience, and linked to spirituality. Spirituality within African religions emphasize concepts such as kinship, unity, mutual respect, collaboration, brotherhood and living in harmony with the environment. (National Consultation meeting for NGOs Report 1991). The context in which each forest is placed is crucial; different historical events, or beliefs determine the specific rules and governance surrounding each forest. When one compares the governance of sacred forests and western forest management both systems accepts the goal of sustainability but the methods used to

achieve this goal are different.

Traditional institutions surrounding sacred forests are communal institutions involving the entire population of a geographical area in a system of common obligations (Fortman and Nihra, 1992) Such an institutional base, which consists of shared norms and behaviors, is a condition necessary for successful governance of sacred forests. However, the influx of immigrants who do not respect these norms or belies can lead to increased deforestation and weakening of sacred controls. Institutions such as these may be invisible to outsiders (Fisher, 1991)

Rules and Rules enforcement.

Although each sacred forest is regulated by specific rules (see Traditional Forest Reserves in Central Uganda), some general rules apply as well. For example, in all sacred forests, women are not permitted to enter the forest alone, when they are menstruating, etc. All people are not permitted to urinate, defecate or have sexual intercourse in these forests.

To enforce these and the additional rules specific to each forest, social controls are generally used. For example, elders continuously remind community members of the dangers that await those who abuse the forests. Stories of terrible happenings that befell those who violated the rules governing the entry and use of the forests are passed on from generation to generation through stories.

The future of sacred forests and user's security.

Deforestation in Uganda in general and central region in particular is not only limited to government forest reserves and private forests on mailoland (Tukahirwa, 1992), but also to the sacred forests. Earlier findings of a study done, by the author, on traditional forest reserves in central Uganda, indicate that sacred controls over entry and use of these forests are weakening and in

some cases have completely disappeared due to Christianity, and Islam; other ideas introduced by foreigners; immigration to central region by people from other cultures; government and community development actions; and abuse by traditional guardians who exploit the forests for their own ends. These trends are similar to those reported by Fortmann and Nihra (1992) after a study done in Zimbabwe.

Christianity and other foreign religions have greatly weakened the traditional beliefs in ancestorial spiritual powers, which were crucial in the governance of sacred forests. Foreign religions regard any belief in traditional spirits as being an act of satan. Monetary economy has also led to disappearance of several sacred forests in many ways. The example, landlords have sold or leased their land on which such forests are situated to outsiders who have no or little regard to such forests for monetary returns. Developments undertaken by new owners have greatly interfered with governance and use of these forests. A case at hand is the Katebo Crocs Farm, about 80km south west of Kampala on the shores of Lake Victoria. A Zimbabwe company leased a piece land for crocodile farming on which a sacred forest, Mukasa, is located. Although the company has not destroyed the forest, access to the forest for community members was blocked, so the forest can no longer be used by the community (Gombya-Sembajjwe, 1994). It is true this farm has created jobs for some members of the community, although a sizeable work force is imported from other districts, but should monetary gains for rural communities completely overshadows traditional believes and values? This type of question is not easy to handle because the answer to it depends on which side the question is viewed. But, I think there is a need to reach a compromise between the parties involved, instead of ignoring one side because of lack of legal rights and scientific evidence for its claims on the stated traditional beliefs and values.

Landlords have not only sold or leased land on which sacred forests are situated, but have also sold trees for timber and charcoal from these forests without even consulting with community. This practice

is wide spread in sacred forests on land which originally regarded as clan land. Inheritance of such land by female has proved a dangerous practices to sacred forests as the females pass on such land to their children who are members of other clans. It has been reported that such children sell trees from these forests and even the land without consulting with the communities that have been using the forests.

As mentioned earlier some sacred forests play a protective role in water catchment areas. With developments introducing pumped water especially in urban centers, the importance of these forests for protective role is reduced greatly, and in several cases such areas are remarked for housing units.

There is also some obvious threats to sacred forests are in the name of modernization, based on western systems and knowledge. Although it is impossible to directly trace the influences of western values to their sources, changes which aim to make society more modern and formed according to western ideas, begun in colonial times, could have negative influence on sacred forests. Odera (1993) described how Uganda has been dominated by western systems, and how western institutions, such as schools, have depreciate traditional institutions and have caused people to be unable to identify with their own culture. Traditional knowledge are thus subjugated, in a process Odera (1993) termed cultural imperialism. She argued that development has suppressed local knowledge.

Given that form of argument one can pose a question, can sacred forests service modernization process?

Several authors have suggested the idea of strengthening local institutions instead of replacing them in the development process. Fisher (1989) suggested going beyond "learning from" local institutions to "building on" them. This would entail the following steps:-

(i) Recognize the local institutions and leave them alone if they are effective.

(ii)   Strengthen them when they are inadequate.

(iii) Assist is establishing new institutions where necessary,
      with respect to existing use-rights.

He further stated that, "where an effective local indigenous
institution exists, it should be used us the basis for community
forestry where this can be done with an acceptable degree of
equity" (Fisher, 1991).

In Mpigi district, a non-modern indigenous system of governing
local forests exists, one that is working adequately in some places
and inadequately in others. Although not formally structured as an
organization, the traditional institutions governing sacred forests
seem to be effective and equitable in some areas. For example
fruits harvested in some of these forests like Semalizi can only be
consumed in the forest. This means that one can not harvest for
sell and this ensures that the same product will be available for
several people. Mushrooms and game are harvested in groups, and
all participating members of the group get a share of the harvest.
Thus, local forest users designed the institutions that govern the
use of a forest system. Fines of local available cheap resources
are paid promptly by offenders of the forests are consumed by
community members of such beliefs, making the system a low-cost
arena to resolve conflicts (IFRI,1993). There institutions such as
tenurial arrangements that have already shown signs of weakening
and may not remain effective without adequate outside support in
face of external or modernization pressures.

Strengthening of local institutions.

The question of strengthening of local institutions is subjective,
depending on the type of institution and the reasons why it has
weakened. Some authors suggest that local institutions can be
strengthened and supported by increasing their level of democracy,
their effectiveness, efficiency, or out-reach (ETC foundation,

1992). For example, the dagashida, a traditional institution in Tanzania, was revived and expanded to include the participation of women, thus increasing its level of democracy and equity (Johansson and Wendelin, 1993).

Other suggestions, aimed specifically, at the role outsiders can play include solving legal tenure problems, providing financial support, initiating extension work, or facilitating more equitable distribution (Fisher, 1989). The Forest Tree and People Program (FTPP) Study on TFRs in Tanzania suggested that some of the local rules can be incorporated as village by-laws and then be used in a national community forestry program.

In Uganda and Mpigi District in particular the RCs, the administrative structure in the country, can be used to enforce some rules governing the use of sacred forests.

The problem of immigrants who do not respect community beliefs, thus breaking the rules governing these forests could be addressed in different ways:-

(i)   Educating immigrants as to the rules governing the sacred forests, as was the case with Semalize forest.

(ii)   Village authorities ensuring that immigrants do not lease or buy land containing such forests. This is being done in some parts of Uganda.

(iii)   Exploitation of income generation potential of trees, such as through protecting trees of medicinal value on contract to traditional healers (Fortmann and Nihra 1992).

To stop commercial exploitation of sacred forests Fortmann and Nihra, 1992, suggested that the state may have to become involved. This is unlikely to work in Mpigi district or Uganda in general because the state has also failed to reduce illegal exploitation of trees from forest reserves. Therefore, currently it has no better method of forest use monitoring to offer for sacred forests.

Conclusion

Indigenous forest management systems are based on non-modern knowledge system. The culture plays on important role in people's decisions about their forests. Cultural aspects of forest management in sacred forests influence all other aspects of the forest economics, uses, provision of resources, etc. The existence of this local system has ensured the sustainability of some of the sacred groves, as institutional arrangements.

Despite, the fact that these institutions has been in existence for a long period of time, they are currently facing increasing threats, and some have been weakened as a result. Participation of local community members in identifying these threats and identifying appropriate measures must be encouraged. Outside impetus may be required to strengthen local institutions systems has been increasing significantly in recent years. Different forms of sacred documentation such as videotapes, etc, all being used. Research in Uganda could employ some of these methods. Further research could entail identifying and documenting the existing sacred forests, their uses and users throughout Uganda. This knowledge could then help to guide government policy on privately owned forests, as there is no such policy at present.

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