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QUALITATIVE STUDY

Navigating Customary Tenure

The Role of Community-Based Paralegals in Land Dispute Resolution in Post-Conflict Northern Uganda

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ABSTRACT

{ "background": "Post-conflict Northern Uganda faces complex land disputes rooted in the interplay between customary tenure systems and formal statutory law, a situation exacerbated by mass displacement and return. These disputes threaten livelihoods and social cohesion, yet formal judicial mechanisms are often inaccessible.", "purpose and objectives": "This study investigates the specific roles and impact of community-based paralegals (CBPs) in resolving such land disputes. It aims to understand their strategies, the challenges they encounter, and their effectiveness from the perspective of service users and other stakeholders.", "methodology": "A qualitative, multi-sited case study was conducted across three districts. Data were collected through in-depth, semi-structured interviews with 24 CBPs, 31 disputants who utilised their services, and 12 key informants (including local leaders and NGO staff). Focus group discussions were held with community members. Thematic analysis was employed.", "findings": "CBPs effectively employed a hybrid strategy of mediation and legal empowerment, bridging customary and formal systems. A prominent theme was their role in de-escalating conflicts by reframing disputes from zero-sum contests over ownership to negotiable issues of access and use-rights. Approximately two-thirds of interviewed disputants reported a satisfactory, non-violent resolution or ongoing constructive dialogue.", "conclusion": "Community-based paralegals are a critical, culturally resonant mechanism for land justice, offering a pragmatic alternative to overburdened courts. Their strength lies in procedural flexibility and legitimising hybrid solutions that statutory systems alone cannot provide.", "recommendations": "Policymakers should formally recognise and integrate paralegal services into national land governance frameworks. Donors and NGOs should invest in sustained training, particularly on gendered aspects of land conflict, and facilitate stronger referral pathways between paralegals and formal authorities.", "key words": "customary land tenure, legal empowerment, alternative dispute resolution, paralegals, post-conflict, Uganda", "contribution statement": "This paper provides novel empirical evidence on the specific hybrid dispute-resolution mechanisms

Keywords: *Customary tenure, Land disputes, Post-conflict reconstruction, Acholi region, Community-based paralegals, Legal pluralism, Qualitative research*

Article Highlights

- Qualitative study reveals how paralegals de-escalate conflicts

Methodological Note

Multi-sited qualitative case study across three districts,

<p>through mediation and legal empowerment.</p> <ul style="list-style-type: none">• Hybrid strategies legitimize solutions that statutory systems alone cannot provide.• Two-thirds of service users reported satisfactory, non-violent resolutions or constructive dialogue.• Findings advocate for formal integration of paralegal services into national land governance.	<p>incorporating interviews with 24 paralegals, 31 disputants, and 12 key informants, plus community focus groups.</p> <p><i>Examines a culturally resonant, pragmatic alternative to overburdened formal courts.</i></p>
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ABSTRACT-ONLY PUBLICATION

This is an abstract-only publication. The complete research paper with full methodology, results, discussion, and references is available upon request.

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