

# **A HISTORICAL PERSPECTIVE ON LAND TRANSFER: "SHOWING THE LAND," SURVEY, AND REGISTRATION IN (B)UGANDA FROM 1900-1950**

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## **ABSTRACT**

Analyzing court cases from 1900 to 1950, this article documents the incomplete creation of a land market in Buganda, despite the legal possibility of land sale following the creation of mailo land in 1900. Survey, titling and registration of land became combined with mechanisms for land transfer which had already existed in Buganda, and the melding together of two sets of forms and meanings for land transfer led, inevitably, not only to ineffective transfer of land in individual cases, but also to the incomplete creation of a market in land. The buyers and sellers of land rarely, if ever, treated land as a commodity stripped of social obligations. The article describes the mechanisms for land transfer before the creation of private property in land, and provides evidence of the hybrid mechanisms for land transfer which evolved, and documents the potential for fraud inherent in titling and registration and the potential for ambiguity inherent in "showing the land." The difficulty in implementing private land ownership in Buganda between 1900 and 1950 suggests some challenges that will hinder the implementation of the Land Act.