



# PROTECTING THE PROPERTY OF PERSONS LIVING WITH MENTAL ILLNESS

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**“Everyone is entitled to their hopes and dreams – to work, enjoy family and friends, go about their life without stigma and discrimination, and participate in decisions that affect them,”**

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**United Nations Secretary-General Ban Ki-moon declared in his message on World Mental Health Day.**

The stigma surrounding mental illness is a powerful force everywhere. Uganda is no different and the stigma is a pervasive societal issue and barrier to treatment. Traditional beliefs regarding causation means that many people with mental health disorders do not present for treatment. On top of that, people living with mental illness are often taken advantage of, unfortunately by those closest to them most times.

Like last week’s success story, this week’s story tells of a woman in Kween, who on behalf of her husband that lives with mental illness, was able to reclaim a small portion of his father’s estate.

For the longest time her brother-in-law had taken advantage of the brother’s mental illness and blocked him from utilizing the property that their late father had left behind for them both.

The wife was the breadwinner at home as she was the one who had the capacity to work, and the onus was on her to see that every family

obligation was taken care of.

On multiple occasions, she had asked her brother-in-law for access to the property, so she could farm for sustenance, but a fight would always ensue. At one point because of the disagreements, the elder brother set ablaze their thatched roof house that they were living in, and this triggered the wife to sell the property in Kween and relocate to Kapchorwa where they resided with a relative.

The wife approached the legal aid team in Kapchorwa with an in-law, who also happens to be a clan chairman. This was after the wife had contacted the clan chairman first, but he was unable to intervene as the matter was beyond his capacity, thus prompting him to seek legal advice from FIDA, after hearing an advertisement on the radio, and recommendations from several sources.

The wife claimed that there were still a lot of resources on her husband's side that were not divided equally and because of the challenges her husband was facing, she had wanted the legal aid team at FIDA to assist her in repossessing her husband's share. The legal aid team in Kapchorwa drafted letters to the elder brother, the Local Council Chairperson 1 (LC1), the wife's eldest child, the chairman of the clan, and two key stakeholders from the clan whom the chairman recommended, inviting them to come in for mediation as the first step of intervention.

The elder brother declined, and another letter was written to him as a reminder that if he fails to turn up the next time, the next course of action would be to write a letter with the intention to sue and the implications that would arise. The elder brother agreed to cooperate and turned up for the next mediation.

Everybody present was sensitized about the law and what it states on property rights. They were also briefed about the work that FIDA does and the processes it follows. During the mediation, the elder brother admitted to having sold some land.

He mentioned that the property accessible to him and his brother was divided into two portions, and this prompted the team to conduct a visit to this land.

On the day of the visit, they went to Kween, where the elder brother showed them their father's estate. The land was vast and measured approximately 10 acres. 3 acres of the land were contested and had issues of land grabbing. Approximately 4 acres of it was sold by the brother and therefore the remaining available land was approximately 3 acres.

When the discussions began, the clan members requested that the elder brother reimburse the money that he had received from the sale of the property. When the legal aid team analysed the situation, they realized that this would cause greater insecurity to the wife and her husband. The legal team advised that for purposes of avoiding hostility between both parties, it would be best to focus on reclaiming the remaining 3 available acres.

The decision was welcomed by the clan members and the land was handed over to the wife and her husband. The clan members also vowed to support the elder brother as he deals with any land wrangles until he fully reclaims the land.

This property dispute has been going on for 6 years and even though, we've witnessed a breakthrough, there is still a lot of work to be done when it comes to sensitizing communities about mental health, as well as fighting the stigma and discrimination that persons living with mental illness face.

In Uganda, the stigma around people living with mental illness means when things go wrong, they often have no safety net. That is why it is important that we start to break the silence about their lived experiences

and interrogate ourselves as well as self-reflect and change the way we look and interact with people living with mental illness.

If you are experiencing cases similar to these, please reach out to us on **fidauganda.org** or on our **toll free line: 0800 111 511**.



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