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“Green Resources’ strategy is based on the sustainable development of the areas in which it operates. The company believes that forestation is one of the most efficient ways of improving social and economic conditions for people in rural areas.”

(Green Resources, Company report 2012)

“To compensate for the damage caused by our own over consumption, we are financing projects in the global south causing poor people to loose their land. In that way, Green Resources is an instrument of the climate colonialism of the west.”

(Professor in Human Geography at the Norwegian University of Life Sciences, Adresseavisa the 14th of April 2012)

Introduction

In the Norwegian media, the debate concerning the activities of the Norwegian forestry company Green Resources is dominated by two confronting discourses.⁵ On the one hand, the company itself claims that their tree plantations in East Africa represents a “triple win-win” situation with benefits for investors, the global climate, and finally for the local population living close to these plantations. Through projects of “community development,” the company claims to secure “social and economic development” for the populations living close to, and inside, their plantations. A confronting discourse is held by, among others, environmental non-governmental organisations that points to the negative consequences for the “local population”. Their argument is that the plantation monopolises land that was used for agricultural activities before the arrival of the company, leaving the “local population” landless.

5 This article is written on the basis of two months of field work in Uganda in the beginning of 2013 for my Master thesis in African Studies at the University of Paris Panthéon-Sorbonne. The information was gathered through field observation and interviews with representatives of the national and local government in Uganda, the national agency responsible for the administration of the country’s forest reserves (the National Forestry Authority), as well as Green Resources representatives in Uganda. Special attention is given to the accounts given by the plantation workers as well as the populations living inside and around the company’s plantations.

The term “land grabbing” is widely used by environmental and human-rights organisations to condemn large-scale land investments in the “global south.” In general, these investments result in the loss of agricultural land for small-scale land owners in the area hosting the investment (Hall, 2011: 143). The attention around these kinds of large-scale land investments have increased in recent years, leaving “land grabbing” to be the new “buzz word” in the world of “developers”, environmentalists and human-rights defenders. For instance, the think tank called the Oakland Institute defines “land grab” in the following way: “the purchase or lease of vast tracts of land by wealthier, food-insecure nations and private investors from mostly poor, developing countries in order to produce crops for export.” The organisation underlines the international financial institutions as an important factor facilitating these “global land grabs” where the control of food resources shift from public to private sector (The Oakland Institute, 2009). Furthermore, the international non-profit organisation Grain describes the “current scramble for land in Africa as a global struggle for resources” and “land grabbing” as the continuation of colonialism, triggered by the global financial crisis (Grain, 2008 & 2012). Although these organisations also incorporate the role of the host state, the focus of these organisations is on “land grabbing” as a global struggle for land, where the role of the host state is rarely analysed beyond its relationship with the investing company.

Also social scientists have used the term “land grabbing” in academic work to draw attention to, and problematize, these types of large-scale agricultural investments. Amongst others, Benjaminsen and Bryceson (2012: 336) use the term to describe how conservation processes in Tanzania lead to the dispossession of land and resources from local small-scale land users, while it leads to capital accumulation by more powerful actors like government officials. The authors stress the role played by the host state actors in these “green grabs” in addition to the role of transnational conservation companies and tourist companies. This use of the word “land grabbing” in academic research has been criticised by researchers, among others Ruth Hall (2011: 193). She states that “the popular term ‘land grabbing’, while effective in activist terminology, obscures vast differences in the legality, structure and outcome of commercial land deals and deflects attention from the roles of domestic elites and governments as partners, intermediaries and beneficiaries.” Like Hall, we argue that the use of the militant, normative and politically charged term of “land grabbing” in academic work needs to be discussed. First of all, the activist idea of “land grabbing” stresses a one-way domination where the foreign company is the dominant and the small-scale land owners the dominated. When a role is given to the host state (in this case Uganda) it is often as a facilitator and beneficiary for the foreign company, and little attention is given to understanding its role beyond its relationship with the foreign company. We argue that in order to understand the logics of these large-scale land investments and the dynamics that they create in the investment zones, it is important to focus also on the more subtle aspects of these land transactions, like the role played by the host state and the local administration, as well as the role played by the local

populations as an active actor, instead of the dominated, in their relationships with foreign companies. Secondly, the term “land grabbing” is used to describe large-scale investments in many localities with different characteristics, giving the impression that the same logic applies for investments in these different zones. In this way, land grabbing is a “culturalist” term, drawing a passive and sterile picture of the localities hosting the investment.

This article aims to study the stakes of land tenure and access in a context of large-scale land investment in one specific locality, the Bukaleba Forest Reserve administrated by Green Resources in the Mayuge district of Uganda. Our interest lies in understanding the dynamics of land tenure and access by exploring how land is linked to the distribution of power and authority on both the local and the national level. In doing this, all main actors, the company, the central state, the local administration and the local population are included as actors with their own history, internal divisions and interests. We argue that by analysing the plantation of Bukaleba in this way, we will be able to understand the dynamics and consequences of this specific investment in the Bukaleba Forest Reserve beyond the globalising idea of “land grabbing” as it is presented by the activist literature.

The Bukaleba Forest Reserve

The Bukaleba Forest Reserve is located in the district of Mayuge on the shores of lake Victoria about 120 km east of the capital Kampala. The Mayuge district is known for its fertile land, abundant rain and numerous sugar cane plantations. Today, the population growth of Mayuge is among the highest in Uganda, leading to an increased pressure on agricultural land, as the main activity of the population is substance agriculture (NEMA, 2009:164).

In 1932, the forest of Bukaleba was established as a Forest Reserve by the British administration (UFRIC, 1999: 1). At this time the area was populated and these populations continued to use the land for agricultural purposes even after the establishment of the Forest Reserve. Since 1932 the population has been fluctuating. In some periods, tsé-tsé fly epidemics have forced the population to flee the area, while fertile land and fishing opportunities have encouraged populations to settle during other periods. Moreover, the southern part of Uganda has attracted refugees fleeing the war between the Museveni regime and the Lord's Resistance Army the northern part of the country (see Bøås & Dunn, 2007), as well as from neighbouring countries like Rwanda, Sudan and Somalia since the end of the 1980s (Francois, 2003: 7). Today, the population of the forest of Bukaleba is constituted of people from different parts of the country, identifying as different ethnic groups.

In the beginning of the 1970s, when Uganda was under the rule of Idi Amin Dada, a beef farm was established inside the Bukaleba Forest Reserve. Many of the inhabitants that live inside the plantation today were former workers of this farm, which they refer to as the “government farm.” The farm is also an important element in their justification of right to ownership of the land, today occupied by the tree plantation. According to a Ugandan journalist, the farm was closely connected to the regime of Idi Amin Dada, serving as a meat reserve for his soldiers. The farm attracted many workers who settled inside the Forest Reserve to find work for the farm and cultivate the land. During these years there was an important deforestation of the Forest Reserve.

When Uganda’s current President Yoweri Museveni came to power in 1986, following years of unrest and civil war, he began what many researchers have described as the “reconstruction” of the Ugandan state. This process established the authority of Museveni and his National Resistance Movement through a combination of militarism and political incorporation (Sjö, 2007: 78). The construction of a bottom-up system of Local Councils (LCs) starting at the village level, assured Museveni a certain democratic legitimacy even within a one party-system.

This “reconstruction” also touched the forestry sector, and a reform in the administration of the state’s Forest Reserves was launched. Between 1989 and 1991, the population living inside the Forest Reserve of Bukaleba was formally evicted by the Forestry Department (FD) as a step in the process of “regaining control” of this rural area and its natural resources. The government soldiers evicting the population also destroyed churches and schools constructed inside the Forest Reserve (UFRIC, 1999: 9). In spite of the eviction process, many people stayed inside the reserve and continued to cultivate the land. For instance, the “government farm” did not close officially until 1993. Additionally, one of its former workers told us that the farm was active until the beginning of 2000. When Green Resources was licensed the right to replant the Bukaleba Forest Reserve in 1996 by the Ugandan state, there were therefore many people living on and cultivating the land on which the company was supposed to plant their trees. As a consequence of the establishment of the tree plantation, these populations have been pushed together and are now living in three main villages inside the Bukaleba plantation: the villages of Bukaleba, Nakalanga and Walumbe. Many of the inhabitants work for Green Resources as casual workers on monthly contracts, while others claim to have a moral and legal right to the plantations land.

Map of the Bukaleba Forest Reserve: The marked area around the Nakalanga village represents 500 hectares of 'community land'. The marked area in the north is the area of the Forest Reserve occupied by an American NGO, Arise Africa. The locations of the villages have been added by the author. (Source: National Forestry Authority)

Green Resources is a private forestry and carbon offset company founded in Norway in 1995 by the Norwegian Mads Asprem. Asprem is today the managing director of the company. According to the company's web site, Green Resources is the biggest reforestation company in Africa, as well as one of the leading actors in timber production in Eastern Africa. In total, the company holds licences for 26 000 hectares of forest areas in Tanzania, Mozambique and Uganda. The company employs more than 3 600 persons and they have invested more than 120 million dollars in their operations since 1995 (Green Resources, 2012). Green Resources produces timber for construction, but also for the bio energy sector. Additionally, since 2010, the company sells "carbon credits" through the Voluntary Carbon Market. On this market, individuals, organisations and governments can purchase "carbon credits" from emission-reducing projects like reforestation to mitigate their own greenhouse gas emissions.

In Uganda, Green Resources holds two fifty-year renewable licences to replant two of the country's Forest Reserves situated in Bukaleba and Kachung. These licences are given by the National Forestry Authority (NFA), who is the state agency responsible for the administration of the Forest Reserves in the country. Green Resources thus pays rent to the NFA for the right to run a commercial tree plantation in these two areas. According to the NFA and Green Resources, the reserves were seriously degraded with a strong need for replanting at the time that the licences were given in the 1990s (Lyons, f/c). The replantation is done by planting exclusively pine and eucalyptus trees. These tree species are not naturally present in Uganda, but are chosen because they are fast growing. The Bukaleba plantation is administrated by Busega Forestry Company, which is an affiliate of Green Resources in Uganda.

In addition to the Bukaleba plantation, Green Resources also holds a licence to replant the Kachung Forest Reserve in the district of Dokolo, in the northern part of the country. In Kachung, there are no populations living inside the Forest Reserve, but many live on the borders of the plantation. The information we gathered in Kachung during our fieldwork is used to compare and complete the information gathered in Bukaleba. The Kachung plantation is run by the Lango Forestry Company, who is also an affiliate of Green Resources.

Drawing inspiration from work on the relationship between land and power, especially those of C. Lund (Lund & Boone, 2013; Boone, 2013; Sikor & Lund, 2009; Berry, 2009; Njuten, 2009), we see land property not as a relationship between a person and a piece of land, but a relationship between people about a specific piece of land. It is thus a strong indicator of social processes and power relations. In this article we give importance to power struggles at the national and local level in order to understand how land tenure and access are linked to the distribution of power and political authority?

The stakes of land tenure: the making and unmaking of political authority in the Bukaleba Forest Reserve

One of the most important ways in which states exercise power is through the control and extraction of natural resources from their territory. When the control of the Bukaleba Forest and the right to extract the natural resources from this land is licensed to a foreign owned private company, it is important to reflect upon how this influences the state's authority in these zones. Instead of seeing the arrival of foreign companies as a "retreat of the state" (Strange, 1997: 387-392), we argue that the presence of Green Resources and the land conflicts in Bukaleba can be seen as steps by which different institutions and powers making up the central state build their authority in this rural area. In this way, land conflicts function as a tool to build political authority at the central level. At the local level, the arrival of Green Resources has led to a power shift from the local government towards actors linked to the company. We therefore argue that the arrival of the company has led to the making of the authority of the central state while the local governments have seen their authority weakened.

Land conflicts: a process leading to the making of political authority?

Drawing upon the works of T. Sikor and C. Lund, we understand the relationship between property and authority as a process of mutual recognition and legitimisation. Asking for the recognition to have property from an institution also gives recognition to the institution that is providing that property (Sikor and Lund, 2009: 1). As the applicant asks an institution for a land title, the applicant at the same time recognises the right of that institution to control the land. In the same way, as the institution gives the land title to the applicant, it recognizes that he is now the rightful owner of that land. The contract between property and authority is therefore an act of mutual reinforcement, where legitimacy travels back and forth between the two. Seen in this way, the struggle for the control of natural resources and land property in institutionally pluralist contexts is a process of every-day state formation as recognition and authority is constructed. We will now illustrate this argument through the example of the conflict between the National Forestry Authority (NFA) and the Local District Land Board of Mayuge regarding land tenure questions in the Bukaleba forest.

Firstly, both the NFA and the centralisation of the control of the Ugandan Forest Reserves are relatively young institutions. In 1998, a forest sector reform put most of the country's Forest Reserves under the control of the central government. A few years later, in 2003, the NFA was created as a government agency responsible for the administration of these newly established Central Forest Reserves. Around the same time that the NFA was established, the District Land Board of Mayuge gave an American organisation, Arise Africa, the authorisation to construct a school and an orphanage inside the Forest Reserve of Bukaleba. According to the NFA, this authorisation was illegal, as only the NFA had the

right to give authorisations inside the Forest Reserve. The District Land Board on the other hand claims that in 2003 they had the right to authorise the establishment of the school and to claim land rent from this area on behalf of the district, even though the reserve had been officially under central control since 1998. The conflict between the two institutions is in court today.

We argue that this conflict is a process by which the NFA is seeking to construct their authority over the Ugandan Forest Reserves. By taking the conflict with the District Land Board to court, they look for the recognition for its right to exercise power in these zones, firstly from the court, and eventually from the local actors like the District Land Board and the local population. This process of construction of authority through recognition can be observed through the perception of the population.

“The licence given to Arise Africa is not illegal ‘cause NFA just came in recently, before we were using what was the District Land Board. NFA came in when the licence was already given”

(Member of the Local Council of the village of Masaka’B, interviewed on 18th February 2013)

There has thus been a change in the population’s perceptions with regards the authority in land tenure in Bukaleba. The Forest Reserve has been under central control since the forest sector reform in 1998, but the population has only recently recognised the authority of the NFA.

At the same time that the recognition of the authority of the NFA have increased among the local population, we argue that the strongest challenger to this authority today is not the Local District Land Board, but President Museveni. While land conflicts can be analysed as a process leading to the construction of the authority of the NFA, it is also a process by which important tensions between different institutions and powers making up the central state are expressed, in our case between the President, the NFA and the Parliament of Uganda.

Land conflicts: a political resource in the hands of the Museveni regime ?

Land questions have a strong presence in the political sphere in Uganda, especially during the election periods (Gay, 2011). For instance, promises of land were given to squatters in the Forest Reserves of Mont Elgon and Rakai by the President Yoweri Museveni during the 2011 presidential campaign. Analysing the promises given to the inhabitants of these Forest Reserves, Médard and Golaz (2013: 550) argue that land is an important political resource by which the Ugandan President maintains his power. During campaigns, constituents are encouraged to settle in the Forest Reserve creating a system of dependency and a moral obligation to support the regime. But when the elections are

over, the boundaries are enforced once more as the President's promises usually have no legal backing or follow-up. This "stop and go" management of Forest Reserves can also be observed in the case of the Bukaleba Forest Reserve.

In 2011, during his election campaign, Museveni came to Bukaleba and promised to "return 500 hectares of community land to the local community", if he was re-elected. The land he was referring to was set aside in 2000 by Green Resources and the NFA for the use and the benefit of the "local population." The idea was for this population to engage in tree planting, creating a better understanding among the local population "of the importance of tree planting" and thus a better relationship between the company and the population. But to this day, the distribution of the 500 hectares among the population has not yet occurred. According to one of the members of the Local Council of Nakalanga "no one among the villagers can profit from this land today." The questions regarding who the morally and legally legitimate users of this land are creates conflicts between and within the villages. Some of these conflicts have even turned violent. A local journalist explained to us that one of the villagers living in Bukaleba could not travel to the other villages at night without risking his life. This was because he was a prominent figure in the fight for the "community land," and feared being attacked by other inhabitants of the Forest Reserve.

On the night of Museveni's re-election in 2011 a group of the population of the Forest Reserve entered into the 500 hectares that was promised to them by the President and cut down 40 hectares of trees in order to build houses. The makeshift houses constructed by the population on this night were later destroyed by the company. Green Resources has even sued some of the villagers that participated in these actions for the damage they caused the company. Today, three years later, the belief in the President's promise is still strong even though it has not yet been fulfilled. Here it is illustrated by one of the members of the Local Council:

"During the elections, he pledged to give back parts of this forest to the community. He said that he would give 500 hectares of land to the people. But he has not done this...how can I term it...? He has not yet fulfilled his promise."

Does he have the power to fulfill his promise? To give the forest back?

"The President is the President."

(Male member of the local council, interviewed on 11th February 2013)

Even though the promise of the President has not been fulfilled, the faith in his power is still immense among the inhabitants of Bukaleba. The Local Council's faith in the President is also observed through the fact that the local leaders are now lobbying the President's office, and no longer the NFA, in order to get a settlement regarding the 500 hectares.

“The President is saying that the 500 hectares should be given to the community, so now we are taking steps to allow us to use the land officially. We are now going on to the presidential office. That is what we are now going for.”

(Male member of the local council of the village of Bukaleba, interviewed on 18th March 2013)

According to Ugandan law, a “return of the land” to the people living in the forest of Bukaleba is not possible without the action of the National Parliament. The case of the 500 hectares therefore bears witness of the competition between the National Parliament and the nearly omnipotent President Museveni. Knowing that a “return of the land” must officially pass through the National Parliament, the local leaders still choose to lobby the President’s office as they see him as a stronger actor.

According to the Member of Parliament (MP) who represents the district of Mayuge, the process of a “return of the land” in Bukaleba has yet to start in the Ugandan parliament. He explains this by the important political stakes attached to land questions in Uganda.

“As a politician I can understand why it has not happened. Because it is not only that area that has land issues. There are land issues all over the country. So if you sort that one out, you are opening up others... And besides, it will be hard to deal with it on the floor of the parliament. Because, then other people, other members will say; we have the same issue. Why are you giving Bukaleba priority? There is land that requires to be degazetted here and there.”

“And me as a member of parliament, I’m representing that area, but I’m also a national leader. And being a national leader means you can’t afford to be selfish, and also I have to look ahead. If I brought such a motion to the floor, would it be supported? I can guarantee that it will not be supported. There are land problems all over the country. And other members will say, you can not bring this in isolation.”

(Member of Parliament representing the district of Mayuge, interviewed 15th March 2013)

The MP explains that a “return of the land” to the population living in the Bukaleba Forest Reserve implies political consequences for the rest of the country where there are countless similar cases. According to the MP, this is why the Parliament stays inactive. At the same time, Museveni takes on a very active role in the conflict, positioning himself as a “protector” of the populations threatened by eviction in Bukaleba, as well as from other Forest Reserves. In Bukaleba, the undetermined status of the 500 hectares of “community land” has left the door open for the President to use it as an instrument to gain votes and supporters at the time of elections. Also during non-election periods, the President gives executive orders that halt the expulsion from the Forest Reserves. By this populist stance in favour of “squatters,” Museveni is able to construct political authority around his person and maintain his powerful position in the country (Médard & Golaz, 2013: 550). The land conflicts in Bukaleba does in this way reveal tensions and power struggles between the President, the NFA and the Parliament, all powers that make up the central government.

In the following section we ask what role the company plays as an authority in the Forest Reserve. In what way does the arrival of the company and the “commodification” of the forest resources challenge the authority of the central state?

“Commodification” of the Bukaleba forest: the retreat of the state or its redeployment?

The forest resources of the Bukaleba forest have undergone a “commodification” as Green Resources runs the forest as a commercial plantation, transforming natural resources like trees into timber and carbon credits to be sold on the market. In this section we question the effects this “commodification” has had on the authority of the state in the zone of the forest. To what degree is it accurate to say that the company challenges the authority of the state? Our argument is that the arrival of the company strengthens, rather than challenges, the authority of the powers and institutions that make up the central state.

Firstly, the rent paid by Green Resources is centralised through the NFA. This means that little goes back to the district of Mayuge, where the Forest Reserve is localised. Thus, the “commodification” of the forest resources does go hand in hand with a centralisation of the income derived from them. Our argument is that this system guarantees the state a presence in the area and a “piece of the pie” when it comes to the extraction of the forest resources, even as the Forest Reserves are licensed to a private foreign company. Secondly, our fieldwork shows that in land conflicts, the local population seeks to the NFA and President Museveni, as they see them as the responsible authorities in land questions, and not the company itself. The state is therefore the authority in land questions in the eyes of the population.

On the other hand, the company is the object of the grievances that could be identified as “public services” that would “normally” be seen as the responsibility of the state. For example, the local leaders have stressed the company’s responsibility for the construction of health centres, schools and roads in benefit of the inhabitants of the Bukaleba forest. The President of the Local Council of Nakalanga is one example.

“Busoga Forest Company could have facilitated a school. It is far from here to Bukaleba. They have a primary school, but here at Nakalanga, they have no school. And also, at least they should put up the roads.”

(President of the Local Council of Nakalanga, interviewed on 11th February 2013)

These kinds of grievances were repeated in the majority of the interviews that we held with the local population. We argue that these grievances are linked to the “community development” and “win-win situation” discourse held by the company. This discourse stresses the social and economic benefits for the population.

“Green Resources facilitates socio-economic development and poverty alleviation in rural areas through provision of employment, infrastructure development, schools, health and other community development.”

(Green Resources web page; title: Community Development: Developing People)

The importance of the “corporate social responsibility” of Green Resources is also stressed by political actors like the MP from the Mayuge district.

“Cause they (Green Resources) are not going to leave Mayuge the other day or tomorrow, they are there for the long run. So you have to find a mechanism. Once you go and work in an area, it becomes your problem. If I go to study in the UK, and I find a street that is dirty, it becomes a part of my problem. Cause I can’t say I’m a foreigner after all, cause I use the same street. So if people are advocating for cleaning off that street, I have to be a part of that. Or better still, I can champion the cleaning of the street.”

(Member of Parliament, Mayuge district, interviewed on 15th March 2013)

The metaphor of the “dirty street,” and the responsibility of Green Resources to clean it, is used by the MP to underline that the company has a responsibility towards the social and economic problems of the area in which they operate. The responsibility given to the company for this could be interpreted as the “retreat of the state” in the zone. Many authors have pointed to what they call the “weakening of the authority of the post-colonial state” to the benefit of new economical actors like international companies, such as Green Resources (Strange, 1997: 387–392). We wish to stress the importance of another thesis to understand the dynamics present in the plantation of Bukaleba; the one of “privatisation of states”, advocated by Béatrice Hibou (1999: 11–67). Drawing upon her ideas, we argue that the administration of the plantation of Bukaleba rather represents a new type of “gouvernementalité” of the state, or another way to govern. As we have seen it is the state who is still considered the legitimate owner of the land, and it is towards the state that the population turns in order to air their grievances. Additionally, the state receives land rent paid by Green Resources, it thus assures itself an income from the forest. Finally, the control and the extraction of resources from the Forest Reserve are better implemented with the presence of the company than before its arrival when the boundaries of the Forest Reserve were not protected. Seen in this way, we argue that the presence of the state in rural areas like Bukaleba is assured through companies like Green Resources. At the same time, the state “discharges” (Hibou, 1999) state functions to the company, through “corporate responsibility”, charging Green Resources, among others, to construct a maternity ward and supply the local health centre with medication. We therefore argue that the process that we are seeing in Bukaleba is not an example of the “retreat” or the “weakening” of the state, but rather an example of a process by which the state holds power by other means.

While we argue that the arrival of the company has led to the making of the authority of the central Ugandan state, the consequences at the local level have been quite the opposite, as members of the local government lose their power and authority to actors closely connected to the company.

Land and authority at the local level: The unmaking of the legitimacy of the local leaders

The Local Council system is an important part of the political regime established by Museveni in 1986. By the creation of Local Councils at five political and administrative levels (from the village to the district), the Museveni regime established a bottom-up system to ensure that “everyone” was heard. This allowed the regime to claim a certain democratic legitimacy even within a one party system. All three of the villages located inside the Bukaleba plantation have Local Councils.

The Local Councils are the authority concerning customary land property at the village level. They function like courts of popular justice, presiding over customary affairs (Khadiagala, 2001:63). Each village elects the members of their Local Council. All the members of the Local Councils that we spoke to were men. In general, they were over forty years old and did not work for the company at the time of the interview. They also often emphasised their long presence in the Bukaleba forest, many of them stated to have worked on the government farm. During the time that the forest was cultivated by the local population, the Local Council played an important role in distributing the land among the villagers. After the arrival of the company, the Local Council lost its power over the local land distribution. Our argument is that this strongly influences their general authority and status in the villages.

The weakening of the Local Council’s authority is expressed by villagers’ distrust of the Council members. During our fieldwork in the villages, most of the Local Council members used the interview as an opportunity to present themselves as leaders in the village’s fight for customary land ownership. During the interview, there was an important aspect of “mise en scène”, as the leader presented us with the grievances of the “community” in the presence of the inhabitants. The members of the Local Council were thus taking a leading role in the population’s grievances and their fight for customary rights. The fact that the grievances are not answered by the company nor by the state representatives, puts the local leaders in a situation with a lot of pressure from the population. For instance, the owner of a kiosk in the Bukaleba village stated that the previous day, the members of the Local Council had tried to collect money in order to pay the NFA to come and distribute the 500 hectares of “community land.” She had refused to contribute to the collection because she did not trust the local leaders.

“Yesterday evening, they came asking me for 10 000 Ugandan schillings, telling me that they want 250 000 from this village then Nakalanga also, and Walumbe. To make 2 million to pay the surveyors to come and demarcate the land.... So I’m thinking that maybe the delay had been caused by the leaders (...) I asked the leaders that if I give this money and they don’t get the land, will the money be brought back or?”

(Female owner of kiosk in Bukaleba village, interviewed on 18th February 2013)

Our source is not sure that the money will be well spent in the hands of the local leaders. She also wonders whether the local leaders themselves had caused the delay in the distribution of the land, in hopes of gaining profit by asking the population for money. It is important to note that the members of the Local Council at the village level are not paid and work on a voluntary basis. This creates a system of “patronage” – a client/patron relationship between the members of the Local Council and the people seeking their help (Khadiagala, 2001). Simply put, in order to receive help from the Local Council, it is necessary to pay them. Stressing the financial interests of the members is thus a register often used to criticise the Local Council.

The mistrust towards the members of the Local Council is also expressed through “conspiracy theories.” While the members of the Local Councils presents themselves as local leaders, the members have been accused by their constituencies of being agents working with “the power” and against the population that they are supposed to be representing. Ever since the beginning of the system of Local Councils in 1986, its members have been seen as agents of the central regime and not neutral representatives of the population, especially in regions where the position of the regime are weak (Sjögren, 2007: 85). The idea of the members of the Local Council as “agents cooperating with the power” resonates in the accounts of the local population in Bukaleba. For instance, in the following testimony given by an inhabitant in the Nakalanga village:

“I’m wondering whether the former chairman is the one that connects with the Busoga Forest Company to refuse us to cultivate in our land, in which we thought were our lands, even given to us by the President.”

(Male inhabitant of Nakalanga village, interviewed on 11th February 2013).

The interviewed man is accusing the former chairman of the Local Council of “treason”. Later we learned that the chairman in question had been attacked by two people in his village, causing both him and his attackers to flee the area. Frustration over the 500 hectares of “community land” is supposed to have caused the attack. Also in the village of Walumbe, the chairman of the Local Council expressed a fear of the reactions of the local population.

“We negotiate with the company.... and now they refuse us to cultivate. As leaders we are elected by votes and selected. Now for us as the leaders, we are worried we can even be assaulted by the local community because they vote for us, they give us their votes. Now we are worried.”

(Male President Local Council in Walumble village, interviewed on 11th February 2013)

As intermediaries between the company and the population, the legitimacy of the Local Council is in jeopardy. When the populations' grievances are heard by neither the company nor the state, there are negative consequences for the leaders, as they are held responsible. Additionally, this distrust from the population is doubled by mistrust from the NFA and Green Resources, which considers these leaders as the main motors behind the conflicts between the villagers and the company.

“We normally don't have problems with the communities; the encroachment is often caused by a leader somewhere.”

(Senior Plantation Manager in the Bukaleba plantation, interviewed on 13th February 2013).

The local leaders therefore find themselves in an intermediary position where they are under pressure from two sides: from the inhabitants of the village as well as from the NFA and Green Resources. In conclusion, the arrival of the company has weakened the authority of the Local Council, as they are no longer in control of the customary land tenure in the village. When the members try to regain this authority by presenting themselves as leaders in the village fight for customary land rights, this turns against them, as the fight is unsuccessful and the inhabitants hold them responsible. In the next section of this article we will continue to analyse the role and social position of the Local Council as we examine how land access is distributed, and linked to power, in the Bukaleba Forest Reserve.

Labour, land access and power in the Bukaleba Forest Reserve

The idea of “land grabbing” often signifies the introduction of strong security measures around the area invested in by a foreign company. The land is “grabbed” or “taken” by the foreign company, who refuses the local population's access to this land, for instance by constructing fences. Although there are no fences around the Bukaleba plantation, a number of security guards patrol the plantation in order to stop the villagers from using the land for grazing and agricultural activities. Therefore, the arrival of the company has resulted in the loss of agricultural land for the people living inside and around the Forest Reserve. At the same time, we will stress that the control of the land is far from total, and that the “local population” is still able to access land within the boundaries of the plantation.

T. Sikor and C. Lund have analysed the difference between access and property of natural resources. Drawing upon their work, we see access as the possibility to benefit or profit from resources without having to own the land. The opportunity for profit is defined by a broader range of social institutions than property, which is defined by laws and norms (Sikor & Lund, 2009: 1–22). It is towards these social procedures of land access that we now turn. We argue that the organisation of labour on the plantation is central for understanding the distribution of land access, and thus for the power relations within and among the villages.

“The local population”

The “local population” or “local community” are central terms when discussing the Bukaleba plantation. For instance, Green Resources representatives stress the importance of development projects for the “local community.” We argue that the globalising term “local community” gives the impression that we are talking about a homogeneous group, thus hiding the internal dynamics, groupings and divisions within the population (see Munoz, 2008; Geschiere, 2004). We have thus tried to analyse the social characteristics of the inhabitants living inside the Forest Reserve. This work has resulted in a typology based on the relationship that the villagers have with the company (worker/non worker) as well as to the former beef farm. Our argument is that these two aspects are fundamental for the individual’s social position in the village. Such a typology can help us understand the hierarchies and the power relations within this group as identified by observers as the “local community” or “local population”.

1) Transformed workers: This group consists of people who have formerly worked for the government beef farm and that today work for Green Resources. Our argument is that these two characteristics are both positive, giving these individuals a strong position in the villages. As we will show in the next part of this paper, the workers (especially those on the top of the work hierarchy) control the other villagers’ access to land through both legal and illegal processes. This role as a gatekeeper to land is essential to their social position in the villages. Additionally, having a background as a worker for the “government farm” gives them a strong legitimacy in the village, as it is this narrative that is put forward in order to claim land rights. The former workers of the farm are thus seen as those who really belong (Ceuppens & Geschiere, 2005) to the area, in contrast to the migrant workers and the new arrivals who have no legitimacy in the customary land claims.

2) The migrant workers: This group consists of people who have settled in the plantation during the last few years in search of a job. Because of their short history within the forest area, they are excluded from the fight for land rights. At the same time, migrants who hold a high position in the work hierarchy are gatekeepers for land access of villagers who have lived longer in the forest. This can create a “violent” power in the village, as the latter is considered as more legitimate than the migrant worker to access land.

3) The “local leaders”: A third group consists of former workers of the “government farm” that do not work for Green Resources. These individuals play an important role as leaders in the fight for customary land and as members of the Local Council of the villages. In this fight they stress the narrative of the “government farm,” and the land right of its former workers.

4) The new arrivals: In this last group, we find those who have neither worked for Green Resources nor have had a long history of presence in the Forest Reserve. In the same way that the transformed workers hold two strong positions, this group is marginalised in two ways. They are dependent on the company workers in order to access the land of the plantation, and they are also excluded from the group that the local leaders consider as the ones who really belong (the workers of the government farm).

With this typology of the inhabitants of the Forest Reserve in mind, we now turn to further analyse the organisation of labour and the power relations involved.

The hierarchy of the contractor system and its translation to the villages

Only a very small minority of the field workers in the Bukaleba and Kachung plantations are semi-permanently or permanently employed. Most of the people working on the plantation are casual workers employed through contractors who have an agreement with the company to recruit workers on their behalf. The casual workers are hired by the contractor for a shorter period of time, normally for one month. The workers are then paid through this contractor, and not directly by the company. According to one of the plantation supervisors at the Kachung plantation, hiring workers through contractors is becoming more and more common. Also in Bukaleba, the contractor system is widely used, as this inhabitant of the village of Walumbe explains to us.

“The people who want to work for the company write applications, they apply. Others they work in “contract.” In groups. Someone (a contractor), they go and apply and then I take my group, I become the supervisor for my group. That’s how they recruit people.”

(Male inhabitant of the village of Walumbe, interviewed on 11th February 2013)

As this recruitment of workers through contractors is a recent development, we can therefore talk about the introduction of a new professional group in the work hierarchy: the contractor. The contractors have a higher salary than the other supervisors who do not engage in the recruitment. To be a contractor is thus to occupy a high position in the work hierarchy. Our argument is that the strong working hierarchy and the position of power of the contractor is translated to the social space of the village. We will show this by putting forward three arguments.

Firstly, there is a strong competition among the inhabitants of the plantation for the positions as casual workers. The power of the contractor lies in his function as a gatekeeper to the available jobs, as he can choose who is recruited. One of the contractors we talked with told us how he recruited workers from his own village and not from the neighbouring ones, as he stated, “this village is crowded, somebody has got close to twenty children, and nowhere to go.” The contractor can thus recruit workers according to his/her own justifications and interests, for instance by recruiting those willing to give a part of their salary to the gatekeeper. This role of gatekeeper gives a powerful position in the villages, as well as within the family unit. The strong hierarchical organisation of workers, where a big group of casual workers are dependent on a small group of contractors to access work, creates an asymmetric power relation between the two groups. This asymmetric power relation is present at work, but also in the villages as both contractors and workers live in the same area.

Secondly, before the introduction of the contractor system, the Local Councils played an important part as intermediaries in the recruitment of the workers. The assistant plantation manager in the Kachung plantation explains how recruiting through contractors is more efficient for the company, as they only need to deal with a few contractors instead of going through the Local Councils.

“We give work to a contractor that looks for someone to do what? To work. But before we would do some adverts through the church, the Local Councils, calling people to come and work in the plantation. But we abolished that system, cause we now work with a contract system where we work with one person, or 2 or 5. And it’s under them that people get hired.” (Assistant plantation manager, Kachung plantation, interviewed on 15th February 2013).

There has been a power shift in the villages from the Local Councils towards the contractors, as the latter are the ones who now control the villagers’ access to work. We have already seen how the Local Councils have lost power in the villages, as they are no longer in control of land distribution. The recruitment process is another example of how power in the villages shifts from the Local Councils towards other actors who are tightly connected to the company, in this case, the contractors.

Thirdly, this work hierarchy and the asymmetric power relation between contractors and casual workers are translated to the social space of the villages through the clothes and equipment of the workers. In the village of Bukaleba, the identities of casual workers, contractors or other types of supervisors are easy to spot because of how the workers are dressed. The contractors and other permanent workers wear uniforms, but many of the casual workers who work under contractors do not have a uniform or any safety clothing or equipment. We argue that this difference in equipment is a strong manifestation of the power relations in the organisation of labour and also an important factor of the translation of these power relations to the social space of the villages, as workers pass through the village wearing these uniforms.

Land access and power are thus linked to the way Green Resources organises their workers. Only a few inhabitants are given access to the land of the plantation through work, and for this access they are dependent on being recruited by contractors. We will now see that the powerful position that the contractor holds in the village also comes from his or her role as a gatekeeper to transgressive practises of land exploitation.

The contractor/supervisor: a gatekeeper to transgressive practices of land exploitation

Our field study has brought into light the existence of transgressive practices of land exploitation by the populations living inside the Forest Reserve of Bukaleba. This illegal exploitation is not a new phenomenon in the Forest Reserve of Bukaleba. According to one of our sources at the Green Resources office close to the Bukaleba plantation, these practices existed until 2000 in the part of the Forest Reserve that was, at that time, administered by a Dutch company. According to our source, supervisors working for the Dutch company would let people cultivate the land inside the Forest Reserve in exchange for a part of the harvest or money. Our source used the word “system” to describe this exchange between supervisors working for the company and villagers wishing to cultivate within the borders of the reserve. According to our source, Green Resources put a stop to these transgressive practices in 2000 when they took over the control of the entire Forest Reserve. However, we argue that these practices of transgressive exploitation by a system of exchange between contractors/supervisors and villagers, still exists today under various forms.

A woman lets her animals graze inside the Bukaleba plantation. On the left you can see a sign that interdicts grazing. (Photography taken by the author on 12th February 2013)

A Ugandan journalist who accompanied us on our first field trip to Bukaleba, often talked about transgressive exploitation of the land and practices of exchange between villagers and workers. This leads us to believe that this exchange is a generalised system known to “everyone.” During one of our field trips, we observed a woman letting her animals graze not far from a group of workers. As grazing is one of the practices defined by the NFA as illegal in the Forest Reserve, we asked the local journalist how it was possible for the woman to let her goats graze just next to a group of workers. The explanation given was that by “paying a little bit” to the workers they would not report the transgression. Later the same day, we also observed a woman who let her goats pass through an area with a sign that read “No grazing” and we took a picture of this. This picture is a good illustration of the defiance of the ban by the villagers. It seems that “illegal” and “transgressive activities” are a part of the everyday activities of the population.

Another example of transgressive exploitation is related to wood products. According to one of the members of the Local Council of Bukaleba who does not work for the company, the villagers who wish to “burn charcoal” from wood in the forest can do so by paying the workers.

“Say, if you want to burn charcoal, you just pay something to them. Just like that, that is Uganda. You just pay something.”

“You pay to whom?”

“Anybody can come and do that. A field assistant, anybody they can send.”

“So you pay a little bit to the workers, and then you get to burn charcoal?”

“Yes, just like that. That is our forest standing.”

(Member of the Local Council in the village of Bukaleba, interviewed on 18th March 2013)

In conclusion, the “exchange system” between the villagers and the supervisors is still present in the plantation today. The high-ranking workers like contractors and supervisors can therefore control the ways in which the villagers access land in the plantation, both through recruitment to work and transgressive exploitation. The system described above is another example of a power shift from local government structures (the Local Council) towards structures linked to the company (the contractors and other supervisors). The high-ranking worker’s role as a gatekeeper to both jobs and land access puts him/her in a powerful position in the villages, where they take over the role of the members of the Local Council.

These practices of transgressive exploitation are not officially recognised by Green Resources, but we argue that they are known and, to a certain degree, tolerated by their daughter company, Busega Forestry Company (BFC), which is running the plantation in Bukaleba.

When ignoring illegality becomes a condition for economic success

The Busega Forestry Company seems to be an aware and passive actor in this “system” of transgressive exploitation. Because of the plantation’s vulnerability to fires that could be set by the local population, it is necessary for the company to maintain a good relationship with the local population. To completely stop cultivation and grazing (as it is foreseen by the forestry legislation of Uganda and the NFA) is not in the interest of the company, as this could create severe grievances towards the company and thus prompt acts of violence against the plantation. This already occurred in 2009 when a small part of the plantation was burned down. The fire in 2009 happened after a conflict between the company and the villagers, stemming from the loss of an agricultural area to the forest plantation. A member of the Local Council in Walumbe village explained that maintaining a good relationship between the company and the population is important.

“Even if there is a fire outbreak in the middle of the forest. It is we, the community, who go and rescue the trees. We protect the trees not to be stolen. No other malpractices can attack the forest when we are here (...). Let the company work very hard to see that we work together. Because if we break that good relationship, the company will see that there will be some malpractices on the trees. Maybe they can leave people to steal the trees, maybe they can leave a fire to burn down the forest. Because we will not be working together.”

(Member of the Local Council in Walumbe village, interviewed on 11th February 2013)

To construct this “good relationship” with the population, the company permitted a system of intercropping of trees and food crops in their plantations until 2011; however, it is currently illegal to do any kind of cultivation inside the Forest Reserve. Officially, the intercropping system has been prohibited by the NFA ever since 2004. Between 2004 and 2011 BFC has thus allowed a system of cultivation that was not allowed by the NFA. The intercropping system was very important for the coexistence of the company and the populations, as expressed here by a local politician.

“They allowed people to use this place to grow, and cultivate things like maize as their trees where also growing, so there was some sort of intercropping. So that’s how we have managed to convince them. Otherwise, to chase them at once would not have been easy. But now people have accepted, but some still grow crops in the forest.”

“But that is not allowed?”

“We the local leaders, we told them “don’t chase these people out completely at once, they will go slowly.” So they are growing their crops, when the trees grow automatically, maize cannot grow where trees are. They just go out themselves.”

(Local politician Bukaleba forest, interviewed on 11th February 2013).

We argue that the BFC tolerates these transgressions by the villagers because it assures them a good relationship with the local population and helps protect their investment. Additionally, as the Parish chief described it, as the trees grow bigger, the cultivation will no longer be possible and the population will be forced to move out. To ignore these transgressions thus becomes a condition for the economic success of the company. They can continue their activities, conflict with the villagers is avoided, and they officially respect the conditions of the NFA.

Conclusion

Controlling land tenure and access also means holding power and political authority. In the Forest Reserve of Bukaleba, the arrival of Green Resources has resulted in a shift of power from the local government (Local Councils) towards actors connected to the company (contractors, supervisors) as the control of land access travels from the former to the latter.

At the same time, the transformation of the Bukaleba forest to a commercial forestry plantation has enhanced the central states' control of this rural area, as rent and control of resource extraction is centralised (through the company), local authorities are weakened, and land conflicts are used as an authority-building resource by the Ugandan President. We therefore argue that the case of the investment of Green Resources in the Bukaleba Forest Reserve is an example of centralisation of power and political authority in the hands of the Museveni regime.

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