

Linnæus University

Sweden

School of Social Sciences

Masters in Peace and Development Work

4FU41E: Master's Thesis Report

**The Political economy of Land grabbing in Oil resource areas.
The Uganda Albertine Graben**

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Published: August, 2015

Abstract

There has been an increase in land grabbing in the world over the years and the trend seems to be increasing in the same direction. Whereas, the phenomenon is said to be happening across all continents except Antarctica, in this Africa is the primary target. Uganda too has not been spared and the discovery of oil in 2006 added an insult to an injury. Though, the phenomenon has lived with the world for some good time, it continues to happen with less efforts being made to curb it.

As a result, a study was carried out to gain a deeper understanding of the drivers of land grabbing in Uganda's Albertine Graben. It was a desk study and employed an abductive approach though some primary data was also collected to back it up. The political economy approach was employed to understand the different political and economic dynamics involved in land grabbing.

The study found out the issue of absentee land lords and the discovery of oil in 2006 as the main reasons that explain the occurrence of the phenomenon something that is different from the many scholars' view that agricultural reasons are the main cause. Land grabbing was further seen as mainly negative as it leads to loss of economic livelihoods, lack of cooking energy, displacement of people among others. The study learned that massive sensitization of the people about their rights; strict implementation of the existing laws by the government would help to reduce or solve the problem.

Key words, *Land grabbing, land acquisition, Albertine Graben, Bunyoro, political economy approach.*

Acknowledgment

I would like to extend my sincere appreciation to all people who in one way or the other contributed to the coming out of this great piece of work. Whereas, space may not be enough to mention each other's names, there are those that cannot be left out unmentioned because of their great contribution. These include Mr. Gard Benda the Executive Director-WVU, Mr. Tom Ogwang (Phd) and my great friend Sanna Josefin Benjaminson from Sweden.

Secondly, I would like to thank my parents Mr. Raphael Ssentamu and Miss. Namatovu Imelda of Kibaale-Uganda for their parental advice and hardworking spirit instilled in me right away from childhood. In the same vein, I thank the Benjaminson's family of Boras for the love and care showed to me while staying in Sweden. For sure Merja and Conny it's only that I was not a biological son to you but the treatment given to me was equal to that of a son.

Thirdly, I thank my tutor Heiko Fritz and all my lecturers at Linnaeus University plus my former lecturers at MUST-Uganda for your intellectual guidance. Surely you have gradually seen me through my academic life.

I also thank my dear respondents who took time for me off their busy schedules to answer my research questions. This work would not have been complete without your responses. My fellow class mates, all friends I met abroad and those in Uganda that kept me encouraged and positive minded thank you so much.

Finally, I thank the almighty God who helped me to survive the unusual cold weather conditions without any big health threat and kept me strong throughout my stay in Sweden.

Thank you all!

Dedication

This great piece of work is dedicated to my big sister Mbabazi Teddy Zabera as a form of appreciation for being kind to me whenever I run to her.

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List of acronyms

AFIEGO - Africa Institute for Energy Governance
ALAO - Albertine Land Owners Association
BAPENECO-Bunyoro Albertine Network on Petroleum and Environment Conservation.
CNOOC- China National Offshore Oil Corporation
CSO-Civil Society Organizations
ED- Executive Director
EU- European Union
FDI-Foreign Direct Investments
GDP- Gross Domestic Product
ILC-International Land Coalition
LEMU – Land and Equity Movement of Uganda
MICOD-Mid-Western Region Centre for Democracy & Human Rights
MP- Member of Parliament
NAPE- National Association of Professional Environmentalists
NGO-Non Governmental Organization
PRO-Public Relations Officer
RDC-Resident District Commissioner
SAPs-Structural Adjustment Programs
SCOUL - Sugar Corporation of Uganda Limited
UBOS-Uganda Bureau of Statistics
UHRC-Uganda Human Rights Commission
UNLP-Uganda National Land Policy
WB-World Bank
WDR-World Development Report
WVU- World Voices Uganda

Chapter One

General Introduction

1.0 Introduction

This chapter contains background information to the research topic, research problem, questions, objectives and the relevance of the study. A sneak peak on the methodology of the study has also been given (full information will be found in chapter three), the limitation and delimitations of the problem, as well as ethical considerations. The last part of the chapter gives guidance on the usage of the book to the reader.

1.1 Background information

There has been large scale land acquisition reported in the world and the trend is increasingly becoming un-equal and gaining momentum by the day. The phenomenon which has swept the globe for years has been recognized by Cotula et al. (2009) as land deals, the World Bank (2010) as large scale land acquisition, Anseeuw et al. (2012: 10) and Margulis et al. (2013:2) as global land rush, Civil Society Organizations (CSOs) such as Oxfam International as large scale land investment and International Land Coalition¹ (2012) as land grabbing. It can therefore be referred to differently by different scholars and institutions but the size of the land acquired and the manner in which it is done is what brings all the terminologies to a common understanding.

Land grabbing was initially a common practice among private individuals and companies within the same country borders but as Chinsinga et al. (2013) and Margulis et al. (2013:1) put it, the capital interests of foreign companies such as banks, trade corporations are currently at the forefront of practicing it though with facilitation from the domestic local actors. The interest of international investors for productive land especially in developing countries of Africa and Asia (referred to as “host countries” in the thesis) has increased to the extent that hundreds of thousands of hectares is now being acquired (Cotula et al. 2009:3).

The global rush for land started getting media attention in 2005. It was highly reported about in 2008 due to food price crisis that pushed over a billion people into hunger and it has

¹ International Land Coalition (ILC), is a global secretariat of all Civil Society Organizations and Intergovernmental Organizations that unite under the vision of “promoting secure and equitable access to and control over land” for the poor people. It has a total of 116 members; conducting research on land related matters is one of their core activities (ILC, 2012:15).

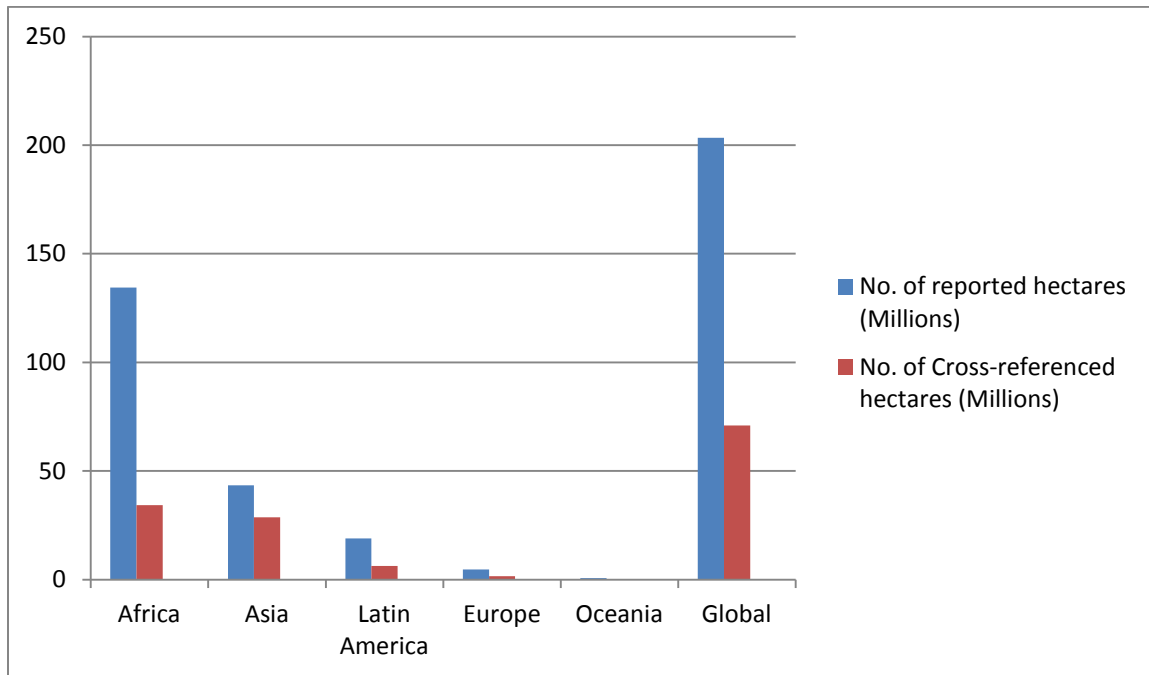
since then kept in the public limelight (Anseauw, 2012). The land matrix² records show large scale land deals of a total of 203.4 million hectares all over the world which is equivalent to over eight times the size of England or nearly equal to the size of Northwestern Europe. These deals are said to have occurred in the period 2000-2011, of these, 35% an equivalent of 71 million hectares were under actual acquisition (land matrix.org). The World Bank report (2010) also indicates that 46.6 million hectares of land were acquired in the period 2008-2009 during the world food crisis.

However, in trying to understand the land grabbing concept, a clear distinction should be drawn not to refer to genuine land transactions as land grabbing. According to IFAD, at some moments the discussion, sale and transfer of land between buyers, owners of land (landlords) or between governments and foreign investors look legal and involve mutual discussion and understanding of a certain degree, but it all turns to be land grabbing when the long time land occupants (bonafide occupants) are not usually consulted. IFAD adds that when people are spontaneously evicted without enough prior communication and compensation by the new owner(s) land acquirers, the transaction qualifies to be regarded as land grabbing (IFAD, 2011, p.3ff). Land grabbing according to this study refers to large scale land acquisition that involves quick transfer of ownership from long time land occupants/owners to new owners/investors, in unclear manner that causes suspicion and resistance from the locals to vacate the area for fear of negative impacts which later involves forceful eviction (Haggai, 2012).

Whereas, land grabbing is said to be happening at alarming rates in all continents except Antarctica (Rulli et al., 2013:10), Africa is the mostly hit continent while Oceania is the least targeted region (ILC, 2012). The perception of the land grabbers that large chunks of land can be acquired with minimal or no payment has been some of the explanation for this. This has been graphically represented as below.

² Land Matrix is an independent global land monitoring initiative that aims at increasing transparency and accountability on all investments done over land. The initiative compiles data on land related deals executed worldwide together with researchers, policy makers and citizens to make decisions over land.

Figure 1: Land acquisition in different regions



Source: Author based on data from Land Matrix

As shown in the graph above it can be said that, a total of 134 million hectares (equivalent to 948 land acquisitions) of publically reported³ deals are located in Africa, of these 34 million deals are cross-referenced⁴, next is Asia, Latin America, Europe (especially Eastern Europe) and Oceania is the least in that order. All this is compared against the reported total of 203.4 million hectares and 70.9 million hectares of the cross-referenced land across the globe (Land matrix.org). In Uganda, a total of 859.000 hectares has so far been reported to have been grabbed (Anseeuw, 2013:13).

Although the rush to acquire land has primarily been described by the need to grow food crops, acquisition of land for biofuel production tops the list in comparison on the size of the land acquired. Other factors/drivers for land acquisition include livestock production and

³ Reported figures include all data present in the public domain which has been published in newspapers, research reports and government websites (ILC, 2012).

⁴ Cross-referenced means that the land matrix went ahead to assess/triangulate the given data with other figures and cross-checked with the partners in the local countries where the deals are said to have taken place. This is done in order to verify the authenticity of the reported data (ILC, 2012).

forestry. In all, 73% of the acquired land was for farm production while 27% for mineral extraction, tourism and industry among others (Land matrix). The main actors in the acquisition are said to be foreign owned companies who come in the name of “investors”, the focus has been shifted to those from emerging economies of the global south such as China, India and South Africa. However, quite a significant number of them still come from the traditional investor countries. These are however, said to be facilitated by the “host countries” elites who often serve as intermediaries due to their access to political, financial and economic resources (Land matrix and ILC, 2012).

Available evidence therefore shows the occurrence of land grabbing everywhere in the world. The phenomenon has lived with the African continent and Uganda in particular since before colonialism (when chiefs and cultural leaders dispossessed chunks of land from the locals), during colonialism especially after the 1884-85 Berlin conference in which African continent was partitioned by western powers (Chinsinga et al., 2013:1066) and now post colonial time.

1.2 Research problem and relevance

Land is a source of livelihood and a factor of production to many peoples especially those in agricultural dependant economies (Uganda inclusive). In spite of its central importance, more than 60 countries around the world are experiencing land grabbing cases that threaten people’s livelihoods (Borras et al, 2011). In Uganda, land grabbing cases are evident throughout all parts of the country (NAPE, 2012). In the central region, the government proposed the giveaway of a third (7,100 hectares) of the country’s main natural forest of Mabira to an Indian company, SCOUL for sugarcane growing in 2007 (Haggai, 2012).

There are also reports of more than 20,000 people who were forcefully evicted from their land in Kiboga District to pave way for forest farming by the British forestry company. The Kalangala oil palm growing around the shores of Lake Victoria by a BIDCO Uganda Limited provides another case (Muriisa, 2013). In the north, the ongoing Apaa land border conflict between the two districts of Adjuman and Amuru together with the Uganda Wildlife Authority also forms another case in point (Kitara, 2015).

With the discovery of oil in Mid-Western region/the Albertine Graben in 2005, land grabbing has worsened the more (International Alert, 2009). Uganda's commercial oil which was discovered in 2006 has a potential of 6.5 billion barrels (Musoke, 2014), since then the government has embarked on the construction of the oil refinery which will sit on an average of 29 square kilometers and according to a report by AFIEGO (2013), a total of 7000 people from about 1200 households in Hoima district have so far been affected by the intended project. This is not in consideration to the so many people that have been misplaced by the exploration activities, infrastructural development such as the Kaiso-Tonya road, those whose land is bought cheaply, unfairly compensated because most times people lack land titles and its mandatory for the government to acquire the land under the land and those that are also forcefully evicted by the big wigs in government and the bourgeoisie (Jaramogi, 2013).

According to Kamugisha (2012), the oil boom has attracted a lot of rich people in Bunyoro (oil region/study area) who have started buying large chunks of land from the locals (land speculators) who anticipate to sell it to the companies in case oil was discovered in their areas at a higher price and a total of up to 700 hectares has so far been grabbed in Buliisa district alone. As a result, a lot of people are being displaced from their ancestral lands moreover with meager or completely no compensation (NAPE, 2012). Human rights abuse and land conflicts as people struggle to control and use land are un-avoidable due to the fact that land in Africa forms a central importance as regards to identity, livelihood and food security (Cotula, 2009:3).

In Uganda, land is “*arguably the most emotive, culturally sensitive, politically volatile and economically central issue*” Daudi Migereko⁵ (UNLP, 2013: iii). In fact other people in Uganda say/bet that, *if you want to die prematurely temper with someone's wife, someone's land and money*⁶. The situation has intensified as the locals have even lost trust in anybody on matters of land- they can do whatever is in their means to the extent of undressing⁷ before anybody in order to protect their land (Ocungi and Okello, 2015). All this is happening with limited knowledge among the community on how quickly the land grabbers can walk away with

⁵ Hon. Daudi Migereko is the Minister of Lands, Housing and Urban Development for Uganda, he wrote this as a foreword to the Uganda National Land Policy, February 2013.

⁶ Common saying in Uganda that tries to emphasize how important and contentious the mentioned issues are.

⁷ This is an incident that happened when two government ministers, Aronda Nyakairima and Daudi Migereko visited a disputed boundary in Northern Uganda to resolve the conflict, article in the Daily Monitor by J. Ocungi and S. Okello, published online on Saturday, 18th April 2015.

their land and people only realize it as they are being evicted from the land. In cases where forced eviction is applied, how does it actually take place despite the existence of courts, LCs and the police? It seems obvious that we can fight land grabbing better if we understand how it happens something which is still lacking among most people (Martin, 2009).

So this study intends to unearth the drivers of land grabbing there by understanding the different strategies used by the people to grab away the land. By doing this, more knowledge about the phenomenon will be added into the academic arena which can be used by future scholars to carry out more research about the subject. The study is also expected to provide information to the different stakeholders such as the ministry of lands and Uganda Land Board, the Bunyoro Kingdom officials and civil society on the way how the phenomenon occurs and its impacts on the people's settlement patterns, livelihood and food security as well as human rights situation so as to come to people's rescue.

1.3 Objectives of the research

The overarching objective of this study was to gain a deeper understanding on the key drivers of land grabbing in Uganda with a focus in the Albertine Graben.

1.4 Research questions

This study was guided by four main research questions;

- i. What are the main drivers of large scale land acquisition in the Albertine Graben?
- ii. What is the composition of the actors involved in massive land acquisition?
- iii. How does land grabbing impact on the socio-economic livelihood of the people in the Albertine region?
- iv. What is the institutional capacity and political will of the Ugandan government to control land grabbing?

1.5 Methodology

The study explored the different drivers of land grabbing in Uganda's Albertine Graben and how the phenomenon affects the livelihoods of the people. This was done by conducting twenty key informants interviews and use of secondary data. An abductive, qualitative, desk study was employed to answer the research questions.

The study also employed the political economy approach as an analytical framework to understand the different political dynamics in the distribution and acquisition of resources (land), by those with authority and the power relations between the said land grabbers and the local population (Mejía and Pettit, 2013:8) and (Chasukwa, 2013:5). The application and reasons for choosing this theory have been further explained in the analytical framework below.

The study specifically focused on the drivers of land grabbing and the impact this creates on the socio-economic livelihoods to the local population. Uganda as a country was used as a case study and the Albertine Graben as an area of study. Choosing Uganda as a case study was premised on the fact that there is documented evidence about the existence of the phenomenon especially since the country discovered commercial oil deposits in 2006. The events unfolding since the discovery dictated a study to be conducted there than previously because the area was relatively calm before.

The findings would therefore bring in an insight of the new phase of the phenomenon that is different from the usual. The study relied mainly on electronic and printed sources of information. This was got from Ugandan legal land framework such as the 2009 Amendment Act, the Uganda Constitution so as to establish patterns of land ownership and the different tenure systems. The archives of civil society organizations such as AFIEGO, LEMU, Oxfam, Uganda Land Alliance, International Alert that are at the forefront of land rights advocacy, scholarly articles, journals and books searched on internet were another source of information.

In addition, archives of news agencies such as newspapers of both local and international media were also used. Primary data from twenty key informants of key institutions such as the Uganda Housing and Land ministry, the media, CSOs, the Bunyoro Kitara Kingdom, land owners association was collected. This was done through the use of emails, phone calls and skype interviews. However, some of the respondents contacted (ten respondents) did not answer back the questions in spite of the so many reminders. The different methods employed gave different perspectives on the phenomenon that was investigated about.

1.6 Limitations and Delimitations

One of the possible limitations of this research was the use of electronic and printed data as the main source of information since a desk study was employed. This means that the researcher did not interact with the local people. The local people would have shared more information about the different dynamics of the phenomenon. At the same time the views and opinions of the

perpetrators on how they “justly” obtain the land were not heard. The only primary data collected was from some key stakeholders in the lands sector. This might attract some kind of criticism on how the study explicitly makes conclusions yet interviews with the local people that were affected or perpetrators of land grabbing were not conducted.

The area of study was delimited to Uganda as a case study and the whole country was also not studied in entirety, more efforts were directed towards the Albertine Graben which is though the only Uganda’s oil region so this provides no option areas. The Albertine Graben is long as it stretches from Kanungu district in the south and Amuru district in the north however, oil activities are mostly situated around the two main districts of Buliisa and Hoima in Bunyoro region and Nwoya district though it’s not part of Bunyoro region. So it’s this area (Bunyoro region) where the researcher mostly carried out the research.

1.7 Ethical considerations

Since this was mainly a desk study, there are a few ethical issues to point out. The issues pointed out here are mostly to do with the way how the researcher interacted with the respondents. Before conducting an interview, the researcher had to ask for (and respected) the appointments of the respondents. Being honest with the findings and ensuring proper referencing of the information collected from other people’s texts and secondary data was also another issue put in mind by the researcher.

1.8 Disposition

In *chapter two*, the reader will find the literature review that explains the existing information on the subject and how the study fits into the current research debate, *chapter three* explains the methodology used (sources of data, data collection tools, sampling etc) and information on the theoretical framework that elaborates on the choice, reason and the applicability of the theory used is found in *chapter four*. In *chapter five*, a description of the findings from the study, while *chapter six* is on the analysis of the findings (discussion and interpretation of the results). The study ends with conclusive remarks and lessons learned which will be found in *chapter seven*. There are also graphs, figures, tables and other information which could not be included in the text; this can be found in *appendices*.

Chapter Two

Literature review

2.0 Introduction

This chapter contains information sourced from the already existing literature and it has been grouped into four sub-sections. The researcher collected the existing literature on the three main strands inspired by the research questions. The strands include; the main drivers of land grabbing, the main actors and the institutional arrangement of lands sector.

2.1 A scan of existing literature on land grabbing.

The existing literature on land grabbing portrays a debate on the benefits and the impact land grabbing creates on food production and the livelihood of the local population where it is practiced (Chinsinga et al., 2013:1066). As such, different scholars have written about it differently. Some scholars (Cotula et. al.2008; IFPRI 2011; Oviedo 2011) denote that land grabbing affects the local livelihoods of the poor people especially women, children and orphans. And this group of scholars sympathizes with the people whose land is lost. According to (Margulis et.al.(2013:2), land grabbing creates enormous impacts on the people and therefore different ways on how to curb it should be put in place.

The same reasoning is shared with some international bodies and CSOs who advocate for its reduction or end. The key notable ones include the World Bank, the global civil society organizations under the International Land Coalition such as, Oxfam International, Friends of the Earth International and other local NGOs such as World Voices Uganda (ibid). The proponents of this school of thought refute assertions by the land grabbers that the existing vacant land is acquired for large scale food or better production. They claim that, “*evidence suggests that many land acquisitions do not initially involve high levels of investment*” (ILC, 2012:21), land is either acquired for speculative reasons or involves production on only a small proportion of the acquired land (ibid).

Contrary to the above, the proponents of land grabbing say that, acquiring large pieces of land which are lying idle, helps to put them to maximum utilization, improves food production to feed the increasing hungry population (Anseeuw, 2013), creates new possibilities for biofuel production, leads to new employment opportunities for the local population (Peluso and Lund,

2011 and White et al., 2012) and facilitates rapid economic growth of developing countries (Borras et al., 2013b and Araghi and Karides, 2012). The other examples of actors with this assertion include multi-national companies, the governments of the so called developing countries, local elites and the land grabbers themselves. In fact, the governments of developing countries have always been advancing such claims as the basis to attract foreign direct investments.

These examples given tries to show a picture on how the phenomenon has been researched from different perspectives but being majorly motivated by agricultural reasons. According to the land matrix figures, 73% of the land acquired in 2000-2009 was for farm production, the other reasons though with a big significance have gone un-emphasized. The strategies and acquisition of land around oil resource areas mainly for which the researcher argues is taking a new twist (in the way it is done and its resultant impacts) hasn't been well explored, the researcher believes that more information will be added on this by the study.

2.2 Drivers of land grabbing

Right away from the past, history has it that there has been large scale land acquisition in the world which was majorly driven by the scramble for and partition of Africa (parts of Asia too) by colonial powers (Cotula, 2012:661). These incidents happened mainly in the 18th and 19th Centuries and before the 1960s when the wave for nationalism struggles started sweeping across Africa (ibid). The key driver for this was explained by prestige among the colonial powers to appear to control large pieces of areas around the world hence the economic strength, influence and the political power of the country. The current drivers of the phenomenon however in the 20th and 21st century are said to be triggered by new various factors.

Available literature indicates that the current global rush for land is due to food insecurity that came into notice after the 2008 food price crisis that hit the world (Anseeuw et al., 2012:24). It's from this reason that the countries which felt food insecure and had no farm land left for them to practice agriculture had to set out to acquire new pieces of land (Piesse and Thirtle 2009). They could no longer feel secure to put the food security of their nations to the uncertainties of world supplies and prices (Anseeuw et al., 2012:24). After the first crisis, there were speculations that the incidence would hit again (which indeed happened in 2011) so there was need to venture into food production so as to feel more secure (ibid).

The main reasons for the scarcity of food have been explained by scholars (Headley and Fan 2008) as being caused by high oil prices, reduction in the gain stock and the shift of some of it into biofuel production. So the escalating food prices can be seen as one of the factors for the rush to acquire land across the world. This coupled with the daily increase in the world population have escalated the problem the more. It is estimated that the world will need 70% more food than it requires today to feed an estimated 9 billion people by 2050 (Deininger et al., 2010). So where will the food to feed the increasing number of people come from hence the need to acquire more land by these countries for farming.

The oil price crisis of 2007-08 did not only lead to high food prices but also posed a challenge to highly industrialized countries of Europe and USA to think of the alternative sources of fuel. Well aware that the oil prices could escalate and cause economic uncertainties again, the EU passed a policy to produce 20% of the required fuel for transport from renewable resources by the year 2020 (Borras et al., 2010). As Cotula (2012) notes, the policy saw many private companies from developed countries set out to acquire land in the global south to engage in massive sugarcane growing, palm oil production and other crops for biofuel production. According to Anseeuw et al., (2012), the demand of land for biofuel production weighed much higher than the land for agricultural production in the period 2001-2010. He puts the figure at 40% of the total required land and 25% for agriculture. In the report done on “The scale and impact of land grabbing for agrofuels” by Friends of the Earth Europe (2010), it is indicated that, *“production of liquid biofuels is a key driver of much recent land acquisition”* p.g 12.

Several land deals were as a result initiated by private companies with either financial or moral support from their countries especially those in the EU. In some areas there was real land acquisition and production of agrofuel crops is actually ongoing. In Ethiopia, a UK based company-Sun Biofuels acquired 80,000ha to grow Jatropha, CAMS Group a UK based company also acquired 45, 000ha in Tanzania to process ethanol from sweet sorghum, an Italian company-Agroils has access to 105,000ha to plant Jatropha in Ghana and a Germany based company-Flora Eco Power *“has spent \$77 million in land purchases in Ethiopia for biofuel production using contract farming”* (Friends of the Earth Europe report, 2010:13). This is not to mention the Swiss based Addax Bioenergy company interests in Sierra Leone, the French company 60 year lease on 58,000ha of land in Cameroon and so many other examples (ibid).

Uganda was not spared too; palm oil growing around the shores of Lake Victoria by BIDCO oil producing company is an example that is readily evident. It looks like the demand for alternative energy production will continue more since the target set by the EU and USA for renewable oil resources is yet to be achieved.

Land acquisition for livestock production is another example and the Land Matrix puts the figure estimates of the total land acquired for this at 3%. Land is also said to be acquired for forestry farming, manufacturing, industry and tourism and all this accounts for 27% of the total according to the land matrix figures. There is also quite considerable literature, (Headley and Fan 2008, Cotula, 2012:662) which suggests that land has been acquired for private investments by some individuals due to the loans provided by their domestic banks to carry out investments overseas.

Agriculture in the 21st century has been viewed as a lucrative business to venture in because of the high demand for food. Few countries in the world are self sustaining in terms of food supply and as a result they rely on imports from other countries. For example a good number of European countries import most of the food commodities since few crops can grow well on their soils because of the unsupportive agricultural weather. This coupled with the rising world population and the subsequent increase in the demand for food supplies to feed the hungry populations suffering from natural shocks such as earth quakes, droughts, floods and mountainous eruptions all provide incentives for entrepreneurs to engage in large scale farming with the hope of getting good profits out of it.

2.3 The main actors

When talking about the actors of large scale land acquisition, the word “investors” will always be mentioned among but Anseeuw et al., (2012) hints about the way how the word has been miss used. There are two reasons they give to explain this. The first one is that not all land acquired with the motive for investment is actually invested on. Large land is always acquired but little is fully put into use. Deininger et al., (2011), acknowledges that its only 21% of this land and the rest is always acquired for speculative reasons. The other account is that most times, the word mainly emphasizes land acquired by the external actors and national elites but records indicate that the 500 million small scale agricultural famers are the primary investors on land in the world though with small portions of investment (Anseeuw et al., 2012) but unfortunately, the word rarely captures this.

The world media has been awash with reports that land grabbers are mainly from outside, this is mainly due to the fact that individuals or companies mostly reported to acquire large chunks of land in developing countries at a go mostly come from Europe or other developed nations (Cotula, 2012). However the role of national elites in the process cannot be underestimated (Calvan and Ablola 2011). In fact it is on record that land grabbing cannot smoothly take place without the involvement of the national elites (O'Brien 2011). In some countries records indicate that they have been fully involved in acquiring land in areas where foreign interests are low for example in Benin and Niger (Hilhorst et al. 2011).

Though they in most cases acquire relatively smaller proportions of land as compared to the larger amounts by the foreigners but if the small amounts are added up, they make a bigger significance (ibid). In Ethiopia for example 60% of the acquired land in the period 2004-2009 was by domestic actors according to the World Bank study and in Sudan 78% of the land was done by domestic actors (Cotula, 2012:656). In this case, they normally buy land and wait to sell it to foreign companies at relatively higher prices. They also act as mediators in the process to link the local land owners with the foreign companies. They help in processing legal land ownership documents for foreigners since they are familiar with the system of their countries. The acquisition of land by the nationals living in Diasporas using remittances acquired from abroad has also been well documented (Cotula and Toulmin 2004).

The current media reports also indicate and portray a picture of the high involvement of the so called emerging economies with China ranking the first, India following, Russia and South Africa in that order as being in the spotlight of carrying out the phenomenon in big quantities as evidenced from the land matrix database. This can be explained by their global policy investment agendas. According to Hall (2011), the level of Chinese investments has increased on African continent since the Chinese-Africa investment summit in 2006. For South Africa, the commercial agricultures' firm-AgriSA, has so far acquired 200,000ha of land from DRC Congo (ibid).

However, traditional investor countries still carry a very significant role in the phenomenon-these deserve special attention. When reading figures from the land matrix database, western economies from the EU and North America were and are still the leading acquirers of land from developing countries. This is further emphasized by the Friends of the Earth Europe report (2010), where it shows that most of the land deals carried out on the African

continent for biofuel production involve EU, North America and other investors from traditional countries such as Japan. For example, a total of 500,000ha of land is said to have been acquired in Kenya by the Belgian, Japanese and Canadian companies all together, a total of 58,000ha is under palm oil growing by the French firm in Cameroon and in Mozambique a total of 4.8 million ha is being sought to add on 183,000ha that is currently under *Jatropha* production by the UK, Italian, Germany, Portuguese and Canadian companies. There are also reports that the western economies have renewed interests in massive land acquisition for tree planting in order to produce biomass energy (Cortula et al., 2011a).

The other actors involved in the process are the government leaders of developing countries Burnod et al., (2011). Most developing countries have been at the forefront of attracting Foreign Direct Investments (FDI) to their countries with the hope of increasing the levels of GDP, widening the tax base, economic diversification and creation of employment opportunities for their citizens (Anseeuw et al., 2012). The leaders normally do this by making bilateral visits to the targeted investor countries. They promise them land in scenarios where the projects are co-jointly, tax holidays and land releases among others (ibid). The incentives attract foreigners and most times end up acquiring land which was primarily occupied by the locals.

Ugandan President Yoweri Museveni fits well in this case, he has on several occasions visited developed and emerging economies to woo investors to come to the country. During his one weeklong visit to china in early April 2015, President Museveni was engaged in several meetings with representatives of banks, construction, oil and telecommunication companies among others and according to the statement released by the state house, he would convene at least 17 meetings in a day (Tumwine, 2015). So the role of national governments and its leaders should be well acknowledged. Additionally, regional blocks and trade agreements especially in the global south are the other actors to mention (Görge et.al... 2009, and Ravanera 2011). The available figures show that ASEAN countries (Thailand and Vietnam) have majorly dominated the Mekong region; China dominates the Lao PDR especially with rice growing and South Africa has carried out different land deals on the African continent (Cotula, 2012).

Conclusively, the discussion of actors cannot be well documented when the focus is only put on land acquirers-actors that effect and implement the land deals need to be pointed out too. For example, the political leaders, lenders, brokers, and insurers who in most cases do

not originate from the same countries of the investors (Hall 2011). They are mostly actors who are well conversant with the local investment climate and they have clear information on the sources of land to be acquired. Some highly specialized skills of engineers, surveyors and money for the land deals may be externally sourced (ibid) but still, the local people understand the climate well and they are the ones that advice on what kind of facilities that lack in their countries and recommend them to be outsourced.

2.4 The institutional capacity of governments

The existing government policies and laws as identified by Cotula et al., (2011b) play a key role in the land acquisition process. They can either facilitate or impede the process. The decision making process for example on what type of crop to grow, which part of the country to grow it, how much of the land to use and the terms and conditions governing the land acquisition process all lie in the hands of the host governments (Deininger et al., 2011). The procedures on this are all contained in their policy documents governing investments on land. So it is clear that the government's policies have a lot to do with either facilitating or impeding the process of large scale land acquisition. Government policies that encourage economic liberalism, public-private investments, and FDI ease the process of large scale land acquisition while the reverse is true for government policies that operate a more closed investment climate (ibid).

The International Land Coalition (2012), has identified four main institutional factors that affect (facilitate or impede) the process of large scale land acquisition. One of the factors is the democratic governance of the country in question. It's evident that most African governments have a weak democratic system characterized by low levels of accountability and transparency (Herbst, 2008), high selfishness and overstaying in power by the leaders which builds patronage and cliques of groups composed of the national elites and the ruling class (Anseuw et al., 2012). These have in most cases hijacked the normal and the legal procedural way of doing things in their home countries (ibid).

They often manipulate the laws for their selfish tendencies, are greedy and amass more wealth-they will acquire as much land as they can at the expense of the locals. Even when certain laws are in place, they can be amended and or broken to suit their interests (O'Brien (2011). For example in scenarios where they are taken to court, they can use all their influence and resources to determine the outcome of case rulings (ibid). Most times bribes are given to

judicial officials to rule in their favor-women, orphans, child headed families mostly from the rural poor are at the greatest risk.

The other point to note is lack of transparency involved in the process as a result of the weak institutional capacity to overcome it. As (Anseeuw et al., 2012), denotes land deals that happen in most parts of the world happen behind closed doors. For example negotiations often involve the buyers, government officials, politicians and the local elites who often act as the brokers. The local population whose land is being negotiated upon rarely does not take part- this worsens the situation as the process of follow up and public scrutiny is rendered fruitless (Daley, 2011).

The second factor is the land governance mechanism in the area. Different countries have got different land tenure systems that govern land ownership, control and transfer of ownership. These play a major role in the process Alden Wily (2011). There are those countries where land owned under the customary and traditional system is not recognized by the national laws and therefore all land owners under such system will lose out in case an “investor” expresses interest to take over the land (Anseeuw et.al..., 2012).

In some African countries for example Ethiopia and Mozambique, land is all owned by the state (Cotula, 2012). The local people can only take leases and therefore lack the individual ownership over it which means that the state can at any point of wish decide on the future usage of the land including the allocation of some chunks to foreign investors (Alden Wily, 2011). For the case of Uganda, land can be privately owned but areas where minerals exist underneath can be taken over by the government at any time as indicated in article 244 (1) of the 1995 constitution.

Huggins (2011) further mentions the third factor as; the centrality of institutions that govern and monitor land deals in most of the developing countries and how they can escalate the problem. Most if not all African governments (Uganda inclusive) and Asian countries embraced decentralization in the 1990s which also called for land institutional restructuring. True some powers were devolved to the local levels and land offices set up in some regional or even local levels but they lack the necessary facilities for proper function (Anseeuw et al., 2012). For the case of Uganda, the 1995 constitution mentions of the establishment of land offices and tribunals at the district levels but few are operational due to lack of finances to run the offices (Deininger & Castagnini, 2006).

Fourthly, the economic governance surrounding investments as mentioned by various scholars (Cotula, 2012, Cotula et al., 2011, and Anseeuw et al., 2012) is another example. This may include both national policies (such as those that encourage large scale farming, public-private partnerships and FDI) and international policies (such as those that call for economic liberalism). With these kinds of policies in place, it's very possible that large scale land acquisition will be the order of the day. It's on record for example that most developing countries are not economically self sustaining and through private investments they realize the required services for their nationals (Anseeuw et al., 2012).

So in order to get more services, they woo foreign investors by offering tax holidays, land leases and promise security to foreign investments something that encourages foreigners to come in more to acquire land (ILC (OECD/SWAC, 2011; Ravanera, 2011; Odhiambo, 2011 and Wiener, 2011). With the global policies on the desire for alternative sources of fuel due to oil price crisis, the need for privatization by the developing countries, the situation worsens the more.

With this kind of framework, the poor are left with no option but to inevitably accept the land takeover even in the presence of some international laws such as the UN Declaration on the Rights of Indigenous Peoples and ILO 169 (Cotula, 2011) that protect the indigenous people against foreign exploitation. Hence this gives a justification by (Alden Wily 2011) that, the laws lack the necessary legal teeth to bite. Cotula (2011), adds that even laws that mention the protection of individual land rights are weaker than those that protect the investments of investors abroad.

Summing up, it can be said that the existing institutional framework orchestrates the interests of the investors who carry out large scale land acquisition than those of the local masses. This is not surprising considering the political economy approach that this study employed to explain the institutional capacity of the government. As already noted above, the host governments sometimes take an extra mile to identify "free land" for the acquirers, they guarantee them protection, offer land leases moreover at lower prices and tax holidays among others. This happens of course as a result of both international and national policies where governments sometimes have less or (do not) have control over. In the scenarios where the latter exists, governments may be cornered on the wall to provide a conducive environment that

encourages large scale farming, export promotion and encourage more foreign investments by international forces. These policies often lead to land grabbing and fail to recognize the interests of the poor local population.

Chapter Three Methodology

3.0 Introduction

In this chapter, an explanation on the different methodology employed to conduct the study is given. The reader will find information on the research design, study sample, data collection and data analysis methods. An evaluation of the validity and reliability of the different research tools based on their limitations and ethical considerations has also been given.

3.1 Research design

The study applied a qualitative approach to explore the different drivers of land grabbing in oil resource areas. Uganda was used as a case study and the oil rich Albertine Graben as a study area. This was based on the fact that there are cases of land grabbing being reported in Uganda today (see Oxfam, 2011 and the Guardian report, 2012). The current mass evictions of the locals from their land in the Albertine Graben (Jaramogi, 2013) also provided the necessity for the research to be conducted there. An abductive study using the political economy approach was employed throughout the research especially on data analysis. An abductive study was preferred since it can provide a new understanding about the phenomenon being investigated upon (Danermark et al., 2002).

3.2 The study area

The data was collected from the Albertine Graben-Uganda. The area under study included the districts mainly that make up Bunyoro sub-region consisting of Hoima, greater Masindi and Kibaale. Though the Graben stretches from Kanungu district in the South and Amuru district in the North. A smaller sample size was preferred for purposes of concentration and also the reasons emphasized by Ohlson (1998) where the study area and the number of cases selected must be manageable. More importantly, the area considered is where the country's main oil activities take place.

3.3 Data collection

The study used empirical data collected mainly from electronic and printed sources such as scholarly articles, journals and text books. Media sources such as Newspapers of both national (mainly New Vision-a Ugandan government newspaper, Daily Monitor and the Independent magazine) and International (mainly the Guardian and the New York Times) were also used.

Media sources were considered because they frequently reported about the phenomenon in the region.

The databases such as the Land Matrix, Uganda Land agencies (Ministry of Lands, Land Commission) were also used to give an insight about the phenomenon. Reports from national and international NGOs such as the International Land Coalition, the Friends of the Earth Europe, Oxfam International, International Land Alliance, LEMU, AFIEGO and all other CSOs that operate in the area were also used as the source of data. Information from these sources was preferred since most NGOs update their information on an annual basis. The researcher always got this information through visiting the archives and databases of the said institutions and online searches that would later bring in options for other new and interesting data.

Primary data from key informants in Uganda's land sector was also collected through Skype, emails and phone calls to supplement secondary data. And a total of twenty key informants interviews were conducted. The respondents for the interviews were carefully and purposively sampled. The researcher contacted some of them directly through checking for their official contacts on their different company websites. But most of them were contacted through the Executive Director-World Voices Uganda⁸. The respondents contacted were mainly those which the researcher thought had clear knowledge and in depth understanding about the subject matter under investigation (Mikkelsen, 2005). They mainly included government officials, politicians (both local and national), Bunyoro Kingdom officials, CSOs, the media as well as some leaders of the land owner associations in the region.

The use of skype, emails and phone calls was preferred because of the convenience between the researcher and the respondents to get first hand information. They also provided a room to the researcher to probe for more information. The researcher's firsthand experience which he received while conducting research for his bachelor's dissertation on the "impact of land conflicts on service delivery in Kibaale District" played a role in more understanding of the phenomenon. The researcher was also highly involved in land related advocacy in the region while working with an indigenous NGO called World Voices Uganda and while there different surveys, assessments on the gravity of the problem and land rights advocacy for the local

⁸ It was easier to contact respondents through the Executive Director-World Voices Uganda because most of them were his colleagues and he had in one way or the other ever interacted with them. So it became possible and convenient for him to approach them. The researcher got in contact with the ED-WVU because he had been his former boss.

population was done in the period 2012 to August 2014. When all these collection tools are combined, they provide a big source to the researcher to understand the dynamics and different tendencies of the phenomenon (Mikkelsen, 2005).

3.4 Data analysis

Data analysis started with the use of secondary data collected from the scientific journals and scholarly articles. These would be searched from the university library database using one search and Google scholar search engines. Information with similar patterns would be grouped together and then meaning derived out of it. Additionally, more information searched from the databases of different CSOs operating in the study area would be used to bring in the local context of the phenomenon. This would be supplemented with the data collected from the key informants. The primary information collected would be coded first and then grouped into themes and subthemes similar to the patterns derived from secondary data (Creswell, 2009, Mikkelsen, 2005).

The political economy approach would then be employed to understand the different power dynamics between the powerful and the powerless in the process (Wengast and Wittman, 2006). The politics surrounding acquisition of land in large scale were also explained and understood using the PE approach.

3.5.0 Limitations

This study was limited by lack of information from the local population whose land is said to be grabbed and the opinions of the actors behind the grabbing. This is due to the fact that this was a desk study, though some interviews were conducted to collect primary data, it was done mainly on the key informants who would be easily reached by modern means of communication such as Skype, emails, and phone calls.

Collection of information through the above said means was not an easy task; the respondents contacted were busy people since they are the CEOs of organizations, Land Commissioners etc-they would take long to respond to emails or phone calls in order to place Skype conversation appointments. The researcher kept on sending reminder emails and phone texts to them; some cooperated and accepted to provide the information while some completely failed (a total of ten respondents) in spite of the so many reminders.

The researcher also acknowledges his prior knowledge he had about the subject while still doing advocacy work in the study area. This could have in one way or the other biased his conclusions. However, the new secondary data used and the primary information collected from the respondents sets off this bias. Moreover, most of the data and reports used were so current which provided the new understanding than his previous knowledge.

3.5.1 Validity

As Mikkelsen (2005) puts it, it is very important to determine the validity of the research which helps to determine the “truth” or “reality” of the study conducted. Through the different methods employed to collect data such as emails, phone calls and Skype together with secondary data, the researcher believes in the validity of the results of this study. This is because, the study being primarily desk research and the researcher managing to supplement it with primary data collected through interviews makes it unique.

3.5.2 Reliability

Reliability is said to be high if “repeated observations using the same instrument under identical conditions produce similar results” (Mikkelsen, 2005:195). The data for this study was carefully collected, coded and as well as analyzed so as to boost its reliability. However, the researcher’s own biases and preconceived ideas might have influenced the interpretation of the results. In a bid to solve this, the researcher made sure that information was collected from diverse key informants and some verbatim quotations were made so as to reduce on his influence in the interpretation of the data. Information was also collected using different sources. If research was done in the same area and under the same conditions, there would only be little differences from the current findings.

3.6 Triangulation

The information collected was also arranged and interpreted in different concepts in order to increase on the validity of the research. This is what Mikkelsen (2005), calls looking at things from different points or angles. Additionally, methodological triangulation was used where by different methods such as interviews and secondary data collection was done (Mikkelsen, 2005).

3.7 Ethical consideration

Clear referencing to acknowledge the authors whose information was used in the study was highly observed by the researcher. For primary data collection, the researcher first contacted the chosen respondents either through emails, or phone calls to request for their willingness to answer the research questions and or placing for interview appointments. Because of the respondents' busy schedules, they would be the ones to suggest the time for interviews. The researcher always respected them since he was flexible with his schedules except when two appointments collided. In this kind of scenario, he would request for rescheduling and different options would be presented until consensus is reached.

Conclusively, it can be said that different methods were employed in data collection ranging from the use of secondary data collected from the electronic and printed sources (such as scholarly articles, books, journals), archives of the different media houses, databases of the different CSOs and the use of primary data collected from key informants. The collection of primary data using Skype, emails and phone calls to supplement secondary data (with its shortcomings in mind) provides another unique and convenient way of conducting research in contemporary times.

Chapter Four

The theoretical framework

4.0 Introduction

In this chapter, the key terms used have been defined as applied in the context of this research. The reader will also find information on the explanation of the political economy approach, its applicability, the actor analysis and the institutional framework analysis.

4.1 Definition of key terms and explanation of the framework

As previously stated, political economy approach which explains the relationship between economic forces and political behavior and institutions (Wengast & Wittman, 2006) will be used to provide an analytical underpinning to the study of land grabbing in Uganda. It's in this framework where the game of politics involving acquisition and ownership of land as the approach states is played (Burnell et al., 2014).

Land grabbing according to this study refers to large scale land acquisition that involves quick transfer of ownership from long time land occupants/owners to new owners/investors, in unclear manner that causes suspicion and resistance from the locals to vacate the area for fear of negative impacts which later involves forceful eviction (Haggai, 2012). So land grabbing is viewed as a capitalistic driven form of land acquisition that has persisted right from the primitive capital accumulation period up to the modern times.

The approach used gives an examination of the way how production takes place, the way how politics is applied to supply and share the produced items amongst the people in the society (Chasukwa, 2013:5). The issue of distribution of economic surplus and resources in political economy has been written about by both classical and contemporary political economists. For example, Adam Smith in his book the *Wealth of Nations* (1776), talks about how the market should be regulated. He maintains that market forces should be left to allocate the resources and that government's hand should be limited.

David Richardo (1772-1823), bears the same line of thinking. He advocates for protection of markets against government's control and he argues that capitalism can help in enhancing more production and economic growth. In international trade, Richardo advocates for a comparative advantage. So in this kind of arrangement, a county/individual engages in the

production of items where it/he incurs the list cost of production. Economic factors of production (land inclusive) are therefore distributed along that line. However, Malthus' (1766-1834) population theory raises concern over how distribution of resources would impact on population especially if not properly done.

A renowned Germany philosopher, Karl max (1818-83), gives a different opinion on how economic surplus should be distributed in favor of socialism and against the free market economy that complicates peoples' social life. Karl Max criticizes capitalism because of its conditions that allows widening of the social classes in the society by favoring the fortunate or powerful actors against the un-fortunate or powerless actors.

According to Marx, (1954:669), the primitive capital accumulation period is described as when "great masses of men are suddenly and forcibly torn from their means of subsistence and hurled into labor markets as free, unprotected and right less proletarians. The expropriation of the agricultural producer, of the peasant, from the soil is the basis of the whole process". So when peasants are driven out of their former land, they resort to provision of labor to the new land occupants for survival.

From the above explanation, though the works of Adam Smith, Malthus and Richardo try to stress the interest, rights and benefits of the individual, their focus is limited. Their assumptions and level of analysis is at micro-level meaning that they can hardly look at land grabbing in a wider global lens. In this study, the researcher employs Marxist principles because they can better analyze the dynamics of land grabbing since his level of analysis is at the macro-level.

The researcher believes that land grabbing in the Albertine Graben needs to be viewed from a bigger perspective since there are so many actors involved-both domestic and foreign. Therefore the different power inequalities, the differences in the distribution of wealth among the actors which are said to orchestrate land grabbing are well accounted for under Marxist principles. More so, Karl Max talks of the different social classes in the society where different groups have different levels of wealth and power. This study believes in the same and stresses that it's this difference in the level of power that has orchestrated land grabbing in the region.

In the study of political economy, power cannot be left out un-mentioned. According to Lukes, power is defined as an "essentially contested" concept (Lukes 1974, 2005). Power analysis helps in examining the social norms, beliefs and structures and the way how they shape

actors' behavior and relationships. Power analysis puts in consideration the socialized and structural dimensions of the society that helps in the understanding of how different actors change and the different forces behind these changes. The way how power is distributed and exercised determines the level of authority of some actors' leading to the creation of social classes as explained by Karl Max. The differences in power distribution lead to two major classes stressed by this study - the powerful and powerless actors.

In the study of power, politics cannot be separated from it and economics too go hand in hand with politics. This leads to the study of political economy. This research study confers with the definition of the political economy given by Wengast and Wittman. According to Wengast and Wittman (2006), political economy is defined as a “methodology of economics applied to the analysis of political behavior and institutions”. The PE approach emphasizes two concepts, “politics” and “economics” that make the word political economy.

The two words are intertwined together and inseparable (ibid). It's premised on the fact that resources are scarce and that can have different functions, however the society's needs are endless, so important economic decisions on how to regulate them and in which sector where to employ them have to be taken by the people who possess power something which brings in politics into play. The game of politics is played by people who struggle to gain authority in order to make decisions and they can also be controlled by those who obtained it already (Harms, 2001), this explains why there is different power struggles on who controls what amount of land in the region by the different actors hence leading to land grabbing.

4.2 Applicability of the framework

The concept was initially applied to understand how the state distributes its scarce resources but its applicability revolutionarised in the beginning of 1990s to understand the political dynamics of monetary policies, international relations, democratization etc (Weingast and Wittman, 2006). The same approach has also today been applied by different bilateral and multilateral development agencies such as SIDA, USAID and GIZ to understand poverty and the social impact created by their intervention initiatives, assessment of the different actors, governance institutions and their competing interests (Booth, D. et al. 2005, and Harms, 2001). The world politics surrounding access to raw materials, markets, and the need to maintain hegemonic

control over key issues, the manufacture and usage of sophisticated weapons can be some of the other cases in point. It can also be used to explain the different phenomena in land grabbing.

The approach was preferred because of its capability and insistence to explain the dynamics of politics surrounding the acquisition of land but also the way how this is effected by the power relations of the different actors for example who owns more power than the other and how much of resources (land) can they influence to get (Chasukwa, 2013), how is the comparison of power relations of the local people whose land is said to be grabbed and those that do it, what are the different strategies that they employ to out compete the others and how is the status quo sustained, are some of the key features of the approach.

With the political economy approach, incites on what kind of power and institutional authority applied by the land grabbers to gain access to land can be unearthed for the interest of the locals. The other main advantage of using the political economy approach is to understand the behaviors of the key actors (Weingast and Wittman, 2006). A full understanding of the power dynamics between the actors involved and the institutional framework that regulates individual behaviors in the game have been further explained below.

4.3 Actor analysis

The political economy approach helps in the understanding of the visible, invisible and hidden agendas of the different actors involved in land grabbing (Kathleen, 2012). This study acknowledges the asymmetrical power relations between the various actors which are embedded within the social structures as put forward by Marx (Kathleen, 2012). The actors being talked about in this study are those both mandated to play a role in land management and those that get involved in land related issues for their self gain. They are mostly in two categories; the powerful actors and powerless actors. The powerful actors are those who are politically and economically bodied. They are the ones that mostly carry out land grabbing.

They include politicians, the business men, bourgeoisies, the armed personnel and the elites among others. An élite in this study is defined as “a selected and small group of citizens and/or organizations that controls a large amount of power” (Vergara, 2013). The concept further explains an individual or group of people that either has “control or is situated at the top of societies” (ibid) .The powerless actors are those who are vulnerable and they include the widows, the orphans, women, the elderly and squatters on other people’s lands. They are the mostly affected when land grabbing occurs.

Different actors have different levels of power and behaviors and it's this difference that sets the game of politics into play (Harms, 2001). The questions of who owns what? How much? Where? And how? that form the basis of political economy can be quickly understood under this analysis (Bernstein 2010). The government as one of the actors for example has got to analyze the power strength of multi-national companies to be in position to set a strong and rewarding regulatory framework. The local population has also got to compare their power strength with the land grabbers so as to be in position to defend their land against them. The foreign actors too have got to do an assessment so as to understand their entry point into the business of the country.

This shows the heterogeneity of the actors with each having different interests and applying different strategies to achieve them. The incompatibility of these interests often times leads to distributional conflicts of the resources/land (Harms, 2001). Therefore, land grabbing involves different actors such as the investors from multi-national companies, the government (both local and central) and its political agents, the bourgeoisies, the elite class and the local population (Anseeuw. W et al., 2012:21). The actors have got also different power strength.

In this paper the researcher views land grabbing in the Albertine Graben as being caused by power relations between the different actors-the powerful and the powerless. The powerless actors are often pushed on the wall by the elites and politicians who have power and they often struggle to gain more control over it (Harms, 2001). They derive this power from access to political, financial and economic resources (Anseeuw, W et.al...., 2012). As Max points out, labor plays an important role in the economic cycle of production and the powerless end up forming this factor of production-this keeps them in the control circles of the powerful. Understanding the different actors and their interests therefore becomes crucial in analyzing the best ways of counteracting the problem from further escalation.

4.4 Institutional framework

The study acknowledges the importance of the legal framework in the regulation of the phenomenon. It's the weaknesses in the framework that makes the powerful actors to hijack the system and widen the social gap to their advantage (Kathleen, 2012). So the game of politics is often guided by different laws, policies and institutions in the course of action to those actors who possess power. According to Burnell et al. (2014) institutions are very important in

providing “*appropriate rules and conventions governing the conduct of social, economic, and political affairs [on] how human and other resources are to be used and distributed*” pg 182. This therefore makes a look through Uganda’s land institutional framework important in this study. The importance of institutions in land grabbing is further stressed by scholars Wily and Alden (2011). They warn that, the weak legal system in Sub-Saharan Africa has a far reaching contribution in facilitating land grabbing since it can be manipulated by the powerful actors. A detailed account of Uganda’s institutional land framework has been provided in the proceeding chapter.

Chapter Five

Presentation of research findings

5.0 Introduction

In this chapter, findings of the research study are presented. The findings have been arranged into themes based on the four research questions; the drivers of land grabbing, the main actors, the impacts of land grabbing and the Uganda's institutional capacity to control land grabbing. The research questions were further subdivided hence providing different subthemes presented here as well. The information written in this chapter is a mixture of data collected from interviews as well as secondary data.

5.1 Drivers of land grabbing

To understand, the main drivers of land grabbing and how this affects the local population in the Albertine Graben, respondents were asked on when the phenomenon was/is commonly reported, the actors involved, the process they go through to acquire the land and the impacts of large scale land acquisition to the locals.

5.1.2 Occurrence of land grabbing

From the twenty key informants interviews conducted, the respondents believe that large scale land acquisition exists in the area and it mostly came into public limelight starting in 2005, respondents also gave some examples of when the phenomenon occurred which include the current one in August 2014 when a big number of people were evicted from land in Rwamutonga village, Bugambe sub-county, Hoima district. In this incident, a total of 250 families were violently evicted (two people died) from 485 hectares of land by one business man (Joshua Tibagwa) to pave way to oil waste management by the American based waste management firm (Mwesigye, 2014). In Kibaale District, *"Mpeefu Sub-County is already divided up, with me here I have a total of 100 titles each with 200 hectares and above and one family [Namyaka's] has a total of 40 land titles"* interviewee L⁹. Additionally, the existence of the phenomenon was also reported about by the Uganda Human Rights Commission (UHRC) in their 2014 report on *"Oil in Uganda: Emerging human rights issues"* in which it was found out that there was a lot of

⁹ Interviewees were alphabetically assigned letters to represent them in the text. Their details (name, designation and time of interview) can be found in appendix 2

displacement of people in the area that resulted in human rights violations especially on land and property rights.

The study also found out that fears among the people that their land on which they are living on could have been sold out already are so high. It's not only fear but also evidence is visible in Buliisa district where communal land was fraudulently sold (Muriisa et al., 2014). Some people especially business men and women can acquire land where thousands of people live without their knowledge. For example one resident wondered "*How come that wherever he [the business man] buys a piece of land, an oil well is discovered there?*" (UHRC, 2014). This was when he heard reports that land including his own had been bought by some business person in Bullisa district (ibid). Apparently, the government halted further processing of land titles in the Albertine Graben (Muriisa, 2013). The move was motivated by the fact that some people would quickly process land titles on communal and/or other people's land to claim ownership.

5.1.3 The main causes of land grabbing in the Albertine Graben

As it has been coherently stated in this study report, the available literature identifies acquisition of land for agricultural purposes as the main cause behind land grabbing (Piesse and Thirtle 2009, Anseeuw et al., 2012). Indeed from normal say it could be the reason however, the results of the study indicates otherwise. From all respondents that were interviewed, it was stated that;

The discovery of oil in 2006 is the main driver of land grabbing in the region. According to interviewee B "*so many people became thirsty and hungry for land due to the future investment prospects after the discovery of oil*". It's this urge to acquire more land so as to make investments out of it or sell it at a relatively higher price to the oil companies that makes people to acquire more and more portions of land (Kamugisha, 2012). This factor has also been confirmed by the UHRC where it is sated that cases of displacement of people happening in the Albertine Graben are "*as a result of oil exploration and refinery activities*" (UHRC, 2014:28). After oil discovery, the region started gaining attention from people across the social and economic divide unlike the past. It should be noted that the Albertine region was initially ignored by settlers and government itself because nothing big was expected from it (Kagaba, 2006). So the area so much lagged behind in terms of social service provision such as health, education, power. The road infrastructural development ranks among the lowest in comparison with other regions in Uganda.

The current trend however shows a complete turn of events. The region has attracted a number of international and local expatriates, privately owned business individuals, government agencies such as, Justice Centers Uganda, UHRC which have opened up regional offices; there are a lot of Civil Society advocacy campaigns taking place there as well as other informal and illegal businesses such as prostitution (Tumusiime, 2014). The increasing number of people in the region has escalated the cost of living in the region with most of the social services doubling the price and the area whose land was regarded as the least valuable now “*land in Kibaale [and other areas] has turned into hot cake*” (interviewee O). It’s this increasing interest of the people in the region that has led to high value and demand for land hence causing cases of land grabbing.

The existence of unutilized land has also triggered off the rush for people to acquire it. The respondents believe that, the region is surrounded by vast vacant lands. The explanation for this is both historical and current. Bunyoro region suffered the biggest impacts of colonialism resistance in Uganda during the reign of Omukama Kabalega¹⁰ in which many people lost lives during the battles (Doyle, 2012). The loss of these people in addition to so many others that fled the area left the area depopulated hence making most of the land vacant. Moreover, due to colonial resistance, the region was severely punished in terms of social services extension and as a result few people found it profitable to stay in the region instead preferred to move to areas where they felt had better social services like roads and schools (ibid).

Additionally, land belonging to absent landlords who got hold of it after the defeat of King Kabalega has worsened the problem. It’s these existing vacant lands at relatively low prices that attract a lot of “potential investors” to initiate deals of purchase since they look idle and cheap. This factor coincides with the findings of Muriisa et al. (2014) in their book “*Land Deals in Uganda: An Invisible Hand in Land Grabbing and Rural Development*”. The absentee land lords are mostly chiefs and royalists from Buganda Kingdom who own land titles on the land they do not physically stay on. They mostly stay in the central region and the land they possess lies in different areas mostly in Kibaale district and in some other areas of the Albertine Graben. Because of their centrality, they can easily be approached by the people intending to acquire land. With the issue of the need to compensate *bonafide* occupants well known to them, they are

¹⁰ Omukama Kabalega was a famous King of Bunyoro who resisted the British imperialism and Buganda rule. He led the Kingdom from 1870 to 1899.

always quick to give away the land to foreign investors who later battle with the eviction of the people (interviewee E).

It was further reported that ignorance of the people about the law has also played a key role in facilitating the occurrence of the phenomenon. The Ugandan government has put in place different legislations such as the 1975 land decree, the 1995 constitution and the UNLP, 2013 to guide the process of land acquisition, land management and protection of rights of ownership. Though the legislations exist, few individuals know the contents and their applicability in daily life. This inability to understand them makes people more powerless. The reasons for this are due to the fact that, few people can read and understand the English language in which the documents are written. Attempts by the government to translate the laws into some local languages like “Eteka Lye Taka”¹¹ have also not yielded much as its only 60% of the population who know about the law, only 20% know how to apply it and 10% don’t know the law at all according to Muriisa et al..¹² (2014). It is this ignorance of the local people that makes the “*big investors to take advantage of them*” (respondent).

Additionally, few people have land titles that guarantee their ownership partly because of absentee land lords in the region but also due to lack of knowledge and the money to process them. It’s only the few rich moreover from other areas who can do this to the extent of titling the land not their own. “*We made a survey and got surprised with the findings because people who own land titles here are not from this place, people would come from somewhere survey the land and produce land titles without the knowledge of the public*” Interviewee M. While commissioning the computerized land registry system in May 2013, Daudi Migereko the Minister for lands revealed that, Uganda has a total of land titles slightly above 500,000 an equivalent of only 18% of the total land in the country and most of these titles are found in areas like the central region, Ankole and Tooro among others with few in Bunyoro (Mulondo, 2013). It’s this ignorance of the law that exacerbates the problem further.

This study further reveals that, “*communally owned land is easy to be sold by the unscrupulous people*” as it was noted by interviewee A. The region under study is mainly

¹¹ The term is a translation of the Land Act in Luganda which was amended in 2009.

¹² On searching the book entitled “Land Deals in Uganda: An Invisible Hand in Land Grabbing and Rural Development” by Muriisa K. R et al. (2014) it says draft no citation without permission. So I obtained permission to cite it when I wrote an email to the author on 1st June 2015 at 16:13 and he replied me after six minutes on the same day.

comprised of customary land tenure system. Which is not a surprise though as Anseeuw et al., (2012) states that most of the land in Africa is under customary ownership. The dominance of this type of tenure system with lack of clear boundaries makes it easy for unscrupulous people like “local elites” and leaders-who have power (Harms, 2001) to sell off communally owned land on which thousands of people stay. This kind of scenario is true for the case of Kibaale *as only one family of the district Chairperson owns almost 40% of the land titles in one sub-county which they allegedly obtained under unclear succumstances* (Interviewee L).

Another incident was also documented by the UHRC, 2014 report in Buliisa district where, “*allegations of people selling communal land, without following proper procedures as provided by the law*” p.g 28 were reported by the residents. The residents who were living in fear of eviction further said that, their communal land on which they had stayed on for centuries had been fraudulently sold to a Kampala based business man from Buliisa district who owned 80% of the land where oil pads existed (ibid). Further to note is that people do not know their rights over land and how to protect them. For example many people living on communal land do not know that they can process certificates of occupancy to claim ownership over land as it’s provided for by the Ugandan constitution, 1995. Further, the *bonafide* occupants have a right to be consulted first before land is sold to see if they can buy it themselves and if not they should be well compensated (The Uganda constitution, 1995). But few or no people know this which makes it easy for the politically powerful individuals to quickly sell off the land.

The other point noted by the respondents is high poverty levels among the households. It was said that, people can sell off land that does not belong to them and run way in order to earn a living. This especially exists in clan systems where different clan members can own land without clear demarcations. In families, family heads mostly men can wake up one morning and sell off family land without the wife’s consent who only learns about it after receiving notices of eviction. The incident has continued to happen in spite of the provisions of the 1998 Land Act, the 2004 amendments to the act and the 1995 constitution that provide for ownership and protection of women and children to family property. It is stated in the 2004 amendments that any transaction on land/property that takes place without the agreement of the other spouse is regarded null and void. However, the situation has continued to happen where men sell land without letting their wives know about the deal.

5.1.4 The impacts of land grabbing

The debate on land grabbing is double sided; both advantages of large scale land acquisition and disadvantages have always been listed down by different scholars (Anseeuw et al., 2012, Margulis et al., 2013:2 and Chinsinga et al., 2013). This study too looked into the impacts of the phenomenon on the local population particularly those in the Albertine Graben and the following impacts were identified.

Large scale land acquisition leads to large scale farming which translates to high *“agricultural productivity. It is in the context of promoting optimal land use”* Interviewee J. The benefits include infrastructural development, *“food security and provision for inputs for industries,* creation of employment opportunities and this later increase the country’s GDP levels, Interviewee J. However, not all large scale land acquisition leads to these advantages (Anseeuw et al., 2012). In taking a close look on the way how oil activities have lead to massive displacement of people in the region? It was stated that, there has been loss of livelihood to the people.

As already mentioned previously, land forms a very significant part in the lives of rural people in Africa (Cotula, 2009). It’s their source of employment through farming and in Uganda, a total 65% of the population is engaged in agriculture mainly subsistence farming with little for sale (UBOS, 2012). In the Albertine Graben, 40.7% men and 50.2% women of the entire population is employed by the agricultural sector (International Alert, 2013). So a big group as this loses jobs and incomes when their land is fraudulently taken away.

Land also acts as a supermarket for the families where food and fruits such as, beans, potatoes, matooke (banana), avocados, mangoes and nakati (a local vegetable plant) are shopped. *“So when [people] lose land they have lost their livelihood”* according to (Interviewee E). Large scale land acquisition comes with massive eviction of people. The belief that land is idle in Africa is not true as this study found out. Though sometimes there are no people currently settled on the land, it still provides enormous advantages to them.

For example, it provides water streams through which different people draw water for domestic use; it provides fruits like guavas and berries, it’s also used for crop rotation by the

farmers and more importantly, on the cultural perspective-it harbors the grave yards of their beloved deceased relatives. For example land where “*King Waraga Ruga Mbanabato of Bunyoro was buried has now turned into Waraga wells under the management of Tullow Oil Co*” (Interviewee H). Therefore, evicting people from such lands puts the greatest risk to the local populations to lose shelter, food (hence malnutrition), cultural importance and earning a living for their families. This later leads to school drop out of children and worsens the socio-economic conditions of the poor majorly those of children and women (Anseeuw et al., 2012).

Land in Africa more especially in Uganda acts as a source of energy for cooking in form of firewood and charcoal (and lighting too), so losing it is a great risk to the population. According to UBOS (2012), firewood and charcoal consumption value at the national level went up to more than 10 times in the period between 2005/06 and 2009/10 and indeed this was reflected in the study conducted by International Alert on “*Governance and livelihoods in Uganda’s oil-rich Albertine Graben*” in March 2013. The results are as indicated in the table below.

Table 1: Showing the major sources of cooking energy in some sub-regions of Uganda

Sources of energy	Acholi (n=192)	Bunyoro (n=280)	Kigezi (n=190)	Rwenzori (n=284)	WestNile (n=269)	Total (n=1215)
Firewood	92.2%	60.0%	70.0%	59.2%	92.2%	73.6%
Charcoal	7.8%	30.4%	22.6%	38.0%	7.1%	22.2%
Kerosene/Paraffin		5.0%	3.2%	1.4%	0.4%	2.1%
Electricity		3.2%	2.1%	0.4%		1.2%
Gas		0.7%				0.2%
Other		0.7%	2.1%	1.1%	0.4%	0.8%

Source: International Alert, 2012

From the table above, it can be clearly indicated that firewood and charcoal consumption are the major sources of fuel for cooking in Uganda. The figure stands at 73.6% and 22.2% for firewood and charcoal use respectively while only 1.2% people use electricity from the total of the population whose data was collected. Acholi and West Nile tops the other sub-regions in the use of firewood both at 92.2% and in Bunyoro-the study area has a figure of 60% firewood usage. So losing land almost means eating raw food to the majority of the population.

5.1.5 Categories of people at most risk

After looking at the different impacts of land grabbing, it is apparent to look at the people who are at most risk of land grabbing. The positivity or negativity of the phenomenon is not evenly felt across the same people and sections of the society. Some people suffer more while others do not. The most outstanding comparison is based on gender differences (Daley, 2011). In a patriarchal society like Uganda, men always emerge the winners in land deals while women are always at the periphery of the benefits (Cotula, 2009).

Land in Africa, Uganda inclusive forms a very big importance to the women's daily life. It is their source of employment through agriculture, it provides firewood fuel and it is a water source as well as a source of food for the family. One or all these activities are carried out by women everyday than men whose role stops on clearing the bushes for crop production (WDR, 2008). Loosing land to grabbers puts women at the greatest risk of losing a source of livelihood as well as failure to provide food on a table especially in rural families.

The other groups identified by the respondents include the politically, socially and economically vulnerable people. In this, they mentioned the elderly, orphaned children and the youth, which all form a group of the powerless group. This is due to their inability to recognize and fight for their rights. The circumstances in which they live in such as poverty makes it difficult for them to understand the importance of land titles and therefore the need to process them. Moreover, illiteracy levels are higher in this group of people than the socially and economically powerful. Because of poverty and high illiteracy levels, their chances to petition court for redress in case their land is being taken away are always low. But even if they had the capacity to report in court, chances are still low to win cases due to the structural strength of the people in power (Anseeuw et al., 2012).

5.2 The main actors

In trying to understand the phenomenon more, Harms (2001) explains the importance of actor analysis and the way how behavior influences the politics of resource distribution. The respondents were asked to identify the different actors involved in land grabbing. The list was compiled by the author and is as shown below. The actors have been categorized into two sides, the land giving and land acquisition side. Some actors cut across both sides.

Table 2 : Showing the main actors

Actors	
Land giving side	Land acquisition side
The government	Foreign investors
Leaders (politicians & association leaders)	Banks
Rich local private individuals	Rich local private individuals
Elites	Local Business people
Absentee land lords	Multi-national oil companies
Local Business people	

Source: Author's compilation

- **The government** plays a key role in large scale land acquisition in Uganda. Its role ranges from attracting FDI that requires large pieces of land, to provision of the legal framework under which land acquisition process takes place. Government institutions such as police and army were mentioned by some respondents for having aided eviction of people in some instances (Mwesigye, 2014). The government can also directly acquire land as provided for under article 26 of the 1995 constitution. And indeed this provision has been exercised by the government through acquisition of approximately 29 square kilometers for oil refinery construction in the Albertine Graben (AFIEGO, 2013).
- **The leaders'** role according to respondents has been in areas of identifying land for the acquirers, give away but also acquisition by themselves as the case is for Kibaale district. Another example in Buliisa District, where the locals lost their land to a Kampala based business man (UHRC, 2014). It was mentioned that he would get information on the existence of oil wells after a tip off from politicians. The association leaders in Buliisa have also been cited by people as sellers of communal land of the people they govern.
- **The rich local private individuals' and local business people's** roles cut across both sides. They were reported as both acquirers and givers. The rich/business people often acquire land by buying off the poor people and at other times by forcefully extending their boundaries to the neighbors' land. The land they acquire can be for both their own use but also for speculative reasons to later sell it in future as it has been the case in the region. They can also act as a source of information to the foreign buyers on the availability of the land.

- **Absentee landlords** are individuals who own land titles of the land where they don't physically settle on. This pattern of land acquisition majorly exists under mailo land tenure system where traditional leaders mainly the Baganda chiefs acquired land in places of Bunyoro especially Kibaale District after the defeat of King Kabalega with the help of British Imperialists (Doyle, 2012). The absentee land lords were mentioned by the respondents that they sell away land to investors without consideration of the *bonafide* occupants. And after acquisition, eviction follows.
- **Elites** can be both local and national. They identify land; act as brokers, court bailiffs, guarantors, guides of the domestic economic and legal environment to the foreigners. Their role is so crucial because it provides the first step in the land acquisition process.
- **Foreign investors**, these have been the major acquirers of land in Uganda and Africa in general. Example of such case in Uganda include, 3,600 hectares of the forest by BIDCO Oil Company for palm oil growing in Kalangala, McAlester Energy Resources Limited for waste management and oil exploration activities in the Albertine region, sugar cane growing in Mabira forest among others.
- **Multi-national oil companies**, it was identified that a lot of land was acquired by the oil companies to carry out oil exploration and these includes Tullow Oil, CNOOC Oil group that operate in the area.
- **Banks** both domestic and foreign play a role in financing land deals through administration of loans to the investors.

5.2.1 The factors that affect land acquisition

The respondents were further asked to mention some factors that affect land acquisition in Uganda. These include both factors that facilitate and hinder the process. The answers were given as below.

The work of civil society in enlightening “*communities on land rights hardens the work of land grabbers*” (Interviewee E). The civil society has heard the plight of the masses on matters of land and came to their rescue. So, a number of them mostly NGOs operate in the area. The notable ones include International Alert, Uganda Land Alliance, AFIEGO, WVU, MICOD and their umbrella body called BAPENECO to mention but a few. The work they do ranges from awareness creation and civic education on land rights, acquisition of land titles, legal

representation to vulnerable persons in court, advocacy campaigns, mediations, and public interest litigation among others (respondents). They also carry out capacity building of state and non-state actors on matters of land administration and management (Interviewee E). The work of these NGOs has proved to be a shield to the locals to somewhat defend their land against grabbers.

Though CSOs and government institutions (RDC's office, Sub-county land committees and courts) are doing a lot to help the helpless, they seem to be overburdened by the so many hindrances some of which take long to be overcome. Among those mentioned include, the high poverty levels of the people which drives them to give away their land in return for the small monies they receive without interpreting the implications after the loss of the land. High poverty levels coupled with high illiteracy levels and ignorance of the law all give the grabbers a powerful position to walk away with the land. Moreover, the grabbers come with huge sums of money that blindfolds them to quickly give in.

5.3.0 The government's capacity and political will to control land grabbing

Post-independent Uganda has passed a number of laws and policies on land all aimed at protecting ownership, regulating usage, stimulating management and transfer of ownership. The Ugandan constitution of 1995 is one of them and it's regarded as the supreme law of the land because it provides guidance and reference to the rest of the legal framework (Ssekiziyivu, 2013: 26). The Constitution under article 237 (1) mentions that, "*land in Uganda belongs to the citizens of Uganda and shall vest in them in accordance with the land tenure systems*" as provided for in the constitution and they include: - customary, freehold, mailo and leasehold (article 237:3: a-d).

- i. Customary tenure system as the name suggests is premised on widely recognized customs and traditions of the owners. It is where land is owned by a clan, class of people and family. It is one of the commonest tenure systems in Uganda, transfer of ownership to individuals can be from the parent to children through inheritance and selling of land is highly prohibited unless it is to the clan member (Wieslander, 2010:3). However, it does not provide security of tenure to landowners and is highly criticized for being discriminative against women (UNLP, 2013).

- ii. Freehold land tenure, is the one where someone possesses unlimited ownership rights over land, he/she can pass on ownership to anybody at any time-can sell or lease but all in accordance with the law (Land Act, 227).
- iii. Mailo land is the type of land tenure that was established by the 1900 Buganda agreement, it was/is mainly owned by the Buganda royalists such as the king and chiefs both within the kingdom and outside and it is also popularly known as mailo akenda-9000sq miles (ibid).
- iv. Leasehold tenure system, is the system where someone else (lease) possesses the land from the owner (leaser) after fulfilling certain terms and conditions of the agreement reached upon between the two people for a specified period of time. The process involves subleasing the land and it is recognized by the statutory instruments of the law (Land Act, 227).

The same constitution of Uganda continues to affirm the right of ownership to property-land inclusive for Ugandans and “*no person shall be compulsorily deprived of property or any interest in or right over property of any description*” article 26 (1 and 2). It also gives protection to the land owners from eviction. The same constitution spells out different land institutions and among them is the Uganda Land Commission mentioned under article 238:1. Its role is to hold and manage any land acquired by the government in accordance with the provisions of the constitution and other functions as prescribed by the parliament. Some of the provisions mentioned here is the right of the government both central and local to acquire land for public interest under succumstances such as interest of defense, public health and public order etc however there should be fair compensation before the land is re-possessed (Constitution of Uganda, 1995). It’s this kind of constitutional clause that the government bases on to acquire land for example for the construction of the oil refinery in Hoima District and also wildlife conservation in Acholi sub-region.

The district land boards in each of the 112 Ugandan districts are also other institutions mentioned. Their role ranges from facilitating the registration and transfer of interests on matters of land in the district. The parliament of Uganda shall okay the establishment of land tribunals to handle conflicts related to land purchases and transfer of ownership. The same parliament shall enact laws regulating exploitation of minerals, and sharing of royalties arising from such mineral exploitation (article 243). All the above indicate the different frameworks as being provided for

in the supreme law of the land however, there are some laws that existed before and after the constitution and these include.

The Public Land Act of 1969 and the presidential decree of 1975 during Idi Amin's rule in which all land was declared public. However, it could not happen without consultation and subsequent compensation to the owner. Land at this time was being managed by the Land Commission (Land reform Decree, 1975:18). Other frameworks include the 1998 Land Act; this came into being to operationalise the key issues pointed out by the 1995 constitution but also to clarify on some other things. Important to note is the formalization of customary tenure system for the bonafide¹³ and lawful¹⁴ occupants to obtain certificates of occupancy. In the same act, non-citizens were given conditions to follow to obtain land- they would be allowed to take a lease for like one to five years but would not be allowed to extend the period to more than ninety nine years, cannot also own mailo and freehold land (Land Act, 1998). The other key issue of the act as the other scholars (Wieslander, 2010) argue was to decentralize land administration from the center to the district levels by establishing land boards, tribunals and committees, with this it was presumed that land registration would be simplified and conflicts quickly managed.

The National Land Policy, 2013 was another framework developed mainly to fulfill the goals¹⁵ of national development and to protect the interests and rights of the poor. Among the key issues identified were, addressing the historical injustices and the colonial legacies, the ineffective dispute resolution mechanism, inequalities in access to and control of land by the vulnerable people in Uganda and land grabbing as well.

All the above forms a comprehensive legal framework of land in Uganda however what remains debatable is whether these frameworks have played the role they were enacted for. As Huntu (2004) contends, the decree did not have a big impact-in theory customary ownership was lost but the reality remained. At that time, the commission got overwhelmed by the heavy workload and there were frequent land conflicts as people kept on extending boundaries and

¹³ According to the Land Act (1998), a bonafide occupant is the person who has improved or stayed on the land for more than twelve years and has been challenged by the owner to leave. It also means a person who might have settled there by the government or government agent.

¹⁴ A lawful occupant is the person who was staying on the land before the constitution came into force or a person who came to stay on the land with the consent of the owner after the purchase (Land Act, 1998).

¹⁵ Is premised on the goal, "to ensure efficient, equitable and optimal utilization and management of Uganda's land resources for poverty reduction, wealth creation and overall socio-economic development" UNLP, (2013:V)

encroaching on the neighboring land. It is because of their inefficiencies that, The Uganda National Land Policy (2013) describes them as “*scattered policies and laws on land and natural resources*” (UNLP 2013: IV).

The economic hardships and the high cost of running land offices led to only a few district tribunals being set up (Deininger & Castagnini 2006). Besides the continuous creation of new administrative units such as sub-counties and districts from 56 districts in 2000 to the current number of 112 worsens the already escalated situation. It should also be emphasized that most of the objectives for the enactment of the UNLP, 2013 seems not to have yielded results up to now for example the historical Kibaale land question remains unresolved-efforts to pay off absentee land lords as per the Land Act, 227 were constrained by limited finances and as such a lot of mailo land titles are still with the absentee landlords (UNLP, 2013:2), land rights of pastoral communities for example in Buliisa district are still under threat as they continue to lose land to buguosie and government’s conservation plans such as establishment of national parks-forceful land evictions of the poor is still being seen and also encroachment on public land (forests and wetlands) is still visible.

According to Place & Otsuka 2002:107-8, limited levels of policy implementation and enforcement of the laws are the main causes of the above said problems. Further attempts to understand this failure is based on the argument of Okuku that, institutionalization which provides a right to security is much more important than mere legislation. Uganda can therefore be praised to be having the best laws but they are more on paper than on ground. “*The security of tenure does not mean that everybody has secure rights protected by the institution*” (Okuku 2006), other more things ought to be done.

5.1 Transfer of land ownership in Uganda

The 2009 Land amendment Act in Uganda provides that land can be bought or sold from one individual to another at free will. The same act provides for consultation of the *bonafide* occupants before land is sold. Priority to buy should always be given to the bonafide occupants first. If they cannot afford, then a fair compensation should be given before eviction and after a proper evaluation of the assets is done (Land Act, 2009). The buying and selling of land should be well witnessed by the public and local council authorities like those at the village and sub-county levels. And for family land, consent of the wife and children should be sought first before the man sells off the land (Land Act Cap 227 and the constitution of Uganda, 1995). After

buying the land, the title transfer application is lodged to the lands office by the new owner after which permanent ownership is acquired.

Other ways can be through lease of ownership to the other person for a specified period of time (Land Act, 1998). Under this form of transfer, the new holder possesses ownership of the land before a specified period of time, can utilize it for any lawful activity but cannot sub-lease or sell it to another person (ibid). The maximum amount of time specified by the law lies between 5 to 99 years. Land ownership can also be transferred through succession from the parent to the children or other individuals as provided for by the Succession Act, 2006¹⁶

Conclusively, it can be said that land grabbing in Uganda is occurring at an alarming rate. Almost in every part of the country, the phenomenon is said to be happening. According to the literature available and data collected from the various respondents, land grabbing is mostly orchestrated by lack of land titles among the citizens, existence of land for absentee land lords and most importantly the discovery of oil and natural gas in the area. When land grabbing occurs, most people get affected in terms of loss of livelihood, displacement, loss of firewood and food insecurity among others. And the groups of people most affected include the economically and politically powerless such as the elderly, the youth, the orphans, the widows and women in general. The government of Uganda as one of the actors is praised for enacting different laws and policies all aimed at protecting ownership, regulating purchases and usage. Examples of the laws include the constitution of Uganda, 1995, the Land Act 227, the Uganda Land Policy 2013. But in spite of the existing framework, land grabbing still occurs.

¹⁶ The succession Act is a legal provision implemented by the Administrator General's office that helps to identify the different people eligible for a share of the deceased's property.

Chapter Six Data Analysis

6.0 Introduction

The following chapter aims to re-contextualise the findings and to understand them “in a new way” (Danermark et al., 2002, p. 80). In this section, discussion and analysis of the research findings is done. The information is majorly based on the author’s interpretation of the research results and the political economy approach.

6.1 Discussion of research findings and analysis

It should be clearly emphasized that the level at which land grabbing is occurring in the Albertine Graben is high. This is due to a number of driving factors already explained in chapter *five*. Though individually, these factors weigh more than the other in causing its occurrence but all jointly escalate the problem. From research findings, the researcher for example believes that the factor of absentee land lords has far much escalated the problem by portraying a picture that vacant lands exist in the region. This is not to mention the discovery of commercial oil as another factor. Because it was in 2006 (year of oil discovery) that the Albertine Graben saw a complete turn point of events. After that year, many people, companies and business community started picking interest in the region’s land hence leading to massive acquisitions to the extent that “*the entire Kiryamboga village in Buseruka Sub-county, where Tullow drilled oil in 2012, [was] grabbed and land titles issued to six individuals*” (Kwesiga, 2015).

The above factors somewhat contradicts with the so much literature out there (Margulis et al., 2013:2, Chinsinga et al., 2013 and Anseeuw et al., 2012) that suggests land acquisition is mainly triggered off by agricultural reasons. This study brings a new line of thinking on the main causes of land grabbing and how they should be thought about in the academic debate. The drivers of land grabbing (see chapter five) alone cannot however lead to the occurrence of the phenomenon. A number of factors have to be in place so as the process to occur. For example, if people are well informed of their right of occupancy under customary land tenure, first priority would be given to the *bonafide* occupants to be sold the land to and therefore forceful evictions would not occur. It is rather this ignorance of the local people that makes the “*big investors to take advantage of them*” (respondent) hence making the grabbers more powerful as per the political economy approach stipulates.

The other issue to point out is the role of the actors in the process. Though actors from “*both sides at one point are greatly involved*” (respondent). The study found out that actors from the domestic side make the biggest contribution in the process than external actors. Some of the examples include government leaders, absentee land lords, and the local rich private individuals plus elites (court bailiffs, informers, middle men and women) among the domestic actors (land giving side) and foreign investors, banks and multi-national companies from among foreign actors (on the land acquisition side). However, though domestic or foreign, “*all have to acquire the land through the laid down procedures and within the law*” Interviewee J. Though cases of the land grabbers manipulating the system are so much evident in the region also. So what brings about this? The answer to this is indicated by the different power strength explained by (Chasukwa, 2013) under the political economy approach.

Emphasis should be made that before real land acquisition takes place, there are a lot of activities and arrangements that take place. These include identification of the land, understanding the legal environment of the country and the process of land acquisition which are all tasks performed by the domestic local actors. The foreign actors mostly investors do the payments in order to finalize the process but when the biggest role has been played by the local actors already. This means that, “*it is through Ugandans that foreigners access land*” (Interviewee A) and “*where there are foreign actors, still they use Ugandan agents*” (Interviewee E). So the media reports that portray foreign investors as the main actors in land grabbing need to somewhat adjust to the findings of this study.

The Ugandan government has provided a fully fledged legal framework through which land acquisition process takes place (Wily and Alden, 2011). This kind of statement can be confirmed by the existence of The 2009 Land Amendment Act, the UNLP, 2013 and the 1995 Ugandan Constitution among others. Putting in place an institutional framework to regulate the process is what Burnell et al. (2014) emphasizes under the political economy approach. And as such, Uganda is praised in East African region for having a good framework that clearly lays down issues of land tenure system, land acquisition, transfer of ownership, protection as well as land management.

However, in spite of the existing legal framework, forceful eviction, little or unfair compensation, sell of family land without the other partner’s consent (especially that of the

women) are still visible in Uganda today. Further, the government's institutions such as police and the army were for example mentioned by many respondents as some of the facilitators of the process. Cases of police brutality during forceful eviction of the masses were mentioned among. Moreover, some government officials and politicians for example the 1st Deputy Prime Minister and the Kibaale District Chairperson who hail from the same region were also mentioned among those that practice land grabbing (Interviewees F and L). Not to mention the case involving the army general in Buliisa District and the locals over communal grazing land. The officials' positions are often used to fulfill their self enrichment because of being economically and politically advantaged (Harms, 2001). This clearly indicates the unfortunate position of the powerless actors explained by Political economy approach (Anseeuw et al., (2012).

The occurrence of such instances can further be explained by the gap that exists between legislation and implementation of the laws. A number of factors such as the high administrative costs of maintaining decentralized land governance structures (regional and district land offices) can be named among. Others can be the little knowledge of the local leaders about the land laws who would otherwise help transfer the information to the local masses.

The corruption tendencies that exist among some officials further explain the persistence of the phenomenon. For example *"the government stopped the issuance of land titles in this area, but the rich continue to get titles, fence off the land and leave to urban areas"* Katwesige a resident of Kabaale L.C.1, Buseruka S/C-Hoima District. The continuous acquisition of the land titles in spite of the government's ban can be explained by this factor but also confirms the behavioral character of the powerful actors against the powerless as explained by (Weingast and Wittman, 2006) in the political economy approach. Cases of some government officials (politicians and army generals) being named in land grabbing; especially with the selling of communal land is also another point to mention.

With all these kind of factors therefore, the economically and politically weak (the powerless) suffer the greatest disadvantages of land grabbing just like the political economy approach explains. The disadvantages ranges from loss of livelihood, eviction (and its associated problems), lack of farm land for food, lack of fuel for cooking and loss of communal resources such as water sources among others. Whereas, the entire society suffers due to land evictions, some groups of people suffer more than the others for example the elderly, youth, orphaned

children, widows and generally women. Women suffer more than men due to the weak position they hold as a result of a patriarchal Ugandan society and further the descriptions of the political economy approach assumptions. For example, few legally own land, they are the ones “charged” with firewood collection, something that makes them to suffer more in case of land loss.

Finally, due to the negative impacts of land grabbing, efforts to attract large scale investment on land should be done with respect to the livelihood and rights of the people. *“Grabbing of land is clearly not one of Uganda’s government agenda”* and it should stop (Interviewee J). The CSOs though with sometimes unpleasant operating environment (critical ones have been threatened to lose their licenses or complete shut down by the government) ought to double their efforts in championing this cause together with the government. The *“land owners ... have to ensure that their rights are registered or recorded”* too so as to minimize the gravity of the phenomenon (Interviewee J).

Chapter Seven

Conclusions

7.0 Introduction

This chapter summarizes the entire research. It also highlights the main conclusions drawn from the findings of the study. Lessons learned have also been given.

7.1 Conclusions

Since land grabbing has majorly been portrayed by previous scholars as being driven by the desire to have more land for agricultural purposes, this study wishes to state contrary based on the research findings. With the main focus on the drivers of land grabbing in Africa/Uganda in general and the Albertine Graben in particular, more knowledge has been added to the academic debate. A desk study was carried out in addition to the use of primary data collected from key informants in Uganda to inform the study. Skype, emails, phone calls were used as a medium to collect the data. Though they provided the most convenient way of collecting information to the researcher, not all respondents responded.

The findings of the study have been analyzed with the use of the political economy approach. The study found out that land grabbing is occurring globally and Uganda too is not spared. Land grabbing was found to be happening in Uganda because of the nature large scale land acquisition takes place. Any large scale land acquisition that secretly takes place without the involvement of the bonafide occupants in the negotiations, characterized by disposition of the people with no and/or unfair compensation to their land has been described by this research study as land grabbing. The study found out many of such instances happening in the region. The occurrence of the phenomenon is majorly being driven or pushed by the existence of absentee landlords, the oil discovery, high ignorance and illiteracy levels on how to process land titles among others.

The study also found out that land grabbing does not just occur without the involvement of the actors who are said to play various roles in the process. Some of the actors found out by the study include both domestic and foreign, there are those on the giving side (such as the government, business persons and elites) and the receiving side (such as the investors, banks). Though actors from both sides and at different levels are involved, the study found out that

domestic actors other than foreign actors are so much influential in facilitating the occurrence of the phenomenon.

Land grabbing has also been seen as a negative phenomenon to the people. It for example affects their source of livelihood through loosing employment in agriculture, leads to displacement, loss of natural water bodies, food, and leads to less benefits in return. Whereas, the impacts can be felt by the entire society, the widow, orphaned children, the elderly, the economically and politically weak especially women suffer the greatest risks. Not surprising, this confirms the assumptions of the political economy approach. Though a comprehensive legal framework regulating purchases, ownership and usage (example the 1995 constitution, the Land Act 227, the UNLP 2013) exists in Uganda. Land grabbing still occurs at alarming rates simply because of the low implementation levels and the corruption tendencies of the law enforcement officials.

7.2 Lessons learned

From the findings generated and conclusions reached, the following lessons were learned and the researcher believes could help improve the situation.

Carrying out massive civic education on people's land rights, how to protect rights of occupancy and processing of a certificate of occupancy under customary land ownership and how to process land titles would in one way or the other reduce the citizen's ignorance of the law and empower them to demand for their rights. Though some CSOs are already doing this, the program has fully rolled out to all areas because of possibly financial difficulties. So more of the sensitizations could be done.

Since cases of neighbors encroaching on other people's land due to unclear land boundaries were mentioned by the respondents. A clear demarcation exercise of all land in the region would be carried to help streamline the boundaries. This would be carried out in the presence of all land neighbors together with the general public. After clearing the boundaries, people should be encouraged to process land titles of which the government ought to simplify and speed up the process.

Mobilization of the masses to form some sort of groups or associations would be an important thing to carry out. This would help to increase people's bargaining power against the

powerful land grabbers their by also becoming a powerful actor. People also need to be sensitized to not quickly give away their land in exchange of the little money they get promised.

Finally, the government of Uganda needs to improve regulation of all processes of land acquisition, monitor and supervise land offices more and their bearers. There is also need to put stringent measures to curb corruption in land title processing, operationalise all lower land offices as well as the land fund to ensure fair compensation to the locals. Having legislation alone is not enough; the government needs to do more to popularize those legislations in the local languages people understand most especially those that were approved by cabinet in 2010.

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Appendix 1: Sample of interview guide for officials

Hello my name is Nyanzi Kizito, a Master student of Peace and Development work from Linnaeus University, Vaxjo-Sweden. First of all, I would like to thank you for accepting to provide me with information concerning my research topic “*The political economy of land grabbing in the Albertine Graben-Uganda*”. The questions have been grouped under three sections as you will see so you could answer them in that order but if you cannot, just be free to write in any way you want I will sort them. I kindly ask you to provide more information as much as you can (there is no right or wrong answer just write) but if you feel you don’t have an answer for any question feel free to leave it blank. The information you provide will be treated with utmost confidentiality it deserves and it will not be linked to your name in any way without your consent. You can write to me back in case you need more clarification or have questions of some sort. **Thank you!**

Drivers of land grabbing

1. Have you ever heard of large scale land acquisition or land grabbing in the Albertine Graben?
2. In which period did you hear about it the most?
3. What do you think are the main causes of this land grabbing or large scale acquisition of land?
4. Which categories of people do you think are at the most risk of losing their land? In terms of age, gender, education level, socio-economic and political status etc.
5. How do you think these people get affected after losing their land?

The main actors

1. Who do you think are the main actors involved in this?
2. How do you compare them between the Ugandan actors and actors from abroad? Who are more involved?
3. Which factors simplifies or hardens their quest for large pieces of land in Uganda?

4. Uganda’s land framework

1. How can someone transfer land ownership rights from one person to another in Uganda?
2. Which kind of laws guarantees protection of ownership to Ugandans on land?
3. Which institutions can Ugandans run to in case they feel their right to land ownership is being threatened? (formal and informal) How helpful are these institutions?
4. Do you fill the Ugandan government is doing enough to protect its people against land grabbing? What else do you think should be done?

Biodata

1. Would you mind to write down your name? (**Can I quote you?**)

2. Which role does your institution play on land related issues in the Albertine Graben?

Thank you very much, that was helpful.

Would you like to address any further issues I did not ask about or do you have any questions? (I can write to you back)!

Appendix 2: List of respondents

No .	Name of the respondent	Assigned Name	Title/Institution	Emailed on (d & t)	Answers got on
1.	Lawrence Kangula	A	Regional Programme Manager (MICOD)	Mon, May 11, 2015 at 10:19 AM,	Tue, May 19, 2015 at 10:43 AM
2.	Alinaitwe Vicent	B	Albert Land Owners' Association (ALOA)	Skyped on: 12 th May 2015 at 16:00 hrs	Skype lasted up to 16:45 hrs
3.	Businge Michael	C	AFIEGO	Fri, 08 th May 2015 at 17:20 hrs	Thu, 28 th May 2015 at 13:31hrs
4.	Mulindwa Paul	E	Chairperson BAPENECO	Sun, 10 th May 2015 at 21:44hrs	Mon, 1 June 2015 at 22:20
5.	Gard Benda	F	ED, WVU	Tue, 19 May 2015 at 12:16	Fri, 5 June 2015 at 11:03
6.	Mwesige John	G	News reporter with New Vision	Mon, 1 st June 2015 at 10:13	Tue, 9 th June 2015 at 18:47
7.	Mugerwa Francis	H	PRO-Bunyoro Kingdom	Skyped on Thu 28 th May 2015 at 14:06	Up to 14:30
8.	Makolo Jackson	I	Uganda Media House-Masindi	Skyped on Sat, 23 rd May 2015	Skype call lasted for 20 minutes
9.	Denis Obbo	J	Ministry of Urban Planning Housing and Lands.		
10.	Tumusiime Jullius	K	C/P Land Owners Association	Skyped on Sun, 14 th May 2015	Skype lasted for 30 minutes
11.	Hon. Tinkasimire Barnabas	L	The area MP Buyaga West Constituency, Kibaale District	During a community dialogue	
12.	Kisembo Araali	M	The RDC Kibaale	During a community dialogue	
13.	Ngabirano Siragi	N	The L.C.3 Chairperson Mpeefu S/C	During a community dialogue	
14.	The L.C.3 Chairperson	O	Kyaterekera S/C	During a community dialogue	
15.	Muhumuza Ashraf	P	Buliisa District	Group skype interview 17th July 2015	
16.	Kyalisiiima Angol	Q	Buliisa District	Group skype interview 17th July 2015	

17.	Bekunda Denis	R	Buliisa District	Group skype interview 17th July 2015	
18.	Kyaligonza Madrine	S	Hoima District	19th July 2015	
19.	Kisembo Matia	U	Hoima District	19th July 2015	
20.	Ahumuza Barbra	V	Hoima District	19th July 2015	

Note

All people who have been quoted in this study were asked for permission to do so and they accepted.

Appendix 3: Showing the map of the Republic of Uganda with its major features



Source: Ministry of Energy and Mineral Development

Appendix 4: Showing the map of the study area (Albertine Graben)



Source: Ministry of Energy and Mineral Development

Appendix 5: The area MP Buyaga West, Hon. Tinkasimire Barnabas (with a mike) showing a flip chart to the locals that contains titles of the land that was acquired through grabbing.



Photo: By the Author