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To cite this article: Claire Médard & Valérie Golaz (2013) Creating dependency: land and gift-giving practices in Uganda, *Journal of Eastern African Studies*, 7:3, 549-568, DOI: [10.1080/17531055.2013.811027](https://doi.org/10.1080/17531055.2013.811027)

To link to this article: <https://doi.org/10.1080/17531055.2013.811027>



Published online: 12 Jul 2013.



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Creating dependency: land and gift-giving practices in Uganda

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President Museveni's re-election in February 2011 demonstrated once more the skills of the Ugandan leader to remain in control ever since he took over power in 1986 heading a guerrilla movement. Some of the campaign themes dealt with land and administration, others with security and the role of the armed forces in bringing back peace to the country. Museveni's populist stance in favour of squatters, in places where user rights are threatened by the progress of individual titling, came out prominently. Actual gifts and many promises of money, land, new districts as well as offers of protection were made during the campaign. These were meant to foster moral indebtedness and political support for the regime and its leader, making it difficult to break off from such an uneven relationship. This paper focuses on the double-edged politics of dependency and protection in Uganda.

Keywords: East Africa; neopatrimonialism; state; land patronage; dependency; elections; protection

Introduction

‘Here I will not give sodas, but I will say words which will allow each and every one to have sodas in his home.’¹ During the 2011 electoral campaign, Betty Nambooze, current Member of Parliament (MP) for Mukono Municipality in the greater Kampala area and a former journalist with a background in law, refused to distribute gifts for political gain and stated so openly. Often called ‘Madam Teacher’ or ‘Public Defender’, she relied on her gift as a public speaker.² A staunch Catholic, she refused to bribe voters and also to accept money from the Museveni regime. ‘I can only get money if I betray you.’³ Nambooze, the chairperson of the Buganda kingdom Central Civic Education Committee, played a major role in mobilizing the Baganda against the Land Amendment Bill 2007. Officially, the bill was passed by the Museveni regime to protect squatters in Buganda where tenancy-rights created with *mailo* land titles over a century ago are currently marginalized. His populist stance is well known.⁴ Arguing that the regime had no moral ground to intervene between landlords and tenants, Nambooze became the president’s main contradictor, was imprisoned several times,⁵ and has remained a vocal opponent ever since. Her popularity has assured her continuous support. She is one of the leaders who formed *Ssuubi* (Hope) to regroup and unite opposition leaders from the Buganda kingdom in the run-up to the 2011 elections. Her support was located

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within Buganda, in the central region, and yet what she had to say was about Uganda at large.

Highlighting the ideological acceptance of a hybrid or semi-authoritarian state,⁶ gift-giving practices were seen as an opportunity for the Museveni regime to renew, at least symbolically, its bond with an electorate. Yet the uneven nature of the relationship came out prominently in the issue of ‘protection’, stemming from the historical and current importance of the army in Uganda.⁷ Though the regime organized a conspicuous public display of force during the 2011 elections, hoping to demonstrate its legitimacy, the opposition perceived it as intimidation.

This relates to neopatrimonialism, a type of domination characterized by a duality between the state as a legal institution and personal forms of power such as patronage operating within its framework.⁸ Personalization of power, in spite of a formal separation between public and private spheres, introduces privilege and favour. Privatization of public office leads to the rule of exception, where laws might be disregarded or made to be instrumental, as demonstrated by the recent crises in legitimacy of such regimes.⁹ Such crises have led East African states to review their institutional frameworks, as illustrated by land law.

The meaning of the word ‘patrimonial’ itself reminds us of specific historical contexts, where a patrimonial relationship involved land and the acknowledgment of personal ties between patron and clients mediated through land.¹⁰ Before the colonial intrusion, patron-client relationships were shown to be an important feature of power in the Buganda kingdom, drawing our attention to the fact that access to land was first and foremost about rule.¹¹ To some extent this has remained the case to date, though in a different way, in relation to President Museveni’s personal rule.

Paradoxically, to fight the state’s neopatrimonial tendencies, Nambooze referred to the kingdom, a symbol of patrimonial power. Yet in Buganda today, the king does not rule over land, since it is the central government which manages *mailo* land titles. In her view, reference to ‘culture’ might nevertheless promote unity and mutual understanding between tenants and landlords where the central government has failed.

Land patronage in its varied forms marked post-independence politics in a number of African countries. In all cases, it implied the personal involvement of the president, the first among leaders, in regulating access to land. Land constitutes a political resource. In the Kenyan case, efforts to build a belief in the legitimacy of the successive regimes of Kenyatta and Moi were rooted in land, though the general outlook of land patronage shifted from wide base land redistributions in the early years of independence to narrow ethnic claims to land in the 1990s, leading to allocations of public land (including forests) and to state-backed land evictions.¹² Giving or promising to give created a moral obligation towards political leaders with an unwritten interest in maintaining this system of dependency. It is only by accepting the offer for protection that one might access certain resources.

Land patronage was not, in the case of Uganda, widespread redistribution of land. It was a statement in favour of the majority in Buganda, who were not the land-owners. It was also a show of support to perceived minorities in selected areas. Finally, it was political protection given to a privileged group of powerful stake-holders in government and business.

Winning the majority

Elections are winner-take-all situations for political leaders, even more so as a result of neopatrimonial domination where the economic well-being of patrons and clients are tied to the politics played.¹³ By debating issues of power and contesting the regime's language of wealth, Nambooze was exercising her right as a citizen. Interestingly, positioning herself as a subject of the *Kabaka*, the King of Buganda, and as a child of God confers upon her the moral ground to do so. Instead of political tribalism, we are dealing here with expressions of moral ethnicity and efforts to construct alternative conceptualizations of leadership and power.¹⁴

Promises aside, material gains from electoral participation remained largely symbolic and immediate. Yet the perspective of losing out by forfeiting the moral obligation to support the regime might have been even more persuasive than actual gift-giving practices. In this context, the underlying power of persuasion of 'protection' put in place by Museveni should be underlined.

Gift-giving practices

The electoral moment brings out crucial times of gift-giving and thanksgiving in politics which might be seen as public displays of wealth and power. Before the elections, in rallies, and after, in 'thanksgiving' events, all politicians threw parties with music, food and dance. Yet inequalities between the National Resistance Movement (NRM) and the opposition, in terms of means, resources and presence all over the country, were striking during the campaign. The NRM benefited from state infrastructure, and its campaign was often facilitated by local government and administration.¹⁵ They distributed gifts and tokens, in addition to promises of new laws, closer administration and development. The president was extending his protection to women, squatters, the poor, the youth and marginalized communities. There was ostentation in giving on the part of the regime and, in return, ostentatious show of support was also demanded.

In recent years, increased personalization of power, involvement and direct intervention of the president in all sectors of the political and economic life of the country, including the informal sector, was noted.¹⁶ Gift-giving practices aimed at sustaining a belief in the legitimacy of rule. Giving creates indebtedness and a moral obligation to give back.¹⁷ To some extent, gift-giving practices in their variety constitute a universal language of gift within the sphere of power.¹⁸ Within the national arena in Uganda, gift-giving practices are to be understood as part of a hierarchical system of patronage and personal rule which is placed under the moral authority of the president. To some extent they legitimate coercion. By accepting a gift – be it small or big – one becomes indebted. By refusing to enter the game, one is perceived as ungrateful, and might even become an outcast or a public enemy. This justifies the use of force.

The gift-giving strategy operated by Museveni to win the elections was meant to reach the people of Uganda as a whole.¹⁹ There was an overwhelming display of wealth and power by the presidential candidate and his campaign appeared to be the celebration of his 25 years of rule. Opposition candidates also held parties with music and dance. Some of the musicians played out of political conviction,²⁰ others played for money, and Museveni even joined in with his own rap targeting the youth. The NRM used cash for facilitation and mobilization along Museveni's campaign

routes.²¹ Gifts of all sorts made the headlines in the news in the year prior to election day. Cash was spent at all levels, from people attending rallies to MPs. Some money was meant to cover participation in campaigning activities: as such *boda boda* drivers got 20,000 Ush-worth of petrol each;²² all MPs received a bounty of 20 million Ush each given out opportunistically three months prior to the elections to enable them ‘to monitor government programs’;²³ and finally the regime spent money simply in the form of food and refreshments offered during political rallies.²⁴ It also promised cash to specific target groups in the population.²⁵ Perceived opposition strongholds were openly threatened through statements implying that the state would not provide for them if they made the wrong electoral choice:

Now when the president comes to Mukono and says ‘please don’t vote for Nambooze if you want to take sugar’! [laughs] ‘if you vote for Nambooze that means you will not take sugar for a period of 5 years!’ You know, some people get intimidated, and this Movement cash, they need that money.²⁶

During elections, issues of wealth and poverty came out in a prominent way; and the most widespread idea was that leaders were supposed to be wealthy in order to give. President Museveni campaigned on the theme of ‘Prosperity for all’, reminding us of the Gospel of prosperity and the teachings of Pentecostal churches in Uganda, purporting that to be rich is to be blessed by God. In this context, Nambooze chose to give a very different message: ‘Others say [about her]: “that one grew up here selling banana leaves.” [...] The children of the poor, the *boda boda* people [motorcycle taxis] are not cursed! What! Should they not have hope because their parents were poor?’²⁷ She has repeatedly described the way MPs might be ‘bought’ and has shown she would not be bribed into supporting the regime. ‘I am not for sale, I am a property of Buganda.’²⁸ During her entire campaign she gave strong messages of peace and made efforts to reason with those who might be tempted by violence in the face of state oppression.

By publicly announcing the strength she has found in God and proclaiming her allegiance to the King of Buganda, she had the moral resource not to feel obliged to the Museveni regime.

Promises of land

In most parts of Uganda, evictions were suspended in the run-up to the 2011 elections. To what extent did promising to protect people against evictions on private or public land, or assuring them of proper resettlement plans or compensations in cash weigh in the elections? The stakes were high for those at risk of losing land and livelihood. First we shall scrutinize the government’s open generosity towards landless people and squatters. Then we shall look at the promises tied to the Land Amendment Act 2010.

Land evictions

The only case of eviction that took place during the 2011 campaign is that of the ‘Balaalo pastoralists’,²⁹ who were forcefully chased from Buliisa in the oil-rich Lake Albert region, just before the elections. A group of about 600 families were evicted, in December 2010, the land they had settled on being declared communal land for the

Bagungu, belonging to the Bunyoro kingdom.³⁰ It was not the first time pastoralists were evicted from Buliisa. In 2007 and 2008, they had to vacate the land they were occupying by orders from the president's office,³¹ and were chased from the wider location comprising forests and parks. At the time it was rumoured that powerful people in the army and government had made it possible for the pastoralists to settle in the area in the first instance. Then their luck turned³² and they were promised alternative land nearby.³³

In 2011, following their eviction, a group of 150 pastoralists and their chairperson took the case to court. Shortly after this move, a splinter group disputed this decision and managed to replace the chairperson and take over the official leadership of the group. The new leader then claimed that the president had promised some land³⁴ on Nshara ranch in Kiruhura (the president's home district) as compensation, and that there was no need to fight the government in court. The former chairperson insisted that the new leadership was illegal and had been bribed into settling out of court. She said she would not give up the court case asking for compensation, and that those who disagreed might cross out their names from the list of complainants if they wished. The hearing was set on 17 February 2011, at Masindi High Court.³⁵ It was later on postponed and was finally arbitrated in January 2013: the state was condemned to compensate the evicted persons who were not allowed to return to the land.³⁶

Evicting the group, dividing it, manipulating its leadership in a bid to shift support and break resistance actually took place. The president did not intervene to condemn the move. Quite the contrary, he endorsed it by offering alternative land for settlement. Though the plan was also to allow them to vote in the place of their planned relocation in Kiruhura,³⁷ the promise made by the president to get alternative land for them was not fulfilled.³⁸

Tolerating settlement on government land

While campaigning, leaders have repeatedly made speeches encouraging constituents to settle in forest reserves, usually without any legal backing or follow-up. Museveni generally showed the way. This was the case in Mount Elgon in 2006 and again in 2011.³⁹ As one politician puts it, forests have been 'democratically and religiously cut down'.⁴⁰ To some extent it is viewed as suicidal for a leader not to give in to the pressure for land in view of elections. Generally when the election heat cools off, forest boundaries are enforced once more.⁴¹ This leads to the temporary occupation of forest reserves, and a stop and go policy which has disastrous effects.

In the run-up to the 2011 elections, during Museveni's visit to Rakai on the western shores of Lake Victoria, the president openly sided with squatters.⁴² In this case, people had obtained leases to reside on forest land. Evictions were first mentioned in Sango Bay in 2005.⁴³ They were postponed due to the 2006 elections.⁴⁴ At the time Museveni urged residents to vote for the incumbent NRM MP, saying he had done well to alert him about the impending evictions from the forest reserves. He said the evictions would be reviewed but people would not be allowed to settle on hill tops, although he had no problem with other areas.⁴⁵ As soon as the electoral page was turned in 2007, pending evictions were mentioned again. The issue has remained controversial up to date since politicians at district level were involved in allocating government land and officially leasing it out.⁴⁶

In 2012, following elections, a plan to restore wetlands was once more promoted by government agencies. In February 2013, government started evicting residents.⁴⁷ Discourses on environmental protection are often used to evict residents to pave the way for other investments and large-scale land grabbing.

The Land Amendment Act, 2010 and the protection of squatters

Touring the country, during the 2011 elections campaign, the president spoke about his determination to fight land evictions. When Rakai residents said they were being forced off their land, Museveni pointed out that parliament had passed the Land Amendment Act to stop unlawful eviction of tenants.⁴⁸ In Rakai, the squatter issue stemmed from the enforcement of forest boundaries on government land, and was not tied to the management of *mailo* land which the act actually dealt with. Museveni chose nevertheless to refer in his speech to the Land Amendment Act as a broad measure to protect squatter rights. The Land Amendment Bill was introduced in 2007 and finally passed in 2010; its timing was undoubtedly linked to the 2011 elections, just as the wide-scale mobilization against it organized within Buganda. This platform created an opportunity to unite people in the kingdom around their rights to land.⁴⁹ *Mailo* land, rooted in the colonial formalization of land-tenure in Buganda (the 1900 Uganda Agreement), entrenched the rights of landlords by granting titles to them, in sharp contrast with the less formalized user rights of their tenants or *bibanja*-holders (sg. *kibanja*).

The campaign against the Land Amendment Bill in Buganda was spearheaded by Nambooze. In her view, landlords were the custodians of land, just as the *Kabaka*, at the scale of the entire kingdom. She remained nevertheless critical of what she called the landlords' children who are selling off the land of Buganda. Buganda is facing a situation where eviction of tenants, especially when land is being sold to new owners, is common. The *mailo* system was understood to ensure the coexistence of the rights both of title-holders and of those with user rights. More and more the system is changing to mean exclusive access to land for the title-holder, and tenants, are increasingly described as 'squatters'. As a result of land sales and of this change to an exclusive meaning of *mailo*, *bibanja*-holders are forced to leave their land, to look for land elsewhere or accept compensation, usually a smaller plot. Even on land belonging directly to the *Kabaka*, tenants might be evicted if the land is leased for what is considered to be more profitable ventures. In the larger area of Kampala most people have realized the importance of land titles. However, they are not always in a position to cover the costs and tenants are still being evicted. This trend was taking shape before the introduction of the act and is still continuing.⁵⁰

The Land Amendment Act is concerned with a very technical aspect of the *mailo* system: the payment of *busuulu*, made by the tenant to the landlord. When the bill was being debated, the major controversy was about who was to fix the rate of *busuulu* and whether the government might, in some cases, step in. Fixing this rate, considered at the root of the *mailo* system, was seen to be a prerogative of the landlord, and its payment as a symbol of allegiance to the king. Central government was perceived as trying to take over this prerogative. To keep or negotiate a secure right to land, the *bibanja*-holders must prove they have paid *busuulu* annually and not just show receipts dating from before 1975, when Idi Amin disrupted the system. Increasingly there is a risk that landlords, in order to deny existing rights, might decide not to collect *busuulu* to erase the proof of tenancy. In some cases, some

landlords are finding an interest in leasing land instead of selling it, giving up on the former system. The major flaw of the Land Amendment Act, according to Nambooze, was seen in its ineffectiveness in protecting ‘squatters’.⁵¹

After all the effort to fight the Land Amendment Bill, seen as a threat to the Kingdom of Buganda, it was nevertheless adopted by parliament. Now, even previously staunch opponents to the bill seem to agree, at best the act was not implemented and, at worst, it even contributed to strengthen the position of the landlords. It has had a limited impact. Yet the law might be used at specific times and enforced for specific purposes, for instance in the interest of a powerful investor in Buganda. It might also be totally disregarded in a different context.

The government wanted to step in, presumably in view of protecting the tenant, but also – and this is what was resented – to take over from the landlord. This case illustrates how protecting the tenant is an issue of rule. A tenant might be legally evicted, but how might this turn out to be legitimate? Two contrasting views portray either Museveni or the *Kabaka* as the ultimate protectors of tenants, even though such protection is largely symbolic in the current context. It was pointed out that the Land Amendment Act does not seem sufficient to change the trend leading to the eviction of tenants, yet Museveni used it for campaigning. Opposition to the NRM regime in Buganda was translated into support for kingdom institutions. In the current political situation, land patronage, promises of land and temporary settlements in forests have turned access to land into an issue of personal rule once more, suggesting the president might not act as a custodian for the many.

In a bid to win the support of the majority, gift-giving practices on the part of the regime were widespread during these elections; among these featured promises of land and the protection of squatter rights. Vote electioneering was also characterized by strategies targeting selected communities and promoting specific interests. In a few cases this was done on the grounds of ethnicity, promoting perceived minorities and attacking perceived opposition strongholds. Compared with gift-giving strategies, this strategy remained less visible, yet its long-term impact should not be ignored.

Siding with minorities

Besides trying its best to win the majority, the Museveni regime also implemented different strategies to defend specific interests in land. In spite of the official stance condemning ‘sectarianism’ in Uganda, i.e. any form of religious or ethnic divide, the central government played its part in creating ethnic tensions. Deliberate strategies on the part of leaders playing an ethnic card and promoting ethnic readings of conflicts might lead to a spiral of ethnically targeted violence. Yet, portraying these conflicts as local issues with ethnic undertones is misguiding due to the centrality of politics in efforts to control land and wealth.

Strategies claiming land and resources on the basis of privilege are tied to the politics of patronage, and to the state’s effort to control and allocate resources at large. In selected regions, such as the margins of Buganda and in Bunyoro, the regime made efforts to win over the votes of perceived ethnic minorities or marginalized communities. The regime also decided to change the terms of its support to cultural leaders with the Cultural Leaders Bill. Finally, the rich were also targeted, in their capacity to invest and support the regime as demonstrated by investments in land promoted in connexion with the electoral period.

Promoting autochthony

A specific form of patronage is related to land, and has led to the growth of exclusive or autochthonous claims which are growing in Uganda. Over the years, discourses stating local belonging articulated to claims for a share in the national cake have been used by political leaders for their own gain. In the East African context, ‘autochthony’ refers to an ideology shaped by violent evictions⁵² and exclusion.⁵³ Within this arena, it is essential to underline the dynamic role of identity constructions.⁵⁴ The growth of autochthonous claims in Uganda might be compared with similar occurrences in Kenya with the central government playing its part in the promotion of local claims to land and leadership.⁵⁵ We shall start with the Banyala secessionist claim, seen as a threat to Ganda nationalism, and then turn to examine the case of the Banyoro.

Ganda nationalism and the Banyala

In Buganda, violent riots took place in September 2009.⁵⁶ These exploded after government forces prevented the king of Buganda from visiting Kayunga, in the eastern margins of the kingdom. Some of the violence which ensued in the wider Kampala area took on a xenophobic turn, and targeted non-Baganda residents, mainly people from Western Uganda, considered as President Museveni’s region of origin, labelled Banyankole or even considered as Rwandese. Though some people feared this type of violent outbreak would take place during the election year, it did not. These events, which took place much ahead of the 2011 elections, might nevertheless be considered as part of the electioneering process. Stopping the Kabaka from visiting a region most Baganda consider as part of the kingdom gave the wrong signal: the regime was backing the secessionist or autochthonous claim of the Banyala minority against the kingdom.⁵⁷ The Kayunga episode brought out an issue of disputed sovereignty over land. What might be the status of a kingdom within the larger Uganda under the rule of Museveni today? The stand-off came 16 years after the Buganda kingdom, abolished in 1966 by Obote, was officially restored. It happened at a time when the growth of opposition vote in the region was seen as a threat to the NRM regime.

The secessionist claim of the Banyala might be seen as a reaction to Buganda kingdom territorial integration. Through a centralized system of power, Buganda stands out historically as having integrated many migrants. The capital city located in Buganda has contributed to the growth of the region. In a bid to fight a perceived threat from opposition in the central region of Buganda, the regime had an interest in backing dissenting claims. Thus the claim was viewed as manipulated by the central government.

Tying identity to land and territory is a common way of uniting people. Such a strategy is generally understood to exist at the scale of a nation-state, but in Uganda as in other East African countries, it might also be found at the scale of regions or even smaller locations.

Drawing the line between integrative and exclusive forms of nationalism is somewhat elusive due to underlying strategies of territorial control and self-assertion. Yet in line with the historical role of the kingdom and its integrative force, Nambooze struck a balance: her allegiance to the king did not entail the promotion of exclusive Ganda nationalism. In sharp contrast, in the electoral context, the

exclusive Banyala claim to land and territory was used by the Museveni regime for electoral gain.

The case of Bunyoro

With the start of a new era of oil production, the previously marginalized area of Lake Albert has attracted a lot of attention. Stakes were high in the 2011 elections and the campaign was heated. Exclusive autochthonous strategies – linking land, territory and votes – became prominent. At the scale of the Bunyoro kingdom, the unifying term of ‘Banyoro’ is used to describe original inhabitants of the region as opposed to more recent migrant communities. Locally, the names of the different peoples making up the Banyoro, such as the Bagungu in Buliisa district, might also be preferred to stress the ‘indigenous’ character of a people. Though a numerical minority locally today, the idea that the Banyoro have a primary right to control land and leadership is currently promoted by an élite.

By evicting pastoralists from an area on which the Bagungu were laying a claim, the government appeared to be backing autochthony, i.e. the idea that within a country boundaries might be enforced to control internal migrations, somehow in total contradiction with the idea of a unified nation. These claims of autochthony led to state-backed evictions of ‘squatters’ in Buliisa district. Reinstating ‘communal land’ in the area vacated by ‘Balaalo’ was used by the government to take over control of the land locally.

In this same district, in the 2011 electoral context, more threats were related to the growth of the Bagungu exclusive claim to the area, though they did not lead to evictions. Leaders were accused of planning the eviction of the Alur from the district, yet they constitute 60% of the population, much more than the ‘indigenous’ Bagungu. It was not the first time that the Alur were threatened; a previous incident took place in 2004. In this instance, in the context of elections and campaigning, Alur leaders decided to appeal to President Museveni and wrote a memorandum. The president was seen as the only one in a position to handle the crisis, putting the local administration and politicians on the spot as they were seen to be part of the problem. The LC5 Chairman, Fred Lukumu, and the area woman MP Mpaire Beatrice were accused of spreading threats to persuade people to vote for leaders belonging to the ‘indigenous’ community. In sharp contrast, the local MP, Steven Mukitale Birahwa, also on an NRM ticket, was accused by them of needing the Alur vote to be re-elected.⁵⁸ Their disagreement was open, disclosing strong divisions within the main party and contrasting strategies to vow constituents. They traded accusations about efforts to ‘secure Bunyoro oil land with the help of the President’s office’.⁵⁹ During his visit to the area on campaign, the president tried to reassure voters. After the elections, tensions remained high between the Alur and the Bagungu.⁶⁰

In this case we were dealing with threats of eviction, proffered by politicians, which did not materialize. The threats related to the immediate electoral context where mobilizing voters on ethnic grounds might appear acceptable to some politicians, though officially ‘sectarianism’ is condemned in Uganda. Generally, those agitating for exclusive rights on grounds of autochthony do not constitute the majority group within a given constituency. Without additional threats, display of force and rigging the strategy might not pay off. In the case of the Alur no eviction was carried out: dealing with the local majority in such a way appeared potentially

risky. There were other ways of winning the elections. More importantly, threats also related to an effort to define or redefine access to resources locally in which the central government played an important role. High stakes in the oil region have created a scramble for land. Although settled land in the area is mainly under customary tenure, land titles were promoted in the 2000s. Land titles are still being sought today in spite of the ban placed by the government at the end of 2009 on land titling in the region,⁶¹ when titles were found not to reflect existing customary rights. Those who actually stand to lose their livelihoods by evictions for the oil development generally do not possess titles, and as such are not in a position to claim for compensation. Those who have acquired titles are generally powerful intermediaries looking for quick profits. Legal provisions to protect user rights and customary tenure were not properly enforced leading to more ethnic readings of conflicts.

In October 2011, the land reclaimed from the ‘Balaalo pastoralists’ in Buliisa in the name of protecting the rights of the Bagungu was handed over to the district land board. This was presented as a proof of the administration’s goodwill, and also a proof that the land would not be returned to the pastoralists.⁶² The district land board was in a position to reallocate it. Local residents have contested the move claiming existing rights to land were disregarded.⁶³ According to the administration, claims by previous occupants will be considered as long as they can show titles. Yet with land owned customarily and no titles available, this clause might make it impossible to reclaim the land for the local Bagungu, with powerful actors in a better position to bid for the land. The issue of control over transactions by the land board appears in itself problematic: LC5 Chairman Fred Lukumu himself was accused of illegally selling land to a private investor. Apparently the district chairman and his deputy now fully control the district executive committee.⁶⁴

Leaders from Bunyoro, including kingdom officials, wrote a memorandum to ask for the handing over of their land to the government: Museveni was seen as the only recourse to protect their land from district level interference. Yet this move was controversial.⁶⁵ Powerful interests within central government would be in a position to influence the outcome of land allocations. Blocking these might prove to be even more difficult than countering the action of local authorities.

With the eviction of pastoralists from Buliisa, the government was claiming to protect communal Bagungu land. Conflicts between those claiming to be the first-comers and those portrayed as ‘recent’ migrants were placed in the limelight, hiding actual land-grabbing taking place with the knowledge of powerful government officials. Yet power struggles and dynamic relationships between different powers within the state called for the personal intervention of the president. By playing the card of autochthony, short term electoral gains were sought. Was playing the tune of autochthony sufficient to create ethnic support to candidates and to encourage block vote? *In fine*, the Bagungu might feel that the government was listening to them. The Alur might have voted to support the regime out of fear of losing their land, believing in the president’s role as a mediator. The Balaalo were sacrificed.

The Cultural Leaders Bill

In addition to the selective backing of land claims, another strategy was laid out by Museveni’s regime to build its local support around the official recognition of traditional leaders.

After the Land Amendment Bill battle, the second battle in Buganda during the run-up to elections was about the Cultural Leaders Bill. Introduced in December 2009, the government managed to push it through just before elections,⁶⁶ though it was widely debated, especially in Buganda. According to the NRM regime, it aimed at promoting cultural leaders. According to opposition MPs, in Buganda, the bill was on the contrary targeting the *Kabaka*, in an effort to limit his role and to restrain him from playing a political role.

The bill was concerned with all cultural leaders in Uganda, but in the case of the Buganda kingdom, it was seen as a law to bring the position of king under the central government.⁶⁷ In a way, Museveni was just reminding the king of Buganda that he was the one who brought him back to his throne in 1993. Now the bill offered to make the position an elective one and in case of disagreements to allow cultural leaders to take turns and to allocate the position according to districts.⁶⁸ The discussion of the bill was also a reflection on the creation of new districts seen as territorial strategy to gain votes and divide the kingdom.

On 4th [February] he [Museveni] is coming to Nakifuma to give them a district. He was in Mubende and told them I have given you a district [...] even Mityana was cut out from ours! When NRM gets a third Mukono, Mukono will become a kingdom where Mutebi [the *Kabaka*] does not come.⁶⁹

The Cultural Leaders Bill was likely to create new traditional leaders. Just as the Land Bill before, it was seen as a threat to the kingdom's territorial integrity and the king's sovereignty.

This bill was promoted at a time when Buganda might be seen as an opposition stronghold, in an effort to restrict traditional leaders' role to the cultural sphere. Nambooze's reaction in defence of the Kingdom of Buganda does not point to a narrow view of a citizenship but rather to a wider issue of alternative rule. 'The cultural bill is against the constitution.'⁷⁰ The creation of new districts (and constituencies) and the selective backing of traditional leaders point at gerrymandering and a territorial strategy, on the part of the regime, to gain votes by encouraging parochial claims.

Just as in the case of Kayunga district, which was carved out of Mukono district in 2000 using the boundaries of the Ganda province of Bugerere, new administrative divisions were created for administrative convenience in other parts of the country echoing territorial claims voiced by local communities. It is the case in Kibaale district in Bunyoro, where the planned creation of new counties falls into this category,⁷¹ but also in Eastern Uganda in Tororo, where the carving out of a new district was openly planned along ethnic lines in 2009, or in Budaka District, which was created 'primarily for the Bagwere'.⁷² According to Green, the creation of new districts was politicized along the lines of ethnicity.⁷³

In a number of cases, decentralization reflects varied autochthonous claims. The Cultural Leaders Act was finally passed at the eve of elections, and contributed to this trend, though the new piece of legislation was aimed precisely at depoliticizing traditional leadership. At the eve of elections, the regime was threatening, symbolically, to bring Buganda under the yoke of central government in its efforts to redefine the balance of power. Museveni was undermining the authority of the *Kabaka* while, at the same time, strengthening the power of selected community leaders.

A shift from a land fund for the poor to a land bank for the rich

In his search for political legitimacy, Museveni was seen to back local aspirations for land and leadership. He was also heard as a strong promoter of development, ready to fight for the interests of investors in the country and facilitate their bid for land. Though in the 1998 Land Law, provisions were made to legalize user-rights and customary tenure (perhaps to the exclusion of rights acquired on forest land). In actual sense, these rights have not been consolidated. The creation of a Land Fund⁷⁴ was planned to enable tenants to acquire full ownership of the land they cultivated. When in the context of 2011, President Museveni talked about the creation of a Land Bank, it was with a slightly different meaning since its first aim was to help investors acquire land and the second to compensate those holding user rights: ‘I have instructed Uganda Investment Authority to slowly keep buying land in order to create a Land Bank.’⁷⁵ In 2007 and again in 2011, President Museveni talked about giving out Mabira forest to the Mehta group for sugar cane planting.⁷⁶ In both occurrences, strong voices came up against the proposed deal on environmental grounds but also on the grounds of autochthony or nationalism (Mabira forest being claimed both as Ugandan and Ganda Heritage).⁷⁷ They pointed at the privileged ties between Indian investors and the government.⁷⁸

In the 1980s, when reinstating Mabira forest boundaries, local people growing crops were evicted. Why favour large-scale investors?⁷⁹ In fact, rumours have spread that Mehta may well have financially contributed to the NRM campaign both in 2006 and 2011.⁸⁰ According to an International Institute for Environment and Development (IIED) report, Mehta would have locked the government ‘into deals that require huge compensation to be paid if the government pulls out of them’.⁸¹

In 2011, as a counter strategy, alternative land was offered for the extension of Mehta sugar cane plantation.⁸² In spite of this, the government insisted to go ahead with its initial plans of disposing of Mabira’s ‘free land’: forest land was seen as free of user-rights and the government was prepared to give it out at no fee to an investor⁸³ for development purposes. ‘Why, then, use forest lands? This is because there is no free land. Much of the land is occupied by peasants who are engaged in subsistence farming. Both physically and legally we cannot access this land.’⁸⁴ As government land, national forests reserves are viewed as easily accessible for state backed projects. It is legal to evict squatters on forest land without the need to consider compensation. Privatizing customary or public land has become an easy way to make money. In the case of customary land, the trick is to create a title for land (disregarding or compensating those with customary tenure) where none exists and to introduce formal ownership of land. Whether the planned development takes place or not creating a title is enough to add potential value, to borrow money from banks, and eventually to sell the land on the market. Such land generally does not revert to the local communities or to forest.⁸⁵

Apart from the threat on Mabira forest, other examples of large scale land deals were found in recent years in Uganda, many located in Northern Uganda such as the Amuru case,⁸⁶ some of which directly encouraged by the president in a bid for development. Unchecked land-grabbing, for the benefit of powerful people in the regime, has been taking place on *mailo* land as well as on government land.⁸⁷ The term ‘land-grabbing’ was chosen here to remind us of user-rights and to place evictions in the light of issues of governance. It can apply to large scale estates as well as to smaller ones, as in the case of Rakai, where Water Minister, Maria Mutagamba,

the local MP and other local politicians, are said to be blocking the attempt by government environment agencies to reclaim wetlands which have been grabbed by influential people, including her.⁸⁸

Their status as protected areas is not sufficient to shield forests and wetlands from encroachment and from neopatrimonial dynamics presiding over land-grabbing. These dynamics have an impact on the articulation between different scales of power from top to bottom. They underline contradictions within the state itself – between levels of power, between elected leaders and the administration, between local administration and ministries. In spite of all the legal backing to ensure environmental protection, the role of narrow political interests was stressed in the case of Rakai district administration in allocating leases on forest land, and resisting central government policy-led evictions after the status quo of the 2011 elections. Squatters might be evicted in the name of environmental policies, yet eviction of local residents might also serve a different purpose in the long run such as the introduction of large scale investments.⁸⁹

Control over land and resources is tied to the politics of patronage in Uganda. Contrasting forms of land patronage have appeared. They are characterized both by the growth of exclusive or autochthonous claims and also by privileged access to land based on promises of investments. ‘Choose prosperity not tribalism’,⁹⁰ said Museveni during his campaign in Mubende, in Buganda, stressing there was no room for ‘sectarianism’ in Uganda. Yet state-backed autochthonous claims relate to tribalism. Why would tribalism be condemned in some cases and promoted in others? Buganda nationalism, widely perceived as promoting opposition to Museveni’s regime, is portrayed as sectarianism. Yet Banyala or Bagungu autochthonous claims are classified as legitimate aspirations against perceived domination and marginalization. The belief in prosperity for all⁹¹ reflected in the president’s speeches contrasts sharply with actual evictions in line with both state backed autochthonous claims and private investments in land. After having pulled Uganda out of major crises which have characterized its history, attributed at different times to tribalism, religious wars and dictatorship, the regime is now taking a slightly different direction.

Conclusion

Territorial issues bring out specific local and national power stakes, and how these relate within a shifting game of alliances and local political support. Two strong ideological cards were played in the electoral context by Museveni, leading the NRM: the promotion of local ‘minorities’ and also the defence of ‘squatters’, a very sensitive issue considering the specific heritage of *mailo* land.

Was majority support to Museveni’s regime gained through gift-giving practices and land promises? What was observed over time, influencing the outcome of the vote, was called in this paper the politics of dependency and protection. This led to temporarily giving out public land (forest land or any other), whether legally or not, or promising land without making any follow-up action, and repeating the process at each election. In such a configuration, access to land is guaranteed through political protection only, entailing cases of violent evictions affecting legal rights to land. Pushed to its limit, one cannot access new land without political backing, and even established rights on land become threatened. Within this framework, looking for a permanent solution to guarantee access to land for the majority cannot be a priority.

Land becomes an issue of prerogative, allowing the president to intervene and look into land matters personally.

Gifts actually remained counted and land was not widely redistributed in relation to elections. Promises of protection were made, though no lasting solutions for a land crisis were found. To compensate for this inadequacy, symbolic trade-off and in some cases ideological capture, illustrated by the growth of autochthony, became critical. In spite of a widespread belief in the importance of giving as a means of creating a bond, the language of gift was misused and abused.

Though the value of electoral promises generally remains limited, discourses promoting selective territorial claims, introducing local privileges in a national context by backing autochthonous claims, favouring limited categories of people, and disregarding environmental concerns for instance by allocating forest land – all for short-term political gain – have far fetching consequences. Such a game has played a role in the growth of ‘autochthony’ which, in the Banyala and Bagungu cases, were backed by the regime.

In this context, very few had the strength to refuse either to enter this relationship or to break off from it. In Buganda, Nambooze was one of the voices against such widespread political bribing, with reference to another set of obligations. Though largely symbolic, her allegiance to the king offered an alternative vision of power.

Acknowledgements

The authors acknowledge the funding from the Deepening Democracy Programme (DDP) in Kampala and the support of the French Institute for Research in Africa (IFRA) in Nairobi, as well as the insightful comments of reviewers.

Notes

1. Betty Nambooze at the Mukono rally, February 2, 2011.
2. The name ‘Madam Teacher’ originates from radio talk-shows; Brisset-Foucault, “‘Polis academy.’”
3. Nambooze at the Mukono rally, February 2, 2011.
4. Carbone, *‘Populism’ Visits Africa*, p. 7.
5. Lumu, “Nambooze Pushes for Muganda President”; Kato, “Nambooze Rides on Her Tongue to Parliament.”
6. Tripp, *Museveni’s Uganda*.
7. Perrot, “Entrepreneurs de l’insécurité,” p. 71.
8. On the concept of neopatrimonialism, see Bach and Gazibo, *Neopatrimonialism in Africa*; and Darbon, *Le comparatisme*.
9. Rubongoya, *Regime Hegemony*.
10. Bruhns, “Weber’s Patrimonial Domination,” p. 13.
11. Médard, *Le royaume du Buganda*; Hanson, *Landed Obligation*.
12. Kanyinga, “Re-Distribution from Above”; Klopp, “Electoral Despotism in Kenya”; Klopp, “Deforestation and Democratization”; Médard, “Territoires de l’ethnicité”; Médard, “Key Issues.”
13. Klopp, “Electoral Despotism in Kenya.”
14. Lonsdale, “Moral Economy of Mau Mau”; Klopp, “Can Moral Ethnicity Trump Political Tribalism?”
15. Kiva, “NRM Village Campaign Teams Reject Cash.”
16. Carbone, *‘Populism’ Visits Africa*; Goodfellow and Titeca, “Presidential Intervention.”
17. Mauss, *Essai sur le don*.
18. Sahlins, *Stone Age Economics*.
19. Gyezaho, “Museveni Spells Out 13-Point Manifesto.”

20. Such as William Kibuuka singing in praise of Buganda kingdom at opposition rallies.
21. Batre, "Museveni Cash Divides Vurra NRM Leaders"; Sserunjogi, "One Year After the Elections"; Asimwe, "Museveni Reveals Strategy in Buganda."
22. Bindhe, "Museveni Campaign Funds Boost Business in Masaka."
23. Mubiri, "CSOs Irked by Court Ruling."
24. Kiva, "Opposition Candidates Find Solace"; Odongtho, "Museveni Winds Campaigns at Kololo Airstrip."
25. Luwaga, "Museveni Cash Sparks off Confusion."
26. Interview with Nambooze, Mukono, February 7, 2011; Musoke, "Do Not Vote Nambooze."
27. Nambooze at the Mukono rally, February 2, 2011.
28. Ibid.
29. The term '*Balaalo*' is widely used in Uganda to describe pastoralists who have settled in different parts of the country; Akweteireho, "Buliisa MP Injured in Land Clashes."
30. Kivabulaya, "Pastoralist Vow"; Kivabulaya, "Controversy Surrounds Ownership."
31. Akweteireho, "Buliisa MP Injured in Land Clashes."
32. Odongtho, "Buliisa MP Wants RDC Removed."
33. Akweteireho, "UPDF Evicts Balaalo"; Akweteireho, "Anti-Riot Deployed."
34. Kivabulaya, "Evicted Buliisa Pastoralists."
35. Kivabulaya, "Pastoralist Vow."
36. Kivabulaya, "Buliisa Pastoralists' Case Pushed to Next Week"; Mugerwa, "Balaalo Victory in Court."
37. Muzoora, "Pastoralists Divided Over Eviction Case."
38. Muzoora, "Wrangles Jeopardise Balaalo Relocation."
39. Kolyanghaa, "Residents Invade Mt. Elgon"; Odongtho, "Mt. Elgon Encroachers to Leave"; Mafabi, "Museveni Wants Part of Mt. Elgon Park."
40. Tenywa, "Uganda's Forest Cover Dwindling."
41. Matter, "Clashing Claims."
42. Mwesigye, "Museveni Vows to Settle."
43. Kaaya, "NFA to Evict 80,000 Families"; Médard and Golaz, "Utopies à Rakai."
44. Bindhe, "Rakai Pastoralists Threaten to Sue."
45. Mambule and Ssejjoba, "Museveni Okays Establishment of Free Trade Zone."
46. Bbaale, "Rakai Residents Refuse to Leave."
47. Agencies, "800 Pastoralists Displaced."
48. 'An Act to amend the Land Act to enhance the security of occupancy of lawful and *bona fide* occupants on registered land'; Republic of Uganda, "Land Amendment Act, 2010", p. 2.
49. Gay, "Hégémonie politique."
50. Golaz and Médard, "Titres de propriété et insécurité foncière."
51. Interview with Nambooze, Mukono, February 7, 2011.
52. Médard, "Key Issues."
53. Chauveau, "Question foncière et construction nationale"; Geschiere, *Perils of Belonging*.
54. Kasfir, "Explaining Ethnic Political Participation."
55. Médard, "'Indigenous' Land Claims in Kenya"; Lynch, *I Say To You*.
56. Baral and Brisset-Foucault, "Les émeutes de septembre 2009."
57. The Banyala are a non-Ganda minority group; Nakayi, *Decentralization and the Situation*.
58. Kivabulaya, "Tribal Politics Take Center Stage."
59. Odongtho, "Buliisa LC 5 Boss, Woman MP."
60. Kivabulaya, "Police on High Alert."
61. Mugerwa, "Bunyoro Rejects Ban"; Basiime, "Ban on Bunyoro Land Titles."
62. Kivabulaya, "Buliisa District Land Board Takes Over."
63. Kivabulaya, "Controversy Surrounds Ownership."
64. Akweteireho, "Buliisa LC5 Chairman Sacks the Only Woman."
65. Akweteireho, "Buliisa LC3 Boss Released."
66. Gyezaho, "Uganda Cultural Leaders Bill"; *New Vision*, "Parliament Passes Cultural Leaders' Bill"; Republic of Uganda, "Institution of Traditional or Cultural Leaders Act, 2011."
67. Bareebe and Naturinda. "Kabaka Summons Lukiko Over Bill."

68. Mugerwa, "Buganda Explains Why It Opposes."
69. Nambooze at the Mukono rally, February 2, 2011.
70. Ibid.
71. Ssekika, "Bunyoro Kingdom Rejects New Counties."
72. Katureebe and Njoroge. "Museveni Districts Breeding Tribal Wars?"
73. Green, "Patronage, District Creation, and Reform", p. 437.
74. The Land Act 1998 created the Land Fund; Muganbwa, *Source Book of Uganda's Land Law*, p. 62.
75. Museveni, "Why I support Mabira Forest Give-Away."
76. Njoroge, "Billions Pumped into Loss-Making Scoul"; Miti and Kasozi. "Mabira Must Go."
77. Nalugo, "MPs Dare Museveni on Mabira Forest."
78. Wanambwa, "Museveni Does Not Listen Anymore."
79. Kafeero, "Why Favour Foreigners Over Locals."
80. Lumu, "How Museveni's Call to Mama Mabira"; Habati, "Museveni Shouldn't Be Mehta's Spokesman."
81. Mayers, "Forest Protest Ends in Teargas and Death."
82. Njoroge, "Kabaka Again Offers Land"; Bindhe, "Sango Bay Investor Offers Land."
83. Kaaya, "Save Mabira."
84. Museveni, "Why I support Mabira Forest Give-Away."
85. Duvail *et al.*, "Les stratégies des communautés locales."
86. Lucima, "Why Is Amuru Land Itching the President?"; Eriku, "Government Apologises Over Amuru Land"; also Sjögren, "Uganda: Land Disputes."
87. Zeemeijer, "Who Gets What, When and How?"
88. Bindhe, "Official: Rakai Politicians Frustrating Eviction."
89. Médard and Golaz, "Utopies à Rakai."
90. SMSMedia, "Choose Prosperity Not Tribalism."
91. Mufumba, "Prosperity for All."

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