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Local politics of land and the restructuring of rice farming areas

A comparative study of Tanzania and Uganda

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Local politics of land and the restructuring of rice farming areas: a comparative study of Tanzania and Uganda

Elisa Greco

Abstract. The paper presents a selection of empirical findings on land property in two rice farming areas, located in wetland ecosystems in Tanzania and Uganda. It connects a comparative appraisal of the different land policies and land law reforms in the two countries to an empirical examination of the politics of land at the local level. The consequences of large scale land transfers – and plans for transfers - on local land politics and on local structures of land properties are documented, leading on to a discussion of the empirical findings on the processes of land titling and formalisation of property rights and their reception in the rural societies affected by them. Valuation of land in rice farming areas is linked to the increase of large scale land transfers. The paper presents five conclusive points on the politics of land in Tanzania and Uganda, tracing connections between land dispossession and valuation processes.

Keywords: land politics, land policies, Tanzania, Uganda, large farms

List of acronyms

CRO – Customary Right of Occupancy
KOA - Kibimba Outgrowers Association
KOTACO – Korea/Tanzania Joint Agricultural Company
KPL – Kilombero Plantation Ltd.
LC1 – Local Council 1, first tier of the Ugandan local government structure.
NAADS – National Agricultural Advisory Services, Uganda.
NEMA - National Environmental Management Authority, Uganda.
NRM – National Resistance Movement
PAPs – Project Affected People
PPP – Public – Private Partnership
RUBADA – Rufiji Basin Development Authority, Tanzania.
SAGCOT – Southern Agricultural Growth Corridor of Tanzania.
VLUP – Village Land Use Plan

Introduction

This paper presents a selection of empirical findings resulting from the first phase of an ongoing study of value and the restructuring of rice farming areas in East Africa. This is the first of three essays, covering respectively land, labour and capital in the restructuring of rice farming in the region. By focusing on land dispossession through cases of land grabs, it explores the connection between value, rent and valuation processes like land surveys, land titling, geo-spatial positioning techniques and valuations of assets in resettlement plans. These valuation processes provide the technical tools for land grabs to happen, and for agri-business restructuring of farming in Africa. This work is a first necessary step towards investigating

> "theoretically the *why* of valuation, that is, what causes valuation to be done in a particular way and with what effects on whom… why valuation is happening in the way that the empirical data is tending to suggest, which is to create commodities with prices in a whole range of frontiers where objects and subjects were previously unpriced (although not necessarily unvalued). To explain this requires that we understand a bigger value system, that of global capitalism, in relation to, and as providing the conditioning context for, our discrete sites of valuation." (Fredriksen et al 2014: 3)

Valuation processes are not solely autonomous practices with a distinctive meaning; they are best understood in connection with the operation of the law of value. I have argued elsewhere that they perform an ideological function in that they render capitalist abstract value visible and make it appear as the dominant form of value (Greco 2015a). This is the final step in the process of subjugation of incommensurable, qualitatively diverse use values to the capitalist law of value. In an earlier working paper in this series, I underlined that the relevance of valuation processes to land commodification lie in their ability to naturalise and legitimise the institution of rent:

> "The specificity of land among the rest of natural resources is that land represents not only the precondition and the condition for production of everything else, but the spatial condition of organic and inorganic existence…the creation of private property in land is the act of exclusion *par excellence*, as it presupposes and embodies at once the power of excluding a group of people from a portion of the terrestrial globe. This group of people is prevented from using a portion of the globe for their survival and this exclusion is sanctioned through the legal institution of private property and the arrangements attached to it." (Greco 2015a: 23)

This paper thus explores the connections among the law of value, the restructuring of rice farming areas in East Africa and the processes of valuation. It aims at laying the foundations for a deeper exploration of the broader impacts of the law of value – which is determining the restructuring of rice farming areas in East Africa - on structures of land ownership, rent and labour regimes. The demarcation of land/labour issues is an analytical, and not just an empirical activity: primary research on ongoing struggles

suggests that the two are closely interconnected. By focusing here on the aspect of land ownership structures, I defer to the next working paper the task of analysing labour regimes, for which more empirical data is needed.

The methodology employed is dense ethnography of selected localities – a combination of in–depth interviews, participant observation and local archival research. This kind of inter-disciplinary analysis, which takes a historical approach, has proved fruitful in comparative political economic studies applied to agrarian change (Harris-White et al. 2010).

The qualitative part of the primary research, on which the paper is based, deployed three kinds of sources. The first source is 59 semi-structured interviews with district, ward and village officers, land officers, rice traders, large commercial farmers, small and middle-sized rice farmers, casual farm workers and supervisors. These were carried out and recorded in five villages near Kibimba – a large rice farm in Bugiri district, Busoga region, Southeast Uganda; and three villages near Mngeta – a large rice farm in Kilombero district, Morogoro region, central Tanzania. The second source was participant observation of rice farming and trading, based on a month's residence with a village family in Kilombero and one month of engagement through weekly visits in Bugiri district. The third source is village, ward, district and ministerial archival documents, accessed thanks to the collaboration and kindness of local authorities. I accessed and digitised a total of 441 files from Kilombero and 266 files from Bugiri. The paper draws further detail from the correspondence and minutes from meetings between local and central government on a vast array of issues relating to land property in the study area.

The driving question of this section is to address the local consequences of flows of value which underlie the restructuring of rice farming areas. What happens to local systems of property and production when a large scale farm is established? First, do the legal and institutional bases of land transfers influence the land politics which make land grabs possible? Second, to what extent are land surveys and land titling accepted – or contested – by the local population? Third, what are the consequences of land grabs on local land property at the village and district level – what happens to local land property when the local population is dispossessed of a considerable amount of land?

The paper is structured as follows. The first section briefly delineates the contours of the restructuring of rice farming areas in East Africa. The second offers a comparative appraisal of the different land policies pursued and the justifications offered for them in Uganda and Tanzania. The third and fourth sections document the local politics of land respectively in the Tanzanian and Ugandan cases, by presenting empirical evidence on the politics of land in wetland ecosystems. Here the privatisation of large scale rice farms is inserted in the wider process of restructuring of rice farming areas in East Africa and evidence is offered on the consequences of large scale land transfers – and plans of transfers – on the local land politics and on local patterns of land ownership, by

considering the role of valuation processes connected to land titling and formalisation of property rights and their reception in the rural societies affected by them. The fifth section offers a comparative interpretation of the findings and concludes.

1. The restructuring of rice farming areas in East Africa

The surge of corporate interest in rice producing areas in East Africa is one of the many responses to rising domestic demand for rice in the region and to a broader, rapidly changing scenario engendered by the global food price hikes after 2007/8. The general process under study is the restructuring of global value relations in food production (Araghi 2003) emerging from the 2007/8 global financial crisis, which has taken the form of a restructuring based on the financialisation of farmland. This restructuring is related to a myriad of specific processes – such as the opening up of new geographical settings, previously marginal to the production of (abstract) value, or the marginalisation of previously core areas as new ones emerge. In East Africa, corporate interest in irrigated farming areas has been mediated by public policies and governmental agencies through public-private partnerships (PPPs), where corporations act together with multilateral development organisations and state agencies at the different levels (EUCORD 2012).

This restructuring of rice production is characterised by three broad trends. The first concerns the promotion of high-yield seed varieties, usually associated with technological packages composed of specific fertilizers and pesticides to sustain yields, on the model of the "green revolution". Among these, the case of Nerica seeds in Uganda stands out as an example of a remarkably rapid expansion of upland dry rice farming in regions where rice was previously not a common crop. Recent evidence pointed to the negative consequences of this rice boom on family labour, because the burden of work hours for this labour intensive crop is borne by the unpaid labour of women and children (Lodin et al. 2012). The second trend concerns the establishment of large irrigated rice farms, typically close to or within wetland ecosystems or water-abundant areas (Nakano et al. 2013). The third trend is based on a mixed model, where the establishment of large, mechanised rice farms has the primary purpose of servicing a large number of nearby small farmers, selling their rice to the main farm through a set of variable agreements, which can go from pure contract farming schemes to looser sale agreements on a seasonal basis. The underlying rationale is that small rice farmers can be as productive as large scale farms. Thus contract farming looks like a promising option, as small farmers can access new technologies – improved seeds, fertilizers, pesticides and possibly machines – while retaining control over land, avoiding the dispossession implied in the second model. Several plans for large rice farms have been established, many others encountered local resistance and had to be abandoned; but change is in full swing.

In the context of these trends, the recent commitment of the East African Community to increase domestic rice production has met with corporate interest from leading world agribusinesses, and locations have been selected on the basis of proximity to large scale rice farms. Both study areas present complex agroecological systems connected to wetland ecosystems, with considerable levels of conflict between pastoral and farming production and environmental conservation. The research approach behind this paper addresses the question of how rice production in East Africa is being constituted within global value relations, as the politics of land in rice farming areas are triggered by increasing commercial pressures. Under this light, the consequences of changing global value relations are most likely to impact not only on land property, but also labour regimes and labour relations.

2. A comparative sketch of land laws and local governments in Tanzania and Uganda

Both in Tanzania and Uganda, the land laws were reformed in the late 1990s. While Uganda took a regionalist strategy with specific sections for the different land questions in the different kingdoms, Tanzania adopted a sweeping national framework (McAuslan 2013: Shivji 1999a). Both countries were acclaimed in land tenure studies as positive exceptions in Africa, as the new legislations dispensed with the colonially inherited dualism between customary and statutory land rights, by establishing procedures to recognise customary rights on the same level of statutory rights (Alden Wily 2011).

Land tenure studies often assume that land politics determine land law and their reform; on the basis of this assumption, the focus goes on land laws, with the result that land politics are seldom analysed per se and become an analytical blind spot. I argue that there can be substantial divergences between the land laws of a country – often influenced by the donors' community, the specific political conjuncture at the political centre – and the land politics, especially at the local level. These divergences, as our two cases will show, are often missed out in land tenure studies, which too often assimilate land law reforms and legal innovations to political and social change. In Uganda, the land debate is connected to the wider political issue of the balance of powers between central and regional governments and of historical and political collective claims by competing political identities, in a complex intersection of ethnic, class and community interests which presents important regional varieties. While such a complex topic cannot be covered here (see Mamdani 1983; 1987; Greene 2006), it is important to mention that the politics of land law reform in Uganda was closely connected to wider discussions about the powers of the president and the role of the central government *vis-à-vis* the kingdoms, in a context of a perceived land grab by Ugandans from the Western regions into the

central, eastern and northern regions (Tripp 2010). The approval of the Land Act in 1998 did not solve the many controversies on the multifarious land questions in the country. Its provisions were never fully put into effect (Hunt 2004) and the debate on land law reforms continued throughout the years 2000s. The issue of the legal status of tenants in Buganda proved to be particularly contentious, with the main controversies raging about the balance of power between the political centre and the kingdoms. These controversies resulted in prolonged political debates about the Land Amendment Bill, approved in 2009 (Tripp 2010:124) and the new national land policy, eventually approved after a long discussion in 2013 and whose outcomes are still to be assessed.

In contrast, in Tanzania the land policy passed in 1995 (URT 1995) and the land laws of 1999 (URT 1999) became operational in 2001 and, apart from some amendments (URT 2003) and regulations required by commercial banks to strengthen provisions on foreclosure and mortgages, they have not been substantially altered. Although we cannot discuss these laws in full here (but see Shivji 1999a; 1999b; 1999c; Sundet1997; Sundet 2005), the key aspects of their implementation relate to village land politics. The land laws established a new juridical category of 'village land' in Tanzania, distinct and separate from public land and reserved land (URT 1999). The village assembly has legal jurisdiction over village land and can veto decisions regarding transfers of village land to an investor – which turns the land from village to public land.

In comparative perspective, the two countries have approved relatively similar land laws, as in Uganda village leaders – LC1s – also have jurisdiction over land. Thus in both countries, the land laws provide for the issuing of customary land titles at the local level, but there is little evidence of progress in the programme of land titling. As for the arbitration of land disputes, the Ugandan 1998 Act established land committees at the parish level, but these have a purely advisory role (LA 1998, sec. 64), while its Tanzanian counterpart – the Ward Land Tribunal – is a court with full legal jurisdiction, more accessible to the majority of the population.

However, on a day to day basis, in Uganda the laws are not enforced and the President uses the ample discretionary powers provided by the law to interfere on decisions over land transfers. This is conditioned by the legacy of authoritarian and centralised rule in Uganda. Indeed, another notable comparative element in this study is that the ideological and political legacies of the two countries have differing influences on land politics. Thus in Tanzania, past socialist politics led to a generalised rhetorical and ideological condemnation of private property. The reformed land laws, enacted in 1999 (URT 1999) have both institutionalised the jurisdiction of village administrations over land and centralised the system, leaving ample discretionary powers with the Ministry of Lands – especially the Commissioner for Lands. According to the land laws, any land transfer

above 250 hectares[1] from village land must have double approval, both from the Commissioner and from the village assembly (*Village Land Act, part III, 6 (a)*) and the land is transferred from the legal category of 'village land' to that of 'public land'. Below these land sizes, village administrations have full jurisdiction over small and middle-sized plots and can establish upper ceilings for individual allocations.

Therefore the land law defined 250 hectares as a scale large enough to warrant public scrutiny. Yet it has been documented that land concentration through de facto land markets is an ongoing trend (Greco 2015a) and that there are multiple ways to circumvent the law which would in principle put in place these checks and balances to counter the process. For example, in the study area, village administrations had set maximum ceilings for village land allocations at 20 hectares per person; yet bogus allocations to next of kin were common. One of the interviewees (MC/8) had control over a total of 44 hectares, all allocated by the village council on village land; of these, 16 hectares were on his name and 28 ha. on his brother's and another next of kin's names. He was acting as supervisor for the 28 ha. on behalf of his brother who, together with his son, did not reside in the village and only came twice a year to negotiate over rice sales. Thus it is one thing to acknowledge the progressive role of a land law which puts checks and balances on the process of land concentration; and quite another to acknowledge the concrete occurrences on the *de facto* land market, mediated through the politics of land in a context of accelerating land concentration driven by class dynamics, primitive accumulation and accelerating social differentiation. Although in the short term this process of land concentration hardly ever results in transfers from village to public land, on the long term it is not excluded that this could become a trend.

Historically, the transfer from village to public land is hardly ever reversible (URT 1994) and it is unlikely that village land, once transferred and made public land, will return to the jurisdiction of the village. Ample evidence of this feature of the politics of land in Tanzania has been collected by the Presidential Commission of Enquiry on the Land Question (URT 1994). On state farms – especially but not exclusively during their privatisation – local residents put a lot of political pressures to bear in ensuring that the land be re-transferred to the villages. Later research on collective land claims on sisal plantations in Tanga region confirmed that transfer of land back to the villages is unlikely to happen even when local politicians use the land question to rally consensus (Greco 2015b; Greco, forthcoming). Amidst dozens of cases, only in one case - the cause celebre of Hanang Wheat Farms - has re-transfer occurred (Chachage and Mbunda 2009). This historical trend of state supremacy over land, once transferred to the "public land" category, is reinforced by neoliberal policies of support to FDI, as the ad hoc centre for

[1] Most of the data collected in Tanzania and Uganda use the acre, rather than the hectare, as a measurement standard for land; respondents in the Ugandan site in Bugiri district use a micro-unit – the ehatala/khatala – which roughly corresponds to 1/35 of hectare. All measurements were converted into hectares to increase readability.

investors – the Tanzania Investment Centre (TIC) – has a role in managing land titles in in-between times when there is no investment on the farmland; this legal jurisdiction prevents local residents from laying claims to obtain the re-transfer of the land back to village land. As the law still recognises the state as the ultimate authority over all the land in Tanzania, it has been observed that the land laws make it "relatively easy for the state to claim lands within the Village Land sector which are not actively used." (Alden Wily 2012: 767). This sanctions the wider trend of land concentration and dispossession through privatisation of village land - which have been regarded as commons (Alden Wily 2011). It is at this stage that land grabs happen, amongst local residents' (mis)perception that, through political negotiations, it will be relatively easy for them to claim the transferred land back for the village, in the future. Many historical land cases testify to the contrary. In particular, the state retains control over expropriated land even when investors abandon the project, as illustrated by historical land cases like the one in Loliondo (URT 1994), Ngorongoro (Shivji and Kapinga 1998) and more recent cases like in Rufiji districts (Havnevik et al. 2011; Mwami and Kamata 2011). Yet the safeguard of inclusive political institutions at the local level creates permanent political struggles against the dominance of executive power, and the land laws, if anything, reinforced this contradiction. The assemblies are an institutional mechanism inscribed in the constitution and are strongly institutionalised (and bureaucratised!): they meet regularly every three months, there is note-taking and record–keeping and the large majority of the population is aware of the rules governing the meetings.

In contrast, in Uganda this kind of institutionalisation is absent below the sub-county level, notwithstanding the fact that in 1986 the NRM Resistance Councils were transformed into Local Councils organised on five levels, LC1 to LC5. From an institutional point of view, these councils are a similar structure to that of Tanzanian local governments and legally the Local Council 1, at village level, is composed of all the adult village residents who have voting rights; yet the law does not require regular meetings, note-taking or record-keeping. Most importantly, in 2001 the Local Government Act was amended so that at the village level the eight-member council is no longer directly elected by residents (Tripp 2010: 117). To date, residents can only vote to choose the village chairman – LC1 chairman – and the three special seats for disability, gender and the youth. The LC1 chairman then nominates five councillors. I argue that this is part of the reason why the local politics of land increasingly exclude local residents, who are easily mobilised and manipulated by MPs, ministers, politicians and the President himself whenever rumours about a land grab are in the air.

To start grounding this discussion empirically, in both Uganda and Tanzania irrigated rice farming areas are almost invariably located in wetland areas, which have the legal status of environmentally protected areas. In Tanzania, the 1999 laws set these aside in a legal category of "reserved land" (URT 1999), controlled by several environmental agencies. In

Uganda, wetlands are public lands controlled by a host of environmental state agencies – one of which is the National Environmental Management Authority (NEMA). The existence of de facto land markets on wetlands – yet another instance of the pervasiveness of vernacular land markets in Africa (Chimhowu and Woodhouse 2006) – is one of the contradictions of the long-lasting legacy of dualistic legal systems, composed of two domains, customary and statutory.

Historically, in most African countries these dualistic systems have been based on the paramount authority over land of central state agencies – Land Commissioners and the Ministry of Lands – who can issue land titles through the statutory legal system for the tiny minority of upper-class people who can afford to pay a yearly land tax on leasehold titles, while leaving the large majority of the population under highly localised – and geographically diverse – customary legal systems. While in the past these dual systems have not impeded commoditisation, they have now become instrumental to state-led land dispossession, prone as they are to the ample discretionary power of state agencies. It is because of this historical legacy that the state has a paramount role in the land question in Africa.

Yet, both in Uganda and Tanzania the land law reforms (1998 and 1999 respectively) have introduced a system of land titling which has – at least apparently – made away with the dualism by recognising customary rights on the same level of statutory rights, through a highly decentralised system which gives to local authorities the ability to issue land titles. It is significant that almost two decades after these reforms, implementation has stalled and land titling at local level – respectively, parish in Uganda and village in Tanzania – has not occurred outside of pilot-project areas. In Tanzanian villages, the law requires that each village carries out a Village Land Use Plan (VLUP), which is a mapping of the boundaries and land use zones of the village, carried out jointly at village level by a technical committee of the National Land Use Planning Commission and the Village Council. VLUPs are expensive as they depend on GPS technology and the intervention of a NLUPC team. For this reason, they have not been carried out beyond pilot project districts. The 1999 land laws though established that Customary Rights of Occupancy (CRO) can be issued to individuals to title their village land only after the village has an approved VLUP. Besides being a strong move towards formalisation of what is to date a relatively flexible system of managing village common lands, VLUPs and CROs are potentially a silent way of privatising village land, which has been recognised as a separate legal domain by the 1999 land laws. VLUPs entitle village administrations to issue land titles independently and autonomously from the higher levels (district and regional land offices and the Ministry of Lands) and nicely embody the neoliberal ideals of low-cost formalisation of the property of the poor *à la* De Soto (De Soto 2000) and the Washington Consensus emphasis on decentralisation and devolution as a model of governance, with the village as ultimate level of intervention.

In the Tanzanian context, this model has triggered further land conflicts. Pilot projects to implement VLUPs and issue CROs have caused an increase of land disputes and land grabbing as a result of the formalisation process (Chachage 2006; LHRC 2006). Other analysts speculated that the slowing down of the process of implementation of VLUPs is part of a silent political decision of procrastinating on individual land titling (Stein and Askew 2008). What is clear is that the fact that VLUPs are expensive and time consuming, they have become entirely dependent on donor money and on the ability of individual villages to find agencies and donors which have an interest in financing them.

In this regard, our discussion of the VLUPs in Tanzania suggested that there is a divergence between the theory and the practice of land titling. In theory, land titles strengthen ownership and security of tenure, thus defending farmers from dispossession by formalizing their property rights. In practice though, land titling occurs in a well-defined, historically specific political context. In the 2010s, the Tanzanian government has given priority to commercial ventures, not least by committing to support public-private partnerships of the like envisaged by the Southern Agricultural Growth Corridor. In this political context, land titles are potentially a vehicle to smooth the resettlement of expropriated people and, far from offering security of tenure to small farmers, are on the contrary potentially enabling their dispossession. The more general point is that the politics of land – hardly ever discussed in policy-oriented debates on land tenure – are a central domain, and are central both to processes of accumulation from below and from above.

The following two sections detail the relevance of land policies and land politics in the specific context of wetland environments, respectively in the Tanzanian case (Kilombero district) and the Ugandan case (Bugiri district). Several irrigated farming areas in East Africa border with wetland ecosystems or are located within them. Wetlands act as water reservoirs and have multiple uses – as fishing grounds, harvesting areas for wild plants, mud for building activities, dry season watering and grazing for cattle. These "wetlands in drylands" within savannah ecosystems in Africa are strategic resources in times of drought and highly productive ecosystems when they are connected with markets (Woodhouse et al. 2001; Woodhouse 2003). These features make them a hotspot for land and water conflicts throughout the continent. Irrigated rice production in Africa is highly dependent on these ecosystems, which are also subjected to environmental policies aiming to enclose the wetlands or regulate the use of wetland resources. Remarkably, both areas are strongholds of opposition parties, which are benefiting from the discontent over property and access to natural resources. Let us consider our two cases in greater depth.

3. The politics of land in Tanzania: wetlands and the privatisation of a rice farm

In Kilombero district (Tanzania) the existence and functioning of village assemblies provides an avenue for direct democracy and a mechanism for conflict resolution which prevents violent clashes. The whole of Morogoro region, of which Kilombero is part, is a hotspot of land conflicts. The several land disputes, caused by competing uses by farmers and pastoralists, spilled over into violence in the early 2000s (Benjaminsen et al. 2009). After 2006, incoming groups evicted by the government from Mbarali district (Mbeya region, South West Tanzania) took refuge in the region, exacerbating pre-existing land conflicts (Tenga et al. 2008; Maganga et al. 2009). In Kilombero, a similar operation started in 2012, as pastoral groups have been evicted from the Ramsar wetland sites, through police-patrolled operations, with 200,000 cattle expelled and several episodes of police violence (TALA 2012). The killing of one person by the police in the neighbouring ward, Chita (Mwananchi 2012) is still fresh in the informants' memories. These evictions are part of a wider collective dispute among 109 villages, which have part of their village land inside the Kilombero Valley Ramsar site, under the jurisdiction of the Ministry of Natural Resources. These wetlands are a key resource both for cattle grazing and for rice farming and there is collective political mobilisation to mediate recurring conflicts. The ministries involved – Land and Agriculture – have to sit in inclusive meetings and discuss their directives with the district government, which in turn calls for village assemblies with the villages involved. In this context, the privatisation of a rice farm located within the Kilombero wetland system is an interesting case with which to explore the politics of land.

3.1 The privatisation of a rice farm

Mngeta farm (5,848 hectares) was established in 1986 by a parastatal joint venture between Tanzanian and Korean public agencies – the Korea Tanzania Joint Agricultural Company – KOTACO. The farm had to deal with land disputes with neighbouring farmers from the outset, as it did not compensate resettled people. Instead of using the courts, individual claimants sought political arbitration of their disputes.[2] In 1988, the company requested a crop and land valuation from the District Land Development Office to pay compensation for the resettlement of farmers. After having investigated the dispute, the land officer found out that the farmers involved had resorted to negotiating with the KOTACO extension officer through the village secretary. They had agreed on

[2] Letter from the Morogoro Regional Land Officer to Kilombero Land Development Officer, dated 5/9/1990, titled " Fidia ya nyumba za ndugu Komoga Shimbi na Ndila Fagili eneo la Mkangawalo Mngeta Kilombero"; Letter from the Manager of Mahuba Busangi Mixed Farms Ltd. to Kilombero District Commissioner, dated 27/09/1991, titled "Ulipaji wa fidia kwa ulimaji wa ekari 320 (hekta 128) Mkangawalo".

shared boundaries that were different from the initial ones, and usufruct rights on alternative land, without informing the village assembly or the village government. These arbitrary negotiations had in fact caused subsequent disputes. On these grounds, the District Land Development Officer refused to provide valuation services for land and houses. [3]

Throughout the 1990s, as the company was not faring well and slowed down its operations, local residents reappropriated the farmland for farming and residential purposes. This is similar to what happened in other abandoned parastatal farms in Tanzania throughout the 1980s and 1990s (Chachage et al. 2008; Greco 2010). Local residents, aware that they were using state property, sought and received authorisations from village authorities. In the case of Mngeta farm, a land title existed, but it was not backed by a land survey – allegedly because, given its status as a parastatal venture, the parastatal management did not consider a land survey and titling necessary as the property was guaranteed by the executive powers of the government. Both the district and regional commissioners intervened through political mediation meetings with three different villages, to avoid an escalation of conflict with the company about boundary disputes. [4]

In 1994, with the prospect of a sale of the farm, KOTACO resolved to apply for a land survey and the villages around the farm reacted by demanding that the company pay a village land fee of TZS 2,500 per hectare – the equivalent of ministerial levels of land rent for leaseholds. A rough estimate gives us a fee of around TZS 14,620,000 – about USD 28,670 [5] - charged to respect the original boundaries with the village, as understood and defined by village councils after the villagisation operations in 1974.[6] The company declined; villages asked for usufruct rights to 500 hectares inside the farm and obtained them. [7] The land survey took about three months – from August to November 1995. [8]

There are contrasting records about a partial sale that occurred in 1995 to a rather obscure company – BMK – which failed to develop it and left it unfarmed. What is more extensively documented is that, in 1997, KOTACO was dismantled, as the Tanzanian

[3] Letter from Kilombero District Land Development Officer to Kilombero District Commissioner, dated 24/8/1988, titled "Tatizo la shamba la Kotaco katika kijiji cha Mkangawalo Mngeta".
[4] Letter from Kilombero District Commissioner titled "Kuonana na viongozi wa kijiji cha Mkangawalo", dated 4/4/1991.
[5] This is calculated on the basis of the annual average value of 510 TZS per 1 USD – the historical exchange rate for TZS/USD in 1995.
[6] Letter from KOTACO manager to Kilombero District Land Officer, dated 2/12/1994, titled "Cadastral survey of KOTACO Farm"; letter from Mkangawalo Village Council (first page missing) to KOTACO Manager, dated 27/10/1995, " Agenda: Ombi la umilikaji ardhi shamba la KOTACO".
[7] Minutes of the extraordinary Mngeta Village Council meeting with KOTACO management, dated 7/8/1995, titled " Muhtasari wa kikao cha serikali ya kijiji cha Mngeta kilichofanyika cha dharula Mngeta".
[8] Letter from the District Land Officer to KOTACO management, dated 8/1/1996, titled " Ombi la kulipwa Shs. 213,400/".

shareholder - Rufiji Basin Development Authority (RUBADA) – bought the Korean shares and became the sole proprietor. [9]

In this context of changing proprietors, in 1998 – just a year before the land law reform – villages around the farm had put in place village by-laws (URT 1982) establishing the village land allocation ceiling at 20 hectares and a rule that land allocations should be revoked if the land was left idle for two years.[10] These by-laws, dating back to 1998, are still in force. Their compatibility with the land law reforms of 1999 has not been checked by the district lawyer. In 2003, RUBADA applied for a new land title to the farm. Administrative confusion around the land's ownership and political negotiations on the part of village, ward and divisional politicians to ensure land access for local residents perpetuated a situation of uncertainty. As local residents kept using the land after having been ordered to vacate it, the district land officer called a meeting with one of the three Village Councils involved, to clarify that as the farmland was covered by a 99-year leasehold title, the villages had no jurisdiction whatsoever over it.[11] The situation was made worse by the fact that RUBADA had failed to redevelop the farm and had brought in a shareholder company, the identity of which was never clarified to local residents.

In 2006 RUBADA entered into a joint venture with Infenergy, part of KPL – a British company incorporated in Tanzania – and sold the land title to them. Among the requirements placed upon RUBADA were resettling squatters and resolving boundary disputes with the neighbouring villages. A resettlement plan was put in place to vacate the farms of local residents, who were now classified as squatters. But in the neighbouring villages, village assemblies met and resolved to ask the government to redistribute the farmland to them, rather than selling it to a company. [12] In 2007, the villages' request was scaled down to those 500 ha. of irrigated rice farmland within the farm, already allocated to them in 1994. Unsurprisingly, during thirteen years of allocation, local residents had not only been farming those fields, but had also built houses on them.[13] The dispute dragged on, as local residents were aware of the legal status of the land, but also of the opening provided by the new land laws on village land.[14] In 2008, the President of the

[9] Contract titled "Sale of Shares agreement between the Korea South – South Joint Venture Company and Rufiji Basin Development Authority", dated 7/11/1997.
[10] See for example "Sheria ndogo za kumiliki ardhi za Almashauri ya Kjiji cha Mngeta , na. 1 1998".
[11] Letter from Kilombero District Land Officer to the Kilombero District Land Allocation Committee , titled "Ombi la kumili (*sic*) shamba na. 411 eneo la Mngeta wilaya ya Kilombero" (not dated); minutes of the Extraordinary Village Council meeting dated 15/10/2003 "Agenda: kujadili ombi la mamlaka ya RUBADA kumiliki shamba no. 411 eneo la Mngeta, wilaya ya Kilombero".
[12] Minutes of Mngeta Village Assembly, "Agenda: malalamiko ya ardhi (shamba la Kihoco)", dated 26/3/2006.
[13] Minutes of Mngeta Village Council meeting held on 4/8/2007, "Agenda: kumiliki shamba/ardhi iliyomilikiwa na RUBADA bila kuendelezwa (shamba la Kihoco)". Letter from Mngeta Village Executive Officer to Kilombero District Commissioner, titled "Taarifa ya uvamizi wa mradi wa shamba la kilimo lenye hekta 5,818, Mngeta", dated 26/3/2007.
[14] Letter from Mngeta Village Council to RUBADA executive director, dated 15/12/2008, titled "Kusimamishwa kwa RUBADA katika ardhi ya kijiji cha Mngeta". Letter from Mngeta Village Council to Kilombero District Development Director, dated 15/12/2008, titled "Mgogoro kati ya kijiji cha Mngeta na RUBADA".

Republic personally intervened to seek revocation of the farm land title, as the new boundaries did not respect the agreement stipulated in 1994 between the then proprietor of the farm and the village authorities.[15] In joint venture with RUBADA, KPL – the new proprietor of the farm – reacted by accusing village administrators and politicians of encouraging people to resist resettlement.[16] Village assemblies became involved, as it appeared that their claims for land restitution had no legal ground. In fact, the existence of an old land title – probably issued in the 1980s when RUBADA first earmarked land for irrigation projects – had placed said farmland outside of the legal jurisdiction of the villages, as per the national land laws (URT 1999). Given the legal setup of this land acquisition, the village administrations tried to establish good relations with the investor; but as land surveyors toured the farm to reinstall the several land beacons dating back to 1995 – many of which had been uprooted by local residents throughout the years, in the attempt to regain control over boundaries – fears of a new land survey and of new land dispossession spread among local residents.[17]

In 2010, the committee of Village Elders wrote a long report, accusing the company of having illegally enlarged their boundaries to the detriment of local people and referring to the 1995 land survey. They asked the Village Chairman to submit this report to the Prime Minister, who had just visited the farm to intimate resettlement upon local residents.[18] The chairman apparently refused to submit the letter. In 2010, local residents were resettled and the farm became operational. While the company claimed that a Project Affected People (PAPs) resettlement plan had followed World Bank guidelines, the operation generated ongoing claims of human rights abuse and unfair compensation which have been the object of further advocacy.[19]

With regard to local land property, in-depth interviews have shown that in the villages around the large farm there has been an escalation of land disputes – both individual (farmer to farmer, farmer to pastoralist, farmer to village chairman) and collective (group of farmers to farmer, or to village chairman). In-depth interviews point to the 2007/8 agricultural season as the starting-point of the escalation of land disputes, and identify spiralling land prices on the *de facto* local land market as a major cause. Partly in response to this, village administrations have carried out village land allocations in rapid succession

[15] Letter from RUBADA director to Mngeta Village Chairman, dated 4/6/2008, titled " Wananchi waliovamia shamba la RUBADA (shamba na.411) kutakiwa kuhama"; Letter from Mngeta Village Council to RUBADA director, dated 14/06/2008, titled " Kuwataka wananchi waliovamia shamba la RUBADA kutakiwa kuhama".
[16] Letter from the Village Executive Officer to KPL Principal Manager, dated 25/11/2009, titled "Wakulima wanaolima kwenye shamba la Kilombero Plantation Ltd.".
[17] Letter from RUBADA director to Mngeta Village Chairman, dated 4/6/2008, titled "Wananchi waliovamia shamba la RUBADA".
[18] Letter from Mngeta Village Residents to the Hon. Prime Minister M.K.P.Pinda, dated 27/6/2010, titled "Mgogoro wa ardhi kati ya wananchi kijiji cha Mngeta na RUBADA/KPL, shamba na.411 Kilombero (Mngeta)".
[19] Resettled people are all located in one specific village sub-section (hamlet) in the wetland area, where participant observation and residence has proved impractical because the ongoing legal actions create strong bias within researcher/ local residents interaction and would invite action research, rather than participant observation.

– as a consequence of the land scarcity induced by the large farm. Another interesting feature is that all these villages have established a political practice – which they claim is a village by-law, although it has never been ratified by the District Council nor is it in line with national legislation – to protect the use value of land against exchange value: they have decided that if a resident is allocated a plot through a village land allocation and fails to farm it, then the allocation is revoked. This has given rise to a widespread practice of renting out plots to avoid losing them because of reallocation by village authorities.

RUBADA is acting as intermediary between private companies and village administrations for the negotiation of land deals within the SAGCOT programme, which is a vehicle for private companies as it provides a larger framework for private-public partnerships. RUBADA is in fact the public agency in charge of organising these partnerships and of mediating with village land administrations, limiting to the bare minimum the need of private companies to interact with village administrations. When presented with village assemblies' approvals from RUBADA, the Kilombero District Land Committee decided to tour the interested villages for four days, to sit with village assemblies and make sure that their authorisations were authentic. The committee soon discovered that several villages involved had not been given proper notice about the decision, and that

> "villagers disagreed to surrender village land to RUBADA for different reasons, among which [were] the large amount of land already gazetted as Ramsar site, increased land demand caused by immigration from outer regions, a lack of understanding of their villages' own boundaries and thus a request for their villages to be surveyed and mapped, which has not been done". [20]

Facing the prospects of land grabs by RUBADA – a state agency acting as intermediary and joint venture partner for foreign companies – land officers suggested implementing Village Land Use Plans. This is the legal procedure established by the land law reform of 1999, to survey and define village boundaries so that villages can issue land titles to residents – the Customary Rights of Occupancy (CRO).

3.2 Privatisation and the restructuring of rice farming areas

Mngeta farm is the showcase farm for the so called "hub model" proposed for replication along the Southern Agricultural Growth Corridor of Tanzania (SAGCOT) – a megaproject envisioning the radical transformation of a third of the country into an area of agricultural commercial production for export within the wider region. It was bought from RUBADA by Kilombero Plantations Ltd. as part of Agrica – a private business

[20] Letter from Kilombero District Executive Director to RUBADA Chief Director titled "Ziara ya kikazi ya kamati ya ardhi wilaya kuhakikiki (sic) maombi ya ardhi ya vijijini", dated 21/9/2012.Report on Kilombero District Land Committee visit "Taarifa ya kamati ya ardhi wilaya", undated (2012?).

venture with poverty reduction aims established by Carter Coleman, a philanthrocapitalist active in environmental conservation in Tanzania. In the view of the founder, the farm aims at "setting the standard for sustainable commercial and smallholder agriculture in the region… the company's projects [should] boost food production and reduce poverty in areas of chronic underinvestment" (IPP 2011). This particular blend of social development aims and private business principles is at the core of the neoliberal vision of the private sector as the engine of development. In this sense, Agrica is the quintessential neoliberal venture in African agriculture, as it is based on a complex set of public-private partnerships and a prominent role for development finance. The management company itself – Kilombero Plantations Ltd. – is a private public partnership between Agrica and RUBADA, which has provided the land for the investment. Agrica has among its investors Norfund, the Norwegian Development Bank and a multi-billion US private equity fund – Capricorn Investment Group.

3.3 Local land property in the context of real and planned land grabbing

In this section, I will explore the functioning of three different types of operations in the land property regime at the local level. The first is village land allocations; the second is the land rent by the company to local farmers; the third is the de facto land market.

Let us start from the operations of village land allocations, which are a legacy of past *ujamaa* land politics in Tanzania. Each village has jurisdiction over land areas within its boundaries which are not reclaimed as family or individual land by residents; these lands are village commons, recognised by the land law through the specific legal category of "village land", on which village administrations have legal and administrative authority. Village land is legally distinct and separate from "public land" – under the authority of the Ministry of Lands – and "reserved land" – under the authority of state agencies dealing with environmental and conservation policies (URT 1999). Building on historical practices, *ujamaa* politics in the 1970s institutionalised the practice of allocating to individual residents the land needed for their farming and pastoral activities within the village commons. The practice of village land allocations varies greatly from place to place, as it depends on the magnitude, availability and quality of the village commons. It consists of land allocations – which are neither sales nor leases, but public transfers of land from the village to the individual resident. These are carried on collectively or individually, to village residents; the village administration meets, demarcates the land area, and issues a receipt to the beneficiary, who pays a one-off nominal sum. Fees for village land allocations vary from place to place, but are usually low sums intended to cover the costs of the administrative operations of demarcation – mainly daily allowances for the staff involved; although occasional cases of corruption can turn them into real payments, closer to the sums of the local land market, these are usually really low fees

which make village land allocations an accessible and cheap way of getting land. No rent is charged on these lands, which over the long term are thus privatised as the individual owner is recognised as customary occupant (the land law recognises that 12 years of continued occupation of a given land justify the issuance of a Customary Right of Occupancy). Other than reallocating unused and abandoned lands to new occupiers, the village administration has usually little say in an allocation after this has been agreed upon. Gradually and over time, village land allocations have become a silent way of privatising village commons to individual residents. In the study area, in the mid-1980s, the fees for village land allocations were about TZS 25,000 per hectare (MC/1, MC/2). In the 1990s, land sales by early settler families become more frequent as more migrants settled in the area to farm rice.

The second kind of operation on land property regimes is the renting out of company land to local farmers. Nowadays, Mngeta farm rents out some of the fallow fields, served by irrigation channels, at annual rent rates of TZS 250,000 per hectare (MN/2). In 2013/14, the company targeted large commercial farmers, because it rented out land starting from a minimum size of 20 hectares blocks. This large farm size, commanding an annual rent of TZS 5,000,000, requires considerable working capital. Qualitative enquiry with middle-sized and large commercial farmers found that the minimum working capital for non- irrigated rice is TZS 525,000 per hectare, which can go up to TZS 1,250,000 when additional weeding is needed or land preparation is not mechanised (MC/2, MC/3, MC/8). It is not surprising that large farms were rented by traders and professionals residing in Ifakara town as commercial farming ventures, because of the promised returns guaranteed by the irrigation infrastructure, with yields of about 7.5 tonnes per hectare. This denotes a considerable class dynamic at play, not only of differentiation among local farmers (Cliffe 1977; Bernstein 2010; Greco 2015a), but also of accumulation by members of the national bourgeoisie – such as professionals investing in commercial farming as a business venture, comparable to equally profitable trade ventures. There are recurring conflicts between farmers renting on the company farmland and pastoralists who have been authorised by the company to graze their cattle on the fallow fields.

The third avenue of land property regimes is the local *de facto* land market which is basically a farmer-to- farmer market. Here annual rent rates are lower than on Mngeta farm, oscillating between TZS 75,000 to TZS 125,000 per hectare for non-irrigated farmland. Prices vary according to location and proximity to the village (MN/3; MC/8). Land sales are reported with prices for non-irrigated farmland from TZS 250,000 to TZS 1,250,000 per hectare, depending on location (LU 3). It would be unwise to idealise village land allocations as only a pro-poor venue for land access. In fact, commercial farmers also get land through village land allocations. For example, one received 16 hectares in 2009, for TZS 15,000 + 2,500 per hectare for the expenses of the committee

(MC/8). The following year his brother and another next of kin were allocated 28 ha. and he acts as a supervisor for both fields.

Although this paper cannot enter into too much detail on the discussion of a contract farming scheme for rice organised by the company operating at Mngeta, there is one important element of this scheme which deserves discussion as it has bearings on land ownership. In a context where farmers have no land titles, but the district administration promises, through SAGCOT, to issue land titles soon through the implementation of Village Land Use Plans (VLUPs), a hybrid form of agreement has been put in place by the microcredit financial institutions in charge of extending credit to the contract farmers. Accepting small consumer goods – such as bicycles, radios, or bedframes – as mortgages for microcredit loans is common practice among other microcredit institutions in Tanzania. In this case though, the microcredit institution involved – YOSEFU, a non-governmental organisation taking credit lines from a national commercial bank – refused to accept small consumer goods as guarantees over loans. Because farmers have no property titles, the company – KPL – offered to use GPS coordinates and aerial pictures of the contract farmers' land plots as references for issuing credit to 849 contract farmers. It is not clear what role these GPS coordinates could play. In 2014, as a consequence of a dramatic drop in rice prices, about 800 contract farmers defaulted on their loans. They are now facing threats of legal action from KPL and YOSEFU. In a future scenario when credit from micro-credit institutions will be based on mortgages of land titles, defaults like the one that occurred in 2014 could potentially entail the foreclosure of farmers, with an ensuing massive land dispossession. To date, this is not the case as credits are not secured through land titles.

From a legal point of view, farmers can be issued individual land title only after their village of residence has approved a VLUP. This requires an expensive, long procedure involving GPS and satellite mapping of village boundaries – and the implementation of VLUPs has stalled nationwide because of this. It is therefore notable that by May 2014, almost all villages in Kilombero district (73 out of 97) had completed VLUPs. Land officers justified this exceptional state of progress in part by reference to the funding received from environmental organisations to solve the disputes within the Ramsar wetland site, involving about 109 villages, and in part by the fact that Kilombero district is the pilot project for the Southern Agricultural Growth Corridor of Tanzania (SAGCOT) – a mega-project based on public private partnerships (PPPs) among state agencies and agribusiness corporations. This somewhat extreme situation shows a strong correlation between land titling at village level and the presence of strong corporate interests which advocate rapid and effective formalisation of land property – possibly to ensure that the legal prerequisites for land transfers from village land are in place. Once every village has a VLUP and villagers have Land Certificates, private companies acquiring land which is 'village land' can comply with the legal requirements to resettle

local residents, avoiding the kind of land disputes and endless arbitration which is a common scenario in localities where village boundaries are not well defined. Viewed in this light, it is appropriate to pose the question: whose needs are VLUPs catering for? Designed to formalise the land property of the poorest part of the population through village land registries, VLUPs seem to offer instead the legal basis for land dispossession of the "poorest of the poor". This is particularly important in areas like Kilombero, where the land frontier is still relatively open.

4. The politics of land in Uganda: wetlands and privatisation of a rice farm

A contradictory set of laws and policies about wetland ownership is an aggravating factor in the recurring conflicts over wetlands in Uganda (Namaalwa et al. 2013). Wetlands are protected areas and fall under the trusteeship of the State. Although from a legal point of view, they are not expected to be privatised through individual land allocations, there is ample evidence that this is a very common occurrence. Yet local administrators are supposed to be aware of the law which prevents allocations on wetlands from being legitimate. A recent study on a wetland in Western Uganda, Harter and Ryan (2010), underlined that LC1 – the politically elected representatives at village level – considered individual ownership of wetland plots as legal and legitimate. Researchers interpreted this as a miscommunication or misunderstanding by village politicians of the content of the laws over wetlands.

In contrast with this, my findings show that in Bugiri LC1 are intensely aware of the legal status of wetlands as public lands. They know that wetlands are public lands and they also acknowledge the existence of *de facto* land markets, while reporting widespread fear among their constituencies over the power of the central government to take control of the wetlands (BW/1, BW/3, BU/2).

This dynamic has been observed in Uganda in the management of forest land – a move described by Ribot et al. as "recentralising while decentralising" (Ribot et al. 2006). Yet if on one side it is true that land politics, both at the national and local level, have become a power issue, where what is at stake is the political legitimacy of the competing institutions involved in decisions over land property (van Leeuwen 2014), this is just part of the story. On a deeper level, in Bugiri rural society there is a widespread fear of land dispossession by the State and an awareness of the political use of the land law to substantiate threats of eviction on the basis of public ownership of reserved areas.

This is understandable in a geographical context of major evictions caused by environmental conservation, like the ones around Mount Elgon (Vangen 2009).[21] Thus the recurring clashes between competing groups from neighbouring villages in the wetlands in Bugiri district exemplify a wider, national issue of conflict over wetlands in Uganda, as residents from competing villages resort to violence to establish their claims on a shared wetland (Nakangu and Bagyenda 2013). In-depth interviews carried out in 2014 indicated that until approximately the 1986 Museveni government, landlords used to sell and lease wetland plots only as an extension to adjacent upland plots. In practice, whenever an upland plot was sold, if there was any wetland bordering it, that stretch of wetland was considered to be part of the property. This system, which is a common occurrence in agricultural frontier areas, had no clear boundary definition between the wetland and the upland, and within the wetland itself. At that time, wetlands were not commodified and were considered to have no exchange value. Respondents indicated that, throughout the 1990s, the rice boom has transformed this by accelerating the process of land commodification.

By the end of the 1990s, large sections of the wetlands had been turned into rice farms and wetlands had become the most important type of land, because of the profits arising from rice production. Wetland rights became more clearly defined through a series of conflicts and disputes and came to be sold independently from the upland plots – a system which continues today. District authorities are often called upon to mediate conflicts, especially when wetlands are shared among two or more different districts, and joint meetings are called to involve all the concerned parties. Interviews indicate that the mechanism of conflict resolution put in place – "arbitration meetings" chaired by district officers and representatives of the National Environmental Management Authority (NEMA) (see interviews BU/2, BU/3, BU/4) – is based on the principle that wetlands are government land, and thus the meetings often hint on the threat of eviction and dispossession of residents from their most fertile and productive type of land.

The case study of the dispute in Bugiri wetlands (Namuntenga vs. Nawampanda villages) exemplifies how the Sub-County Chief happens to become the representative and speaker on behalf of villages which have competing interests. [22] The correspondence on arbitration meetings reveals that violence – or threats of violence, with groups of involved residents coming to arbitration meetings armed with pangas – takes place especially during arbitration meetings, and that many of these fail or do not take place as scheduled because of recurring threats of violence. This proves the contested nature of authority and legitimacy. Land conflicts arbitrations often assume violent undertones, with death threats against sub-county chiefs and attached officers being a common

[21] Thanks to Phil Woodhouse and Barbara Nakangu for having brought my attention to this case.

[22] Letter from Nankoma Sub-County Chief to Bugiri District Chairman, dated 30/10/2012, titled " Report concerning the long troubled wetland conflict at Namuntenga – Nawampanda"; Letter from Nankoma Sub-County Chief to Bugiri District Chairman, dated 16/5/2013, titled "Namuntenga – Nawampanda wetland use dispute".

occurrence. In the case study of Namuntenga vs. Nawampanda, the resolution from the district over the setting of a shared boundary in the wetlands could not be applied, as the Sub-County chief reports that:

> "we failed because on (date) a group of 9 people from Namuntenga came and confronted us and threatened to kill the team that would go to divide the wetland. On (date..) another group sent a close friend to the Sub-County Chairperson with threats to kill him, Giso and the District Woman Councillor… the threatening team has organised to stage alongside the bushes in the wetland, armed with stones, spears, arrows, *pangas* and sticks."[23]

The Sub-County Chief calls upon district authorities to assign security guards and calls for district-level mediation: the so-called "arbitration meetings". These are rather coercive mechanisms through which the central government directs district officers, where the threat of eviction is the main political threat used to force residents to compliance with the orders of NEMA.

4.1 The privatisation of a rice farm

Located in Bugiri district (Busoga region), Kibimba rice farm (746 hectares) was established in 1975 as a Chinese-managed scheme for rice dissemination.[24] The area is on the highway from Kenya to Kampala and a key receiving point for imported Asian rice which arrives through the port of Mombasa and the border city of Busia. The farm was handed over to the Ugandan government in 1989, without a land survey and no proper land title.[25] The parastatal management invited local farmers to farm within the estate by establishing a rice farmers' cooperative – Kibimba Outgrowers Association (KOA)[26] – and expressed interest in taking control of the farm[27], but the ministry opted to privatise through auctioning the farm to a private company. The association was compulsorily disbanded in 1997, when the government privatised the farm by selling it to a transnational company – Tilda Ltd. (more on this in the last section).

In the early months of takeover, Tilda Ltd. commissioned a land survey to determine the boundaries of the farm and secure a land title.[28] The government helped Tilda to reach an agreement with the KOA, establishing that in the first two transitional years (1997 to 1999) Kibimba outgrowers would keep farming on the scheme by paying land rent to the

[23] Report attached to the letter quoted above.
[24] "Kibimba Feasibility Study 1975", file no. C/MIN/175/8, folio 36, Registry of the Ministry of Agriculture, Acquaculture and Fisheries (MAAIF), Entebbe; "Record of the meeting to discuss final arrangement of handing over of Kibimba Rice Scheme by Chinese to Uganda Government held in Permanent Secretary's office on 7/10/1976", file no. C/MIN/909/1, folio 198, Registry of MAAIF, Entebbe.
[25] Letter from Kibimba Rice Company Ltd. to the Hon. Deputy Minister of Agriculture, dated 24/10/1990, titled "Brief report on the management of Kibimba Rice Company Limited since 1982", file C/MIN/175/8, folio no.5.
[26] "Constitution of the Kibimba Outgrowers Association", 3/10/ 1995. MAAIF Registry, file no. unknown.
[27] Letter from the Privatisation and Parastatal Monitoring Units to the Chairman of Kibimba Outgrowers Association, dated 4/9/1996, titled "Privatisation of Kibimba Rice Company Ltd.", MAAIF Registry, file no. unknown.
[28] Letter from Tilda Ltd. management to the LC1s of 17 neighbouring villages, the local MP, and LC3s involved, untitled, dated 2/5/1997.

farm manager.[29] After completion of the land survey and titling, in 1999 the outgrowers were declared "squatters" and the government committed to compensate them before eviction.[30] There is a dispute still dragging on between local residents and the company.[31] Apparently it originated from the modalities of this resettlement, the main complaint being that, at takeover in 1997, the company did not wait for 114 rice outgrowers to finish harvesting their rice, on the legal ground that it had acquired the land from the government without liabilities (see interviews BW/2; BW/3; BW/4, BW/5; BU/3). The company slashed 160 hectares of unripe rice in order to start the new farming season; while the government states that compensation has been paid, the outgrowers' association deny this. Another request from claimants relates to additional land being lost to farmers because of the changing water levels of the dam, which caused the flooding of other plots, of unspecified size.[32]

This dispute has been manipulated by local MPs to gather votes in their constituencies, which are a stronghold of the opposition parties. Significantly, the interviews with members of the committee involved in the claim are very clear on the fact that this claim has never been a claim against privatisation or property rights; but rather one to legal compensation for the loss of property. However, claimants who owned the land recently lost to the dam do recall that in 1973, when the dam was first constructed, they were not compensated for the land and settlements lost as farmers were never given the opportunity of becoming outgrowers or laying claim to the farm. Since 1997, Tilda has kept buying local farmers' rice, but always refused to establish a contract farming system with a set price; buying is therefore on a market basis. Yet it is only in the last six years that Tilda has come up with plans of remarkable scale to expand its farming area in the neighbouring wetlands.

[29] Letter from Kibimba Rice Company Ltd. to Kibimba Outgrowers Association, dated 26/1/1997, MAAIF Registry, file no. unknown; Letter from Kibimba Outgrowers Association to Tilda General Manger, dated 14/3/1997, untitled, MAAIF registry, file no. unknown.

[30] Letter from the Director of the Privatisation and Parastatal Monitoring Units to Bugiri District Council, dated 12/11/1999, titled "Valuation of developments of squatters on Tilda land at Kibimba"

[31] Letter from the Kibimba and Kasobere LC1s to the Privatisation Unit, Kampala , titled "Joint claim for the former Kibimba Outgrowers and for the land covered by Kibimba Dam", dated 24/12/2003; letter from Buwuni Parish LC2 to the National Political Commissar , titled "Various Kibimba claimants", dated 28th March 2005; letter from Kibimba and Kasobere LC1s to his Excellence President Yoveri K. Museveni, titled "Joint claim for former Kibimba out growers and for the land owner covered by Kibimba Dam", dated 18/08/2010; letter from the Kibimba Outgrowers and Dam Land Claimants to the Director of the Privatization Unit, titled "Kibimba outgrowers and dam land owners claims", dated 18/02/2012.

[32] Letter from the Kibimba and Kasobere LC1s to the Privatisation Unit, Kampala , titled "Joint claim for the former Kibimba Outgrowers and for the land covered by Kibimba Dam", dated 24/12/2003; letter from Buwuni Parish LC2 to the National Political Commissar , titled "Various Kibimba claimants", dated 28th March 2005; letter from Kibimba and Kasobere LC1s to his Excellence President Yoveri K. Museveni, titled "Joint claim for former Kibimba out growers and for the land owner covered by Kibimba Dam", dated 18/08/2010; letter from the Kibimba Outgrowers and Dam Land Claimants to the Director of the Privatization Unit, titled "Kibimba outgrowers and dam land owners claims", dated 18/02/2012.

4.2 Privatisation and the restructuring of rice farming areas

Tilda was established by a family of Ugandan Asians who, expelled by Amin in 1971, have built a world-level empire in basmati production from London, by importing Indian paddy rice wholesale and reselling it, cleaned and packaged, on the UK market. The family behind Tilda was among the first Ugandan Asians to go back to Uganda after Museveni invited them back in 1997 as carriers of foreign direct investment (FDI). In that same year, the company acquired the land title of Kibimba farm. The remarkable feature of Tilda Uganda is that the ownership of this farm is more part of the family history of this corporation than a strategic investment. Since 2014, its fate has been uncertain as Tilda Ltd. has been acquired by the US based transnational agri-food giant Hain Celestial Group, specialising in health foods and high-end organic industrial products.

Going back to the wetlands of Bugiri, the redevelopment plans of Tilda have been refinanced by the International Finance Corporation, while the operations have been supported by a private equity fund, Pearl Capital Uganda. Its plans to establish a new large scale rice farm in the neighbouring wetland had to be abandoned after local opposition. The plans had been proposed jointly between 2009 and 2012 by the Ministry of Agriculture and the National Agricultural Advisory Services system, under the direct control of the President (GoU 2009). In particular, for Busoga region two schemes had been proposed. The first would expropriate 10,000 hectares around Tilda farm – mostly in the wetland area – and include the farmers who had lost their land in an outgrowers scheme for rice farming, managed by and attached to Tilda. The second plan targeted the Naigombwa wetland – another rice farming area of the region in the neighbouring Iganga district – with the goal of expropriating 12,000 hectares from smallholder farmers to establish a large scale rice farm under the control of a private company financed by private equity capital – Pearl Rice Africa. Both plans have been abandoned after having met considerable local resistance as local residents rioted to defend their right to farm in the wetlands; yet the general trend of restructuring of rice areas through the three typologies outlined before seems to be here to stay. This resistance could be possibly further explored in the next phase of primary research, as it is closely related to both land and labour politics.

4.3 Local land property in the context of real and planned land grabbing

The agroecological system in Uganda is divided between uplands and lowlands (wetlands), with most people farming in both ecosystems, typically using wetlands for rice, and uplands for food crops (maize, sorghum, millet, cassava, sweet potato, yam) and dryland commercial crops (cotton, sesame). Maize is the cheapest food around and it is preferred by impoverished families, while rice is grown as a cash crop and hardly ever

kept for domestic consumption. Most rice farmers also farm food crops, while large commercial farmers do not. Land fragmentation is extremely high. The common standard measurement for land plots is an extremely small unit, equivalent to one *khatala/ehatala,* which is about 1/35 of an hectare, or about 25 by 10 feet; being usually measured by steps, jokes abound on the highly disputable nature of this measurement.

While land sales are rare, rents are pervasive. Land rent prices are high and typically do not run on a yearly basis, but on a seasonal basis (first season: March to July; second season: August to January). Upland plots are cheaper than lowlands, with prices are about UGX 125,000 per hectare per season (BT/1), against about UGX 700,000 per hectare in the wetlands per season (BT/2; BT/3). Most wage workers are impoverished farmers who farm up to 0.75 hectare of food crops in the uplands and less than 0.25 hectare of rice farmland in the lowlands (BT/1; BT/2; BT/3). Most of them rely on self-produced food only for part of the season and are then forced to buy food, and also sell part of the produced food – typically maize and cassava – in case of emergencies.

It is recognised that clan and extended family members fear the loss of clan land to outsiders through sale. It emerged that in several cases land sales to family and clan members have become common, when the person in charge wants to sell, to avoid losing family land by selling it to non-family buyers. Yet this occurrence, more and more common, is a topic for fun conversations, as in the common sense it is considered disrespectful to charge relatives for land. Sales are also used as a strategy by elderly clan heads in need of social protection. Many elderly people who are not cared for by their children and grandchildren appear to resort to land sales. Interestingly, these in-family sales apply land market rates and are thus far from being symbolic.

This situation, characterised by extreme land fragmentation and inflated *de facto* land markets, contrasts with the policy plans for Bugiri district. Bugiri was among the 22 districts in Eastern Uganda selected for the implementation of an ambitious proposal to increase rice production through public private partnerships, both to establish large scale farms and to increase small scale farmers' productivity, put forward in 2009 by the National Agricultural Advisory Services (NAADS) (NAADS 2009), with expectations of receiving funding from the Islamic Development Bank (more on this in the last section). In the following section, we locate the two case studies in the broader political economic processes affecting rice farming restructuring in East Africa.

5. A comparative analysis

5.1 Pre-eminence of the politics of land over legal and institutional frameworks in Tanzanian and Ugandan wetlands

The first analytical point emerging from comparative analysis shows that, notwithstanding the case-specific variations, in both countries the politics of land seem to

be a very influential factor. This is less trivial than it sounds, as land politics are a blind spot in land tenure literature – something which is hardly ever discussed explicitly and never put in relation with economic trends.

At least in the past two decades, legal and institutional frameworks on land and property rights in Africa have been heavily influenced by competing agendas of international financial institutions and donors; yet they remain less opaque and more intelligible than the often messy, contradictory and complex land politics which contribute to shaping them. Very often, the politics of land are heavily influenced by historical legacies, such as the modalities of power sharing and the unsolved national questions. In Tanzania and Uganda, I have established that the heaviest legacy is that of a dominance of the executive over the other powers and that this element still prevails even where the land legislation has been reformed to guarantee stronger protection of customary land rights. Our case studies have shown that state agencies have been acting as intermediaries for transnational capital on the basis of a wider coalition of class interests. In this regard, any notion of political accountability of local and national politicians on land questions (Polack et al. 2013) is pre-emptive if it fails to confront the class alliances and the role of the state as carrier of specific class interests. In turn, these are marked by different traits, such as the recourse to political violence in Uganda, vis-à-vis a strong institutionalisation of participatory politics at village level in Tanzania.

In the Ugandan context, it emerged that when sub-county chiefs are called to restore order in a wetland clash, they summon village meetings and joint village meetings and report the decisions to the district level; but the level of institutionalisation of these meetings is low and, while the law says that all adult residents are entitled to join in and vote, there is no clearly set out procedure for voting, minute taking, or agenda setting. There is a strong point of comparison with the Tanzanian context, as the aims of these meetings are strikingly similar to those of their Tanzanian counterparts.

In Tanzania, arbitration meetings are strongly institutionalised: elected representatives are chosen by village assemblies and report back to them on the follow up of district meetings. Village assemblies, which meet regularly, function as the main institutional guarantee through which participatory politics happens. In the villages surveyed in Kilombero, participant observation at assemblies showed that residents feel confident interrogating village councillors at village assemblies on contentious topics; these mechanisms ensure that rumours about governmental decisions over village land transfers, or investors touring the area, are always discussed in public meetings. All village councillors are elected, not nominated; and while it is not uncommon that village executives abuse their power, for example by counterfeiting village assemblies' minutes of meetings which never took place to authorise a bogus land transfer and pocket the money, villagers are confident challenging them, and resorting to direct action and political negotiation at the ward and district level. In this way, any decision on village land

will always be conveyed first to the villagers via the village council and the assembly. Whilst there is a political practice of introducing proposed plans for village land acquisition via the visit of a prominent politician – an MP, or a ministry – it is also true that all decisions must then be discussed at the village assembly and that VA meetings are inquorate if the minimum attendance, set at 75% of the residents, is not reached (URT 1999).

By comparison, the absence of the village assembly mechanism in Ugandan rural areas encourages escalation, as wetland conflicts are not mediated through local governments and participatory politics. In the cases of the wetland conflicts studied in Bugiri district, the correspondence shows that the Sub-County Chief becomes the representative and speaker on behalf of villages which have competing interests. The Sub-County Chief then calls upon district authorities to lead mediation. These negotiations happen via MPs and district level politicians and the legacy of political violence weighs heavily, as unmediated disputes led to violent conflicts.

Land laws and policies reflect the different autonomy and jurisdiction given to villages over land in Tanzania and Uganda. I have observed that these somehow accentuate the politics around land, yet they are not in themselves a fundamental element. Global political economic trends, such as the rise in speculative and productive investments in farmland after the 2007/8 crisis, are as constitutive of the politics of land as is the specifically national historical legacy on land politics. Thus land tenure literature, with its narrow focus on institutional arrangements and legal frameworks, often misses the explanatory factors which relate to the role of land property in the wider political economy of the countries under study. Land law reforms and land policies mirror the land politics of a country and can be hardly understood independently from them.

5.2 Pervasive contestations of the privatisation of rice farms

The second analytical point emerging from this research concerns the pervasiveness of contestations against the privatisation of farms, which led to the enforcement of exclusionary regimes against local farmers. Looking comparatively at the history of land property in these two cases, both rice state farms, dismantled in the early 1990s, saw local residents taking control throughout the 1990s. In the Ugandan case, local commercial rice farmers were allocated plots on the farm and entered into an agreement as outgrowers, while enjoying land access and irrigation infrastructure (1990/1997). At privatisation in 1997, they did not attempt to take possession of the farm, nor did they squat on it, but they engaged in passive resistance, by way of an ongoing dispute on the approach to the takeover – its timing and the compensation payments involved. In the Tanzanian case, throughout the 1990s the parts of the farm which were unused had been

occupied and farmed by local residents, through negotiations carried on by local politicians with estate managers.

In both cases, the privatisation was contested, although there are important differences in the modalities of contestation. These differences relate to the specific character of land politics in the two countries. As the local chronicles suggest, in Tanzania the dominant principle is that of village jurisdiction over land. Both countries went through a major reform of the land laws (in 1998 and 1999 respectively) and, whilst the countries' legal provisions and institutional arrangements are very similar – except for village assemblies – the politics of land are different because of different political legacies. The contrast between the history of land ownership in some parts of Uganda – as the landlord system in the Buganda kingdom – and the absence of landlord systems in mainland Tanzania – apart from the Swahili coast/Zanzibar plantation system – could not be starker. The Ugandan legal system is strong on emphasising the untouchability of private property and is very far from instituting a separate category of village land like the one introduced in Tanzania, which is in practice an institutionalisation of the legacy of *ujamaa*.

Inequality in land property is an increasingly visible trend arising from social differentiation and class dynamics (Peters 2002; 2004; Greco 2015a) and it adds to pre-existing intra-household dynamics of unequal control over land access, determined by gendered cultural patterns and not exclusively based on use (Daley 2004). Yet in many localities modern patterns of land property do not build on a historical and social legacy of landed classes in the modern sense, understood as established social groups who command control over large scale properties and systematically make a living out of rents. The fact that farmers sell and rent their land to each other does not imply that there is a class of landlords; although aspirations towards becoming landlords are common among large commercial farmers, the African "landlords in the making" seem to be rather the large capitals – large companies buying up land for commercial farming and speculation – which often combine investment with speculation and rent extraction (Greco 2015a). Rather, it is interesting to observe that, notwithstanding the existence of de facto land markets, land use is still a variable in land control and access. In most localities, land control is linked to land use. I argue that this is the case because the underlying social relations have not historically incorporated a class of landlords whose reproduction depended on the extraction of rents. While on de facto land markets land is rented and sold, rent as a social relation is relatively unimportant, as there is no clear-cut social class living out of rent. This stands in stark contrast with a global political economic trend towards increased financialisation, where rent extraction is a dominant activity.

I have underlined that both in the Ugandan and the Tanzanian cases, the establishment of large rice farms has been contested by local residents, through collective disputes via

village institutions in the Tanzanian case, and through less structured political mobilisations against the establishment of new large farms in the Ugandan case. While modern patterns of land property do not build, thus, on a consolidated historical class legacy, they are being established and defended through neoliberal land titling. For this reason people reappropriate unutilised land: when large scale farms are abandoned people just settle, farm and graze their cattle on them because this is the way they use village land. Mngeta is an apt example, as it had already been abandoned in the early 1990s and reappropriated by local residents through political negotiations between village administrations and farm managers. In the Tanzanian case, I argue that land disputes around large scale farms exemplify a trend in the politics of land, which results from a particular blend of at least three historical legacies, namely i) the complex, regionally diverse history of colonially – engineered customary tenure systems, on which Fabian colonialism (Cowen and Shenton 1991) imposed a land tenure principle, which made land access conditional upon land use; ii) the specificities of *ujamaa*-inspired management of the village commons, based on village land allocations strictly dependent on land use; iii) a political legacy of *ujamaa*/socialist condemnation of rent and private land property.

5.3 Ideological role of land titling and surveying as valuation processes

A third finding pertains to the use and contestation of land titles: land surveying and GPS positioning of farmers' plots showed that these valuation processes, often attached to longer processes of commodification of land and water, function as ideological tools and facilitate the extraction of rent. Over time and with cumulative historical effects, they do strengthen the appearance of the 'naturalness' of modern land property in social contexts where this has not been the dominant regime governing land access - and thus they entrench capitalist conceptions of value. Land surveys are contested because exclusive land property (ground rent) is contested, and dispossession is countered through passive and active acts of resistance, such as creating obstacles to the operations attached to land surveys and uprooting markers and beacons used to demarcate surveyed areas. Comparatively, the history of land property in Mngeta and Kibimba farms show that in both cases public state management in the 1980s had not considered land titling and surveying as a priority. Both state farms were unsurveyed and untitled for a long time: Mngeta was surveyed in 1995, two years before the first sale, and titled in 2003, three years before the second sale; Kibimba in 1995, two years before the sale.

Land titles and land surveys of state farms became a priority only when these farms were privatised. Their sale was technically impossible without a clear-cut definition of farm boundaries through a land survey and a land title, establishing exclusive rights to land use and a technical and legal definition of the properties through valuation processes.

Potential buyers – invariably transnational companies – imposed these minimum standards to avoid political problems with squatters and the bad press attached to these; but also to capitalise on land titles, which become part of the immovable assets of the company and as such can be traded and used as mortgages. This warrants the observation that privatisation of state farms triggered a change in how local residents related to the farmland within their boundaries, by enforcing more exclusionary and formalised patterns.

5.4 Land dispossession and the commodification of common lands

A fourth analytical observation emerged from comparison of the two cases concerns the effects of land dispossession via privatisation of large state farms on the surrounding areas. It emerged that dispossession has accelerated the process of commodification of the commons, via spiralling land prices on local de facto land markets – an element which is more likely to influence the conditions of social reproduction in the countryside on the long term, by deepening the dispossession of an increasing number of people.

At the same time though, the history of disputes around these large farms provides evidence for the ongoing challenge against the system of modern land property, conceived of as a legal protection of exclusionary, individual, absolute control over a portion of the territory by an individual, independently of the use made of it. In particular, these disputes challenge the disconnection between control and use: the principle of unrestrained exclusionary property over vacant, unused or abandoned land. One of the contradictions of this situation of increasing privatisation of village commons is that, while many instances witness a challenge against modern land property, many others reflect an increase in the dynamics of *de facto* land markets. For example, the proliferation of inter-village disputes over boundaries in the wetlands see villages struggling against each other to retain control over increasingly privatised commons; yet the management of these commons, especially in the Tanzanian case, is often subject to land use, not to individualised and privatised land property titles.

In *de facto* land markets, land, which has multiple, qualitatively diverse and incommensurable use values, has a price applied to it: the fact that land is rented and sold signals that the process of commodification of land is under way. Land is a non-produced, non-producible thing and has no exchange value, yet it comes to behave as if it did through the system of land titling, as paper claims to land are traded on a market, similar to that for produced commodities. Marx's theory of rent insists that this trading of land covers up a deeper process of definition of social relations through exclusions of groups of people from access to land. In the contexts considered here, commodification is hardly ever formalised through land titles protected by the law. An important implication of this is that land traded on *de facto* land markets is not totally abstracted

from its spatial and social context and it is financialised through collateral for mortgages, as this would require land titles.

The absence of land titles is a specificity that sets a quantitative limit to the rent that can be extracted, because de facto land markets cannot interact with banks, microcredit institutions and the financial system at large. For this reason, rent does not reach big magnitudes as those circulating on real estate markets in Dar es Salaam or Kampala, for example, where rent is an established reality, with prices parallel and linked to those of international real estate movements. This is because these *de facto* land markets do not interact with wider and fast-moving circuits of financial capital, which operate at a high level of abstraction which characterises, in general, abstract value under capitalist conditions.

The point is that there is a considerable difference in the scale and magnitudes of rent on these *de facto* land markets and the wider capitalist market in property and real estate. This is a fast-growing sector in East Africa and it poses an important contradiction, as farmers' lands in East Africa are very rarely used as collateral for credit. Only in a few East African localities is there a history of centralised kingdoms and landed aristocracies, of the like found in Buganda, where rent is a historically established social relationship. In the majority of places, land is turned into a commodity but its control and access is solidly attached to conditions of use – reminders of its consideration as use value – rather than treated, as modern private property would have it, as a source of absolute ground rent. The data presented from the Tanzanian case showed that local residents tend to watch carefully those plots of the land belonging to large estates and that, whenever these are left unused, they try to regain control over it. Although this evidence is not generalizable, it still reinforces the argument made before, on the connection between land use and land access. This leads us to our fifth and last conclusion.

5.5 The politics of land as politics of property and class relations

In contexts where large farms appear as islands of modern land property floating amidst an ocean of complex land property systems which defy the exclusionary principle as the basis of private property, ownership and use relations are contested because they represent a moment of the process of social differentiation, where control over land plays a central role. In this sense, the politics of land here analysed can be interpreted more widely as the politics of property relations. Especially where socialist political legacies have influenced the common sense, the ideological role of valuation tools does not go uncontested and while the strategy of these contestations can do little against structural value relations, they are nevertheless a corrective against deterministic views on the effects of flows of value, as they prove that historical agency is there. But the weight and powerful forces which are leading this restructuring cannot be underestimated. Through

interrelated ideologies about the modernisation of African agriculture through access to credit via land titling, the value system of global capitalism pushes for valuation, which facilitates the formal subsumption of different modes of production to capitalism – and with them, of their representations. Land and crop valuations in resettlement operations, imposing land dispossession, sanction capitalist abstract value as an indirect, mediated representational system of social relations of production. Yet this representation masks that what is happening through valuation processes is the reinforcement and sometimes – like in the frontier areas here analysed – creation of social relations based on exclusionary control over resources, which is the principle underlying rent and fully commodified capitalist ownership and use of land.

The fact that local residents living close to large scale farms continuously attempt, through various modalities of land politics, to reclaim the unutilised lands proves that the social relations underlying modern property – understood as exclusionary power over a portion of the territory – are not firmly entrenched in the common sense, which is oriented to see land as a resource to be used rather than left idle, and that can be forcefully left idle in virtue of an existing boundary even when other people in that locality are ready to use it.

The disputes documented in this paper point to the fact that while de facto land markets exist, the class relations to the land (Fine 1979) which make private property (independently from use) appear as natural and legitimate are still far from being part of the common sense. This is a challenge to the process of abstraction and isolation of chunks of territory – such as large farms – which attributes these lands with an abstract value through the mechanism of rent. The commodification of land occurring through de facto land markets signals the incipient subjugation of the multiple use values of land; but it is not turned into abstract value through financialisation.

In contrast to this, the large farms are protected and abstracted through a property system of individualised land titles, registered in the national cadastre, protected by the national land laws; such that these land titles are part of the illiquid assets of the corporations and are regularly used as collateral against loans from commercial banks and development finance institutions. This process of abstraction - from land and houses as carriers of use values and exchange value on local land markets to private property which can become a source of rent (abstract value) through financialised land titles – forms the basis of extended accumulation within the capitalist financial system. The land title is a paper claim which signifies an expectation and anticipation of future profits from a given plot – and, implicitly, future land price increases (Harvey 1982).

This focus on future profits anticipates the use of land as a financial asset (Harvey 1982; Haila 1988; Christophers 2010). Speculation and financialisation of African farmland are evident in cases like the two analysed in this paper, as it is only large scale farms which

are covered by land titles – the paper claims which allow companies to speculate. Without titling, financialisation of farmland cannot happen either technically or legally.

Financialisation as a wider process has been occurring at different levels in agricultural production and is an all-encompassing trend on food markets (Gilbert and Pfuderer 2014). Having said this, there is not only a quantitative but a qualitative difference between the land speculation which can and does occur in local *de facto* land markets and that which occurs on international markets. On local *de facto* land markets, land claims never enter into the circuits of financial capital: they are not used derivatively. Financialisation has other impacts on farmers' land, which I will examine in my third working paper of this series. In contrast to this, in the case of large scale farms like the ones examined in this paper, land titles are bought and sold through formalised transaction and at a scale which is workable for big capitals. I argue that here a qualitative difference arises as these land titles become inserted in the wider circuits of financial capital and that this difference can be overlooked by simply focusing on the exterior appearance of "land markets".

Conclusions

To conclude, it is remarkable that several plans to establish large rice farms, especially in Uganda, faced stiff local opposition. Although I could not explore the policy aspect of support to an expansion of rice production in East Africa, the presence of contestation exposes the contradiction between the stated policy goal of increasing food security and the farmers' refusal to give up their means of production – a measure apparently implied by the same food security policies which are contributing to the restructuring of rice producing areas. Having acknowledged that the restructuring of rice farming areas in Uganda and Tanzania is a general trend, I offer five concluding elements as far as land ownership is concerned. The first is the predominance of the politics of land over legal and institutional frameworks on land property. The second is the pervasive existence of political contestation against the establishment of large rice farms. The third is the role of valuation processes attached to land – in this case, land surveys, GPS positioning and land titles – as ideological tools which make the exclusionary principle underlying modern land property appear as natural and legitimate, even in contexts where this is far from being so. The fourth conclusion concerns the dynamic link between dispossession through the establishment and/or privatisation of large scale farms and the acceleration of commodification of common lands in the concerned localities. A fifth conclusion concerns the relation between the politics of land and the deeper politics of property relations with their class and relational aspects. The large scale farms of the kind analysed here operate in the midst of a myriad of technical and infrastructural obstacles and represent the vanguard of the social relations underpinning private property in Tanzania

and Uganda. Besides their profitability, which often accrues more from financial operations than from production, I have underlined that they perform the ideological role of defending modern private property and the exclusionary processes at its base.

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