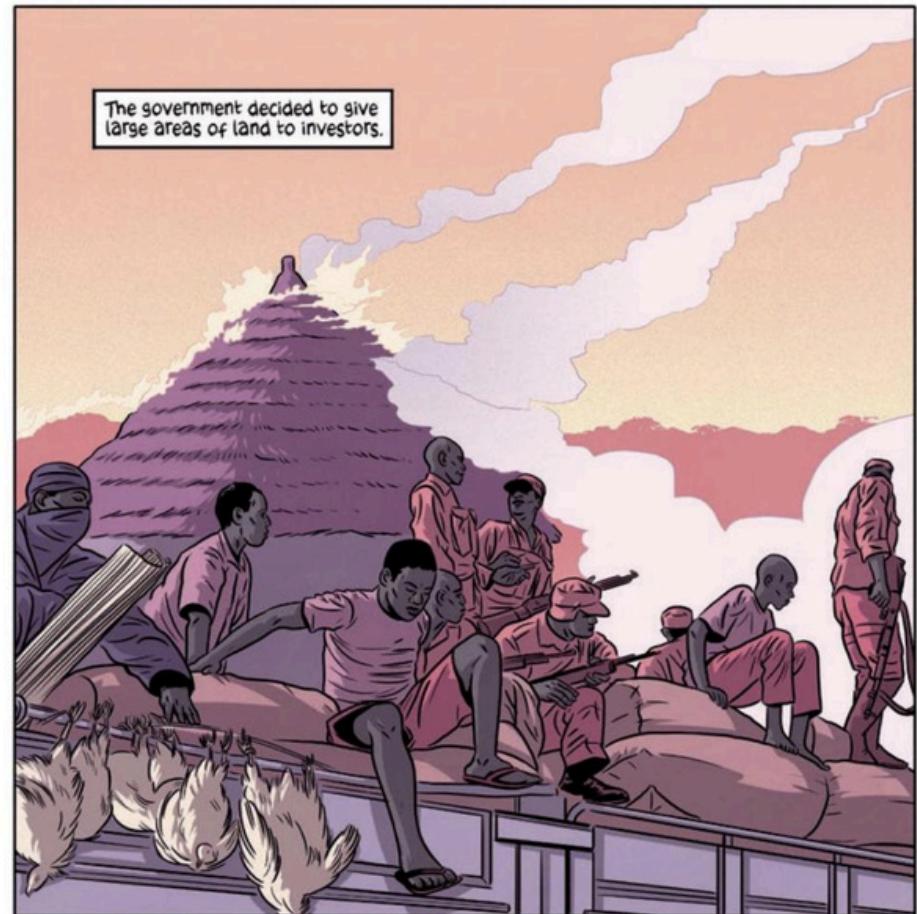
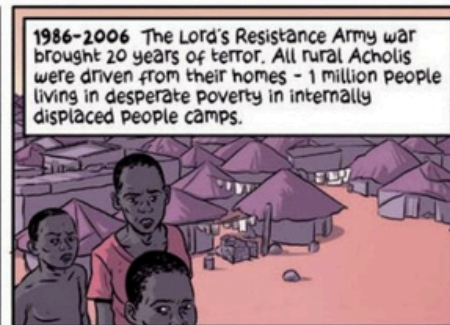
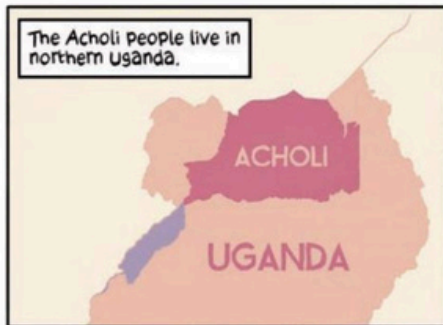


LAND CONFLICTS IN NORTHERN UGANDA

Words Lacan

Art Tom Humberstone



Land Conflicts in Northern Uganda

For many of the people who inhabit northern Uganda, access to land that they can cultivate is essential to survival - in Acholiland there are few, sometimes no economic alternatives for most of the rural population. How people access land, what their customary land claims are and how these can be defended are complex issues very specific to local traditions and circumstances; often tied into larger social structures and subject to extended family politics. Yet rather than seeking to understand how these complexities impact land ownership and usage, international development actors pursue an agenda of individuating, privatising and titling land, that in practice benefits the powerful, the elite and foreign investors. The result is contributing to a growing population of landless people.

-Julian Hopwood

Tom Humberstone

Tom Humberstone is an awardwinning comic artist and illustrator based in London. In addition to publishing his own comics, he edits and publishes the critically acclaimed UK comics anthology Solipsistic Pop. His comics have appeared in Nelson (Blank Slate), Solipsistic Pop (Solipsistic Pop Books), Paper Science (We Are Words + Pictures), The Independent, and Cartoon Movement.



Traditionally land in Acholi has belonged to clans or sub-clans. This is still how most land is occupied. It is not 'owned' by individuals.

People make claims to use land on the basis of having been born into, or married into, a clan. They make claims to particular plots of land on the basis of having cleared it (or being descended from the person who cleared it).



Most of the principles developed when there was ample land and few people - for people to settle with you on your land was an advantage, and it was common to give land to friends and to people related to you by marriage.



It is a system based on **Inclusion**, in sharp contrast to Western property law and thinking, which is based on **Exclusion**.



I farmed many gardens when I was younger. My children helped me. I needed the money to feed them and to send them to school. Now they are grown up and I tend one small garden.



This is our homestead because my father and mother are buried here. We cannot go somewhere else or they would miss us.



These are our fields. They were given to our grandfather by his wife's clan. We cannot sell them, and we must follow the rules of our landlords and behave well, but we can pass them on to our children.

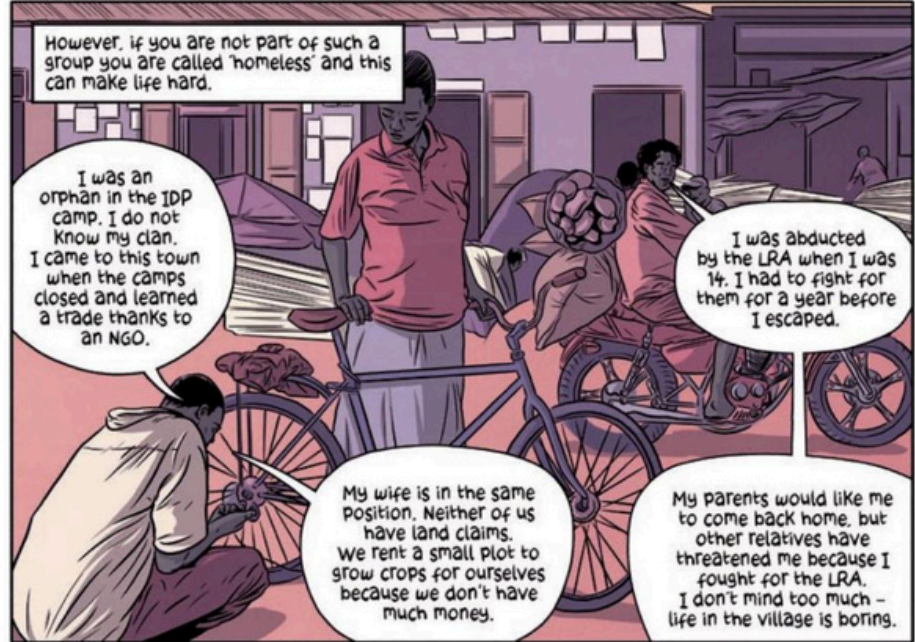
Life is hard because our family is now large while the land we were given is small.



LAND AND FAMILY - LAND AND COMMUNITY - LAND AND LIFE
These things cannot be separated. Life as part of a land-holding kinship group provides security. Most groups cope and manage their internal conflicts themselves.

However, if you are not part of such a group you are called 'homeless' and this can make life hard.

I was an orphan in the IDP camp. I do not know my clan. I came to this town when the camps closed and learned a trade thanks to an NGO.



I was abducted by the LRA when I was 14. I had to fight for them for a year before I escaped.

My wife is in the same position. Neither of us have land claims. We rent a small plot to grow crops for ourselves because we don't have much money.

My parents would like me to come back home, but other relatives have threatened me because I fought for the LRA. I don't mind too much - life in the village is boring.

I was abducted by the LRA when I was about 12 and forced to become a 'wife' to one of the generals. I bore him 3 children. My 'husband' sent me home because he wanted his children to go to school.



My clan used to cane me for drinking too much and smoking marijuana. Finally I had enough and came to town. I get money sometimes for working on building sites. Life is better now.

My family says that I and my children have cen* and won't let me come home. The general was killed in the bush. I sell cabbages in the market to survive but I only make enough to send one of the children to school - the others are at home.

* To have cen is to be possessed by angry spirits of the dead. You may catch it by killing someone but it can also come on you in the bush, especially by being born there. It can make you mad or bring you bad luck, which people around you may catch.



After we came home there was chaos, but many clans worked out their problems. If there were good leaders and enough land, people could go back to doing things the way they were done before we were displaced.

Others were less lucky - sometimes leaders were weak or selfish, or there was not enough land to go round. The biggest problem was that there were inadequate means to resolve disputes.

Within the clan, good leaders can mediate and rule on disputes, but where elders disagree there might be no resolution. Where there is not enough land to go around? Who should lose out?

Some have tried to evict people from outside the clan who were given land even if they have been there for generations.

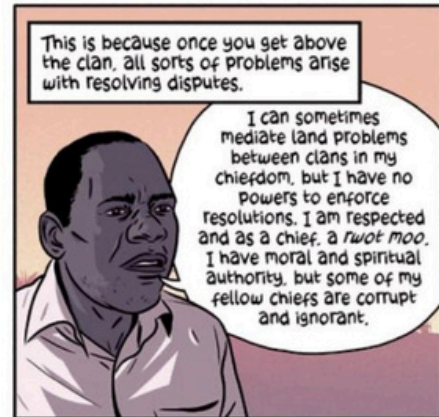
Others try to send widows back to their birth clans but both of these go against tradition and are often fiercely contested.



Another solution for land-poor clans is to try to grab land from neighbouring clans. This can lead to low-intensity clan wars where groups of youths brawl in the trading centres, cattle are used to destroy crops and huts are burnt. Occasionally people get killed.



Usually nobody wins - it becomes too dangerous to use the land at all, while there are no powers to force a resolution.



This is because once you get above the clan, all sorts of problems arise with resolving disputes.

I can sometimes mediate land problems between clans in my chiefdom, but I have no powers to enforce resolutions. I am respected and as a chief, a *rwot moo*. I have moral and spiritual authority, but some of my fellow chiefs are corrupt and ignorant.



I am the elected village council chairperson. We used to hold courts for land disputes but there haven't been elections since 2002. Because of this in 2013 we were told not to hold courts.

In a way it has not made so much difference - we always preferred to mediate cases and reach agreement rather than make rulings, as the losers might beat you or even kill you.



When there is a land case the whole community meet - they are not corrupt because everyone there and knows what is right.

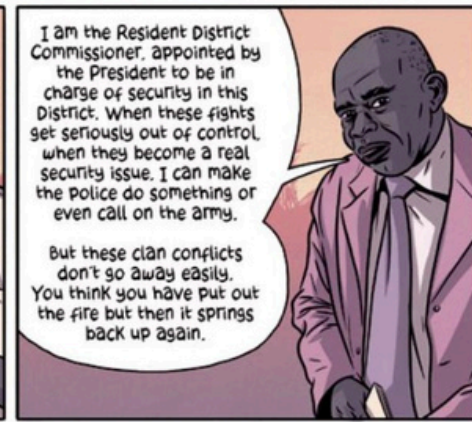
But if the parties don't want to abide by what we say or keep to the agreements they make we cannot do much about it.



I am the chairman of the parish council. I too have been told by the authorities not to hold courts - we used to hear appeals of the decisions of the village courts, but we too preferred to mediate and still do that.



I am chair of the Sub-county council. We used to hear the appeals of the parish court cases, but now they don't exist. We have to try to solve the big problems when clans are at each other's throats, and there is all this fighting and killing, but the police are not helpful. They are too corrupt.



I am the Resident District Commissioner, appointed by the President to be in charge of security in this District. When these fights get seriously out of control, when they become a real security issue, I can make the police do something or even call on the army.

But these clan conflicts don't go away easily. You think you have put out the fire but then it springs back up again.

The two problems - land shortages and leaders who lack the power to enforce decisions on dispute resolution - are bad. But there is a third that is worst of all...



Police, high court magistrates, prosecutors and defence lawyers all love land conflicts - this is how they make most of their money.

The longer they go on the more money they make. Old men - often without education and unaware of the risks - turn to the courts when clans and local council mediation don't give them what they want. Land cases in the high court are very often brought by land grabbers.



Once the case starts, both parties tend to be the losers. Often they go on until both parties run out of money...

...or until someone gets frustrated enough to commit a serious crime and the elders of one of the parties are locked up.



We have lost your file. We might find it if you give us 50,000/=.



But we have spent 70,000/= bringing our witnesses from the village and we now have no more money. The case has already been postponed five times and each time we have to bring the witnesses.

You are disrespecting me. You must find the money or it will be postponed again.



Does your client have any cows left? I will rule in his favour if he pays me 1,000,000/=.

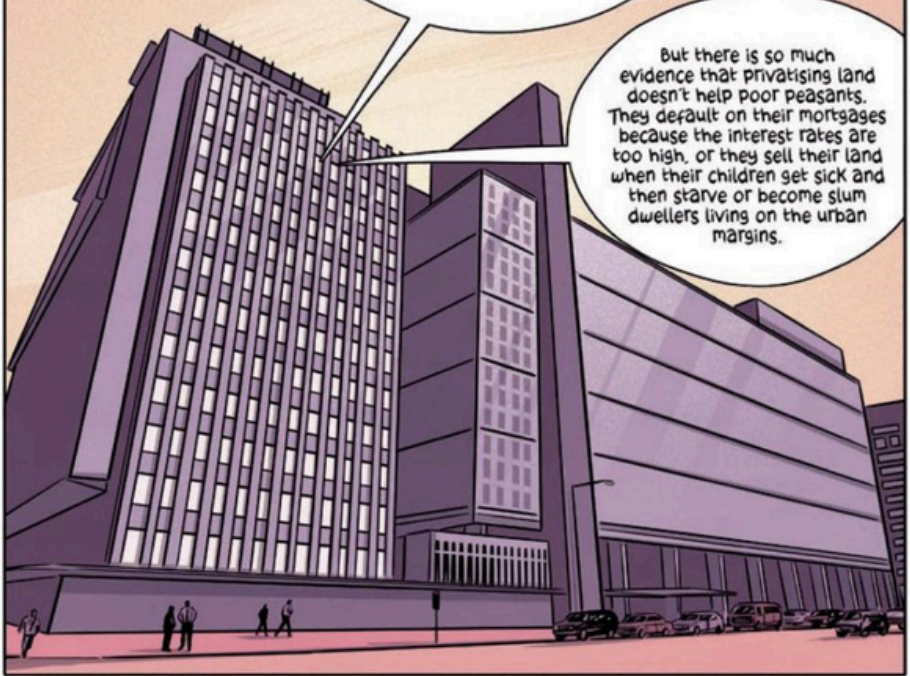


Please not yet. Your worship, I am charging him for each time I appear on his behalf. Also the defendant is poor but he is in the right and he is from the same clan as an MP who might make trouble for us if he loses.

You can keep postponing the case and I will give you some of my fee. One day the case will go away.

But there is also the wider world we live in. Lawyers and police are not the only ones making money.

It is essential for African development that all land is privatised so that it becomes part of the global property market. If you divide the land and give the peasants titles, they can then mortgage their land so that they have capital to develop it.



But there is so much evidence that privatising land doesn't help poor peasants. They default on their mortgages because the interest rates are too high, or they sell their land when their children get sick and then starve or become slum dwellers living on the urban margins.

Then we will still divide and title the land but we will say it is to protect the peasants from land grabbers.



But land titles are given by the government ...