

# Customary Resistance to Marketization of Land: Lango clans in northern Uganda

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## Abstract

This thesis investigates how clan leaders in the Lango region of Uganda - as a political force within society - are resisting the advance of (capitalist) markets in Land. The theoretical analysis contributes to the debates on the *Land Question*, by showing the legacy of colonial construction of customary laws on contemporary structures of clan power, in championing resistance to the expansion of land markets. The study argues that clan resistance to the marketization of land is related to questions of economic, cultural and political independence of society (from the state and the market).

Departing from political economy studies on the impact of the land market on customary land tenure in Uganda, which concluded that the power of the clan to control land markets had been eroded by market forces, the study shows that the rise of the market has instead pushed clans to devise more mechanisms to regulate land sales. The study calls for an analysis of markets that considers both historical factors and the political dimension of responses to that market. Using the clan as a unit of analysis, the thesis deploys Mamdani's construction of "customary power" to analyze the various methods devised by the clan in limiting the expansion of land markets. The thesis challenges misrepresentations of the clan in the literature on legal pluralism as "traditional" and/or "cultural" by situating the clan as a political force within society. It also counters agrarian literature denying the existence of social movements in Africa, by providing the Uganda political dimension of the clan system as a core representation of a socio-political movement championing resistance to capitalist land alienation. The study was undertaken in the Lango region of northern Uganda using a qualitative method involving ethnography, focus group discussions, interviews, archival study, observation, document collection and review of secondary sources.

The study shows that following the pro-market (land) reforms undertaken in Uganda since the 1980s and 1990s, land sales under customary land tenure increased but also consequently increased clan control over land markets, making customary land a site for contestations of various forms of power, mainly customary power opposed to state power. The study shows that the clan is caught up in a contradictory role of both facilitating and hindering the expansion of the land market. This *dialectic* approach provides an understanding of the persistent land conflict witnessed between clan leaders and their members, among clan leaders themselves, among family members, between "natives" and "outsiders", between state agencies together with investors on one side and "local communities" on the other side, in the fight to make (and unmake) customary land a (global) commodity.