

Double-movement: The Politics of Oil-linked Land Enclosure and Reactive Mobilizations from Uganda's Oil Producing Communities

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Abstract

This paper deploys a Polanyian lens of double-movement to examine oil-linked land enclosure and reactive mobilizations in Uganda's oil producing communities. It argues that the discovery of commercially viable oil deposits in Uganda attracted global oil capital and surge for large-scale land acquisitions, displacing customary land-owners and disrupting their livelihoods. Using a qualitative approach, findings reveal complex dynamics of oil-linked land enclosure and the tensions between global oil capital and social reproduction. The study established that land commodification and speculative enclosure were underpinned by unfair, delayed, inadequate compensation and forced evictions. These conditions triggered reactive mobilizations in the form of a counter-movement to protect local citizens' land rights. Nonetheless, the protective counter-movement remains weak because the structural power of global oil capital is dominant. Consequently, many displaced people remain vulnerable and customary tenure remains insecure in practice. There is a need for the strong institutionalization of protective measures against oil-linked land enclosure in extractive societies.

Keywords: Double-movement, Counter-movement, Market Society, Societal Protection, Oil-producing Communities, Karl Polanyi, Uganda

Introduction

The relationship between land enclosure and land conflicts in the oil-rich regions of developing states remains less articulated despite extant literature on natural resource conflicts (Obi, 2010; Niringiyimana, 2022). This is partly because the political economy of resource-conflicts has not adequately analyzed the dialectical relationship between the "market society" that commodify formerly customary land and the "counter-movement" that seeks to insulate a society from the dangers of the market imperatives (Polanyi, 2001; Vail, 2022; Niringiyimana, 2022; Yates, 2012; Obi, 2019). Also, despite the general literature on the political economy of extractive conflicts, little emphasis is placed on the complex processes concerning how the politics of oil-related land enclosure give rise to new forms of reactive mobilizations in the oil producing communities. It is important to understand this complex relationship in extractive societies in order to enable

policymakers to apply evidence-based approaches in development-induced displacements, compensation and resettlement processes.

I explain these processes using the Polanyian lens of a “double movement” (Polanyi, 1944/2001). Polanyi (2001) explains that a “double movement” takes place when capitalist development commodifies social goods such as land and labor and embeds them into economic imperatives. Polanyi explains that this economic logic harms a society thereby sparking “counter-movement” in the form of societal reaction to protect people’s land rights. I apply this Polanyian lens of double movement in Uganda’s oil-linked land enclosure, arguing that land in the oil producing communities of Uganda, which was based on customary land ownership before commercial oil, was rapidly transformed into a commodity under pressure from global oil capital and state-backed land acquisitions. On the one hand, I note that the impulse of the market is manifested in the form of oil concessions, unprecedented titling, speculation and land grabbing. On the other hand, I broach that the counter-movement arises from the affected communities, civil society, traditional tenure claims, and institutional means. Following this theoretical view, I also argue that the emergence of new forms of land contradictions result from the redefinition of land from what Polanyi calls “the social commons” into a commodified and tradable asset under global oil capital.

Thus, the major research question investigated in this paper is logically the following: How has the Polanyian notion of double movement informed the politics of land enclosure in Uganda’s oil producing communities? The immediate answer to this question is that various ideas have been offered in various scholarly works. Nevertheless, it is beyond the scope of this paper to deal with all of these ideas. Therefore, for the sake of conciseness, I categorize the ideas in two major dialectical lenses, namely (1) the enclosure of land and (2) the reactive mobilization of the society. On the part of enclosure of land, three major manifestations are analyzed: (1) land commodification and speculative enclosure, (2) delayed compensation, and (3) inappropriate valuation methodology. With respect to reactive mobilizations, three ideas are advanced as follows: (1) community mobilization, (2) civil society advocacy for land rights, and (3) customary defense for ancestral land.

This paper employs the qualitative approach and, therefore, words are emphasized as opposed to numerical values because the study focuses on the politics of land enclosure. Nonetheless, numerical data are noted to supplement certain qualitative analyses where and when necessary. Secondary and primary data sources are utilized and they are analyzed in terms of explanatory case studies. This means that the “how?” question underlies the analyses (Bangura et al., 2019). The main sources of data included newsletters from CSOs, conference proceedings, newspapers, journal articles, books and key informants. Before engaging in the analysis of the two aforementioned politics of land enclosure in the oil producing communities of Uganda, a broader analysis of land enclosure and theoretical discussion of double movement is first provided as a backdrop. This is because it is the theoretical literature upon which the investigation here is anchored.

The rest of the paper is segmented into a number of sections. The first section introduces and problematizes the study and research question. The second section articulates the politics of land enclosure in extractive societies in Africa. The third section presents the idea of double movement, a theoretical anchorage for this study. The fourth and fifth sections highlight the forms and manifestations of the market society and counter-movement in the oil producing communities of Uganda. The sixth section discusses the limits of counter-movement, and the seventh concludes and suggests a way forward.

The Politics of Land Enclosure in Extractive Societies

A clear conceptual foundation that explains the interfaces among land, power and enclave transformation is crucial for interpreting how oil-linked land enclosures trigger land conflicts in oil producing communities (Niringiyimana, Muhumuza and Murindwa, 2019). Conceptually, land enclosure denotes the process through which public or communal land is transformed into exclusive private or state-controlled property, often through coercive or legally-induced displacement (Harvey, 2005). In extractive settings, and more particularly in oil-producing regions, I articulate three mechanisms through which land enclosure is effectively done, namely (1) market imperialism, (2) market corrosion, and (3) market insulation.

Before articulating these land enclosure mechanisms one by one, it is critical to explain the politics that shrouds them. In the first instance, powerful economic actors such as multinational companies, the state and land speculators leverage their powerful positions to compulsorily acquire land, engage in concessional zoning, demarcate land for infrastructural development, and control strategic spaces (Harvey, 2007; Obi, 2019). These actors achieve this economic interest through militarized measures, money and, in some cases, national and international legal frameworks. Through the process of land enclosure, there is usually a heightened state authority, corporate dominance, and stringent access restrictions that change how communities interact with their natural and social environment. They ensure that these land enclosures are both physical barriers masterminded by the institutional regimes to redefine how land should be owned, understood and used (Vail, 2022). It is this politics of land enclosure that disrupts established land tenure systems, undermines customary governance, while privileging multinational, regional and local actors with political and economic power. This politics of maneuverability make land unable to be used for social reproduction such as agriculture, but a speculative economic asset tied to profit accumulation. In this case, land, which was once a communal space, is suddenly commodified and turned into a tradable asset. This triggers widespread land grabbing due to lack of formal land documentation among the local people. In the issuing paragraphs, I articulate the mechanisms through which politics are played in land enclosure processes.

The first mechanism is “market imperialism” (Vail, 2022). Vail (2022) articulates that in the areas where new strategic resources such as petroleum have been discovered, capitalism gets an unmatched ability to prove its norms, values and practices into the fabric of everyday life. In this way, capitalism in the form of land commodification becomes ‘pervasive,’ ‘contaminated’ and ‘contagious’ with expansionary logic. It is this form of expansion that enables capitalists to grow their reach around the globe. Deutschmann (2019) proffers that unfettered capitalism will widen and deepen the force of the ‘market imperatives’ beyond where previously the market did not exist. Through the same economic maneuver, individuals are induced to be autonomous and rational actors to pursue personal self-interest in competitive environments. It is from this angle of reasoning that land speculators innovatively and competitively acquire land for capital accumulation.

The preceding perspective reflects the Schumpeterian view of capitalism, whereby “capitalists never rest because they move around the world opening new markets, creating new capacities, and instituting constant pressure for innovation” (Schumpeter, 1950, 83). According to Schumpeter (1950), these processes transform the economic structure from within, which ends up destroying the old one and creating new ones (Schumpeter). The rapidity by which land tenure changed in Uganda’s oil producing communities due to increased competition over land needed

for petroleum infrastructure clearly spells out this phenomenon (Niringiyimana et al., 2019). The region where more than 78 percent of the land was held under customary tenure has faced rapid land tenure changes due to oil-related land acquisitions. This came with its disruptive long-standing communal relationships and livelihood dislocations. Accordingly, many rural households lack formal land titles, which make them vulnerable to the curse of dispossession by state agencies or private oil companies. Therefore, the expansionary and imperialistic nature of capitalism makes customary land closer to the cash nexus and the ‘logic of capital circulation’ (Harvey 1999, 344). It is this ‘systematic restlessness’ of capitalism that engenders a systematic tendency for disorder, instability and conflicts in these extractive areas.

The second aspect is “market corrosion,” which comes as a result of antagonistic market imperatives to the values and norms of the society (Vail, 2022). In other words, when land is transformed into marketable property, the process disrupts the collective nature of land governance, such as trust, solidarity, friendship, cooperation and reciprocity. These communal values that are enjoyed in customary forms of land governance get disrupted and bypassed. By destroying the protective institutional framework that preserves society, capitalism undermines the very foundations on which it stands. It needs to be noted that these societal values that protect the land are not predicated on instrumental calculation or self-interest enshrined in capitalism. Instead, as Veil (2022) documents, land enclosure hastens the “wholesale destruction of the traditional fabric of society and uproots people from their familiar environment.” Moreover, it disconnects people from their traditional means of subsistence. To say it in another way, when people get atomized, family life collapses, social safety nets and reciprocal norms get disintegrated, and workers lose all semblance of self-respect. This process dehumanizes people because they suffer from what Polanyi calls “moral debasement” and “destitution” (2001, 76-7).

As Polanyi (2001) also notes, “moral debasement” comes as a result of the intensification of market dependency. Citizens are told that land has to be titled to gain its true meaning in terms of economic value, use, control, and ownership. They are also told that customary ownership of land is inferior and subject to manipulation. Through the same narratives, local landowners are further forced to change landownership rights from customary to freehold titles. The rapidity and intensity with which land commodification is imposed generates what Polanyi calls a “disembedded society.” This is because the “inconceivable rapidity of change” in the land ownership rights is tantamount to land contestations in the areas where these changes take place.

Finally, there is “market insulation” in regions where intensified land enclosure takes place (Vail, 2022). The ideological orientation of the market has an unequalled capacity to influence society and its destructive aspects. It operates in an exceptionally pervasive manner, which resonates with the global neoliberal agenda. Through the ideology of self-regulation, capitalism generates conditions that make the market look like universal and the only “organizing power” in the political economy of development.

Vail (2022) explains how the ideologies of market fundamentalism capture the consciousness of people using various ways, namely (a) being “interpretive” in nature to explain the new emerging ideas in a fashionable way that under-looks the previous ideas; for example, the argument that freehold land ownership rights promote land security and economic efficiency compared to customary land rights; (b) “imperialistic” in nature because of the flexibility to expand the market frontiers; for example, factors of production such as capital are invested where profit is guaranteed; in case risks of reduced profit start manifesting, the economic actors relocate to new economic frontiers to search for more profit opportunities; (c) “simplifying in practice” in terms of a frugal portrait that they have an ‘organizing principle’; i.e. the argument

that society can only become modern through adapting the market principles; (d) therapeutic ideas that cater to psychological security; for example, a belief that a secure land tenure is one with a land title and that each individual has the freedom to engage in any economic activity that can generate profit; and (e) such ideologies are also “action-oriented,” whereby capitalists and elites tend to develop the rationale for market logics to convince people as the only best way of advancing individual development. These ideas reflect the argument that “capitalism did not evolve; it was argued for” (Vail, 2022).

In the preceding respect, ideas and consciousness play a critical role in social transformation and, more particularly, land enclosure. Somers (2018) argues that these ideological imperatives shield the market from the broader perspectives of society. This includes being disembedded from the collective constraints of the non-market realm. This is done by separating the formal economic institutions from the political realms as if the economy operates in a vacuum.

Nonetheless, free exchange in developing states is unachievable and restricted, if not deceptive. This is because there is no freedom in such countries where markets are imperfect, since local people have limited information about the land market and they are forced to relocate and or evicted without compensation. Therefore, the institutional separation of politics and economics is deadly to the substance of society. This is because the market produces freedom at the cost of justice and security of the people. In short, the separation of politics from economic maneuver was used to separate the people from power over their own economic life. In the next section, I broach the idea of double movement.

The Idea of Double Movement: Conceptual and Theoretical Explanations

Karl Polanyi postulated the idea of double movement nine decades ago (Polanyi, 1944; 2001). Double movement is underpinned in two conceptual phases. The first phase is the movement of “self-regulating market” and the second phase is the movement of “self-protection of the society” also known as the “counter-movement.” With respect to the first phase, Polanyi articulates how the self-regulating market transforms into the “market society” as a powerful economic mechanism to govern a society. “Market society” underpins the idea that social relations and imperatives are reorganized around market rules rather than moral, cultural, or communal norms and values. Nonetheless, this change was neither natural nor inevitable. Polanyi deliberates that it was as a result of deliberate political and institutional engineering designed to generate self-regulating markets (Dale, 2016). The main aim of the “market society” was to expand the economic logic into areas of social life previously governed by social obligations and reciprocal relations. This economic extension requires considering human labor, land, and money as commodities. Yet Polanyi (2001) submits that these were “fictitious commodities” that were not originally produced for sale.

While Polanyi viewed “fictitious commodities” as land, money and labor, in this study I focus on land to explain the politics of land enclosure and the counter-movement against the process. The Polanyian idea of commoditizing fictitious commodities such as land generates a counter-movement from the society because land is another name for “nature” and part of social life (Polanyi, 2001; Vail, 2022). Therefore, transforming land into a commodity in the form of enclosure and titling damages the historical link that people had established with it. More specifically, Polanyi (2001) notes that subjecting land to market imperatives has various

implications that endanger society: (a) it destroys the sustainable livelihood strategies that communities had adopted over the years to deal with resource scarcity, (b) it abolishes customary land tenure systems that constitute land security for generations of peasants, and (c) it subordinates the land to the needs of the urban population and global capital at the expense of indigenous rural people. These issues have far-reaching implications that force society to respond in a way that protects its values.

Therefore, the theoretical idea of “market society” is the economic logic, such as commodification, accumulation, competition and profit-making, that dominates social relations. Polanyi (2001) and Vail (2022) aver that instead of the economic logic being embedded in social relations, the logics of social relations are embedded in the economic system. This process is anchored on the capitalist expansionist logic, which emphasizes the commodification of land to meet market demands. This denotes how multinational foreign companies, the state and land speculators acquire and enclose land, often without adequate consultation from and compensation for the local landowners. The land is usually taken without prior informed consent and the principle of willing buyer; willing seller is usually ignored.

Also, the disembeddedness of the economy is a theoretical idea of the market society. Polanyi (2001) explains how pre-industrial economies were embedded within social and cultural norms. This made markets a part of other mechanisms of distribution and wealth generation (Dale, 2010). When industrial capitalism rose, market society detached economic activity from broader social controls. This allowed market mechanisms to direct production and distribution autonomously (Block and Somers, 2014). This generated the conditions whereby market forces became autonomous rather than embedded in social and political relations. Also, this was intensified when land, labor and money were treated as commodities despite them being fictitious commodities and unable to be reproduced for sale. In this respect, Polanyi broaches how “allowing the market mechanism to be the sole director of the fate of human beings and their natural environment and even of the amount and use of purchasing power, would result in the demolition of society” (2001, 43).

The consequences of a disembedded economy are forced dispossession, land grabbing, displacement and violent evictions. Polanyi (2001) and his supporter Vail (2022) explain that these actions generate a disembedded economy through eroding societal values and the separation of people from the land. When land rights for local communities are undermined, people lose their livelihoods and social cohesion. This leads to grievances that trigger the second lens of the movement known as “counter-movement” or the social protection of society that I have termed as reactive mobilization in this paper.

Therefore, the second lens of the movement is “counter-movement.” This movement takes place to protect society from the economic harm of the market society. These economic harms include evictions and displacements that cause social dislocation and livelihood disarticulation. These processes, in turn, provoke a reactive mobilization from society that Polanyi calls “counter-movement.” A “counter-movement” is therefore a societal protection phase designed to protect itself from market excesses. According to Polanyi, this reactive force seeks to restore various forms of social regulations and moral order disrupted by unrestrained commodification. It needs to be noted that “counter-movement” is not simply resistance but a structural inclination whereby citizens have to exert their agency in capitalist modernization. In this respect, Dale (2016) notes how societies are not passive recipients of market imperatives but actively shape the rules of the economic system. Thus, Block and Somers (2014) conclude that a counter-movement aims to prevent the market from undermining the fabric of social life. This

move also represents historical shifts between the commodification of social life and the social protection of society.

Within the closer lens of the commodification of social life, a counter-movement aims at insulating and protecting social institutions from the destructive impact of market pressures. Polanyi (2001) notes that putting land on the market causes negative consequences for a society because land has a strong underlying societal value which people cannot accept to lose through land commodification. Instead, Polanyi (2001) explains how diverse actors in society without a shared class identity form broad alliances and coalitions to fight back against land rights violations. These groups include civil society organizations, the peasants, landowners, workers and organic intellectuals. Block and Somers (2014) explain how these groups do so by demanding the recognition of their land rights, fair compensation, and protection of their livelihoods.

Accordingly, the broad societal coalitions that emerge are based on thick reciprocity learned through personal experiences and social interactions. These encourage individuals to form solidarity and engage in collective actions. In addition, the target for counter-movement is to 're-embed the economy' and reduce the harmful effects of the market forces through protective measures such as the adequate enforcement of land acquisition and compensation legal and policy frameworks. To be more concise, the idea of double movement is illustrated diagrammatically in Table 1.

As highlighted in Table, a double movement consists of complex and often contentious processes. Once market expansion through land commodification and enclosure takes place, customary land rights are often undermined, thereby leading to displacement. This is always followed by the reactive mobilization to protect a society (Vail, 2022). These are done through community mobilizations, legal challenges, and petitions.

In between a market society and a counter-movement, there is an important actor: i.e. the state. While various actors contribute to the idea of double movement, the contradictory role of the state is worth noting here (Vail, 2022). On the one hand, the state acts as a facilitator of market expansion by generating a conducive environment for land commodification and enclosure. This is usually done through policies, laws and regulations that support economic investment. On the other hand, the state responds to societal pressure and attempts to mitigate the negative impact of the market expansion to maintain social stability (Block and Somers, 2014). The bifurcated role of the state in generating a conducive market regime that enables the commodification of land and intervening to advance local land rights when market pressures become unbearable is clear manifestation of the politics of land enclosure in extractive societies. This dual role of the state generates tension, uncertainties and unpredictability of development outcomes in such societies (Vail, 2022). Also, these ideas show how double movement exposes the ideological gaps in a market-based economy. They also reveal the contradictions between the idea of a self-regulating market and the reality on the ground. In the next section, I engage the idea of the market society and its manifestations on oil-linked land enclosure in Uganda.

The Market Society: Manifestations of Oil-linked Land Enclosure in Uganda

In this section, I discuss three market society aspects that underpin the manifestations of oil-linked land enclosure in Uganda. These include (1) land commodification and speculative enclosure, (2) delayed compensation, and (3) inappropriate valuation methodology. These

aspects are discussed in the ensuing paragraphs.

Table 1: Karl Polanyi's Double movement: Actors, Mechanisms and Manifestations

Double movement	Main Actors	Mechanisms	Manifestations	Outcome
Market expansion: Commodification of land	Ugandan state (from central to local government). Multinational oil corporations. Land speculators. Land surveyors.	Altering customary land to titled freehold. Land speculation and land grabbing. Large-scale land acquisition. Compulsory acquisition and undervaluation of land.	Fraudulent titling of land. Massive land acquisition. Forced Evictions Land rush and false claims of strategic land.	Commodification of communal land. Household displacement and evictions. Livelihood disarticulation. Increased statutory land titling.
Protective Counter-movement	Affected households Civil society organisations Cultural institutions Farmers Legal institutions	Legal challenges through the courts of law. Formation of Communal Land Associations. Public protests & petitions. Advocacy for recognition of customary tenure.	Cancellation of fraudulent titles Resistance to forced evictions. Civil society reports and documentation. Pressure for fair compensation & land-use mapping	Conflicts Regulatory responses

Source: Self-generated by the Author (Niringiyimana, 2025)

The first aspect is land commodification and speculative land enclosure. This stands out as one of the ways market societies are manifested in Uganda's oil producing communities. Land commodification denotes the process of considering land as a marketable asset subject to market imperatives such as buying, selling and speculating. Niringiyimana et al. (2019) aver that land commodification in the oil producing communities gained impetus when the oil boom dramatically increased land values, attracting speculators, the state, and multinational oil companies. It also involved opportunistic buyers seeking to profit from anticipated compensation

from the land. In the examples provided here, cases of land commodification and enclosure were mainly via markets-on-close (MOCs) orders in support of the state. Uganda's oil was at the development stage and five major oil development projects were taking place. These are described in the subsequent paragraphs.

Apropos the oil refinery and its auxiliary facilities, the land enclosure had a land intake of 29.34 square kilometers (2,934 hectares) and covered 13 out of 17 villages in Kabaale parish, Buseruka sub-county, Hoima district. The resettlement action plan (2012) shows that the project affected 7,118 people, of whom 50.6 percent were men and 49.4 percent were women (RAP, 2012:29).

The other one was the Tilenga Project which was constructed by Total E&P and Tullow Oil. This project lies within the Murchison Falls National Park. The name *Tilenga* was coined by the joint venture oil companies from a combination of the local names of an antelope—*engabi* in Runyoro and *til* in Acholi. *Til+enga = Tilenga*: thus, the name Tilenga Project (Resettlement Action Plan, 2018). This naming formula aimed at gaining social license to operate or acceptance from the local people, among whom antelopes were very common. The actual footprint of the Tilenga Project was estimated at 1,170 hectares of land within a wider area of approximately 110,000 hectares. The central processing facility (CPF) alone, which is part of the bigger project, had a land acquisition intake estimated at 319 hectares. It displaced 264 people physically and 345 people economically. According to RAP (2018), a total of 239 people were both physically and economically affected (ATACAMA Consulting, 2017).

Another important project was the Kingfisher in Buhuka parish, which was managed by China National Offshore Oil Company (CNOOC). This project had acquired approximately 340 hectares and this affected 680 households that comprised 2,949 persons. One more is the East African Crude Oil Pipeline (EACOP). This is managed by the three joint venture MOCs: (1) CNOOC, (2) Total, and (3) Tullow—together with Uganda National Oil Company (UNOC) and Tanzania Petroleum Development Corporation (TPDC). The total land take of the EACOP was estimated at 1,255 hectares. It is also expected to affect 4,300 people along the 296-kilometer pipeline corridor in Uganda. The pipeline passes through nine districts, namely Hoima, Kyankwanzi, Kikube, Kakumiro, Sembabule, Lwengo, Gomba, Kyotera and Rakai.

Also, there are internal feeder pipelines to transport the refined oil products from the oil refinery in Hoima to the distributional terminal in Wakiso district (Ogwang and Vanclay, 2019). This project is known as the Hoima-Kampala Petroleum Products Pipeline (HKPPP). It was estimated to have a total length of approximately 210 kilometers from Hoima to Buloba in Wakiso district, with an estimated 121 hectares of land intake.

As highlighted in every oil project, there has been a need for permanent land acquisition and land enclosure for the successful implementation of these projects. This implies that the Ugandan state and MOCs have to minimize the project costs while maximizing profits from the oil investments. This requires using strategic and calculated measures and the politics of maneuverability. In addition to these, there were other oil actors such as land speculators and powerful local elites who have access to information, that attempted to benefit from the oil boom, or what Watts (2001) calls “petro-business.” These land speculators acquired these lands before community members would be aware of what lay ahead. From this entanglement emerged certain demands over land by the local elites and later project-affected communities. These included demands for fair compensation and fair oil revenue sharing. As these multiple oil actors were at different levels of influence and had visible power differences, this complicated the nature of oil politics and land conflicts. This means that powerful groups such as the MOCs had

to dominate the oil development process and local communities played a subordinate role that would not adequately protect them from violent land evictions and unfair compensation.

Moreover, the Ugandan state would not easily stop MOCs-influenced evictions because the MOCs were the main financiers and had been accepted and licensed by the government to exploit the resource. This implies that any disagreements with them would delay the oil infrastructure developments and or stall the entire sector. Another important aspect is that the Ugandan state had conflicting interests of acting as an investor whose objective was to generate profits, on the one hand, while its cardinal role was to protect the land rights of its citizens, on the other (Langer, Ukiwo and Mbabazi, 2020). The state, then, became the investor, the regulator, and the guarantor of people's land and livelihood rights in a tumultuous landscape. These contradictory relationships, motivated by profit maximization, are clear manifestations of Polanyi's idea of a market society.

The sother manifestation is delayed compensation for land and other property such as houses and crops. The International Finance Corporation (2012) defines compensation as payment in cash or in kind for an asset or a resource that is acquired or affected by a project at the time the asset needs to be replaced. Nonetheless, most of the compensation guidelines were either ignored or undermined in the oil producing communities of Uganda. Considering the oil refinery, for example, the RAP (2012) and the compensation status report confirmed that 2,680 PAPs were eligible for cash compensation but there was a delay in compensating them for two to six years. RAP (2012) explains how out of the 2,680 PAPs, 2,657 had been paid between 2015 and 2018 instead of 2013. In short, four percent of PAPs were paid within the prescribed timeframe of four months. This reveals that there were delays in compensating 2,553 (96 percent) of PAPs. This was against the implementation timeline of November 2013 as stipulated in the RAP (2012). The Attorney General's Annual Report (2017) found that despite an investment of UGX 64 billion and the sensitivity of the project, with over 3,500 women and 1,300 children affected, the compensation process had not yet been completed by December of 2017.

In relation to delayed compensation, affected individuals were also restricted from accessing the land for planting perennial crops. As Niringiyimana (2022) notes, other households did not engage in short-term crop growing because they were waiting to be resettled at any time. As for those who planted crops, the crops did not yield anything because they were often eaten by wild animals that had taken over the vacated areas. In addition, staple food prices rose and local markets closed. Consequently, PAPs suffered from food shortages. These conditions generated a feeling of marginalization and grievances, which sparked off land protests and demonstrations.

In reflection, the RAP (2012, 2017) outlined important supervision and monitoring enhancement issues that government was supposed to address in order to ensure the effective management of oil projects, but it was unable to comply with them. Also, the Auditor General's Report (2017) confirmed the government's inability to supervise and monitor the oil activities work based on the following indicators:

Government was supposed to procure the witness NGO to undertake compliance audit activities by July 2013, but by 2017 nothing had happened. The government was supposed to procure monitoring and evaluation consultant by July 2013, but it was until June 2017 that a consultant was procured. There was need to organise and hold RAP mediation committee meetings or grievance handling between

September and December 2013 on issues of land conflicts, but by 2017 there were a lot of unresolved land conflicts. There was need to review and sign compensation agreements with affected persons by September 2013 to January 2014 but there was a delay of 20 months since it was implemented from November 2013 to August 2015. (Auditor General Report, 2017, 1)

The preceding findings confirm that the MOCs and their consultants implemented their activities with little government supervision partly because of lack of funds to supervise the activities. This implies that compliance with the requirement for timely compensation and resettlement and the provision of quality social amenities depended on the mercy of these MOCs and their sub-contractors. Nonetheless, this did not happen because it is conventionally known that the MOCs are interested in profit accumulation as expounded in neoliberal principles. These conditions theoretically depict the concept of a disembedded economy, which generates an antagonistic relationship between market forces and society (Vail, 2022). As Vail (2022) notes, it is hard for a self-regulating market to take place without a counter-movement from the society which has to protect its societal land rights. According to Polanyi (2001), a self-regulating market which creates a disembedded economy is “utopia” and cannot possibly be fully transformed into a reality because it by necessity provokes the counter-movement.

The aforementioned issues are also in violation of Section 73(3) of the Land Act Cap 227. It stipulates that the government or private investors acquiring land make prompt payment of compensation to “any person who has an interest in the land for any damage caused to crops or buildings and for the land and materials taken or used for the works.” Delay in paying compensation is also in violation of Article 26 (2b) of Uganda’s 1995 Constitution, which provides for prompt, fair and adequate payment of compensation prior to compulsory land acquisition by the government. The delay in compensating PAPs was also in violation of the IFC (2012), which states that PAPs have to be compensated promptly to avoid the adverse effects of capitalist projects. For example, compensation for land inevitably results in an increase in land prices in the neighboring villages. This means that delayed compensation affects the size of the land a PAP could have purchased in case of prompt payment. Yet, there was no consideration of additional payments by the government and the MOCs to the PAPs as a result of delayed compensation. This indicates that it was not possible for the PAPs to use the originally planned amount to pay for the same size of land after six years of delay.

Lastly, inappropriate valuation methods in compensation and resettlement processes were another impediment (Office of the Auditor General, 2017). According to the valuation methodology laws in Uganda, customary land was supposed to be assessed at approximately 90 percent of the market value of registered land. Nevertheless, I discovered that the consultant for the oil refinery used an unapproved methodology during the valuation of customary land in some villages. For example, two villages, namely Nyamasoga and Nyahaira, had overvalued land, while others such as Bukoona A, Katooke and Kayera had undervalued land (Office of the Auditor General, 2017). The failure of the private consultants to value local residents’ land uniformly resulted in financial loss, inequality and marginalization. Table 2 provides a glimpse into the villages affected by inappropriate valuation methodology.

From Table 2 it can be stated that the registered lands in the first two villages were overvalued compared to the last three villages, which were undervalued. What is important to note is that both the government and the PAPs incurred a financial loss because of the discriminatory valuation methodology. In total, the amount of money that the government lost

because of overvaluation was UGX 295,750,800. Contrastingly, the figures relating to the last three villages in the table show that the rates used for Kayeera, Katooke and Bukoona A were lower than 90 percent of the value of the registered land considered for compensation. This resulted in a total loss of UGX 16 172,100 to the PAPs. According to the Auditor General's report (2017), the value was determined based on the market value of land. Nonetheless, the consultant was supposed to write to the chief government valuer (CGV) explaining why the land value had to vary and seek approval before adjusting the rates. There was no evidence that the consultant sought this approval.

Table 2. Valuation rates of the affected villages and the financial loss to PAPs and government

Villages	Value of registered land per acre (A)UGX	Value at 90% for customary land (B) UGX	Actual paid for customary land per acre (C) UGX	Variance (C-B) UGX	Acreage of customary land	Amount UGX
Over-valued villages						
Nyamasoga	4,700,000	4,230,000	4,500,000	270,000	723.7	195,399,000
Nyahaira	4,900,000	4,410,000	4,500,000	90,000	1115.02	100,351,800
Total loss to government						295,750,800
Undervalued villages						
Bukoona A	3,900,000	3,510,000	3,500,000	10,000	879.76	(8,797,600)
Katooke	4,000,000	3,600,000	3,500,000	100,000	43.02	(4,302,000)
Kayera	3,900,000	3,510,000	3,500,000	10,000	307.25	(3,072,500)
Total loss to PAPs						16,172,100

Source: Office of the Auditor General, December 2017

During the analysis of the documents, some more contradictions were discovered. The valuation methodology submitted to the CGV for approval was, for example, derived from a market survey based on comparative market transactions (Auditor General Report, 2017). The market survey was meant to be the basis of compensation and not to be a benchmark. This was eventually approved by the CGV and SFI as expected to ensure adherence to the approved methodology. But, the consultant applied only market survey rates and ignored the 90 percent benchmark for customary land. Further investigations indicated that the office of the CGV failed to supervise the SFI to ensure that the valuation methodology was followed during the valuation process. For example, the RAP (2012) revealed that the government was unable to procure the witness NGO that was supposed to conduct an audit and ensure that legal procedures were followed. The RAP (2012) had also recommended the procurement of a private consultant to monitor and evaluate the activities of the SFI during the compensation and resettlement process, but this was procured late in 2017 when most of the activities had already been completed. These administrative anomalies can also be explained by the politics of land enclosure, whereby the

state relinquishes its powers to private consultants (Harvey, 2005). While it is argued that self-regulating markets are more effective, this was not the case in the valuation process for the oil project in Uganda.

The preceding findings demonstrate how Polanyi's market society introduced an unprecedented form of social organization in which markets became the dominant structuring principle in Uganda's oil zone. The analysis shows how social relations in the oil producing communities of Uganda have been reorganized around the market principles such as capital investment and extractive imperatives (Vokes, 2019). It also shows how there have been extensive pressures of market expansion on land and labor which have intensified land commodification, displacement, labor restructuring, and governance reforms. As Polanyi contends, this economic reorganization is neither natural nor inevitable but is instead the result of deliberate political and institutional engineering designed to generate self-regulating markets (Dale, 2016). In the next section, I explicate how these logics of the market society triggered the idea of the counter movement.

The Idea of Counter-movement: Efforts against Oil-linked Land Enclosure

In this section, I broach the idea of counter-movement which, as I stated earlier, Polanyi calls "the second phase of the double movement." Polanyi explains that this phase, also known as "society protection," emerges when society mobilizes to protect itself from the excesses of the market. Block and Somers (2014) document how this is done through establishing countermeasures in the form of collective resistance, state interventions, and rights-based activism. Here, I argue that counter-movement in the oil-producing communities of Uganda took place in different forms. These include (1) community mobilization, (2) civil society advocacy and rights-based interventions, and (3) legal action and litigation as well as media exposure and public dialogue. These societal protection reactions show the complex nexus between structural market forces and grassroots mobilizations. These ideas also reflect the claims of Polanyi regarding a "society pushing back when economic transformations threaten social cohesion and human dignity" (Sandel, 2012). These ideas are explained in the paragraphs that follow.

The first is community mobilization and demonstration against unjust land acquisitions and land grabbing. Niringiyimana (2022) says that community mobilization was one of the protective counter-movements in Uganda's oil zones against forced displacement. He explains how communities in the oil-producing region increasingly organized community meetings, dialogues, petitions, and collective protest activities to oppose inadequate compensation or coerced land sales. He notes that such mobilizations often begin at the household and clan level before spreading to villages and district-wide collective resistance. He adds that customary leaders convene to discuss market threats to their ancestral lands or violations of communal rights. In some peaceful demonstrations, communities demanded immediate compensation or else they would sabotage the construction works.

This determination to fight for their land rights reflected the views of Alao on peasant land conflicts and struggles in Africa. Alao (2007) proves how land means everything to people in Africa upon which life revolves. He submits that local farmers cannot fold their arms while other people take their lands. According to Alao, "for farmers to be passive while others are encroaching on their land is like mortgaging the future of their children. Even the ancestors would turn angrily in their graves and rebuke them in no small measure" (2007, 68). As

Goodfellow (2017) also points out, these localized actions demonstrate how the affected populations are not passive victims of enclosure but active agents in negotiating their futures. It also shows how these mobilization efforts reflect the emotional and cultural significance of land in these societies. In this regard, displacement is not simply an economic act; it is deeply rooted in social and spiritual configurations. Finally, the idea of counter movement shows the power of interdependence. It explains how collective power to resist land rights violations reinforces the role of the voices and values from below through mobilization.

The second manifestation of counter-movement was civil society advocacy and rights-based interventions. Murisa and Twinamasiko (2018) argue that civil society organizations (CSOs) emerged as dominant actors in resisting or mitigating oil-related land injustices. These scholars submit that CSOs conduct research, mobilize, and train communities on land rights. They raise awareness and challenge exploitative land enclosures through litigation and public campaigns. They complement the efforts of community mobilization through legal support and documentation. They establish platforms for advocacy that rural communities alone cannot easily access. Ogwang et al. (2017) note that some CSOs work closely with local communities to map customary land to prevent fraudulent titling and document forced evictions. Others advocate for transparency and accountability in compensation processes and still others lobby international organizations and donors for support in pressurizing the state and MOCs on just and fair compensation.

To achieve the aforementioned goals, CSOs working in the oil and gas sector in Uganda established what I call “coalescence.” This coalition emerged from initial pessimism about its ability to meaningfully contribute to the complex sector. Initial pessimism arose from within the civil society fraternity which viewed the oil frontier as too technical for Uganda’s weak civil society. Others came from state and oil companies that dismissed civil society actors as lacking the expertise, skill, and exposure to meaningfully engage in a complex sector. Civil society responded to this challenge, coalesced into a coalition, built member capacity, and gave member CSOs the wherewithal to confront both the state and oil companies in mutually beneficial ways. Today, CSOs are capable of forming strategic vertical and horizontal alliances that can allow them to more ably bargain with the state and global oil capitalists. Vertical alliances allow CSOs to connect with international non-governmental organizations (INGOs), donor agencies, and development partners and subnational community-based organizations (CBOs). Horizontal alliances enable them to form coalitions among themselves.

These strategic alliances allowed CSOs to secure donor funds and build capacity to acquire oil-related knowledge and social legitimacy for effective deliberations on counter-movement. A key structural innovation was the formation of the civil society coalition on the oil and gas sector in Uganda (CSCO) which brings together more than sixty (60) CSOs working on issues related to the oil and gas sector (CSCO 2020; ACODE 2023). The Coalition, coordinated by a local think tank called Advocates Coalition for Development and Environment (ACODE), has built members’ capacity to conduct periodic monitoring of sectoral operations; review policy, legal, and regulatory documents to inform development of the sector’s governance frameworks; conduct independent research to inform evidence-based stakeholder engagements; capacitate CBOs and communities via citizen mobilization and community engagements; and effectively deliberate with sector professionals from state and on oil companies. These measures have contributed to laying the foundation for transparency and accountability in the sector. The effectiveness of CSOs in promoting a counter-movement requires continuous, structured and professional bargains and compromises with the state and global oil capital.

The third manifestation of counter-movement was defense of the ancestral land through customary leadership. According to Gildseth (2013), customary authorities play a critical role in defending communal land from capitalist enclosure. This is usually done through clan leaders who assert their historical claims over land rights. They also challenge the state and MOCs against attempts to fraudulently acquire ancestral lands. Bunyoro Kitara Kingdom is the main cultural institution that claims customary ownership of land in the oil village communities of Uganda. Ogwanga et al. (2019) and Niringiyimana et al. (2019) enlighten how customary leadership of Bunyoro Kitara supported in mediating disputes, rejecting fraudulent sales, and demanding consultation before land would be transferred to the state and MOCs. Moreover, the customary institutions and leaders collaborated with NGOs to preserve the land, map clan boundaries, and sensitize local people about land rights. Bunyoro Kitara Reparations Agency (BUKITAREPA) and Bagungu Revival Cultural Association (BRCA) which represented the interests of cultural institutions fought for the preservation of customary land rights and resource control in the Albertine region.

To confirm the preceding developments, Niringiyimana (2022) found out that BUKITAREPA was a pressure group organized by indigenous people who belong to nationalities that were under Bunyoro Kitara Kingdom prior to colonial occupation. It was registered in 2004 as an independent entity in Bunyoro and, since then, it has been a mobilizing force for collective action toward addressing historical land injustices. BUKITAREPA aims to recover, preserve and protect the land of the Bunyoro Kitara sub-region. It implores the government to involve the Bunyoro Cultural Institution in all matters concerning land acquisition and in implementing oil-related activities in the greater Bunyoro. Niringiyimana (2022) shows how it required the government and MOCs to follow due diligence while acquiring land for oil development. Through its support, Bunyoro Cultural Institution attempted to reclaim its customary land by suing the MOCs and the Ugandan government at both national and international levels. One of the cases was submitted in 2016 to the High Court in Kampala under case No. 023. In this case, BUKITAREPA sued the government, Tullow Oil Uganda, Total E&P Uganda and CNOOC Uganda Ltd, seeking damages and a court declaration that all titles granted to land speculators in Bunyoro before and after the declaration of commercially viable oil deposits were fraudulently obtained and were therefore null and void (Mugerwa 2016). In its suit filed by Ayena Odongo and Company Advocates, BUKITAREPA claims that MOCs failed, omitted and neglected to give legal recognition and protection to customary land for indigenous people with due regard to their customs, traditions and land tenure systems in Bunyoro. These forms of counter-movement reveal that citizens in the oil-producing regions are not passive spectators but part of the broader oil actors that exert their agency for petroleum-related benefits.

The Incomplete Nature of a Double-movement

In this section, I analyze the application of the notion of double movement in understanding oil-linked land enclosure in Uganda. I note that Polanyi's idea of double movement is helpful in explaining how oil-linked land enclosure is managed. Nonetheless, it was observed that counter-movement significantly faces many challenges. These include political suppression and limited resources to engage in meaningful legal battles. Also, CSOs operate in a dwindling civic space with state restrictions. In addition, elite capture and corruption weaken the efficacy of legal and administrative interventions. As Witte (2021) notes, the situation is worsened by inconsistencies in international pressure undermined by geopolitical interests.

The findings reflect what Polanyi (1944, 2001) warned about several decades ago that protective reactions often struggle against powerful structural forces. Moreover, Vail (2022) and Polanyi (1944, 2001) submitted that even when there could be some levels of success such as cancelling fraudulent titles and establishing communal land associations, many customary owners remain displaced or landless. This is more so due to inadequate or delayed compensation and weak institutional reforms such as communal land associations. Also, many displaced persons lack alternative livelihoods or means of rebuilding livelihoods; yet, social cohesion, trust and solidarity ties have been broken beyond easy repair (Ogwang and Vancley, 2019). After all, land speculation and, by implication land enclosure, remains high as investment in global oil capital increases. Therefore, although counter-movement exists, it has not fully succeeded in re-embedding land within social and communal relations. It has also not fully protected customary landowners. The imbalance between the pressure from the market and social protection remains lopsided in favor of global oil capital and powerful actors. This is in line with Polanyi's warning about the fragility of a protective counter-movement. In the next section I conclude the study and provide a policy recommendation.

Conclusion and Recommendation

The unfolding of oil-linked land enclosure in Uganda shows a classic dynamic: i.e. rapid commodification of communal land, structural redefinition through law and institutions, and a partially effective but constrained social pushback. Global oil capital triggered a powerful market impulse to transform customary land into a salable commodity. This reshaped land relations, tenure and livelihood patterns in the oil producing communities. The institutional and legal mechanisms facilitated this commodification. The framework generated conditions for enclosure that favored elites and global oil capital over customary ownership. The social and political consequences, such as dispossession, displacement, and loss of livelihoods, triggered resistance. Consequently, community mobilization, advocacy, title cancellations and communal land associations were used as alternative approaches to address the problem. Yet the protective counter-movement remains weak because the structural power of global oil capital remains dominant.

Consequently, many displaced people remain vulnerable and customary tenure remains insecure in practice. As a way forward, it is worth recalling the dangers of unchecked commodification that Polanyi mentioned. Also, we need institutionalized societal protective measures against oil-linked land enclosure. Without strong institutionalized land protections and genuine community participation, market-driven enclosure will remain high in the oil producing communities.

References

- Alao, A. (2007). *Natural resources and conflict in Africa: The tragedy of endowment*. Rochester, NY: University of Rochester Press.
- Auditor General Report. (2017). SHS 125 billion withdrawn from Petroleum Fund irregularly, AG report, Kampala. <https://www.afiego.org/wp-content/uploads/2024/03/Annual-Report-of-the-Auditor-General-FY-2017.pdf>
- Bangura, A. K., Obando, J. A., Munene, I. I. and Shisanya, C. (2019). *Conducting research and mentoring students in Africa: CODESRIA College of Mentors handbook*. Dakar, Senegal:

- CODESRIA Publications.
- Block, F. and Somers, M. (2014). *The power of market fundamentalism: Karl Polanyi's critique*. Cambridge, Massachusetts: Harvard University Press.
- Dale, G. (2016). *Reconstructing Karl Polanyi: Excavation and critique*. London, UK: Pluto Press.
- Deutschmann, C. (2019). *Disembedded Markets: Economic theology and global capitalism*. Abingdon, UK: Routledge.
- Gildseth, I. (2013). Land tenure practices and land acquisitions in oil region: The case of Hoima, Western Uganda. Master's thesis, Norwegian University of Science and Technology, Trondheim, Norway.
- Goodfellow, T. (2017). *Urban fortunes and rural misfortunes: Oil, land, and politics in Uganda*. Oxford, UK: Oxford University Press.
- Harvey, D. (1999). *The Limits of capital*. London, UK: Verso.
- Harvey, D. (2005). *A brief history of neoliberalism*. Oxford, UK: Oxford University Press.
- Harvey, D. (2007). Neoliberalism as creative destruction. *Annals of the American Academy of Political and Social Science*. 610 (21), 22–44.
- International Finance Corporation. (2012). Performance standards on environment and social stability, standard 5. *World Bank Report*. <https://www.ifc.org/content/dam/ifc/doc/2023/ifc-performance-standards-2012-en.pdf>
- Mugerwa, F. (2016). Combating land grabbing in the oil rich region. *Daily Monitor*. <https://www.monitor.co.ug/uganda/special-reports/combating-land-grabbing-in-the-oil-richdistricts-1681800>
- Muriisa, R. K. and Twinamasiko, S. (2019). Land grabbing in the Albertine Graben: Implications for women's land rights and the oil industry in Uganda. *Centre for Research on Peace and development* <https://ir.must.ac.ug/items/78dcaa4d-1a68-4481-b3ba-81ef68d8569c>
- Niringiyimana, J. (2022). Oil politics and land conflicts in the Albertine region, Uganda. Unpublished PhD Thesis, Makerere University, Kampala, Uganda.
- Niringiyimana J. (2023). Possession by dispossession: Investigating the new wave of oil-linked land grabbing in Uganda. In A, Nemachena, A, Rwodzi and M, Mawere. *The Russian Ukrain War in African Perspectives: Special Operations in the Age of Techno-scientific Futurism*. Bamenda, Cameroon: Langaa Research & Publishing CIG.
- Niringiyimana J. (2024). The Politics of frontier making and land rights alienation among the Batwa in Uganda. *The Journal of African Studies and Research Forum*. 33(4)69-82.
- Niringiyimana. J. (2021). Oil politics, institutional framework and inclusive development in Uganda. In W, S. Nasong'o, (ed.). *African Governance, Security and Development*, Lexington Books.
- Niringiyimana J, Muhumuza W and Murindwa R. (2019). Oil politics and land tenure changes in Uganda: Understanding the curse of dispossession in the Albertine Region. *African Social Science Review*: Vol.10: (1) 164-203.
- Obi, C. (2010). Oil extraction, dispossession, resistance, and conflict in Nigeria's oil-rich Niger Delta. *Canadian Journal of Development Studies* 30 (1-2), 219–236.
- Obi, C. (2019). Oil and the international politics of the African State. *Oxford Research Encyclopedias*. <https://oxfordre.com/politics/display/10.1093/acrefore/9780190228637.001.0001/acrefore9780190228637-c707?p=emailAkmpxg.RbXz1Q&d=/10.1093/acrefore/9780190228637.001.0001/acrefore9780190228637-c707>

- Ogwang, T, Vanclay, F. and Assem, A. (2019). Rent seeking practices, local resource, curse and social conflict in Uganda's emerging oil economy. *Land*. 8(4), 53.
- Ogwang, T., Vanclay, F. and van den Assem, A. (2017). Impacts of the oil boom on people in the Albertine region. *The Extractive Industries and Society*. https://rug.nl/ws/files/59782362/Impacts_of_the_oil_boom_on_the_lives_of_people_livingpdf
- Polanyi-Levitt, K. (2006). Tracing Polanyi's institutional political economy to its central European source. In McRobbie, K. & Polanyi-Levitt, K. (eds.). *Karl Polanyi in Vienna: The Contemporary Significance of the Great Transformation*, Montreal, Canada: Black Rose Books.
- Republic of Uganda. (1995). The Constitution of the Republic of Uganda.
- Schumpeter, J. (1950). *Capitalism, Socialism and Democracy*. New York City, NY: Harper.
- Somers, M. (2018). Utopianism and the reality of society: Decoding Polanyi's socialism, freedom and the alchemy of misrecognition, In Brie and Thomas Berger. *Karl Polanyi's Vision of a socialist transformation*, 91–109.
- Ukiwo, U, Mbabazi, P. and Langer, A. (2020). Oil wealth and development in Uganda and beyond: Conclusions and policy recommendations. In Langer A, Ukiwo, U. and Mbabazi, P. (eds.). *Oil Wealth and Development in Uganda and Beyond: Prospects, Opportunities and Challenges*. Leuven, Belgium: Leuven University Press.
- Vail, J. (2022). *Karl Polanyi and the Paradoxes of the double movement Routledge Studies in Social and Political Thought*. Abingdon, UK: Routledge.
- Vokes, R. (2012). The politics of oil in Uganda. *African Affairs*. 111 (443), 303–314.
- Vokes, R. (2019). *Ghosts of oil: Anthropology and the extractive encounter in Uganda*. Bloomington, Indiana: Indiana University Press.
- Watts, M. (2001). Petro-violence: Community, extraction and political ecology of a mythic commodity. In Peluso, N. and Watts, M (ed) *Violent Environments*. New York, NY: Cornell University Press.
- Witte, J. (2021). Environmental governance and oil extraction in Uganda. *Energy Research & Social Science*, 78, Article 102137
- Yates, D. (2012). *The Scramble for African Oil: Oppression, Corruption and War for Control of Africa's Natural Resources*. London, UK: Pluto Press.