

# **Revealing the state-craft in the governance of the Mt Elgon Protected Area (PA), Uganda.**

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## **Abstract**

*A failed carbon project implemented in Mt Elgon PA from 1993 to 2004 was used to provide a political economy dimension to explain the ecological problems and conflicts between the PA managers and the adjacent community. The arguments particularly explained the paradox that the environmental degradation in and around the PA worsened with the progressive development of its management structure. The political economy turn debunked the techno-centric lens that had been prevalent in the 1990s that had attributed the problem to regulatory challenge of the government agencies coupled with the rising population and poverty level of the society. It considered the problem as a management failure to balance the conservation interests and livelihoods pressure from the society. Instead, the political economy dimension attributed the problem to the diversion of state's capacity towards enabling the expansion of transnational capital into the conservation frontier. However, when the conflicts persisted after the collapse on the carbon project, Cavanagh and Himmelfarb (2015)<sup>1</sup> instigated another dimension of the paradox, the political view focusing on the colonial period. They argued that the PA management conservation were an expansion of the state domination of peasants. This chapter advances this political argument to the post-colonial period in Uganda. The analysis was based on archives and literature accounts of the history of the Mt Elgon PA as well as field interviews of park managers, politicians and society in the Bumbo Sub-county, Namisindwa district<sup>2</sup> where the most intense conflicts were experienced.*

## **Introduction:**

In 2006, the activists Lang and Byakola released a report titled “*A Funny Place to Store Carbon*”<sup>3</sup>, which explained the conflicts between the managing authority of the Mount Elgon PA and the communities’ adjacent to it emanating from the implementation of a carbon project by a transnational company, the FACE foundation. The report considered the conflicts as representation of the paradox that the global carbon market that had been created to address the impact of climate change was being used by the company to exploit the cheap

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<sup>1</sup> Cavanagh, J., and Himmelfarb, D., ( 2015) “*Much in Blood and Money*” : *Necro-political Ecology on the Margins of the Uganda Protectorate* , Antipode, Vol 47 (1) 55-73

<sup>2</sup> A Namisindwa district was created in July 2017; before it was part of Manafwa district.

<sup>3</sup> Lang, C., and Byakola, T., (2006), “*A Funny place to store Carbon*”: *UWA-FACE Foundations Tree Planting Project in Mount Elgon National Park, Uganda*. World Rain Forest Movement, Frankfurt Germany

labor and land established by the dispossession of the people to create the PA. As indicated in chapter 2, the Lang and Byakola report instigated other follow up studies to explain the different dimensions in which the Mt Elgon PA was used to advance the expansion of capital. They include Nel and Hill (2013) “*Constructing walls of carbon*”<sup>4</sup>; Cavanagh and Benjaminsen (2014) “*Virtual nature and Virtual accumulation*”<sup>5</sup> and Nel (2015), “*Neoliberalisation of forest governance, market environmentalism and re-territorialisation*”<sup>6</sup>.

The studies show that the expansion of capital into conservation frontier is depoliticized through global conservation discourses and enabled by the neo-liberal state structures and policies. Thus, it draws out the continuity of the injustice caused by the colonial legacy that created the PA and released land and labour from their customary constraints as pre-conditions that subsidize and propound capitalism in Mt Elgon PA.

This political economy dimension shifted the focus of explaining the conflicts around protected areas from the debates within conservation literature that considered the problem from techno-centric view. That is they considered the problems to have resulted from the weaknesses in the implement environmental policies and laws that had been established to balance between people’s needs and nature, which fail to accommodate the demands of population growth, poor farming methods, poverty ( Scott 1998<sup>7</sup>; Norgrove 2003<sup>8</sup>)<sup>9</sup>. The assumption here is that the problem lay with weaknesses in the states’ regulatory function and with the ignorance of the society. The solution was to increase the state’s capacity to regulate, raise attitudes of communities and equip the society with economic capacity and better tools of resources management. This assumption was partly debunked by the political economy arguments above that showed that people were not ignorant nor was the state’s capacity low. Instead, the studies argued that the problem lay with the power relations between the state

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<sup>4</sup> Nel, A., and Hill, D., (2013) *Constructing walls of carbon- The complexities of Community, Carbon Sequestration and protected areas in Uganda*. Journal of African studies Vol.00.No.00 1-20

<sup>5</sup> Cavanagh, C.J., and Benjaminsen, T., ( 2014); *Virtual Nature, Virtual Accumulation: The spectacular Failure of carbon offsetting at a Ugandan National Park* , Geo-forum ( 56) 55-65

<sup>6</sup> Nel, A., ( 2015) *The Neoliberalisation of forestry Governance, Market environmentalism and re-territorialisation in Uganda*, Third World Quarterly 36(12) 2294-2315

<sup>7</sup> Scott P., (1998) *From Conflict to Collaboration: People and Forests at Mount Elgon, Uganda, Gland Switzerland and Cambridge UK*.

<sup>8</sup> Norgrove, L., ( 2003) , *Parking Resistance and Resisting the Park: The theory and Practice of National Park Management A case study of Mt Elgon Uganda*

<sup>9</sup> This arguments is the main justification that for all the conservation programs both government and NGOs-

and society. The state's interests forced it to create the PA to expand its framework of accumulation.

However, when the carbon project failed and the problems persistent, a third dimension was extended by Cavanagh and Himmelfarb (2015) "*Much in Blood and Money*"<sup>10</sup>. It focuses on the colonial period, to show that the creation of the Mt Elgon PA through territorialization was primarily aimed at controlling the society around Mt Elgon in order to achieve its accumulation needs. This dimension focused on the internal dynamics of the state that nuanced the global drivers highlighted by the political economy arguments above. It showed that in fact the state structure and policies was well developed to address the conservation problem but together with the conservation discourse, the structure was majorly used to masks the state's political strategies. This chapter agrees with this argument and extends it to the post-colonial period, especially NRM rule, to show that the reforms in the management of the Mt Elgon PA were state responses to the peasant politics. Hence, the chapter shows the vertical and horizontal continuities of the state apparatus created during colonial rule to control the society through surveillance and patronage. Thus, the chapter shows that the conservation actors have not only focused on the weaker arguments for the problem, they are indirect agents of the state in de-politicizing the forms in which the PA is used for state-craft and buffering it against some of the effects of its politics. Overall, the chapter analyses the reasons why the contestations by the society have been unable to challenge the hegemony of the state in conservation. The section uses the experiences in Mt Elgon which is one of 528 centrally management PAs in the country, to reveal some of the political dimensions of ecological management in Uganda.<sup>11</sup>

The chapter is arranged in four sections. The first provides a brief background on the Mt Elgon PA and the justification for its choice as a case study. It shows that the progressive establishment of the PA management structure, the varied and changing management approaches and the precarious conditions that persist in and around the PA enables the chapter to highlight the forms in which both the central government and the society have used ecology for their politics. The second section discusses the creation of the Mt Elgon PA during the colonial period. It enhances Cavanagh and Himmelfarb's (2015)<sup>12</sup> elucidation that the PA was established as an economic compulsion of the Mt Elgon people towards market

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<sup>11</sup> Uganda has 10 National Parks, 12 Wildlife reserves and 506 central forest reserves

<sup>12</sup> Cavanagh,C.,j., and Himmelfarb,D., ( 2015), "*Much in Blood and Money*"

based production, but extends the view beyond the more violent period during the penetration of colonial into the Mt Elgon area, to the less violent period in the second decade that followed the reforms of the indirect rule structures to stabilize colonial rule in the area. The third section focuses on the first post-colonial period (Obote I, Amin and Obote II). It shows that the governments maintained the management of the PA for its political economy that was initiated by the colonial government, however, the Obote I decisions to centralize the PA management had undermined both strategies to accumulate and dominate through the PA. Instead the peasants were delinked from the constraints of state control and they were able to take back the control of the PA resources. However, with a context of under undermined traditional systems and the introduced capitalist conditions, the peasants used the reclaimed land to expand their production systems and to survive without the state. The fourth section focuses on NRM period, which initially revamped the PA, to recover the areas re-posessed by peasants for its political economy, however, the consequences of the re-dispossession of the peasants included the political contestations by the society through the PA that caused the National Resistance Movement (NRM) to re-focus its management approaches on the using the PA for shaping its political survival in the area. The study concludes by reflecting on the conditions that shape the success and failures of the societal politics exercised through the Mt Elgon PA? It shows that whereas the state faces persistent peasants political contestations through the PA, their domination by the state control through the PA have remained hegemonic because the cumulative conditions that were created by the capitalist production and reproduction systems, such as the societal fragmentation, their precarious conditions disable the mobilization of the society. The conditions not only enable and extend the surveillance and patronage of the state, it also causes the society to look to the state for solutions, thus, maintain the relevance of the state in the society. The question that it reveals is how far can the state sustains these precarious conditions as the population in this precarious conditions increases and options to self-exploitation become scarcer? In other words to what extent will the patronage and surveillance structure sustain this growing problem?

### **Brief about Mt Elgon PA**

Mt Elgon is an extinct volcano is situated approximately 100 km north-east of Lake Victoria at 1°N latitude and 34°30'E longitude, straddling the Kenya- Uganda border. The mountain extends 80 km north to south and 50 km east to west, with a 20 km long arm (or Wanale Ridge) branching off to the south-west. It rises 4321 meters above sea level (a.s.l). It has one

of the largest caldera in world that is 8KMs in diameter, whose floor is lies at 3500 m a.s.l. The colonialists designated PA on both the Uganda and Kenya side. On the Uganda side the PA covers an area of 1121Km<sup>2</sup> which is all the land above 7000ft or 2000m a.s.l.

The PA in Uganda is currently managed by the Uganda Wildlife Authority mandated by the Wildlife Act, 2000 and it is bordered by 9 local governments and two main ethnic groups, the Sabiny in the North and Bagisu in the South. It was first created in 1929 and officially gazetted as a central forest reserve in 1938, when its boundary demarcation were officially printed on cadastral maps by colonial government. Latter, in 1993, the government of Uganda converted the central forest reserve into a national park based on the official justification that its role as water catchment, biological, cultural, historical and other values needed to be protected.<sup>13</sup> The highlighted values include the 37 listed Fauna species in the areas as globally threatened (22 mammals and 13 bird species, of which nine are endemic) based on the IUCN Red list<sup>14</sup> which has made it an areas of priority species conservation.<sup>15</sup> Mt Elgon has also been ranked top 10 species rich forests<sup>16</sup>. The protection is also justified for its role as a catchment for Lake Kyoga, Victoria and Turkana, which justified its management as a transboundary ecosystem by the East African Community, which implies an added level of significance that justifies regional level control. It has also been designated as a Man and Biosphere reserve in 2005 by UNESCO, to enhance its global conservation recognition.<sup>17</sup>

The decisions to enhance its protection status to a national Park in 1993 caused the management to undergo progressive change from being managed by few foresters working through the provincial administration that administered the Mt Elgon area through the district council and local chiefs during colonial period to an elaborate autonomous local structure mostly established during the NRM government. It is currently headed by a chief Park warden and over 100 staff spread in four departments, the administration, tourism, community relations and para-military patrol unit which is the largest unit. In addition, there are approximately thirty NGOs engaged in implementing conservation related work around

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<sup>13</sup> Uganda Wild life Authority (2009; iii), Mt ELGON National Park Management plan 2009-2019

<sup>14</sup> see [www.iucnredlist.org](http://www.iucnredlist.org)

<sup>15</sup> Makerere Institute of Environment and Natural Resources and National Museums of Kenya (2005); Baseline Survey of the Biodiversity resources on Mt Elgon Ecosystems , under MERECP project, IUCN

<sup>16</sup> *ibid*

<sup>17</sup> Gives the sites international recognition by UNESCO, They are saoces where interdisciplinary to understanding and managing the changes between social and ecological systems

the PA.<sup>18</sup> A Mt Elgon stakeholders forum recorded 84 partners engaged with its management that include 30 NGOS, 23 MPs, 44 Local government staff, 20 central government.<sup>19</sup>

Corresponding to the progressive growth of the structure, the management strategies of the park have also gone full circle. They have progressed from “populist” management approach during the colonial period as argued by Norgrove (2003, 109), which allowed the society access to resources and grazing during colonial period to a strict preservation management structure that denied any consumptive human use in 1993 when it was declared a national Park. The strict control approach backlashed due to the conflicts it bore and was reformed to establish a combination of strict control areas and collaborative use zones in the late 1990s. In 2005, the management structure of the PA was extended to include the Lake Victoria Basin Commission of the East African Community because it is a transboundary and a catchment to international water bodies, which are the Lake Victoria and the Nile Basin.

However, despite the efforts and progress made to develop the Mt Elgon PA management structure, scientific conservation methods, and management reforms, there has been consistent evidence that Mt Elgon has continued to face degradation and precarious livelihoods conditions of the population that live adjacent to it. The Ministry of Water and Environment report on *“Forest Landscape Restoration opportunities Assessment for Uganda”*, considered Mt Elgon a hot spot for restoration due to the high level of degradation of the areas.<sup>20</sup> Incidentally one of the justifications as a potential site for restoration was the presence of the PA and management structure that would enable feasible restoration compared to private lands. This recognition was also the basis for selection Mt Elgon landscape as one of the priority areas in the national forest investment plan for 2017<sup>21</sup> and national programs for Reducing, Emission from forest degradation and Deforestation (REDD+).<sup>22</sup> The National Biomass report 2003, indicated a loss of up to 35, 504 tons per year of the Mt Elgon forest areas, which has been attributed to encroachment into the park due to demand from a growing population that had surpassed the supply of the ecosystems outside the Park.<sup>23</sup> The National Environment Management report 2010 also reports on the increases in landslides each year attributed to the high population pressure that pushes people

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<sup>18</sup> [www.mtelgonforum.org/downloads/stakeholders](http://www.mtelgonforum.org/downloads/stakeholders). Accessed 30.06.2018,

<sup>19</sup> Ibid

<sup>20</sup> MWE (2016;21), *“Forest Landscape Restoration opportunities Assessment for Uganda”*

<sup>21</sup> MWE, 2017;71 Forest Investment Plan for Uganda pg. 71

<sup>22</sup> REDD+ is the Global Climate Change programs Reducing Emission from Forest Deforestation and Degradation

<sup>23</sup> Uganda Biomass report 2003, National Forest Authority

to use marginal areas that are prone to landslides.<sup>24</sup> Moyini (2007; 10)<sup>25</sup> report noted that Mt Elgon poverty levels, remain the highest in the country, and yet it has one of the highest population densities in the country too. It ranged between 400-700 people/km<sup>2</sup> in the 2002 with the growth rate of 3% the population density was estimated at 1000 people per km<sup>2</sup> by 2010. Yet, Kazoora et al (2006)<sup>26</sup> showed that most of the land outside the Mt Elgon park was already under intensive cultivation with no land spared including the steep hilly slopes that were usually left to avoid erosion and landslides. This paradox in Mount Elgon that the progressive structure and various NGOs have failed to arrest the ecological and livelihood problem has become the main question for policy and practice, of both government and NGOs conservation programs as well as scholarship as the chapter shows in the next section.

Mt Elgon was also selected for the study due to the authors 10 years' experience working in the area with the International Union for Conservation of Nature (IUCN) since 2004. IUCN has implemented projects in Mt Elgon since 1988. It was one of the international partners that responded to the NRM government's call for external support to re-build the country upon its ascent to power in 1986 when it inherited a collapsed economic. IUCN is an international semi-intergovernmental organisation whose membership includes governments and NGOs that meet every four years to set some of the global conservation agendas that most countries apply. For example, IUCN established a classification systems of protected areas with corresponding management categories that national states use as basis to establish PAs.<sup>27</sup> Mt Elgon is classified as category II PA, which implies no consumptive use allowed. IUCN also established the standard RED data base and list of species classified that is used gauges the extent to which a particular species are endangered, extinct or declining.<sup>28</sup> The two classifications underlie most justification for land dispossession and exclusions of people in the name of conservation, environmental laws and policies in many countries.

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<sup>24</sup> NEMA ( 2010) Landslides in Bududa causes and consequences;

[http://www.nemaug.org/reports/Current\\_reports/Bududa\\_report.pdf](http://www.nemaug.org/reports/Current_reports/Bududa_report.pdf) accessed on 23.07.2018

<sup>25</sup> Moyini, Y ( 2007)Pro-Poor Conservation policies and Operational procedures in Mt Elgon Ecosystem, IUCN MERECP Program

<sup>26</sup> Kazoora ( 2006) Lessons and Opportunities for Collaborative Resources Management in Mt Elgon , MERECP

<sup>27</sup> Francoise Burhenne-Guilmin (2011; 147) Guidelines for Protected Areas Legislation. The classification range from category I strict nature reserves that was human visitation is limited to category VI where PA management includes with human use. Mt Elgon is managed as category II, in which initially no human access was prohibited but due to the contestation, there was adjustment to include zones of community access though the category has not been changed. In comparison the Kenya Mt Elgon Park is Category I managed as a strict Nature reserve. To ensure this, the Park is protected by an electric fence

<sup>28</sup> [see www.iucnredlist.org](http://www.iucnredlist.org)-

The IUCN programs implemented in Uganda since 1988 included the support to the restoration of three forest reserves, Mt Elgon, and the Kibale and Semiliki forest reserves in the west of the country. All these sites were converted into the category II National Parks by the NRM government in 1993. IUCN efforts were part of the other international NGOs such as World Wide Fund for nature (WWF); CARE and African Wildlife Fund (AWF) which supported the NRM to restore other colonially established PAs that had been reclaimed by the society. They include Rwenzori Mountain; Bwindi and Mgahinga National forest reserves all of which also became National Parks in 1993. The NGO programs were complementary to the broader framework of external actors that supported the NRM to restore the central conservation structure that the colonial state had established. As indicated in chapter 2, they included the World Bank, USAID, and Norwegian Aid. Hence, development of the Mt Elgon PA structure represents the efforts made by the NRM in the restoration of the centralised conservation structure in the entire country government when it ascended to power in 1986.

My own participation in responding to the Mt Elgon ecological question as a staff of IUCN involved the implementation of over 5 projects. They included the Mount Elgon Regional Conservation Program (MERECP) programs which was a continuity of three prior phases of restoring the management structure and approaches of the Mt Elgon PA since 1988. The newness of the MERECP programs was that the management approach was extended to be coordinated at the regional level under the East African Community. The argument was that the efforts by both countries Kenya and Uganda needed to be harmonised to address the growing ecological problem. The other projects I implemented included the Land Scapes and Livelihoods programs (LLS)-2004-2006, which was based on the argument that the continued degradation emanated from poverty and poor land management of the land outside the PA, which caused pressure on the PA. Hence, the implementation focus needed to take a landscape approach, which shifts the focus from the inside of the PA people's land scapes to arrest the pressure from where it came from. It was technical fix to establish various land based soil conservation methods and alternate livelihoods and regulations enforcements. This approach was replicated in many other piece meal programs that were never able to cover entire PA region. They included the Ecosystems Based Adaptation Programs (EBA) (2009-2013); the Pro-Poor REDD+ Programs and the Resilience Framework for Climate Change ((RFCC).

My frustration was that the repertoire of programs that I coordinated at IUCN did little to abate the enormous ecological and livelihood problems that were faced in Mt Elgon. In fact



the problems seemed to escalate despite the efforts made. The IUCN institution was always at odds to justify further investment in the area to the donors. In most cases, the main argument that underlies all the programs was explained as the weaknesses in the state's capacity to implement the favourable laws and policies, hence, our intervention to fundraise and equip the management authorities with the innovative skills and capacity to do its work. The other argument that was prevalently echoed was the rising population that increased pressure on the PA resources as well as intensive use of the land was addressed through various forms of livelihood programs such as soil and water management and income generating activities. The projects often faced sabotage by the communities who either felt threatened by them or who were left out. Political support was only assured when the projects provided allowances to the politicians. Indeed, the other common argument for the weakness in performance of IUCN projects was that there was lack of political will or that politics interfered with and undermined conservation, which this chapter considers in perspective.

The next section shows the contexts and arguments that led to the shifts in scholarship to explain the conflicts and persistent degradation in Mt Elgon from the techno-centric arguments to the political economy and then the political arguments. It shows that government policies and programs and NGOs project documents as well as the conservation literature alluded to a common narrative that the ecological challenge that they addressed was based on the failure to establish a balance between societal livelihoods interests and conservations goals. The assumption as already indicated was that the problem was technical and attributed to the weak capacities of the state to fund conservation. The techno-centric challenges were explained from different dimensions; the economic, social, political or ecological as the section shows. The section shows that the techno-centric argument was debunked in the 2000s following the failure of the first carbon project in Uganda that was implemented in Mt Elgon. As already indicated, the main argument was that the problem was driven and sustained by global capitalism. However, with the persistence of the problem despite the collapse of the carbon project in Mt Elgon, Cavanagh and Himmelfarb (2015)<sup>29</sup> provided a political dimension to the problem. It focuses on the internal political dimension that the chapter advances which considers the ecological question as reflection of the political effects of the power relations between the central state and society that are reflected in the forms in which the PAs is managed.

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<sup>29</sup> Cavanagh, C.,J., and Himmelfarb,D., ( 2015) *"Much in Blood and Money"*

## The Debates on the Mt Elgon Ecological Question

### The Techno-centric arguments

The underlying question for conservationists and scholars alike on Mt Elgon has been to explain the persistent decline in the ecological conditions of the despite the significant effort in the revamping and progressive development of the conservation structure especially in the NRM period. The dominant view in the 1980s and 1990s was provided by conservation scholarship, policies and practice. It considered that the problem lay with the capacity of the conservation institutions in enforcing the law, raise awareness and failure to establishing alternatives to relieve pressure on the use of the PA (Muphree and Hume 2001)<sup>30</sup>. This dominant argument was supported the establishment of collaborative management approaches, that would subsidize the state in enforcing the law by including and incentivizing the society. This emerges from the scholarship that challenged the efficacy of implementing the radical argument that promoted the preservationist ideology that argued for protection of nature in a wilderness without any disturbance from humans. For example Cowie (1955-10-11cf.Norgrove 2003; 33)<sup>31</sup> argued that creation of nature was necessary to protect it from primitive societies in colonial empire similarly Nash (1970)<sup>32</sup> considered a necessary and important gift from America to systematized protection of nature as a civilization function and to save land from development. As (Grove 1997)<sup>33</sup>; Neumann 1998<sup>34</sup> and Beinart (2000)<sup>35</sup> argue, these were civilization arguments that justified exclusion of people during colonial rule. The prevalent critic of the preservationist argument let to a turn to the collaborative Resources Management approaches (CRM), the inclusion of people in the management of the resources.<sup>36</sup> However, as Hume and Muphree (2001)<sup>37</sup> show through a compendium of studies in African countries that adopted the CRM approaches, many largely failed to deliver on the promise. The main arguments for the challenges were largely

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<sup>30</sup> See Hume, D., and Muphree, M., ed., ( 2001) "African Wildlife and Livelihoods, The promise and performance of Community conservation", James Currey

<sup>31</sup> Norgrove, L., ( 2003) "Parking Resistance and Resisting the Park"

<sup>32</sup> Nash, R., (1970) American Invention of the National Park, American Quarterly 22 (3), 726-735, John Hopkins Press

<sup>33</sup> Grove, R.,H., (1997), Ecology, Climate and Empire; Colonialism and Global Environmental History 1400-1940. Cambridge, the white house press 237

<sup>34</sup> Nueman, R., (1998) Imposing Wilderness: Struggles over Livelihoods and Nature Preservation in African, Berkely, University of California press.

<sup>35</sup> Beinart, W.,( 2000) African History and Environmental History, African Affairs (2000),99,269-302

<sup>36</sup> Hume, D., and Muphree, M., ed., ( 2001) "African Wildlife and Livelihoods"

<sup>37</sup> ibid

technical. These included the economists such as Emerton (2001)<sup>38</sup> and Bond (2001)<sup>39</sup> who argued that the challenge lay with the failure to value resources and attach adequate value and to share benefits and costs between the state and society. Barrow and Murphree (2001) argued that the effectiveness of the CRM approach depended to the how communities were viewed along a continuum of either as passive or empowered and that it was a progressive approach. Jones and Murphree (2001) focused on assessing the extent to which the CRM was integrated into policy to be implemented. Overall the problem that they espoused was a technical problem whose solution was largely a technical fix through a benevolent state. Critics of this argument have not only shown that ecological management is political. The economist argument has been criticized for playing in the hands of capitalism. Attaching a value to nature means it can be transacted and controlled by capitalists as long as they paid.<sup>40</sup>

These techno centric arguments provided the main background for implementing the conservation programs in Mt Elgon and as the chapter shows, this view point has been problematic, and it depoliticized the management strategies that were deployed and sometimes the process

For example, consider the justification and evaluation of three phases of IUCN programs in Mt Elgon since 1988. The first phase of the Mt Elgon Conservation and Development project (MECDP) 1988-1990, was an exploratory phase and as already indicated it was a response to the NRM government's appeal for external support to reconstruct the economy after its collapse in the 1972-1985 periods. Hence the main object of the project was

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<sup>38</sup> Emerton, L., (2001) the Nature of Benefits and the Benefits of Nature. Why Wildlife Conservation has not Economically Benefitted Communities in Africa in Hume and Murphree ( 2001) African Wildlife and Livelihoods 208-226

<sup>39</sup> Bond, I., (2001) Campfire and the Incentives for Institutional Change in Hume and Murphree ( 2001) African Wildlife and Livelihoods 227-243

<sup>40</sup> Sullivan, S., 2017 "Making nature investable": from legibility to leverageability in fabricating 'nature' as 'natural capital'. Science and Technology Studies; others include Sullivan, S. 2017 Noting some effects of fabricating 'nature' as 'natural capital'. *The Ecological Citizen*; 1(1): 65-73. Carver, L. and Sullivan, S. 2017 how economic contexts shape calculations of yield in biodiversity offsetting. *Conservation Biology* 31(5): 1053–1065.

Kill, J., (2014); Economic Evaluation, The price to pay for nature A critical exploration, Rosa-Luxemburg-Stiftung.

“To restore the glory of the forest reserves through reversing the degradation, strengthening the forest department capacity to manage forest reserves, re-establish, and survey and marking boundaries”

The justification and object of the program was clear, the people were the enemy, they had encroached on the PA and the reason was because the central state's capacity had been weakened during the war. The solution was to restore that capacity of the state agencies to enforce the regulations.

Indeed after the first two years of the exploratory phase of the problem, a clear program was drawn for re-establishing the Mt Elgon PA structure under a phase II of the MECDP 1994-1996, 50% of the funds would be spent on law enforcement and restoration of degraded land through enrichment planting of lost trees and 50% would be spent on raising awareness about value of conservation. This second phase provided part of the capacity and justification to the government to re-designate the Mt Elgon PA a National Park under IUCN category II classification. It required that the park is strictly protected from any consumptive use. The only use would be recreation purposes only. Indeed the review of the first two phases by NORAD<sup>41</sup> argued that the IUCN had enhanced the government's capacity to address the conservation problem in Mt Elgon by establishing and strengthening the structures, tools and enhanced staff capacity though it had not succeed in arresting the environmental problem which was considered to be enormous. It noted that the twenty percent of the original forest cover that had been lost to encroachment could not be addressed in a short time. The argument justified further investment in the project as phase III (2000-2003) of the MECDP project by Norway. The object remained the same,

“a response to the threats to the Mt Elgon Ecosystems through agricultural encroachment and illegal resources exploitation resulting from wide range of factors including political instability in the 1970s and 1980s, lack of financial resources for the Forestry department, insecurity of the population due to cattle raiding, population expansion in the areas and declining land productivity and various socio-economic factors”.

However, phase III enhanced focus on the adjacent community, to reduce pressure on the PA. This was because, the project considered that whereas the boundary and the patrol system had

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<sup>41</sup> Report Review of the Forest Sector Programs Uganda Norad -1996-2000- NORAGRIC pg. 28

been re-established and improved, the pressure from the high population of the communities adjacent to the park coupled with the poverty levels and low awareness of the value of biodiversity was the problem. Hence, emphasized the social aspects by promoting alternatives, awareness, and establishing monitored use of the Park resources under CRM. At the time, CRM was being promoted as the solution to the back lash to the strict preservation approach.<sup>42</sup>

The IUCN programs were implemented under as part of the broader reconstruction program funded by the World Bank Protected Areas Management and Support project (PAMSU) and the USAID's Action program on Environment (APE) that was established to boost the central structures staffing levels and infrastructure of the countries protected areas.

Despite all these efforts, the conflicts and ecological crises seemed to increase. This paradox caused a number of studies to explain the challenges. Among them were internal reports of the MECDP project. For example the Technical series no 21,<sup>43</sup> by the collaborative management advisor argued that the ineffectiveness of the strict protection approach that had caused the introduction of collaborative management policy in 1995, had failed to arrest the problem due to Uganda Wildlife Authorities' (UWA) resistance to implement the policy despite its adoption in 1996. Hinchley noted that only 2 out of 57 parishes had established any form of collaboration management. UWA had blamed the lack of performance on lack of funds, manuals or approaches and skills to facilitating the negotiation collaborative use agreements because they majorly understood enforcement not collaboration.

Scott (1998) study "*From conflicts to collaboration*" on Mt Elgon attributed the problem to the approaches that had been used to implement collaborative resources method. She found that the society for whom the collaborative management approach was designed had been

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<sup>42</sup> This argument had been initiated in the 1970s when the Man and Biosphere reserves were proposed – to establish buffer zones for human use around protected areas; it was latter included in the 1980 world conservation strategy which emphasized the need to address the people dimension in conservation; momentum was garnered at the 1982 Third world conference on National Parks where conservationists agreed to included local people in the management of resources; 1984 the Man an biosphere reserve approach was adopted and 1987 the Brundtland report officially coined the term sustainable development which was adopted by the 1992 united national conference on Environment and Development that has become the main reference for people centered approach. After this many approaches have been established to guide the implementation of the collaborative management arrangements

<sup>43</sup> David Hinchey (1998): Review of the Collaborative Resources management framework For Mt Elgon National Park Technical report 21- IUCN, Nairobi  
Review of the Collaborative Management Arrangements for Mt Elgon National Parks MECDP project IUCN- Working Paper ; review of 3<sup>rd</sup> Phase I 1988-1990; phase 2; 1994-1996; phase III

homogenized and as such the CRM benefitted a few and left out many. To her, that mistake explains the over harvesting of unregulated resources that were not included in the agreements which in turn led to conflicts between the society and the managing authorities when the communities encroached and used resources not included in the agreements. She had recommended the establishment of a participatory assessment of community interests as well as the inventory map the demand versus the supply of the resources against which CRM agreements would be signed for regulation. Hence, Scott provided a technical solution that would lead to inclusive use, under CRM schedule that was participatory produced.

For Norgrove (2003) study considered the problem to lay with failure of particular individuals' attitude in the PA management structure to implement the policies. She notes that

“Mount Elgon National Park (MENP) staff and neighbours use and circumvent these (*collaborative*) strategies to assert their claims over Park-related resources (....)The degree of commitment by Park management to the official management goals of the Park is a key determinant of the degree of success achieved by counter-hegemonic struggles” (Norgrove 2003; 297<sup>44</sup>, italics in original)”

Norgroves argument was that the collaborative management policies were good but not implemented and the blame lay with particular individuals who failed the programs due to personal interests. The same argument was reproduced by Kazoora (2006)<sup>45</sup> who argued that the favourable and articulate policies and laws were not implemented because they were not simplified enough into operational guidelines that implementers could use. Additionally, Kazoora (2006) argued that the problem lay with weakness of the few societal institutions through which the implementation of CRM could be carried out. This was despite the fact that the NRM had established an elaborate local governance structures.

Thus, the common argument from the conservation literature on the ecological problems in Mt Elgon considered the challenge to lie with the capacity of the central state to implement or enforce the conservation laws and policies. Hence, the solutions lay with enhancing the capacity of the central state management structures, to do its work. The literature also

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<sup>44</sup> Norgrove, L.,( 2003) Parking Resistance and Resisting the Park

<sup>45</sup> Kazoora, C., ( 2006); Lessons and Opportunities for Collaborative Resources Management (CRM) in Mt Elgon Ecosystems

considers that the problem to be worsened by the societal conditions, the poverty levels, population sizes, and skills and attitudes that create more pressure on the PA. As already indicated in chapter 2, this assumption is echoed at the national level for example in Turyahabwe and Banana (2008)<sup>46</sup>, and Kamugisha (1993)<sup>47</sup>. Who showed that the national ecological problem was at an individual level? This is despite being debunked by the political economy arguments. For example, the national Forest investment plan 2017 report notes that the high population growth, high dependence of the majority population on subsistence agriculture, weak forestry governance and weak implementation of forest policy underlies the continued high levels of deforestation in the country(MWE 2017; 8).<sup>48</sup> The solution was to invest in reforestation and strengthening the management institutions and policies. This same narrative underlies the justification for the national REDD+ strategy of the Uganda.

### **The Political Economy Argument**

The techno-centric argument that was debunked by the political economy arguments that were instigated by Lang and Byakola (2006), which was pitted as a win-win project, providing an economic incentive to address not only the deforestation of the 25,000 hectares lost during the civil unrest of the first post-colonial period<sup>49</sup> but would also address the social conditions of the people with jobs, especially in planting and the tending of nurseries (Lang and Byakola 2006, p.10)<sup>50</sup>. It was also lauded as a solution to the capacity issues that the PA management was facing. It would fund the enforcement of the boundary. The agreement between Face foundation and UWA was to run for 99 years. However, the FACE Foundation would own the CO2 credits, while the trees “and all other proceeds” belonged to UWA (Lang and Byakola 2006, p.59)<sup>51</sup>. As Lang and Byakola (2006)<sup>52</sup> show, the communities saw the program differently, they considered it as a project that only benefited UWA, it exploited their cheap labour which benefitted a few. The project had caused a complete eviction of the people from using the areas of the park which was to last 99 years in an area where the population pressure was at 3.5% per annum (Lang and Byakola 2006, p.19)<sup>53</sup>. It was not

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<sup>46</sup> Turyahabwe and Banana (2008); A History of Development of Forestry policy and Legislation in Uganda. *International Forestry Review* 10(4) 641-656

<sup>47</sup> Kamugisha JR (1993); Management of Natural Resources and Environment in Uganda. Policy and Legislation Landmarks, 1890-1990, SIDA,

<sup>48</sup> MWE, 2017;8 Forest investment Plan for Uganda

<sup>49</sup> Discussed in section 3 below.

<sup>50</sup> Lang, C., and Byakola, T., (2006) “A funny Place to Store Carbon”

<sup>51</sup> *ibid*

<sup>52</sup> *ibid*

<sup>53</sup> *ibid*

surprising that communities contested the project. Lang and Byakola 2006, provide a chronology of the historical conflicts that this particular phase built upon and showed the destruction of “1700 indigenous trees” that the UWA-FACE project had planted and caused global attention was only part of a long history of injustices that the community had endured and challenged since colonial rule. Thus, Lang and Byakola 2006<sup>54</sup> report linked the project to a continuity of the effects of colonialism to the expansion of global capital. The project was presented as a neo-imperial project that was taking advantage of the colonially appropriated land and the labour reserve in Mt Elgon. The conditions were considered a pre-condition for the unfettered access of transnational capital. Himmelfarb (2012)<sup>55</sup>, based on Lang and Byakola's study to provide an anthropological view of the effects on the peasants conditions in the areas. He showed the differentiation and the precarious conditions that colonialisms caused among the society which included the labour market, land market, the market based livelihoods, the gender and age differentiation and the weakening of customary controls provided the pre-conditions for the unfettered penetration of capital. Nel and Hill (2013;14 ), used the case to show the forms in which the central state enabled this capital penetration through its own re-organisation as a strict control PA, the laws and policies and boundaries were the conservation discourse, deployed to enable the easy flow of the transnational capital in the area. Broadly Nel and Hill (2013)<sup>56</sup> aimed at using the Mt Elgon case as empirical data on the global land grab debate at the time. It had been instigated by critics of the massive move of transnational capital from the crises of the financial meltdown in 2008; the food riots and the climate change contradiction in the North to the conservation and agricultural frontiers of the south as an alternative and secure investment for capital (Borras and Franco 2012; <sup>57</sup>Fairhead *et al* 2012<sup>58</sup>). The critique challenged the World Bank report by Deininger *et al* (2011)<sup>59</sup> argument that the global investment in Africa to be seen as an opportunity for Africa to tap into the new market to spur their economic growth.

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<sup>54</sup> *ibid*

<sup>55</sup> Himmelfarb D ( 2012) *in the Aftermath of Resistance ; A political Ecology of Dispossession, Transformation and Conflicts in Mt Elgon, Uganda* PhD Thesis

<sup>56</sup> Nel and Hill ( 2013) *Constructing Walls of Carbon*

<sup>57</sup> Borras, J.S. and Franco, J 2012. *Global Land Grabbing and Trajectories of the Agrarian Change : A preliminary Analysis . Journal of Agrarian Change* 12, 1, 34-59

<sup>58</sup> Fairhead J., Leach M & Scoones Ian (2012): *Green Grabbing: a new appropriation of nature?*, *Journal of Peasant Studies*, 39:2, 237-261

<sup>59</sup> Deininger K, Byerlee D, Lindsay J, Norton A, and Selod H, Stickler M (2011) *Global interest in Farmland: Can it yield Sustainable and Equitable Benefits* World Bank,.



Arguments such as Borrás and Franco (2012), the envisioned market such as that for food, animal feed, minerals and bio fuels is based on the assumption that land in Africa was available and not owned.

Cavanagh and Benjaminsen (2014), contributed to the discourse by revealing the innovations of capital used to escape its contradictions. They showed that despite the contradictions that had been highlighted, the FACE foundation project sustained its accumulation virtually through the internet to escape the sabotage, from the community. The carbon buyers were misled to track the restored areas virtually to avoid interaction with the society on the ground. Indeed, the FACE foundation changed its name to *Face the Future* and moved to a new site the Semiliki National Park to escape the contestation in Mt Elgon.

Hence, overall the argument that the new discourse that emanated from the FACE project showed that the PA was an extension of the colonial legacy which provided the precondition for transnational capital to conflate with the neo-liberal state's accumulation interests but justified as conservation strategies. This dimension of the problem showed that the state had capacity but it was used to enable the flow of external and global capital rather than to address the conservation.

However, as Cavanagh and Himmelfarb 2015 did note in "*Much in Blood and Money*", that the political economy dimension of the problem revealed an internal political view that needed to be elucidated. This was particularly instigated by the persistent conflicts despite the collapse of the FACE project. They were able to show that the setup of the Mt Elgon PA was designed as a tool for governing the society through the boundaries and conservation policies in the first place to counter their resistance and to coerce the peasants towards coffee production at the time. Hence, they elucidated the internal political dynamic of the colonial governance that informed the creation of the PA. However, their focus was limited to the initial stages of the establishment of colonial rule in Mt Elgon in the first decade, when the violence was extreme. It involved the transfer of the people from the forests into administration units. The areas that were vacated were turned into the PA. Thus, Cavanagh and Himmelfarb (2015)<sup>60</sup> focused in the explaining the overt violence of the state used to establish colonial control in the Mt Elgon areas. However, based on Bunkers (1987)<sup>61</sup> illumination, I argue that the after 1925 the period when the PA was designated, the peasant

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<sup>60</sup> Cavanagh and Himmelfarb (2015) *Much in Blood and Money*

<sup>61</sup> Bunker S (1987) *Peasants Against the State The Politics of Markey Control in Bugisu, Uganda 1900-1983*, University of Chicago press, Chicago and London

political actions had caused the colonial government to reform the indirect rule structure through which the local population was ruled. The despotic structure had been reformed to create a “representative” district council that replaced the hierarchical structure imposed from Buganda on the acephalous society. The district councils included a co-option of the lineage chiefs and some merging elites who had been opposing and challenging the colonial governance. The reform had led to a stable structure through which peasant demands were articulated to the central government. This was also possible because after the world war, the government had run short of capacity to sustain a violent campaign. I, thus, argue that the establishment of the PA in 1929 was shaped by the district council that was able to shape a level of win-win between society and the state. The approach was less violent and explains Norgrove’s (2003;109)<sup>62</sup> argument that it was a “populist” approach of management because societal use of the PA was permitted though under regulation and supervision by the district chiefs.

Similarly, the chapter shows that whereas Norgrove (2003; 309)<sup>63</sup> did note that the state and society sometimes used the PA for their politics, she was limited by the generalisation that it is the stronger institutions and actors that largely powerless to cause significant change. She notes

“Any other efforts are insufficient in scale to result in significant changes, but will seriously compromise conservation objectives. For example, if Elgon is de-gazetted, large areas would be cultivated with detrimental implications for Afro-montane biodiversity and water-catchment values, and the longer term benefits for Park neighbours would be minimal as immediate gains in terms of land would be mitigated by rapidly growing populations and immigration. It is necessary to challenge both Park management and the wider power structures and institutions that underpin exclusion.

Norgrove was not only limited in her analysis that the PA could be used by the society to shape the state’s politics but she was also limited by prioritising conservation ethic. She prescribes the limits for which the politics of the PA should be promoted. Further, Norgrove recommends the strengthening of the weaknesses of political performance to action of particular individuals, such as individual managers and particular staff rather than the broader

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<sup>62</sup> Norgrove ( 2003) “Parking Resistance and Resisting Parking”

<sup>63</sup> Norgrove, L., (2003) Park Resistance and Resisting the Park

structure of the state. In other words she disjoins the structure from the individuals' agency. The chapter considers that this view is problematic because the agency of the technical staff is usually shaped by the structure and interests of the broader political strategies of the state. The technical officers' works under instructions and policy direction of the government. Understanding this dimension reveals the forms in which the peasant politics fails or succeeds. It also reveals the broadness and extent to which the peasants can use the PA to shape the national governance strategies. The study draws on Moyo, Yeros and Jha (2013)<sup>64</sup> argument that the national ecological question can be extrapolated to be explained by the national political question. This view enables us to consider the forms in which peasants can be engaged in shaping the politics of the state to secure their own livelihoods. It reveals their possibilities and weaknesses, not just as derivatives or responses of the hegemony of the state but as agents that can shape the state's power.

The next section historicises the creation of the PA by the colonial government to reveal the forms in which the Mt Elgon PA has been used by different governments for their politics.

### **The Establishment of the Mt Elgon PA during the Colonial period**

The section shows that most literature has chronicled the steps taken by the forest department to establish the Mt Elgon PA during colonial period. The literature emphasizes the justification and creation of the PA, as a necessary conservation strategy, but the literature has largely remained silent on the context of the colonial government decisions. The section enhances the literature that has attempted to address this gap and has revealed the political decision of the PA establishment rather than the assumed ecological decision. The literature builds on Himmelfarb (2012)<sup>65</sup> anthropological report that shows some of the pre-colonial structures that were disrupted by the creation of the PA and the effects the PA has had on the society. It also builds on Himmelfarb and Cavanagh's (2015)<sup>66</sup> who have shown that the main object for creating the PA was to control the society and establish an extra economic coercion for coffee production. I enhance this illumination and extend this dimension to the post-colonial period that they do not cover.

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<sup>64</sup> Moyos, S., Jha, P., & Yeros, P. (2013). "The Classical Agrarian Question: Myth, Reality and Relevance Today. *"Agrarian South : Journal of Political Economy*, 2(1): 93:119

<sup>65</sup> Himmelfarb, D., (2012), " Aftermath of Resistance in Mt Elgon"

<sup>66</sup> Cavanagh and Himmelfarb (2015) "Much in Blood and Money "

## **Politicising the formation of the Mt Elgon PA during colonial rule.**

The preamble of the Mt Elgon National Park Management plan 2009-2019, notes that

“Mt. Elgon was gazetted as a national park in 1993 having been initially gazetted as a central forest reserve in 1938. The change in status from a forest reserve to a national park was in recognition of its water catchment, biological, cultural, historical and other values. Mt. Elgon National Park has become an island in a densely populated area. Its management and conservation is therefore a great challenge to Uganda Wildlife Authority (UWA) and the nation as a whole.” (MENP (2009; iii)

This preamble is included in each report of the Mt Elgon Management plan and most official policies, and program or laws of the park. It is constant re-affirmation of the mandate and justification of the centralised control of this PA. This repertoire legitimises the interventions implemented by or through the managing authority by other entities such as NGO or private sector. On the other hand, it reflects the effort to musk the lingering violent history that underlies the establishment of the PA that is under constant question by the society through various ways. This frequent unproblematic assertion of the PA is also obscured in some of the conservation literature. For example Scott (1998) analysis of the ecological question in Mt Elgon, provides the chronology of the establishment of the Mt Elgon PA but silences the major socio-political context that shaped the steps of its establishment. She noted that the PA had been established in 1929 to counter to expansion of agriculture production that was advancing up the slopes. She also notes that in 1936-37 the demarcation that had been halted by the first world war was resumed and completed and in 1940, it became Crown forest and a Central forest reserve in 1951 ( Scott 1998;17)<sup>67</sup>. Scott provides this teleology and a techno-centric and ecological view of the arguments that justified the creation of the PA without problematizing the context of its evolution. Yet, Scott’s quest was to understand the failures of the conservation intervention at the time. She needed to explain the conflicts, the declining ecology and the disastrous living conditions of the people adjacent to the park despite a decade long effort to address the problems. She did confirm that

“for a combination of reasons , the management strategy that has been followed for the past couple of decades has not been effective in conserving forests , and with a growing population pressure and little hope of substantial and sustainable increase in

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<sup>67</sup> Scott ( 1998) “From Conflicts to Conservation”

financial resources flowing to the official management body, it is very un-likely in the future” ( 21)

Scott (1998) not only recounts the ecological question in Mt Elgon but also the normative view that the main solution lay with enhancing the capacity of the central government institution but because the funding was dwindling, then the next best solution was to implement the Collaborative resources management with the community. The solutions, however, was designed in ways in which the central authorities capacity to regulate and manage the PA would be enhanced. This was done through the tools that she had designed.

Norgrove (2003), too reproduces the narrative of the colonial staff Anon account (1912-1922) that the creation of the Mt Elgon was in “the general interests of the country and to “prevent local people extending their cultivation up the slopes” as noted by Anon in the 1926 report of the forestry department. Further, Norgrove (2003;198) notes that the management strategy employed by the Forest Department was “populist” in because it involved the subsistence access by the neighbouring communities for salt licks, grazing facilities and forest produce under the responsibility of the provincial administration and the local chiefs as long as they were not abused.’ Norgrove (2003; 197-198) also notes that twenty excisions were made and approximately seventy heritable licenses permitting settlement and cultivation within the forest were granted, primarily to the Ndorobo people.”

The histories by Norgrove (2003) are presented as facts and teleology of creating the Parks. It misses the injustices faced by the society and focus on the positive and benevolent view of the establishment of the PA. These in turn allow the actors or studies to maintain the focus on the techno-centric view of the problem rather than the violence that ensured that is further perpetuated by not addressing the underlying causes. It misses the political dimension or drivers for creating the PAs.

As indicated, Himmelfarb and Cavanagh (2015) study that instigated the focus on the political aspects of the PA, UN mask the political dimension that shaped the establishment of the PA during colonial rule in Elgon region. They were building on the literature that had revealed the global political economy dimension of the problem in Mt Elgon. They highlighted the very violent process of establishing the colonial rule in Mt Elgon in the before the 1920s was piece meal and very violent because of the acephalous nature of the societies that they found in Mt Elgon mounted a violent challenge to their domination. Cavanagh and

Himmelfarb (2015) explained the violence as a bio-political tool used to establish and maintain colonial rule in Mt Elgon which was extended to the establishment of the PA.

Cavanagh and Himmelfarb (2015; 65-66) provide the perspective, in which the PA was violently created initially in 1900s, which Norgrove's (2003) normatively considers benevolent a foresightedness of the colonial government to conserve forests for the common good of Ugandans. Quoting the director Samuel Simpson in Youe 1978;165, Cavanagh and Himmelfarb (2015) reveals the reason for creating the reserve was that the area was "too cold and wet to cultivate cotton" but it had to be created territorially to bring local population and ecosystem under the fold of colonial control as the government strategized for future extraction. Indeed the British were initially not clear on how the Mt Elgon would be exploited, but had also earmarked it as a potential framework for settler community and inevitable plantation agriculture. Cavanagh and Himmelfarb (2015; 62) subsequently, focus on the forms in which the territorilization was eventually justified through the conservation discourse that it was a protected catchment for coffee production. This argument was backed up the 1929 policy and the conservation framework which was legitimized and expanded through creation of control on access of the resources and boundaries and maps that were used to enforce regulate its use.

The nuance that Cavanagh and Himmelfarb (2015)<sup>68</sup> missed here was to show that the driver to focus on conservation was not only based on the normalization of the conservation discourse in the 1929 policy but justified by two other conditions that I highlight based on Mamdani 1976 and Bunker 1987.

### ***Creation of PA to Expand Timber Production***

The 1900 agreement set aside half of the land in Uganda for plantation agriculture, which they had initiated in central Uganda, especially Buganda and expected to be expanded (Mamdani 1976; 42)<sup>69</sup>. However, a combination of the factors caused the colonial government to abandonment of the plantation production systems to focus on peasants' economy. The crush of the world markets due to the First World War had devastated the nascent plantation industry in Uganda, but the peasants' production had remained resilient (Mamdani 1976; 49-62<sup>70</sup>; Mamdani 2017<sup>71</sup>; 141). Further, because, the colonial government

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<sup>68</sup> Cavanagh and Himmelfarb (2015) Much in Blood and Money

<sup>69</sup> Mamdani, M. (1976) Politics of Class Formation in Uganda, London. Heinemann Educational

<sup>70</sup> ibid

opportunity cost of investing in plantation industry was high, it chose to focus on expanding and enhancing the peasant production. This implied that the forest lands that had been set aside for expanding plantation agriculture were made available to diversify the accumulation base. As I have shown in chapter 2, one of the focuses for this expansion was forestry and it explains the periodization of which the significant investment in forestry happened during this time that is 20 years since establishment of colonial rule despite their significant lessons from Asia, where the Forestry sector had been well developed. Indeed, the first professional forester came from India to support the development of the sector in 1920s. It also explains the late decision to establish the Mt Elgon PA as a forest reserve in the 1929, which was among many others that were mapped based on the recommendation of the first advisor Nicholson who had argued that the estate had been too low to make economic sense.

The second factor was that the peasant resistance of the 1920s that was majorly against the unregulated imposition of a produce tax by landlord on the peasants' produce, threatened production levels and had caused a review of the land law to secure the peasant production systems. The colonial government abandoned the land lordism and freehold land tenure and maintained the customary system (Mamdani 2017; 142)<sup>72</sup>. However, what this meant was that the colonial governments had to devise ways to coerce people into the cash crop production and to expand the base to diversify the production risk from just a dependency on peasants. The PA enabled the attainment of both objects as Cavanagh and Himmelfarb (2015) have shown. It provided the extra-economic coercion as well as the diversification into timber industry.

### ***The reform of the indirect rule structure at the Mt Elgon***

The other nuance that needs to be provided is to explain the argument by Norgrove (2003; 198) that the management approach introduced with the forest reserve was "populist"; it allowed the community to access resources albeit under permission of the government and under supervision of the chief. Norgrove assumed that this was simply an extension of the strategy established in Buganda, hence, an attempt to maintain the management approach uniform. However, based on Bunker (1987)<sup>73</sup>, I argue that the "populist" approach was shaped by the peasants' political actions that had led to the reform of the local government

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<sup>71</sup> Mamdani, M. (1996; 2017), *Citizens and Subjects, Contemporary Africa and Legacy of Late Colonialism*, Princeton,

<sup>72</sup> *ibid*

<sup>73</sup> Bunker (1987) "Peasants Against the State"

structure through which the government ruled indirectly. Bunker (1987)<sup>74</sup> shows that the British had managed to pacify the Mt Elgon region in the period 1902-1912 by merging the various sub-clans that composed the two distinct ethnic groups in the region, to be governed under the same administrative unit was not stable. The hierarchical appointed Baganda chiefs faced significant contestations from the society mobilized by the emerging elites and lineage chiefs.<sup>75</sup> The colonial government had been forced to reform the imposed hierarchical structure on the acephalous community to create a district council as co-option of the opposition in the society (1987; 19). By 1925, the local structure was expanded to include the emerging elites and the lineage chiefs that had been mobilising the peasants to challenge the state's power (Bunker 1987; 35). By 1934, all the Baganda chiefs had been replaced in the district-council (Bunker 1987; 51). The lineage chiefs and elites were incorporated to from the district councils as a strategy to placate them. I argue that this structure was an important platform through which the organic intellectuals used to leverage peasant power to shaped the “populist” approach of management that Norgrove (2003; 109) highlights. Just as they did on the case of the coffee production chain, they had used the platform to draw on their ethnicity and identity claims to establish the Bagisu's participation PA management. Since, the platform had been used to extend the demands for other peasant interests such as medical, education political integration (Bunker 1987; 47). I argue that the representatives must have shaped the “populist” management approach of the PA. Hence, contrary to Cavanagh and Himmelfarb (2015) argument, the violent systems of control did not cover the entire colonial period. It had been largely replaced by a more “representative” through still despotic district council that stabilized the local governance at the time of the Mt Elgon PA creation. It also explains Norgrove's (2003, 109) argument that the establishment of the PA was “populist” in nature because it allowed people to access resources under permit except the earmarked timbers. She also notes that the chiefs were responsible for maintaining the agreements with the people. This is also triangulated by Scott 1988;20 and my field work in that indicated as agreement had been reached between communities and colonial government that they moved from the forest closer to the administration but as their numbers grew, they would be allowed back to settle in their land. Indeed, they mentioned that the boundary had been re-drawn twice during colonial rule to accommodate the growth in population, hence, the 1929, 1938 and subsequent designations such as 1935 and 1940<sup>76</sup>. Indeed Scott (1988; 17) too notes that

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<sup>74</sup> *ibid*

<sup>75</sup> Initially show the changes in the district

<sup>76</sup> Focus group discussion with Elder in Sono on June 17<sup>th</sup> 2017,



a number of excisions were made to accommodate the families living in the forest. The moorland was permitted to remain in their homes.

The further control in 1950 and 1960s was to cordon off the nationalists' struggles and demands because it was also the extra investments in the plantation timber industry had been made and, hence, it had increased the interest of the state in the PA<sup>77</sup>. It is what Norgrove (2003; 110) considered as a preservation ideology had kicked in by 1957 and to her it was the need to teach Ugandans the value of forests. However Scott (1988; 17) notes that it was the period in which expansion of timber production was made. It also explains the demarcation that doubled the forest reserves in 1951 to 1200 KM<sup>2</sup> that Himmelfarb (2012; 50) notes.

Thus, the colonial government handed over the discourse, tools, boundaries, inventories that the state used to control the society through the PA to the post-colonial government. At the same time the colonial office handed over a district council that had become an important platform through which the state's interests and societal power shaped the use of the PA.

However, the colonial government also handed over a changed Mt Elgon society that was disengaged from its pre-colonial controls to a majorly marketed based production and reproduction systems as Himmelfarb (2012) shows. The property, land and labor dynamics were increasingly shaped by the market. This condition was further shaped by the dispossession of 20% of the Mt Elgon population from their land (Moyini 2007). This context shapes and was reshaped by the politics of the first post –colonial governments as discussed below

### **The Politics of the Management of the Mt Elgon PA by the First Post-Colonial Governments (Obote I-1962-1971; Amin-1972-1979; Obote II 1980-1985)**

This period is analyzed together because it has been generalized as a period of turmoil and the worst time for conservation in the country because most PAs that had been established by the colonial government were reclaimed by the society also termed as 'encroachment' because the structures for their management were undermined by the insecurity. The section provides a political dimension of the problem.

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<sup>77</sup> Tumwebaze-Kwarija ( 1996;10) Report of the Benet Settlement Scheme MT Elgon NP notes that by 1930, a total of 314M<sup>3</sup> of round wood had been removed ; 1958 a saw mills had exploited 200 hectares of Namatala forest.

The general argument in literature is that it was only the first five years that good conservation was carried out by the first post-colonial states. For example, Norgrove (2003 110) notes that the forest reserve was more strictly controlled during the independence years. It is also the time in which first Mt Elgon management plan was developed in 1968, though it emphasized both timber production (cf Synott 1968). However, as Scott (1988; 17) also notes, it was a period in which many boundary disputes also emerged. Eventually, the argument is that the “consumerism ideology had taken over conservation” Norgrove (2003; 116). For example, Amin’s policy and the radio announcement by Amin encouraging people that “you should not cry famine-clear the forests and plant food” is often quoted as the basis for the 12% encroachment in all Uganda forests (Norgrove 2003; 116 c.f Howard 1991). As well as the expulsion of the Indians who owned the saw mills which led to the complete collapse of the timber industry in 1972 is also highlighted Norgrove (2003; 116). Overall the degradation is blamed on the breakdown of the central governments regulatory structures during the civil war in this period which led to the “encroachment” of people into the reserves. The argument, that the collapse of the central structure caused the destruction of the environment is nuanced through the reflection of the politics of the first post-colonial governments that were implemented through the ecological structure that is discussed next

### ***Brief on the political strategies of the first –post-colonial governments and their effects on Mt Elgon PA***

In chapter 2, the study highlighted that the Obote I (1962-1971) governance strategy to counter Buganda’s political power by centralizing its governance had repercussion on its governance in other fields like the ecology. The decision had created a hierarchical patronage system that replaced the district councils’ structure that had stabilized the colonial governance in Mt Elgon in 1925. Bunker (1987; 214) succinctly notes

“Obote had effectively pre-empted the local power that had previously communicated the peasant demands and protests to both local and hegemonies of the state”

It was similar argument by Branch (2007) that Obote’s ignoring the peasants was a great cost to the regime. The removal of the platform through which incentivized the peasant mobilization and engagement with the state, caused the disengagement of the elites that mediated a mutual compromises that achieved mutual benefits to both the state and the peasants and hence the stability. The reform had reverted back to the hierarchical chiefs, who

could only be controlled coercively, hence, the strict control approach that Norgrove (2003) highlights above and the observation that the “departments populist image suffered at the end of 1980s” Norgrove (2003; 116). However, because the state had limited coercive capacity to enforce control at the local, which were mainly about extraction as Scott (1988; 20) notes, it explains the increased contestations that Scott mentions above. Overall, the governance reforms by Obote I caused a vacuum in the management of the PA. The pre-colonial systems had been undermined as well as the district councils that had managed to maintain a mutual benefit from both the state and the society. Yet the state had no capacity to coerce the control. As Himmelfarb (2012; 70) notes, the political turmoil increased in the country, but concentrated in the center because the state had no capacity to control the rest of the country, it left the periphery out of direct state control. The Vacuum led to the society’s reclaim of the PA land that has been normatively termed “encroachment” by the state and conservation actors. However as Cavanagh and Benjaminsen (2014) or Himmelfarb (2012) Lang and Byakola (2006) show, the Mt Elgon society rejects the claim that they are encroachers, they draw on their indigeneity to claim their rights to the land.

The vacuum between the state and society instigated by the Obote I governance strategy was not overcome by Amin regime. It also had no capacity to take back control of the PA management because there were no structures to work through no the coercive capacity to enforce it. Thus, the prevalent claim that Amin policy caused people to reclaim the forests was only a legitimization of the status quo. The society had already reclaimed the land.

However, the seven decades of colonial rule had created a changed society that also faced IMF conditions during Obote II governance period. As Himmelfarb (2012) shows in his *“In the Aftermath of Displacement”*, the changes included; the undermining of the societal pre-colonial political structures that managed the land and resources. The production and reproduction systems were moved from society to be driven by the market. The population had not only grown but it had become individualized, a land and labor market had been created, new class, new imperatives like education, health care had been established and thus, the social differentiation had been reshaped. Overall, the society was launched into an emerging capitalist system. Therefore, it was not surprising that the communities that reclaimed the PA land expanded their production to meet the new dictates of life. That is to meet their subsistence needs as well as to progress through education, accumulation of property and land. However, because of the economic breakdown of 1972-1985 the majority of the society had majorly used the reclaimed land for subsistence.

Thus, the NRM inherited a PA that had been reclaimed by the society, but a changed society along production, reproduction, class and gender dimension, which had replaced the narrow clan and age based pre-colonial systems that governed the resources. The NRM also inherited a bifurcated state. A disengaged society whose participation in state governance had been undermined by the dissolution of district councils. The disengagement of the society had been possible because the majority of the population had controlled their production and reproduction condition, hence, their ability to survive without the state.

It is this latent power of the disengaged society that the NRM mobilized to take power and to legitimize its government (Rubogonya 2009; Mamdani 1996). As indicated in chapter 2, the NRM established a democratic decentralized structure to re-incorporate the majority population to into the state politics. The society formed the foundation of the NRM politics. It was the main strategy for legitimizing and stabilizing its government. However, latter upon stabilization, the decentralized structure has been converted into a patronage and surveillance framework that has been used to control the peasants' politics as Khisa 2013 argues. This quest to control the peasants has also shaped the management approaches of the PA Mt Elgon. This political use of the PA explains the ecological question in Mt Elgon. The next section shows that state's capacity to manage the PA exists but it is only channeled to meet its political ends and not to lead to sustainable conservation

### **NRM governance strategies exercised through the Mt Elgon PA**

The NRM government has been lauded for rescuing the decline of the Mt Elgon ecology created by the first post-colonial governments. The literature quotes the massive encroachment and loss of over 25,000 hectares of forests to encroachment and loss of biodiversity.<sup>78</sup> Mugaga et al 2011 puts it in perspective that virtually all the forests below the 2000m elevation had been removed as a result of "encroachment" due to the breakdown of the socio-economic order that had been established. This argument underlies the re-establishment of the centralised control established by the colonial government. Scott (1998;17) makes note of the political will of the new government, when the NRM established the new forest policy in 1988 that emphasized the effective management of Uganda's forests not only for economic value but for environment. It was also the basis against which external

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donor financing to the sector was justified. It is during this period that the Mt Elgon PA management structure was restored and improved from a mere department managed through the local government structure during the colonial rule to a standalone elaborate local structure as indicated introduction of this chapter and the numerous projects and partners that support conservation of the Mt Elgon. However, as indicated also in the introduction, the management of the ecology under the NRM government has failed to deliver on sustainable conservation agenda it was set out to achieve. As already argued, the performance failures have been blamed on the inefficiencies and weak capacity of the PA management structure to enforce the regulations and laws or implement innovative policies such as the CRM approaches. However, as the political economy literature has shown, the state's capacity to sustainably manage the PA exists but it diverted towards political control of the society around the PA. The state prioritises functioning of what becomes the informal structure of patronage and surveillance to control the society in shaping the PA management approaches. The state craft is depoliticised through the conservation discourse and buffered by NGOs' welfare projects that they implement. The section also shows that the historical conditions created by colonialism, that is the PA structure, the dispossession and changes in the conditions of the society, the market based livelihoods have shaped the weak capacity of the society to challenge the hegemony of the state that is exercised through the management of the PA. Thus, the section debunks the techno-centric arguments that society are ignorant or explains the reasons why the society resorts to the particular livelihood options that are technically considered to degrade the environment, or to encroachment. It also explains the context that shaped the state's political actions exercised through the Mt Elgon PA. As already indicated the key governance strategy for NRM to take and maintain itself in power was to re-include the peasants in the governance of the state through the local governance structures and use their power as the foundation for its politics. Hence upon taking power, it immediately created the local structure to bridge the gap between the peasants in the rural areas and central government that had been created by the colonial government and sustained by the first post-colonial states. However, the subsequent governance strategies that linked the state and society were shaped by the consequences of the collapsed economy that the NRM adopted. The NRM was forced to look to external financing to govern but the form its politics were shaped by the conditions set by the external financiers. Just as the NRM agreed to the IMF conditions that pushed it to implement Structural Adjustment Programs (SAPs) that were in contradiction to the espoused peasant base politics, the NRM was also forced to accept funding for conservation with conditions as indicated in chapter 2. Particularly, it was forced

to re-designates 6 forest reserves into strict control National Parks following the IUCN category II classification. It required the eviction of all encroachers and the prohibition of any consumptive use of the PA resources. As Himmelfarb (2012; 53) shows, the society in Mt Elgon felt betrayed. The imposition of a top-down condition was in contradiction of the inclusive governance approach that NRM had established. Hence, the management of the PA became an important frame of political actions by both peasants and the state as the section shows. It caused the state to increase its use as a framework through which it would control the society through surveillance, patronage, and further fragmentation of the society which has sustained the hegemony of the state. The chapter unveils this politics based on the experiences of Bumbo Sub County, Namisindwa District<sup>79</sup>.

***Re-establishing the state society relations through the centralized control of Mt Elgon PA by the NRM***

Upon its ascent to power, the NRM caused the establishment of two decentralized local governments in the two districts that hosted the Mt Elgon PA. Kapchorwa district local government in the North and Mbale district local government the South. The local governance structure that the NRM established was inclusive. It emanated from the village level where the chairman was selected by adult suffrage.<sup>80</sup> The structure did not only re-engage the society in the management of the national politics but also undermined the local power dynamics that existed or lingered at the local level. That is the despotic appointed chiefs of Obote or Amin governments and customary constraints such as clan and patriarchal systems were relieved of their customary constraints to let people participate in the governance of the state. Thus, the new released peasant power became the main foundation of the NRM politics. Nonetheless alongside this decentralized democratic structure, the NRM appointed Special district Administrators (SDA) that were located at the LCV level and nine NRM cadres at each local governance level (Village to LCV) who were purported to educate the society about NRM visions and aspirations, however, they all accounted to the president's office. The SDA is equivalent to the contemporary Resident District Commissioner who is popularly considered the president's representative in a district. This was the initial seed for establishing the patronage and surveillance structure to control the politics of the society that has since been broadened to include the PAs structure.

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<sup>79</sup> Formerly Manafwa district, until July 2017

<sup>80</sup> Structure includes; Village-LCI- Chairman is elected by Adult suffrage. The elected Chairmen in the different villages form an electoral college to elect the Parish Chairman-LCII; The Sub county representatives-LCIII and District level representatives LCV are all elected by adult suffrage to form councils at each level.

It was during this context of establishment and setting up the decentralized local governance structure in the region that the restoration of the Mt Elgon PA by the NRM government was initially undertaken. It was initiated by the forest department and supported by IUCN with Norwegian funding. The initial two years of restoring the centralized management of the PA involved a testing process of studying the extent of encroachment, the re-establishment of the boundaries lines and exploring the means and effectiveness of re-enforcing the centralized control and issuance of notices of evictions from settling and farming in the gazette areas. It involved the creation of a 15 man task force to oversee the restoration of the boundary. It was a mix of evictions and negotiation and support to alternative livelihoods. The project was over seen by an inter-ministerial committee.<sup>81</sup> This was the start of the initial violence to restore the PA management structure . The process was energized by the demands made by World Bank under the PAMSU project and USAID under the APE project, for the re-designation of Mt Elgon and five other forest reserves into a “Yellowstone type” National park, that excluded any consumptive use of the PA (Gossalamang 2008; 16). This was despite the resistance of the forest department staff who argued on technical grounds that the conditions for forest management differed from those of animal management employed in the management of the National Parks (Cavanagh 2015).

The NRM agreed to re designate the PA because it needed the financing to govern. However, it was a condition that created a paradox for NRM governance approach that it was espousing. The top-down decision to create the park was in contradiction decentralized governance. To circumvent this challenge, the NRM government worked through the Speaker of Parliament at the time, Wapakhabulo who hailed from the region to convene a few elders from the district to endorse the idea at the NRM executive meeting that sat in Mbale on the 16<sup>th</sup> of July 1993 which the president chaired by the president.<sup>82</sup> However the a focus group of elders interviewed in Sono<sup>83</sup>, <sup>84</sup> was that the participatnts were NRM cadres from the region who were located far from PA boundary to endorse the decisions. Indeed Norgrove (2003; 119) notes that the MPs and the Kacphorwa district local government openly challenged the decisions to create the National Park. Nonetheless the decisions was endorsed

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<sup>81</sup> UWA achieves, file GM3/B/3(A); Mt Elgon Conservation and Development project : Quarterly progress report 1 Jan-March 1992

<sup>82</sup> UWA achieves, File GM3/B/3(A); Letter by Chief Game Warden OKUA dated 13th July 1993 to the Permanent Secretary MTWA

<sup>83</sup> Focus group of ten Elders who form the Namisindwa community association that has taken government to court over the PA ownership- interviewed on 15<sup>th</sup> June 2017

<sup>84</sup>

in the cabinet and passed by parliament as had been demanded by the donors. Hence, in 1993 all the people that had reclaimed the land were evicted. To demonstrate NRM commitment to the process, the NRM military supported the UNP patrol unit to evict the communities that had reclaimed the PA during first post-colonial period.

Those from Kaphorwa the *Benet* were moved to the land that had been degazetted by the Obote II government in 1983, though many remained landless because most of the land had been taken by elites.<sup>85</sup> The evicted people from Mbale had no place to go. Many spent initial weeks and months homeless or living among relations. Many families broke up, those whose extended families had capacity absorbed them but many moved to the trading centers which are now the slums. A rent and labor economy that did not exist emerged but in a context where the capacity to absorb the labor was very low, the precarious conditions have worsened with the population rise. There many deaths, suicides and migrations to other parts of the Mt Elgon region, country and as well as across the border to Kenya since it is a border region.

The combined precarious nature of this large number of people covering 58 parishes was made worse by the market based production systems that had been introduced by the colonial government and the SAPs that the NRM was forced to adapt to as conditions for accessing IMF financing. As Himmelfarb (2012 95-112) notes these conditions were worsened by the very fast population growth, low education levels, nonexistent social services makes the conditions of survival increasingly precarious. It explains the intense use of the land and challenge to the PA, which is considered a historical injustice that is responsible for the conditions people face today. The pressure has forced the society to demand the state for solutions. It explains why it has become the main issue around which the politics for districts that surround the park are based. Every politician at local government to parliamentary position has to declare their position with regards to park. That is whether they align with UWA and the state, which enforces their exclusion or with people to demand for degazettement of the Park. In Namisindwa, which was my study side shows that most politicians, from the local level to MPs won on the NRM ticket but many were not re-elected to office because they fails to show their performance with regards to the PA land issue. For example in Bumbo Sub County, there was consensus by all the 10 focus group discussions I

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<sup>85</sup> Benet resettlement scheme MT Elgon NP, report of the inter-ministerial task force in resettle of bent submitted to ministry of tourism wildlife and antiquities July 1996- led by Happy James Tumwebaze-Kwarija



held, that the current Minister of State for Environment Gorette Kitutu<sup>86</sup>, their Woman Member of Parliament was considered a sellout. The people argued that whereas she was elected on the promise that should fight for their interests with regards to the PA, instead when she was made the State Minister of the Environment in 2016 she joined the Central government to demand for their eviction, claiming that they were responsible for the degradation. Kitutu's normally quotes her PhD thesis that indicated a geological crack in the mountain as an indicator of eminent danger of landslides for majority of people living on the higher altitudes<sup>87</sup>, however, this has been dismissed by the community as a scientific guise to further displace them. In comparison is Mujasi the current LCV chairman for Mbale district. Before the Mbale district was subdivided to make the current five districts<sup>88</sup> Mujasi used the PA for his election under the one party state rule period, to win votes, he camped in the park, and encouraged the people to farm in the park until the government found a reasonable solution to their problem. They were able to stay in the park for about 6 months. Mujasi went on to win the elections including the subsequent ones to date. He has been consistent in voicing and siding with the society with regards to the PA land. Mujasi was clear the problem was balancing act between state and society interests. He notes that

“For us ( political leaders) what we argue is from the people's point of view. What the technocrats focus on is what the president says. We have to maneuver and balance between people's views and presidents' interests”

However Mujasi was coopted into the NRM and his wide jurisdiction has since being subdivided into 5 districts, hence effectively reducing his sphere of influence.

My observation and some UWA records show that since NRM restored the elective politics, especially the restoration multiparty politics in 2005, the presidents had instructed UWA to halt any evictions and enforcement of the boundary patrols and management in each of the election years that is 2005; 2010 and 2016. Yet soon after the elections the presidents directs UWA to restore order by evicting the people. In 2005, Mujasi noted that Most NRM cadres in Mt Elgon, had to appeal to the president to address the land issue as it was the major problem that risked costing NRM elections. In 2010, I recall that the Inspector General of Police

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<sup>86</sup> She was woman member of Parliament of the Manafwa district but in July 2017; the district was split to create the Namisindwa districts. Hence the people in Bumbo were happy to get a chance to select a new Member of Parliament who they hoped would represent their interests.

<sup>87</sup> See NEMA report Landslides in Bududa Causes and Consequences–based on Kitutu's PhD Thesis.

<sup>88</sup> Mbale District has been subdivided to create – Mbale, Manafwa, Bulambuli, Sironko, and most recently (1st July 2017), the Namisindwa district.

Kayihura, camped in the region after receiving intelligence that opposition was using the park to de-campaign the NRM. He had paraded the UWA patrol staff to the community as the problem and caused the transfer of some of the staff that had been considered most notorious and ruthless in evicting the people.<sup>89</sup> My field work in June 2017, coincided with the president's redirection of Prime Minister, UWA and the army to restore order in Mt Elgon. He directed the Prime minister to cause the re-survey of Park boundary as the basis for enforcement of the park boundary. However, the process was challenged by the society through various ways, ( seeking court injunctions, destroying bridges to blocking UWA and State vehicles from accessing the areas). This resistance was anticipated, and so the process was guarded by the army. However, the challenge had become too violent that led to the death of one community member in Sono parish in Bumbo Sub County. It halted the demarcation process and various meetings were held to address the problem. I attended a general meeting that brought together all the 5 districts local leaders, MPs, RDCs in Mbale to agree on a compromise with the central state. The agreement was that the politicians needed to support the demarcation process and that the final decisions to degazette would be made by parliament based on a clear understanding of the areas encroached to form the basis for debate in parliament.<sup>90</sup> The agreement was that while the demarcations went on no one would be evicted until a decision was reached. However, as updated I received from the chief park warden on April 2018 informed me that the president had gone to the region and participated in radio talk on open gate radio shows and talked tough that the demarcation has to go on with or without resistance. This episode represents a repertoire that has gone on since 2005, of the presidents halting any enforcement of the management of the PA during election and then causing violent evictions after the elections periods. This overt contestation builds on the various others that have been discussed by Cavanagh and Benjaminsen ( 2015) "*Guerrilla Agriculture*"<sup>91</sup> and well as Lang and Byakola (2006)<sup>92</sup>. The difference is that the contestations seem to get more extreme. One patrol officer, "rightly notes that the people do not fear the gun any more, they charge towards enforcement agents without fear". This is an indicator of the extreme conditions that are growing the areas due to the rising population, pressing needs yet, under limited skills and capital to escape the land. Many have resorted to

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<sup>89</sup> The names have been kept anonymous-

<sup>90</sup> A key agreement reached at the meeting of district leaders from Bugisu region held on 11/08/2017 on boundary demarcation.

<sup>91</sup> Cavanagh C, J., and Benjaminsen, T., (2015) "Guerrilla Agriculture? A bio-political guide to illicit cultivation with Uganda IUCN Category II protected Areas, *Journal of Peasant Studies*, 42(3-4) 725-745

<sup>92</sup> Lang, C., and Byakola, T., ( 2006) "A funny place to store carbon"

extreme self-exploitation through such strategies as daily walks to Kenya to work on plantations, marrying off children and women re-marrying other men with land. The question this poses is why the society politics have largely failed create a break through yet clearly few success have been won, and they show the vulnerability of the state. These include the decision by the president to halt evictions in 2005; politicians such as Mujasi standing with the peasants in their politics; the court cases have established injunctions and halted evictions or compensation, and the extreme measure such as killing UWA patrol staff have been relayed. The other paradox is that whereas the society traces their extreme conditions to NRM governance in 1993 period when the strict control measures. However the community still overwhelmingly votes NRM to power each election year. The state is reproduced in Mt Elgon but what explains this context. Some emerging arguments are considered here;

The first is the enlarged Patronage and Surveillance in the local government around the PA. As already indicated that the district structure from the village to the LCV also includes direct appointees that include Parish internal security, known as (GISO) and former cadres at all level and at the district level are the Resident district Commissioners (RDC) that directly accounts to president's office. The structure has been expanded 5 time in South and 4 in North making 9 districts out of 2. This implies an expanded surveillance network of people that account to the state. More so, the communities noted that their elites are usually coopted into the expanded structure and very few have been able to espouse their interests.

Secondly, I could not prove the percentage of state operatives in the UWA structure but two anonymous interviews with UWA staff revealed that many security operatives were embedded in the over 100 staff in the Mt Elgon management structure. It was made clear to me that the patrol was headed by the army; indeed, my interviews revealed that initially, the process to retrace the boundary was led and controlled by the army and ministry of lands, UWA was to legitimize the process as a conservation activity. Finally, at the meeting with Mbale leaders, which was attended by the regional top security officers, all MPs, LCVs, RDCs, the problem of the areas was clearly known, it was a political issue, but resolution depended on directives of the state. Indeed Mujasi was very eloquent at the meeting; he wondered why the problem that had been discussed many times before and solutions made to guarantee and secure NRM power in the area has failed to be implemented. He noted that gazettement the encroached park for resettlement would "take way only 0.3% of the entire park land and this had been discussed long before. It is in fact included in the UWA 2009-2019

management the question is why isn't the problem acted upon? Thus, subdivisions of the district from the 2 to current 9, have fragment the cohesion of the contestations, coopted the elites that led the society and isolated the aggrieved parishes from the wider regions that are not located adjacent to the PA and expanded the patronage and surveillance system.

**The society itself:** The arguments from the interviews claim that NRM overwhelmingly wins in the area because Museveni had a rebel outfit in the area and is considered their son. They argue that it is only NRM with capacity to sympathize with them based on this historical attachment. However, I witnessed heightened extreme conditions due to the growing population of displaced people who have been forced them to focus on the state as the only solution to their problem. Nonetheless, the options for self-exploitation still exist. The majority of the population intensifies the use of small land or migrates to Kenya and other districts around for work. This has not only kept some pressure off the state, it has also fragmented the resistance as chapter 4 elaborates

**The NGOs operating in Mt Elgon are many as already indicated,** they not only need the support of the government and UWA to operate they are useful because, they achieved two key objects that benefit the state. They provide piecemeal welfare projects that help in alleviating the extreme conditions that the society faces, hence, buffering the state intermittently. They also skew the problems and depoliticize towards the conservation discourses and outlook which sustain the techno-centric narratives that have become normative as chapter 5 elaborates