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“Because This Land is Free” A Historical Perspective on Poverty, Settlement, and Conservation in the Lubigi Swamp

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**“Because This Land is Free” A Historical Perspective on Poverty, Settlement, and
Conservation in the Lubigi Swamp**

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Abstract

Between 1970 and 2010, 40 percent of the world's coastal and inland wetlands disappeared (Ramsar Convention, 2014). 13 percent of Uganda's land area is wetland (Elroy, Muhweezi, and West, 2005). A 2015 World Bank Study found that 40 percent of Kampala population lives in informal settlements in or around wetland, and 50 percent of Kampala's wetland cover has disappeared in the past 20 years (World Bank, 2015). Kampala's Lubigi Wetland, the city's largest, serves as a critical water catchment area for the entirety of Uganda's Central Cattle Corridor. Alongside this, it provides vital social, environmental and economic functions and has become a popular site for informal human settlement that is threatening to destroy what is left of Lubigi.

This study will analyze the roles history, culture, government action, and vulnerability play in settlement in Lubigi. The goal of this study was to use personal historical ethnographies to understand why people are driven to live in Lubigi. Lubigi is publicly held, protected land, so settlement there is illegal. The population of the Lubigi settlement has exploded in the past 15 years, and government evictions occur frequently. Despite forced evictions, residence continues to return. In person interviews were employed as a way to understand the micro-level historical drivers of settlement on this land. The study aimed to identify a solution that would both protect Lubigi from further degradation, while also protecting the rights of vulnerable populations.

Guided interviews with community members in Lubigi and Kalerwe provided the bulk of the information for the study. Additional interviews with experts on wetland management and history created a larger picture of what settlement history has looked like in Lubigi. The goal of

both types of interviews was an identification of driving forces that have lead residence to wetland settlement, and why residence continue to stay in wetland settlements.

The study found that the historical drivers of wetland settlement represent a small subset of larger challenges facing Uganda today. Overlapping land tenure law in Lubigi complicates where residence see legitimate authority. Because Lubigi is both publicly held land and traditionally held mailo land, residents feel they have the right to live there granted to them by the Kabaka of Buganda. Poverty, landlessness, and community fragmentation appeared to be factors that drove all participants to live in their wetland communities. Additionally, forced evictions and the construction of the Northern Bypass in 2009 appeared to severely diminish the role that Buganda spirituality played in protecting Lubigi. The study concluded that a bottom-up conservation approach, that values and respects people and their land, is the only way to preserve Lubigi in the current day.

Dedication

This work is dedicated to Kampala's papyrus swamps and those who live in them. The land and the stories the people who live on it hold are an often forgotten piece of Development Studies. I can only hope that my work can contribute to amplifying these narratives and humanizing work that often devalues the importance of individual stories.

Acknowledgements

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Thank you to Professor Holly Hanson of Mount Holyoke College. Your teaching and guidance has had a deep impact on the way I see the world and has shaped my love for history.

Thank you to my mom and dad, Susan and Barry, for allowing me this incredible opportunity. Your unyielding support and constant engagement in my work means the world to me. I love you both.

Finally, thank you to everyone in the SIT Spring 2018 cohort. Our conversations continuously challenge me to think more deeply about critical issues. You are all incredible people who inspire me to work to my greatest potential.

List of Acronyms

KCCA	Kampala Capital City Authority
LC	Local Council
MWE	Ministry of Water and the Environment
NEMA	National Environmental Management Authority
NRM	National Resistance Movement
UPF	Uganda Police Force

Introduction

Wetlands are some of the Earth's most productive ecosystems. They provide valuable services to humans and non-humans alike. Despite this, the area and quality of global wetlands is declining at an alarming rate (Ramsar, 2014). Synchronous with wetland degradation is pervasive landlessness and poverty in the global south. In Uganda, landlessness and semi-landlessness create a trap where those in poverty do not have plots of land large enough to sustain themselves, driving families to turn to alternative means of land acquisition (Land Equity Movement of Uganda, n.d). Wetland settlement has become an increasingly popular method of free and low cost land acquisition, especially for Kampala's urban poor.

Understanding the history of land and land use in formerly colonized contexts creates a more informed body of knowledge from which solutions can be drawn for pressing environmental and development issues. The Lubigi Swamp in Kampala's northwest corner acts as a critical catchment area for water flowing into Lake Victoria. Protected under a number of national guidelines, wetlands are "free" to those who wish to work and live there because they cannot be legally bought and sold. This makes them popular sites for informal settlements and businesses. Additionally, the wetlands have become a popular site for government sponsored infrastructure projects. Both of these occurrences have led to widespread wetland degradation. Limited scholarship exists on the history of this land and its use. This research will seek to develop a historical framework through which conservation efforts can exist alongside the personal rights of the urban poor who have settled within the Lubigi Swamp. This research will also take a comparative approach, analyzing the lives and livelihoods of those in Lubigi alongside those in the Kalerwe Northern Bypass community, an area that used to be considered part of Lubigi but where swampland has completely disappeared.

Background

In this section, I will provide a historical and theoretical background for this study. To understand conservation and settlement in Lubigi, it is necessary to have a background on the ecological function of wetlands, land tenure law in Uganda, the Northern Bypass and its related evictions, and Lubigi itself.

Wetlands

A wetland is defined as “an area where the presence of water determines or influences most, if not all, of the area's biogeochemistry—that is, the biological, physical, and chemical characteristics of a particular site.” Many wetlands are transitional zones between upland and aquatic ecosystems (The Wetlands Initiative, 2016). Uganda’s Department of Forestry estimates that 13 percent of the country’s land is covered by wetlands (Elroy, Muhweezi, and West, 2005).

Wetlands serve critical ecological, social, and economic functions in Uganda. They maintain the water table, prevent erosion, control flooding, regulate microclimates, retain toxins, trap sediment, and perform critical water purification processes. Wetlands also act as a habitat for a wide range of species. (Elroy, Muhweezi, and West, 2005). Between 1970 and 2010, 40 percent of the world’s coastal and inland wetlands disappeared, and this trend is continuing (Ramsar Convention on Wetlands, 2015).

Wetlands are a breeding ground for numerous fish species, and fishing in Uganda’s wetlands produces a gross estimated 1,091,444 USD per year. Wetlands contribute to a number of other income generating activities in Uganda. Crop farming in wetlands produces 417,536 to 25 million USD per year. Wetland-adjacent communities report that yields from wetland farming surpassed those in non-wetland areas due to guaranteed moisture even during periods of drought.

Grass mulching, an activity that also contributes to food security, produces 8.5 million USD per annum. Livestock pastures in wetlands produce 4.24 million USD annually. The economic value of wetland papyrus for both sale and personal use was valued at 15 million USD annually. Not only were wetlands used for these functions, but they were rated as the most productive land for these activities.

Land Policy in Uganda

Colonial intervention in traditional land tenure systems created a legacy of tension between traditional tenure systems and efforts to protect public land. The *Busuulu* and *Envujjo* acts of 1928 in the Buganda Kingdom were the first attempt to rectify this conflict, but created a complex system of overlapping land rights that persists into the modern day (The Uganda National Land Policy, 2013). Conflict between the Buganda government and the Ugandan government over publicly-held land in the Central Region is persistent, with the Buganda Kingdom requesting the return of 9000 square miles of publicly-held land that was granted to the Central Government in 1967 (The Uganda National Land Policy, 2013). The 1995 constitution created a public trust over “specified important renewable natural resources such as natural lakes, rivers, wetlands, forest reserves, game reserves, and national parks, vesting them in the State to hold and protect for the common good of all citizens of Uganda.” This is described as a “constitutionally brokered fiduciary relationship between the State and the citizens of Uganda” (The Uganda National Land Policy, 2013). Additionally, the Land Act prohibits the sale or leasing of publicly-held land except through concession, license, or permit (The Uganda National Land Policy, 2013).

Overlapping land tenure policy becomes an issue when multiple stakeholders lay claim to one piece of land. Currently, there are four codified land tenure systems in Uganda. The first is

freehold tenure (Kabaka's land), which grants ownership of a piece of land to someone for eternity. Those who own freehold land have full power of ownership and can sell, rent, lease, and dispose of it for any lawful purposes. Mailo tenure, which primarily exists in the Buganda Kingdom, is land that was acquired through the 1900 land agreement. This land belongs in full to the landlord, but the tenants on the land also have rights to the land and its usage. Outside of the Buganda Kingdom, customary tenure is used for land that is owned communally by a clan or tribe. The last form of tenure, leasehold land, refers to "where one party grants to another the right to exclusive possession of land for a specified period, usually in exchange for the payment of rent" (Daily Monitor, 2016). Leasehold land tenure can, and often does, overlap with customary, mailo, and freehold tenure.

Overlapping systems of land tenure and ownership create tension between the State and traditional governments, and the State and its people. This becomes particularly complex when land is both publicly held and considered mailo land, because the law does not clearly define who controls the land. Land tenure law and complexities in ownership creates a legal climate that fosters settlement in wetlands and other publicly-held pieces of land.

The Northern Bypass and Evictions

The Kampala Northern Bypass Highway is a 22 kilometer road that runs through Kampala City from Kireka to Busega (Distance Calculator, 2018). Construction of the road began in 2003, when the areas the road runs through were thinly populated. The expected completion date of the road was in 2005, but the bypass did not open to motorists until 2009. Additional extensions to the road were added after 2009, and the bypass remains under construction in some areas (Uganda Road Sector Support Initiative, 2017).

There are no official numbers available on the number of evictions conducted during the first phase of construction of the Northern Bypass, but they were widespread and had the greatest impact on the poorest residents of Kampala. These evictions result in spatial and social displacement, and the KCCA rarely planned for those who were forced away from their homes. Occasionally, the KCCA constructs “low-cost housing” for those who were evicted, but more often than not this housing is still far too expensive for evicted residents (Richmond, Myers, and Namuli, 2018). Between 2002 and 2018, evictions in Lubigi were mentioned over 20 times in the *Daily Monitor* and *The New Vision*, with significant upticks in 2009, 2010, and 2011 during the construction of the Northern Bypass and its subsequent opening and expansion. Historically, the construction of the Northern Bypass and the forced evictions that followed have further complicated the relationship between the government, landowners, and the poor.

Settlement in Lubigi

Lubigi is a littoral wetland ecosystem populated by the aquatic plant *Cyperus papyrus*. (Opio and Jones et al, 2014).

The Ugandan government has played an active role in wetland degradation. Four development projects have been undertaken by the Ugandan government within the swamp. The Northern Bypass, a major infrastructure project, was built through Lubigi in 2009. High voltage electricity cables connecting the Kawanda electricity sub-station and the Mutundwe sub-station pass through the wetland. The National Water and Sewerage Corporation water treatment plant was constructed in Lubigi in 2014. Currently under construction, the Kampala-Entebbe Express Highway is being built through the swamp (Daily Monitor, 2014).

Uganda's wetlands' are protected as public land under the Environment Act of 1995, the Land Act of 1997, the Local Government Act of 1997, the Environmental Impact Assessment Regulation of 1998, the Wetland Regulation of 2000, and the Constitution of 2010 (Government of Uganda 2016). Population explosion in Uganda has led to land and resource scarcity that has driven the urban poor to live and work within the wetlands (Government of Uganda 2016). A 2015 World Bank study found that 40 percent of Kampala's population lives in informal settlements in or around wetlands. There has been a 50 percent decrease in the city's total wetland cover in the last twenty years (World Bank, 2015). Because of this, the Lubigi wetland faces extinction. The Lubigi wetland is a target for settlements, with residents setting up gardens, bricklaying, washing bays, and other livelihood activities (Daily Monitor, 2018). The Lubigi wetland is also unique in that it is traditionally-held mailo land controlled by the Kabaka, while also being publicly-held NEMA land (Sarah Naigaga, 2018). This caused a conflict in 2010 between the Buganda Land Board and the Ugandan Government over land surveying within Lubigi (The Observer, 2010).

The Department of Wetlands and NEMA did not demarcate the boundaries of Kampala's swamps until 2012 (New Vision, 2012). In 2016, Dr. Okurut at NEMA reported that 200 acres of Lubigi had been destroyed by settlement and encroachment (New Vision, 2016). At the beginning of 2018, the Ministry of Water and Environment ordered all those living in the wetland to vacate within 21 days. The National Environmental Management Agency has stated that if the Lubigi wetland were to disappear, the water for the entire Central Cattle Corridor would no longer exist (Daily Monitor, 2018). The rights of the urban poor to accessible land and livelihoods, the need to conserve wetland ecosystems to sustain society, and the desires of

agencies and corporations to make a profit all conflict in Lubigi. A deeper understanding of the people and livelihood practices in the swamp is critical to conserving the land for the future.

Problem Statement

Conserving necessary ecosystems while respecting and embracing the rights and needs of the urban poor is a significant conflict across development work and thinking. The widespread human settlement in the Lubigi swamp indicates a threefold issue. The first conflict is a dearth of accessible, affordable, or available land for Kampala residents within which to work and live. The second issue is a failure of government action in conserving wetlands, which are crucial to climatic stability and public health and safety. The third challenge is a lack of effective communication between MWE, the Kabaka, and the people. Analyzing the history of this land and its conservation is the only way to understand the root causes of these problems and how to solve them.

Justification

Wetland extinction is an imminent threat to the Kampala area, and the Lubigi swamp encompasses a large chunk of Kampala's wetland area. Effective conservation efforts are of utmost importance to preserving wetlands and ensuring a sustainable future for Kampala and East Africa as a whole. Safeguarding needs and rights of the urban poor is also a crucial feature of holistic and fair development. The settlements in the Lubigi swamp are largely understudied, but represent the intersection of two points of contention within development studies - the need to serve the rights of the poor, and the need to conserve the physical environment for the public

good. A broader knowledge of these issues could have positive implications for environmental management across Uganda and in other regional wetland ecosystems.

Objectives

- To understand individual economic, social, and environmental histories of those living in the Lubigi swamp.
- To analyze the history of conservation efforts and development within the Lubigi wetland, as well as understand the failures of past conservation efforts.
- To develop an accessible and achievable framework for wetland conservation and community land rights through a historical understanding of the land and its use.

Literature Review

This study utilizes a post-development and post-structuralist critique of development studies as outlined by Caroline Kippler in “Exploring Post-Development: Politics, the State and Emancipation: The question of alternatives.” This critique of modernity seeks alternatives to ideas of “development” which prioritize control of the state and economic gain over the rights and liberation of the people (Kippler, n.d.). This approach acknowledges the role that international organizations such as the IMF and the World Bank have played in perpetuating cycles of oppression and poverty in the global south; it is particularly important in doing individual historical ethnography. It is critical that I analyze the stories of community members with unique consideration for their needs, outside of the colonialist notions of “progress” or “development.” Kippler’s analysis provides this framework for me.

The work of Amy Richmond, Ian Myers, and Hafisa Namuli in “Urban Informality and Vulnerability: A Case Study in Kampala, Uganda” provides a lens through which to understand vulnerability, urban planning, and settlement land rights in modern Kampala slums. The piece addresses how top-down urban planning does not alleviate poverty or reduce the occurrence of slums, particularly in Kampala, where land tenure systems are complex and overlapping. Both areas research areas fit the UN definition of a slum. A slum is defined as an area lacking adequate access to any of the following: improved water, improved sanitation, secure land tenure, sufficient living area, and durability of housing. Both the Lubigi community and the Kalerwe community are classified as water and sanitation vulnerable (Richmond, Myers, and Namuli, 2018). This information contributed to my understanding of the larger-scale vulnerabilities that residents in the Kalerwe and Lubigi face.

The Richmond, Myers, and Namuli piece also addresses the interconnectedness of economic informality, behavioral informality, and informal settlements. They define behavioral informality as “individual and collective activities that occur outside the state norms, which often comprise economic activities,” and explain informal settlements as the “‘spatializing’ application of the concept of informality.” (Richmond, Myers, and Namuli, 2018). They note that informality is often rooted in scarcity. Kampala has expanded at a rate of 6 percent annually since 1902, making land sufficient for subsistence cultivation extremely scarce. Behavioral informality falls outside of what is deemed socially “acceptable,” especially in a developing context where the government is attempting to push formalization. Outside of environmental conservation and the value of land, this may explain the actions of NEMA and the KCCA, as they conduct evictions in Lubigi in order to organize Kampala in a way that is deemed “respectable.” Additionally, the author’s address that development can either take an approach of

clearing and formalizing informal settlements, or upgrading informal settlements. The current KCCA policy is centered on clearing and formalizing, which the authors' state only leads to further disenfranchisement of poor communities (Richmond, Myers, and Namuli, 2018).

In "Environmental Management in Uganda, The Importance of Property Law and Local Government in Wetland Conservation," Benjamin J. Richardson writes of the history of wetland management in Uganda. His work is helpful in contextualizing how changing legal frameworks may have impacted individual and community understanding of appropriate uses of wetlands. In the pre-colonial period, local governance systems had individual methods of resource protection and conservation. These methods of conservation have been largely forgotten by the modern state. Herein may lie a solution to wetland degradation, and point to the importance of controlled, community informed, devolved environmental management strategies.

In the colonial period, the Waterworks Act of 1928 regulated wetlands as an extractive water resource, the Forestry Act of 1947 regulated wetlands in forest watersheds, and the National Parks Act of 1952 classified wetland areas as national parks. Wetland protection and conservation did not make the list of national priorities during the rule of Idi Amin and Milton Obote from 1962-1986 and much of the country's swampland fell into misuse. During the Bush War, for example, NRM troops sought refuge in wetlands, which Richardson argues has given the NRM a heightened appreciation for the importance of wetlands (Richardson, 1993).

Wetlands are currently protected under the Constitution of 1995, but the NRM appears to value infrastructure development over wetland conservation in the modern day as evidenced by development projects situated in Lubigi. This contradiction is important to understanding the relationship between Buganda spirituality, the Ugandan government, and the ritual importance of Lubigi.

Insecure land tenure systems play a significant role in wetland settlement. This is substantiated by Juliet Katusiime of Makerere University. Katusiime describes how customary landowners often rent out fragile pieces of fertile land near wetlands and old-growth forests because they are more profitable. Tenants often do not have awareness or training surrounding appropriate agricultural practices on fragile land (Katusiime, 2014). In his research, he found farmers in Western Uganda became distressed when their soil quality decreased after the local wetlands were destroyed (Katusiime, 2014). If farmers are aware of the necessity of wetlands for high crop yields, they may be far more inclined to learn and employ conservation strategies.

Geographic Area of Focus

Interviews for this study were first conducted in the community located along the Lubigi Channel, next to the Northern Bypass in Kalerwe. This area is known informally as Lubigi due to the channel that runs through it, but it does not actually exist within the papyrus swamp. The second set of interviews was conducted in an area west of Kampala City Center along the Northern Bypass, within a community that lives on protected NEMA wetlands. This area is also known as Lubigi, and is situated within the papyrus swamp.

2002-2018 Settlement Patterns

Below are satellite images of the study's two areas of focus in the years between 2002 and 2018. These images document changes in human settlement patterns in relation to the construction of the Northern Bypass and the Lubigi Channel.



Kalerwe Community, 2002



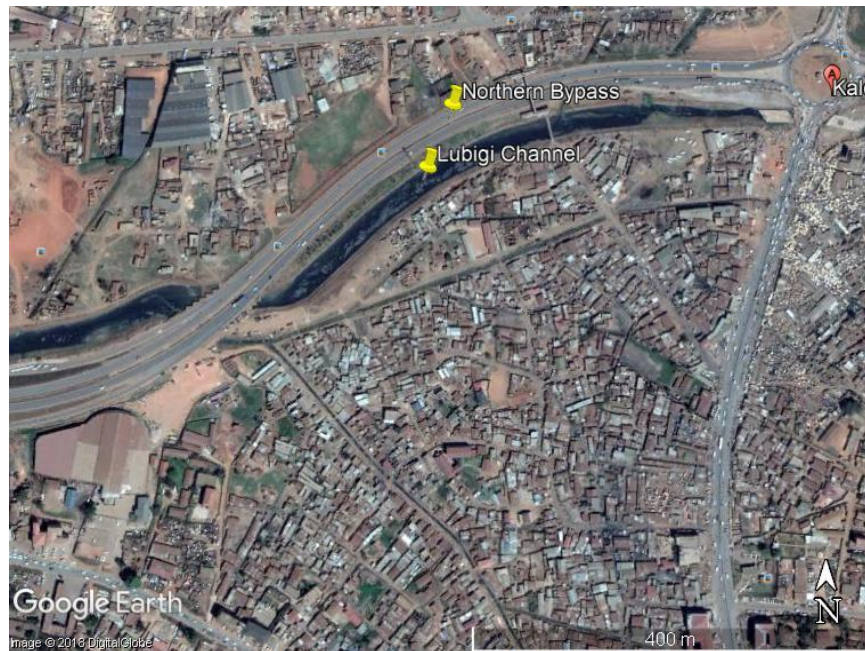
Kalerwe Community, 2005



Kalerwe Community, 2008



Kalerwe Community, 2012



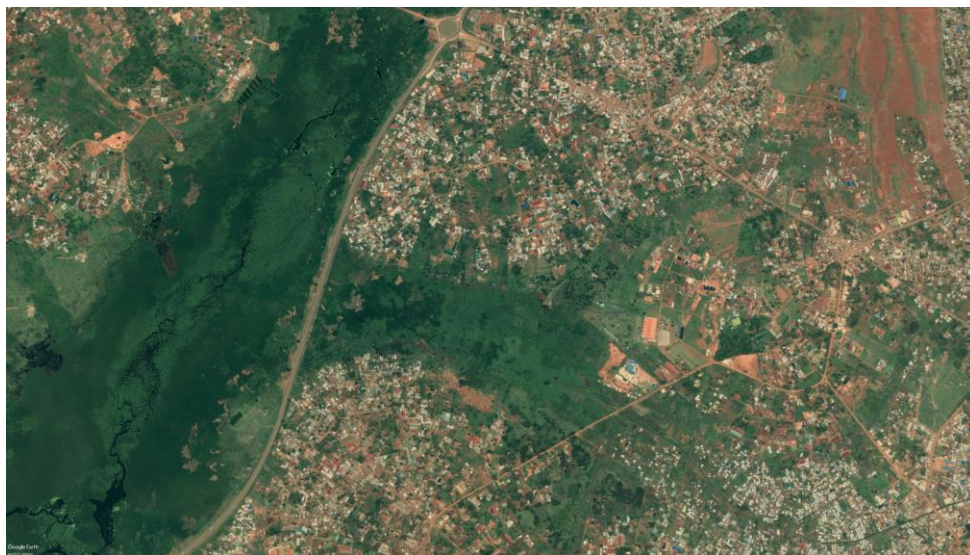
Kalerwe Community, 2018



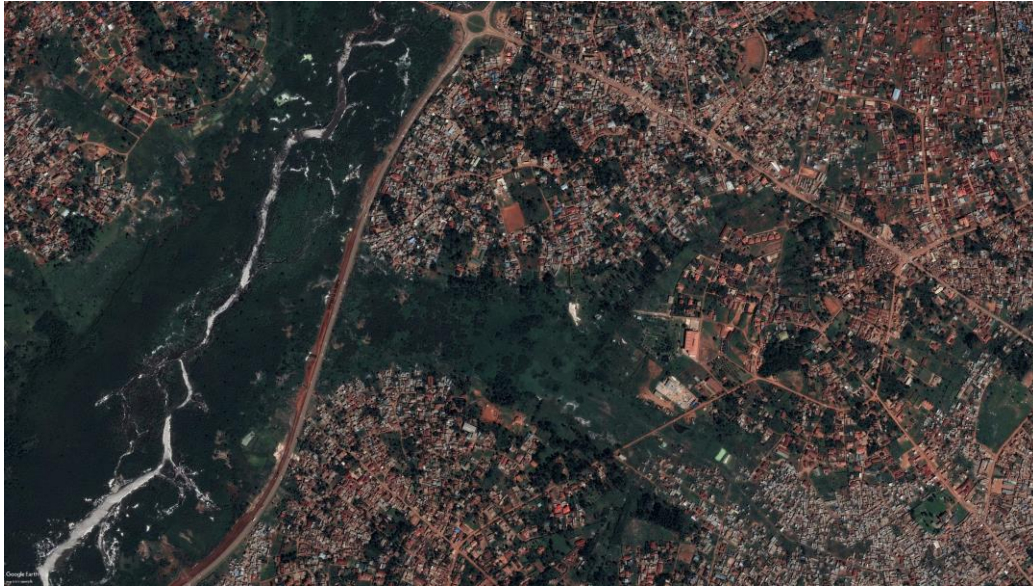
Lubigi Community, 2002



Lubigi Community, 2005



Lubigi Community, 2011



Lubigi Community, 2014



Lubigi Community, 2018

Analysis

In both the Kalerwe and Lubigi communities, development of the Northern Bypass appears directly correlated to population explosions. This is particularly visible in the Lubigi community, where settlement patterns are sparse up until the completion of the Northern Bypass in the area in 2009. This may indicate that residents began to settle in the area when it became more connected with central Kampala, and commerce and services became more easily accessible in the city center.

Methodology

Data Collection

Data was collected through in-depth interviews with residents of the Kalerwe and Lubigi communities on their personal histories, as well as in-depth interviews with experts in wetland and environmental management. Interviews were done individually with twelve community residents, and a group interview was conducted with three local council members in the Lubigi community. Participants ranged from ages 26 to 90 and had lived in their communities for anywhere between four and 90 years. One interviewee was identified as a key respondent, and her interview was far more extensive than the others due to the nature of her position in the history of Lubigi.

Interviewees were selected by community organizers in the two communities. Interviews with community members began with discussions about how long residents had lived in their respective communities, their families, and their current and historic livelihoods. The interviews continued with discussions of personal perceptions of who owns the land they live on, and what government intervention has looked like in their time in the community. Participants were asked about their familial and spiritual connections to the land they live on, why they chose to move to their community and why they choose to stay in their community. Participants were then asked to discuss the greatest challenges they faced living in their communities and their perceptions of climate change over time. At the end of interviews, participants were given the opportunity to ask questions of the researcher. After the interviews, if consent was given, participants were photographed in order to preserve their image alongside their story and personal history.

Many of the community participants did not speak English, and translators were used in both the Lubigi and Kalerwe community. A female translator was used in the Kalerwe community and a male translator was used in the Lubigi community because of the availability and willingness of translators.

Interviews were conducted with two experts in wetlands and environmental management and law. These interviews were conducted less formally and were guided primarily by the interviewee and their expertise. These interviews were conducted in English.

Data collection was attempted through archival work at the Uganda Society and the National Archives of Uganda, but resources on wetland and land history were limited or totally unavailable.

Data Analysis

During interviews, participant responses and questions were recorded with an audio recorder, and notes were taken in a secure notebook. All interviews were uploaded to a secure Google Drive file on my computer. After the interviews, recordings were listened to, analyzed and summarized. Participant responses were treated as holistic stories, and analyzed as personal narratives in order to shape a history of settlement in their respective communities. These narratives, in conversation with information released by local news sources and expert interviews, were analyzed to create this report.

Positionality Statement

I am a white American student who is perceived as a woman. Notions of race, gender, and class all had an impact on my interactions with respondents and our perceptions of one another. Being viewed as a woman by male respondents, as well as by my male translator, had an impact on the types of questions asked by participants and the nature of the translations given. Doing research in a post-colonial context, my positionality as a white American impacted the power dynamics of the interviews. Interviewees asked on multiple occasions how I, as a person of economic and racial privilege, could directly aid their communities. Interviewees also questioned my motives for being in their communities, and whether I was there to help or merely to use residents for my own academic gain. I attempted to answer these questions by explaining that I was conducting research out of a love for the history of people and the environment, and that I hoped the research would help improve participants' communities. Despite this, I understand that underlying power dynamics played a role in all of the interviews and interactions I had during the course of my research.

Ethics

Multiple considerations were made in regards to ethics. I ensured that I treated all participants with the utmost level of respect. All participants provided written consent before they were interviewed and photographed (See Appendix I). Throughout the interview I also continuously informed participants of their rights, and notified them that they had the right to terminate the interview at any moment if they felt uncomfortable. I was clear and truthful about the intent of my research, and tried to be conscious and actively aware of cultural norms throughout the interview process.

Challenges

The time constraint of the study was a significant limitation. Six weeks was not nearly enough time to access the amount of information and respondents I would have liked to. Ideally, I would have liked to interview more respondents in other settlements in Lubigi. I was also initially directed to the Kalerwe community, which I learned through my interviews is not actually part of Lubigi, and is not an illegal settlement. Despite this, the interviews I conducted there are still an enormous part of my findings, as they complement and counter much of what I learned in the Lubigi community.

Gender dynamics also proved to be a challenge during my research. Both of my community guides were male, and although I specifically requested to speak to women, I was only introduced to a handful in Lubigi and none in Kalerwe. Additionally, I felt that my male translator was not giving complete and accurate translations of what female respondents were saying to me. I felt it was important to speak to women, as they have a very different perspective on history. I also felt that I had a hard time accessing the specific information that I was looking

for about personal histories. This may have been an issue with translation, or because participants were not willing to share such intimate details of their lives.

Results

I have selected three interviews, two in the Kalerwe community and two in the Lubigi community, that encapsulate common themes among all of the personal histories I encountered. Additionally, the selected interviews highlight the distinct differences between life and history in the two communities, despite being very close in proximity. I will then provide a more holistic view of the information I received from respondents.

Community Interviews

Kalerwe Community



Yawe Godfrey, 53

My interview with Yawe Godfrey was conducted outside of his home beside the Lubigi Channel. He is 53 years old and has lived in the Kalerwe community for 20 year. Before he lived in Kalerwe, he lived in Gomba District. He moved to the Kalerwe community because that is

where he could find work. He now works in a bakery in the community. He said that when he first moved to the community, the people were in charge of the land and the community there, but after the construction of the Northern Bypass the government took over control of the area. He said that before the construction of the Northern Bypass the government would never come into the community, but now they come to bring mosquito nets, build pit latrines, and collect waste. Godfrey noted that residents of the community were very happy when the Northern Bypass and the Lubigi Channel were constructed, but that the government has not done a sufficient job cleaning the Channel and it is very polluted. Godfrey does not own land in the neighborhood. He says that the biggest challenges he has faced in his time living in Kalerwe have been pollution in the community and low levels of education and literacy. During the interview, Godfrey was ill with a cough that he says came from the air pollution in the neighborhood. He says that the construction of the Northern Bypass and the Lubigi Channel did help improve community cleanliness, but did not increase levels of literacy or education. He said the construction of the Channel also led to a population boom in the area because the neighborhood no longer floods.

Godfrey's mention of collective control of the land is of particular importance in this interview. The only reason the government took control from the people is because of their interest in constructing the Northern Bypass. Although there has been a small increase in the number of services into the Kalerwe community, population pressure is putting an increasing amount of stress on resources and land in the area. Additionally, Godfrey mentions that literacy levels and education have not improved, and that overall quality of life is not any greater than it was in the past. It appears that providing a small number of services to the Kalerwe community serves to keep the community complacent while under increasing population and land pressure.



Ssemakula Richard, 39

Ssemakula Richard has lived in the Kalerwe community for his entire life. He is currently the Local Council Security Officer for the neighborhood. He says that the KCCA is in charge of Kalerwe, but that it is the Kabaka's land and this is why people believe they do not need titles to live in the area. Richard said that there is no work in this community, and that he has no profession outside of working on the Local Council. He said that the government came into Lubigi to evict people in order to build the Northern Bypass and the Lubigi Channel. Now, they come to check up on the trench, and people welcome the government and expect them. He expressed an enormous amount of pride about living in the Kalerwe neighborhood. He does not

own land in the area, and says that no one has a family burial plot in the neighborhood. He noted that his greatest fear about living in the Kalerwe community is that the government will not maintain the Lubigi Channel and the flooding will come back. He also fears the government will attempt to build another channel and evict more residents of the neighborhood, leaving them with nowhere to go.

Richard's response highlights an important finding in this research. The government of Uganda and the Buganda Kingdom are viewed as two separate entities. Both Lubigi and Kalerwe are mailo land owned by the Kabaka (Naigaga, 2018), so residents view the Kabaka as the leader they answer to, not the KCCA. Additionally, the Kalerwe community is situated close to highly developed areas of Kampala, and should not be water or resource scarce. But because of poor urban planning and a development boom in the 1980s, Kampala residents were forced to flood prone wetland areas like Kalerwe (Tenywa, 2018). Richard's fear of eviction is also echoed by most respondents, as development projects in Kampala take priority over the housing rights of the poor. This may be a partial explanation as to why many residents showed far more interest and allegiance to the Kabaka than to the Ugandan government, as the Kabaka has proven himself to be a benevolent landlord to those living on mailo land.

Lubigi Community**Bemba Musota, 74**

Bemba Musota's interview was conducted outside of Lubigi because she was evicted during the 2009 Northern Bypass expansion. In 1966, Bemba was chosen by the Kabaka to be a spiritual leader in the Buganda Kingdom. She says that she works closely with the spirit of the snake Kabaka. During the Bush War, she found money and bought her plot in Lubigi, which she found to be filled with spirits. During the Bush War, NRM soldiers would come to Lubigi and ask her to guide them and to perform rituals, and that she aided in Yoweri Museveni's rise to power in 1986. Bemba said that until she was chased away by the government in 2009, people would frequently visit her to learn about Buganda culture and heritage. She said that when she

was chased away, the government beat her severely, saying that the people were spoiling the wetlands; she had to walk hundreds of miles to seek refuge. When she lived in Lubigi she cultivated native staple crops. There was a lake with a small flag of the Buganda Kingdom in it called Luwunta Kaliddubi in Lubigi that no longer exists. Bemba stated that when she lived in Lubigi she was not poor and had many visitors, and now that she has been forced out she has no money, and people do not come to see her anymore.

Bemba Musota's story is a critical piece of understanding the culture and history that surrounds Lubigi. There is a great irony in her 2009 eviction, as settlement and wetland degradation did not become a significant issue until the Northern Bypass was constructed (see satellite images). Bemba's role as a spiritual leader also positioned her as a bastion of social cohesion. Evictions by the KCCA function to destroy social systems and communities. This, along with poverty and land scarcity create less cohesive communities that no longer have contact with their traditional methods of governance and conservation. Bemba's interview highlights how eviction and forced migration to and from Lubigi have enormous social costs. This is substantiated by Sarah Naigaga, Senior Legal Officer at NEMA, who stated that wetlands are sacred to the Baganda and very well cared for, and that all of the traditional herbalist that lived in Lubigi have been forced off of the land.



Katalemwa Edward, 50

Katalemwa Edward was born and raised around Lubigi. His father was also born in Lubigi. Edward runs a primary school for 300 students that is situated on land his grandfather purchased. He stated that the government is technically in charge of Lubigi, but they do not really have control of the land, and that the government has “taken the initiative to destroy the land.” He said that although the government claims to own the land to protect it, they are doing the opposite. Edward said that people who have been evicted from Lubigi have not been compensated for their land. He said that the government has come to evict residents more times than he could remember in his lifetime. Despite the evictions, Edward said that people just move to another part of the swamp. He attributed the migration into Lubigi to a land shortage in the Kampala area. When he was young, he said there were only one or two houses in the area, and that in the past 25 years Lubigi has seen a population boom. He had a title for the land from the

Kabaka. In 1986 when Museveni was taking over, Edward said that people came to hide in Lubigi and that some of those people stayed in the swamp. In Lubigi he cultivates staple crops like banana, cassava, and yams alongside running his primary school. He said that the largest challenge faced in Lubigi is mosquitos and malaria, and that flooding has increased since the construction of the Northern Bypass.

Edwards's interview furthers the argument that the construction of the Northern Bypass is one of the primary causes of migration into Lubigi. It is possible that the Northern Bypass increased accessibility of Lubigi and that those who were evicted from other areas due to Northern Bypass construction needed low cost land. People have existed in Lubigi since at least 1929 (when Edward's grandfather came to the land), but settlement and degradation on its current scale are a very recent occurrence. Edward's story points once again to poor urban planning, and echos Richmond, Myers, and Namuli's discussion of clearing and formalization by the KCCA only fragmenting communities and creating new slums, rather than lifting people out of poverty and binding communities (Richard, Myers, and Namuli, 2018). It is also important to note that community perception is that the government is destroying the wetlands, not the people. This opinion could be rooted in the continuation of large-scale development projects throughout Lubigi.

Additional Interview Findings

Almost every participant expressed that they were living on the Kabaka's land. Bossa Jane, a Lubigi resident, stated that "evictions will not be a problem because the Kabaka does not evict his tenants." Generally, participants expressed no allegiance to NEMA, or interest in their work in Lubigi. Many residents expressed fear of eviction. Mugerwa Jamada, a resident of

Lubigi, said that the government has come before to slash banana plantations. He said that if they come again and try to evict him, he will have nowhere to go. Evictions appear to be a present issue in the Lubigi community, but very few participants in the Kalerwe community expressed concern about evictions.

In both communities, a vast majority of respondents cited a lack of money and accessible land as their reasoning for moving to their respective communities. All three members of the local council interviewed in the Lubigi Community spoke extensively about cheap and accessible land driving them to the neighborhood. Kamoga Joseph, the secretary of the Lubigi Local Council, stated that residents of Lubigi are socially excluded, and evictions only worsen this problem. No participants in the Kalerwe community discussed social exclusion.

Kalerwe community members said that the government did not come to their community until the construction of the Northern Bypass, but now they often come to clean the channel and provide services, with one resident claiming the government comes almost every day. The only interactions with government officials that Lubigi community members mentioned was during forced evictions, or when NEMA comes to destroy people's crops for the sake of wetland reclamation.

In both communities, only one of all the respondents had a land title. The Local Council members stated that residents have informal agreement with the Kabaka that allow them to live on the land. In both communities, residents noted that government involvement in their neighborhoods was nonexistent until the construction of the Northern Bypass.

Analysis

Objectives

1. To understand individual economic, social, and environmental histories of those living in the Lubigi swamp.

The interview responses very clearly point to the reasons people choose to settle (and have chosen to settle) in the Lubigi and Kalerwe communities, the most overt of which is poverty. Wetlands are fertile and productive, despite being susceptible to flooding. As protected land, they are also free to those who live on them. My initial interpretation was that this would be a primary justification of residents living on protected land. This did not prove to be true. The function of Lubigi and the Kalerwe community as mailo land was present in almost every conversation. Participants did not see NEMA or the KCCA as controlling the land, but rather the Kabaka. This indicates two important points. First, it shows that the KCCA and NEMA are not viewed as a legitimate authority by those living on the land because their only interaction residents have with the organizations is during evictions (which could be a partial explanation as to why people continue to settle in Lubigi). Second, it indicates that traditional forms of government and authority may hold the key to preserving the land. If residents view the Kabaka as their landlord, and the Buganda Land Board will not enforce NEMA's legitimacy due to intergovernmental land disputes, the Buganda government is the best channel through which to attempt conservation efforts.

The spiritual importance of wetlands was not present in every interview, but Bemba Musota's story along with information provided by Sarah Naigaga at NEMA are indicative of what Lubigi's function was in the past. Wetlands serve as protected in Baganda spiritual

practice. It is possible that because Lubigi is an important spiritual center for the Baganda, only those of spiritual importance settled there, preserving the land. Spirituality surrounding the land, and community methods of land preservation have been lost due to policies centered on formalization and “development” that fragment communities and erase traditional methods of conservation. The 2009 evictions appear to be a critical moment in the destruction of spiritual tradition surrounding Lubigi. I see the construction of the Northern Bypass as both a theoretical actual “fragmentor,” as it both physically fragmented communities, and drove away important spiritual actors in Lubigi that functioned to create social cohesion and encourage conservation.

Poverty and land scarcity are two driving factors of vulnerability within the Kalerwe and Lubigi communities. The KCCA is attempting to solve the perceived problem of “behavioral informality” and the “spatialization of informality” via wetland settlements, but the methods being employed appear to only make the problem worse. Lubigi has not always been the settlement it is today, and vulnerable populations are driven there due to development projects undertaken by the KCCA that neglect the poor for the sake of “modernization.”

Personal reasoning for migrating to Kalerwe and Lubigi do appear to be rooted in necessity caused by vulnerability. These settlements are legitimized by overlapping land tenure law, where residents get to choose their allegiance to the Kabaka over their allegiance to the KCCA and national environmental authorities. This allegiance is wholly understandable, as the Kabaka protects and provides to those living on his land, while the KCCA and NEMA act as enforcers of eviction policies. In the current moment, no amount of forced evictions will aid in preserving Lubigi, as those who are evicted have no alternative living arrangements, and have no incentive to leave the land.

2. To analyze the history of conservation efforts and development within the Lubigi wetland, as well as understand the failures of past conservation efforts.

Conservation efforts in Lubigi appear to be relatively new, and highly ineffective. The construction of the Northern Bypass was out of line with any conservation efforts in the area, and NEMA only began to demarcate protected land in Lubigi in 2012, well after mass encroachment began. 80 percent of Uganda's environmental budget is provided by donors (Tenywa, 2018), and Uganda's wetland management budget is only 48,668 USD annually (Kakuru, Turyahabwe, and Mugisha, 2013). Because of this, effective wetland conservation strategies do not appear to be a government priority. The only conservation strategy that appears to be employed is forced eviction, which is highly ineffective and has a number of negative externalities that were mentioned above.

A number of conservation methods were employed before the construction of the Northern Bypass, rooted in Baganda spiritual practice in Lubigi. Conservation strategies by the government will continue to fail if environmental management organizations do not address two key factors. First, that residents have a vested interest in preserving their land for cultivation, as they were forced into Lubigi and Kalerwe due to land shortages and poverty, and second, that forced eviction will only cause residents to degrade other land. My interview findings point to a disconnect between what the people need, what the government believes, and the strategies being employed to "preserve" public land.

3. To develop an accessible and achievable framework for wetland conservation and community land rights through a historical understanding of the land and its use.

The stories of participants in the Lubigi and Kalerwe community have provided a wealth of information from which to develop an accessible and effective conservation framework. The

first element of this framework is to end forced evictions and halt any further development projects in Lubigi. Both forced eviction and development projects only contribute to the cycle of poverty and community fragmentation that drove residents to settle in Lubigi in the first place. Additionally, protecting the rights of vulnerable populations should be a priority of NEMA. Hypothetical future environmental costs should not be used to justify widespread disenfranchisement of those living in informal wetland settlements.

The second element of an accessible conservation strategy should be an acknowledgement that people have a vested interest in preserving their land, and conservation efforts can, and should be led by individual communities. Educating residents on preservation strategies as well as the spiritual importance of wetlands could be a highly effective mechanism through which to encourage conservation. Settlement in Lubigi is indicative of larger issues of poverty, shortages of accessible housing, and lack of urban land access. Until the government addresses these issues (which are widespread and will take many years to solve), people will continue to live in Lubigi. This necessitates an immediate solution. The Kabaka and those living in Lubigi have a mutualistic relationship, and he is viewed as a kind and legitimate leader. NEMA and the KCCA should employ a similar strategy when dealing in Lubigi. Listening to residents' needs, educating them on the historical and present importance of Lubigi, and empowering them to conserve the land for their future are the most viable solutions for both preservation of Lubigi, and protection of the rights and needs of those living there.

Conclusion

Protecting Lubigi will require a radical shift in government policy. Prioritizing people and the sanctity of the land must take precedence over infrastructure development projects that do not serve to aid the poor. Settlement in Lubigi is a microcosmic view of much larger issues in Uganda's development and development policy as a whole. When the fiduciary desires of governments and international organizations are prioritized over the maintenance and preservation of community, land, and individual rights, critical sinews of society disappear.

Conserving Lubigi is of utmost importance for Kampala's sustainable future. In this study, personal histories have provided both the causes and solutions to degradation of the land. The environmental management actors at play in Lubigi lack legitimacy as they are only viewed as evictors. When traditional governance structures provide far more protection and support, residents have no incentive to turn to NEMA or the KCCA. Additionally, land that is both publicly held and considered mailo land creates an environment where the land is not best protected. Those who live in Lubigi feel it is their land because the Kabaka allows them to live on it, and NEMA sign posts are not going to change that opinion. Partnership between the Buganda government and the government of Uganda would aid in clarifying this overlap and implementing effective conservation strategies.

The recent history of the Lubigi and Kalerwe communities are indicative of the enormous importance of individual stories in development work. Policies that prioritize profit and artificial development indicators over community needs will fail, because they only recreate systems that stratify and subjugate societies in the first place. A shift in government action in Lubigi is necessary in order to save the land, and could also signal a shift in broader development policy in Uganda. Policy that views people, the land, community, and history as interconnected actors that

should be respected and prioritized for the sake of Uganda's future are the key to a more sustainable and liberated future.

APPENDIX I-Consent Form

Title of the Study: “Because This Land is Free” A Historical Perspective on Poverty, Settlement, and Conservation in the Lubigi Swamp

Researcher: Adele Stock, School for International Training

My name is Adele Stock. I am a student with the SIT Development Studies program in Uganda. I would like to invite you to participate in a study I am conducting. Your participation is voluntary. Please read the information below and feel free to ask questions about anything you do not understand before deciding whether to participate. If you decide to participate, you will be asked to sign this form, and will be given a copy.

PURPOSE OF THE STUDY

The purpose of this study is to understand personal histories of living in the Lubigi wetland, as well as personal understandings of conservation efforts in the Lubigi wetland. The research collected will be analyzed and presented in a formal report to be reviewed by the School for International Training.

STUDY PROCEDURES

Your participation will consist of one in-depth interview. The interview will involve a discussion of your own understanding of Lubigi, and personal understanding of life and conservation there. The interview will take less than two hours. If you consent, the researcher will also photograph you in order to better document where the information is coming from.

POTENTIAL RISKS

Risks associated with participation in this study are minimal. All information collected will be handled with the utmost care, in order to uphold high standards of confidentiality, privacy, and anonymity. Compensation for participation will be provided in the form of snacks and beverages at interviews, and transportation to and from those meetings if required. There is no financial reward or cost to participating in this study.

POTENTIAL BENEFITS

You are unlikely to experience any immediate benefits from this research study. It is hoped that the study will eventually lead to a better understanding of life in Lubigi that will aid in equitable treatment of residence, as well as improved conservation efforts.

RIGHTS NOTICE

In an endeavor to uphold the ethical standards of all SIT ISP proposals, this study has been reviewed and approved by a Local Review Board or SIT Institutional Review Board. If at any time you feel that you are at risk or exposed to unreasonable harm, you may terminate your participation in any interview or focus group. Please take some time to carefully read the statements provided below.

- a. *Privacy* - All information you present in this interview will be recorded and safeguarded. You may request at any time for any information you provide to be omitted from the report. Additionally, if the researcher identifies information that they believe could put you at risk, it will be excluded from the report.
- b. *Anonymity* - Names will not be recorded by the researcher. Identifying information will be protected and only accessible to the researcher. If you are directly mentioned in the report, it will be with a false name, unless you request to be identified.
- c. *Confidentiality* - All names and responses will remain completely confidential and fully protected by the interviewer.

If you have questions, concerns, or complaints about your rights as a research participant or the research in general and are unable to contact the researcher, please contact the Institutional Review Board at the following:

School for International Training
Institutional Review Board
1 Kipling Road, PO Box 676
Brattleboro, VT 05302-0676 USA
irb@sit.edu
+1 802-258-3132

CONSENT

By signing below, you give the interviewer full responsibility to uphold this contract and its contents. You have read the above and understand its contents, and you acknowledge that you are 18 years of age or older.

Participant's Name (Printed)

Participant's Signature and Date

Interviewer's Name (Printed)

Interviewer's Signature and Date

If you consent to any of the following, please indicate your consent by initialing on the line.

- _____ (initial) I consent to having photographs taken and published.
- _____ (initial) I consent to having my name published in the report.
- _____ (initial) I consent to having the information I volunteer used in future publications.
- _____ (initial) I consent to having this interview audio recorded.

RESEARCHER'S CONTACT INFORMATION

If you have any questions or want to get more information about this study, please contact me at stock22a@mtholyoke.edu +256 75 899 1329

APPENDIX II-Interview Guide for Community Members

1. What is your name and your age?
2. What year did you move to Lubigi/how many years have you lived here?
3. In your knowledge who used to control Lubigi? Who controls Lubigi now?
4. What do you do here and what have you done here in the past to support yourself?
5. How many times do you remember the government coming into Lubigi? For
 - a. Conservation campaigns
 - b. To demarcate land
 - c. To conduct evictions, forced and voluntary
6. How did you respond to these interventions? How did your neighbors respond?
7. Why do you choose to stay in Lubigi?
8. Do you own land here? Does your family own land here?
9. Do you have any family burial plots here or spiritual connections to this land?
10. Have you heard of a woman who used to live here that was the spirit of the snake?¹
11. What are the biggest challenges you have faced living here?
12. Can you tell me about how the weather has changed since you moved here?
13. Do you have any questions for me?

¹ Question was asked until I located Bemba Musota

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