

Handbook of Research on In-Country Determinants and Implications of Foreign Land Acquisitions

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Chapter 13

Agents and Implications of Foreign Land Deals in East African Community: The Case of Uganda

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ABSTRACT

Some of the factors that have been attributed to the global increase of Foreign Land Deals (FLDs) include the three Fs (food, fuel, and finance) crises, among others. However, most of the empirical evidence stems from the assessment of a broad set of countries. An analysis on the main determinants across host communities within a country presents specificity and closer reality. This chapter contributes by examining the community factors that could exert significant influence on determining whether or not a community receives FLDs in East African Community (EAC), focusing on Uganda. Uganda is an interesting case to investigate because the country is one of the destinations of FLDs in EAC, apart from Kenya and Tanzania. Taking it one step further, the chapter investigates the possible implications of FLDs on the host communities in terms of improvement (or deterioration) on selected community outcome variables: the quality and services relating to education, road, water, and health facilities.

INTRODUCTION

Uganda is said to be one of the youngest countries in terms of date of independence (in 1962) and has the fastest growing populations not only within the East African Community (EAC) but

in Africa as a whole (United Nations, 2013). The country records an annual population growth of 3.24%, which places her at the ninth position of countries with the highest population growth in the world in 2014; and close to 70% of her entire population of 35.92 million are less than 25 years

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of age (Central Intelligence Agency-CIA, 2014) The above exposes the country to endemic issues, which creates both opportunities (to harness the human resources) and threats (with regards to the increasing unemployment rate especially among the youths and women) . The significance of this threat is reflected in the rate of unemployment in Uganda, which records at about 5.9 million (representing 19.3%) unemployment status for Ugandan population between the ages of 15 and 24 years (AfDB et al., 2012). Some of the factors attributed to this scenario in Uganda include: inadequacy of employable skills, limited access to financial and technical resources, the insufficient emphasis on vocational training and a mismatch between skills and requirements in the job market, among others. A number of measures have been undertaken by the Ugandan government to *stem this unpleasant tide*. Efforts such as the establishment of a Youth Venture Capital Fund (YVCF) and the National Business, Technical and Vocational Education and Training, (AfDB et al., 2012) aim to improve the employability and entrepreneurial skills of the youths.

How does this situation possibly connect to Large-Scale Foreign Land Deals (referred to as FLDs hereafter)? One of the development opportunities usually advanced for the rising FLDs and the transformation of the informal sector in developing countries, especially in the agrarian context is to boost productivity and provision of employment opportunities for the host communities (Cotula et al., 2009; Cotula, 2012). Foreign land investments can be influenced by the macroeconomic situation of the host country; however, the locations of FLDs are dispersed based on heterogeneous peculiarities of the host locations (i.e. communities) with attendant benefits and costs. Taking stock of the particular peculiarities that informs the location of FLDs is a contemporary debate in land deals literature (e.g. Nolte, 2014; Osabuohien, 2014 etc.). In essence, this informs the main point of enquiry in this chapter- what are the main *drivers* (simply captioned as *agents*) of FLDs across communities

within a country –Uganda? Furthermore, what are the possible implications of FLDs operations in the host communities?

The above research questions are of relevance because apart from Uganda being one of the recipients of large-scale FLDs in Africa, it is next to only Tanzania within the EAC with regards to number of deals. Secondly, Uganda has one of the highest sizes of informal sector activities within EAC sub-region and Sub-Saharan African countries (AfDB et al., 2012). FLDs, particularly those related to the agricultural sector, are located in rural and semi-urban communities where the bulk of informal sector activities operate. These activities of FLDs can have some implications in the communities. Thirdly, a number of factors have been attributed to the global increase of FLDs, such as: the three *F*s (food, fuel and finance) crises, and so on. However, the main drivers across host communities in a country have not received substantial attention within the EAC (Sparks, 2012; Osabuohien, 2014).

In addition, community based study such as this, is able to reveal a clearer picture of the dynamics involved in choosing locations for FLDs. Thus, the main objectives of this chapter include: to examine the important *agents* within the community that could exert significant influence on whether or not a community receives FLDs in Uganda; and investigate the possible implications of FLDs on the host communities. The next section presents some background information followed by the conceptual framework, description of data and the method of analysis, in that order. The empirical results, findings and conclusion follow subsequently.

SOME BACKGROUND ISSUES

This section highlights some background issues that are related to the Ugandan economy in comparison to other members of the East African Community (EAC). The EAC is a regional

Agents and Implications of Foreign Land Deals in East African Community

intergovernmental organization, which comprises Burundi, Kenya, Tanzania, Uganda, and Rwanda. Its treaty was signed on 30th November 1999 for Uganda, Kenya and Tanzania while Rwanda and Burundi joined on 2007, with a view to increasing economic co-operation among member countries (African Union Commission, 2011). It is among the eight Regional Economic Communities (RECs) that are recognized by the African Union Commission and one of the five RECs that have established free trade area-FTA. Others include: COMESA-Common Market for Eastern and Southern Africa; ECCAS-Economic Community

of Central African States; ECOWAS-Economic Community of West African States; and SADC-Southern African Development Community) (African Union Commission, 2011; Osabuohien & Efobi, 2011). With main reference to FLDs and few socio-economic phenomena, some indicators are reported in Table 1.

From Table 1, Uganda experienced the second highest occurrence of FLDs in terms of number of reported land deals and third, in terms of the size of the deals in hectares in EAC region. Comparatively, the issue of FLDs is not so critical in Rwanda. This can possibly be explained by the geo-

Table 1. Some stylized facts on Uganda and other members of EAC

	Burundi	Kenya	Rwanda	Tanzania	Uganda
Segment A: Some Indicators of FLDs					
Number of deals	n.a.	20	3	63	22
Size of deals (in Hectares)	n.a.	836,093	115,100	1,702,555	166,888
Agric. Sector as % of total (number of deals)	n.a.	85.00	66.67	87.30	81.82
Agric. Sector as % of total size in Hectares	n.a.	93.26	91.31	83.75	74.90
Non-agric. Sector (including Mining, Industry, Non-agric. commodities) as % of total number of deals	n.a.	15.00	33.33	12.70	18.18
Non-agric. Sector (including Mining, Industry, Non-agric. commodities) as % of total size in Hectares	n.a.	6.74	8.69	16.25	25.10
Agrofuels (% as % of total number of deals)	n.a.	50.00	33.33	41.27	9.09
Agrofuels (as % of total size in Hectares)	n.a.	81.99	86.88	39.08	10.30
Food crops (as % of total number of deals)	n.a.	35.00	33.33	38.10	54.55
Food crops (% as % of total size in Hectares)	n.a.	11.28	4.43	35.86	51.44
Segment B: Some Socio-economic Indicators					
Real GDP per capita growth % (2006)	1.82	3.52	5.92	3.76	7.11
(2012)	0.72	1.77	5.03	3.67	0.02
+Agriculture, value added (% of GDP) (2006)	44.34	26.76	38.44	30.41	25.59
(2012)	40.58	29.88	32.95	27.58	23.39
+Inflation, consumer prices (annual %) (2006)	2.81	14.45	8.88	7.25	7.31
(2012)	18.01	9.38	6.27	16.00	14.02
2013 Global Hunger Index	38.8	18.0	15.3	20.6	19.2

Notes: n.a. is not available (as information on Burundi is not reported in Land Matrix). +Agriculture corresponds to ISIC divisions 1-5 and includes forestry, hunting, and fishing, as well as cultivation of crops and livestock production. Value added is the net output of a sector after adding up all outputs and subtracting intermediate inputs. +Inflation as measured by the consumer price index reflecting the annual percentage change in the cost to the average consumer of acquiring a basket of goods and services that may be fixed or changed at specified intervals (annually).

Sources: Authors' computation from Land Matrix and World Development Indicators (World Bank, 2013)

graphical features of the country, and its historical challenge of ethnic conflicts. The size of Rwanda with limited land accessible to the local population and the country's policies for growth governance may also be a contributing factor. Another reason may be associated with the recent 'successful' land reform in Rwanda. In effect, Rwanda is one of the countries in Africa that has carried out national land reforms and land titling, which has created more stringent legal and institutional framework that can deter land investors that are driven by the *train* of returns on investment (Ansoms, 2010). Tanzania has the highest occurrence of FLDs, which is followed by Uganda and Kenya. This difference across the countries in EAC, apart from reflecting the demand for land by foreign entities, can also indicate how the issue of FLDs are publicised, reported and widely spread across the countries as well as the difference in extent of institutional framework across the countries of EAC. Just as Sparks (2012) have noted that most land deals occur where land tenure system and governance are weak.

Taking a look at the sectoral classifications of the FLDs, most of the land deals occur in the agricultural sector in Uganda; just like in Kenya and Tanzania. The number of deals in the agricultural sector accounted for over 81% of the total land deals, while the non-agricultural sector received just a handful of 18.2% in Uganda. The fact that the agricultural sector receives the bulk of FLDs portrays some issues. It may mean transformational opportunities in the sector; however, from the standpoint of inclusiveness and host communities' development, it there could be some detrimental effects. This can be understood from the fact that over 70% of the local population *eke out* their livelihood from the agricultural sector in Uganda like many other African countries (AfDB et al., 2012; Osabuohien, 2014). This become even more glaring when one takes a swift glance at the last row of Table 1, where the Global Hunger Index (GHI)¹ is more than 19 in Uganda, which is more severe than Kenya and Rwanda.

The consideration of the contribution of the agricultural sector to the national economy (Gross Domestic Products-GDP) throws more lights to the discourse. It is evident from the values in Table 1 that though the sector receives majority of FLDs, its contribution to the Ugandan economy (GDP) was less than 26% in 2006 and 24% in 2012; and in effect, the lowest in both years compared to all other EAC countries². The paradox here is that the decline could be attributed to the effect of the global economic crises but it was also after the period (2007/2008) that the FLDs increased greatly across African countries (Anseeuw et al., 2012; 2013). Whether this posture is an indication of socio-economic transformation is questionable; and leaves out reflection that despite the influx of FLDs, the agricultural sector has not improved its contribution to GDP but has rather witnessed some decline.

Further, the inflationary trend in Uganda experienced marked increase and almost doubled from 7.31% in 2006 to the double digits terrain of 14.02% in 2012. The issue that this portends is the difficulties for the poor to cope with the costs on their food baskets which constitute a significant share of their income. Though all of the EAC countries experienced decline in their real GDP per capita growth between 2006 and 2012; Uganda witnessed the greatest downward trend as the value *nose-dived* from 7.11% (the highest in 2006) to 0.02% (the lowest in 2012) in comparison with other EAC members.

INSIGHTS FROM LITERATURE AND ANALYTICAL FRAMEWORK

Issues from Extant Studies

Large-scale land deal is a relatively new concept in its new form (that is legal and negotiable acquisition), compared to the colonial period where the colonizers acquired land from the indigenous people by force. In the last decade, approximately

200 million hectares of land have been acquired (Anseeuw et al., 2012) and more than 60% of these acquisitions occurs in Africa (Deininger et al., 2011). Thus, it has elicited extensive attention of researchers, policymakers, human rights activists and local government; and hence, wide literature is already forming. From an optimistic standpoint, FLDs can lead to creation of jobs, increase in exports and higher foreign earnings, economic growth, and poverty alleviation. The associated costs entail changes in households' livelihood patterns, cultural changes, land dispossession, and environmental degradation, among others. The above will require empirical assessment to examine their extent in the targeted locations.

Usually, land deals transaction occurs between two willing parties, whereby the private investors are in search of investment opportunities on one hand and the local government and customary leaders, who believe that large scale agricultural investment is imperative for economic growth and development on the other. Hence, availability of commercial land for agriculture investments is essential for attracting private investment. Nevertheless, land in Africa is a very fundamental resource and in Uganda, land deals in proportion to the available agricultural land accounts for 14.6% (FAOstat, 2010) compared to 5% in Tanzania. In Uganda, majority of the population is still rural, and the overwhelming majority of these rural households engage in agricultural work with an estimated 80% of the primary producers being women and girls (Doss et al., 2014). The acquisition of land, which is central to individuals' livelihoods, implies that the poor might be evicted from their homes which negatively affect subsistence agriculture.

The *thirst* for land has been driven by a variety of reasons. Prominent among the drivers is the increased speculation of food prices that is driven by the increasing demand of food by the rising global population. Countries that are food importers are acquiring arable land to secure their food supply in the future. The second prominent

driver is the increased demand for fuel, which has led to substantial extractive projects (Cotula et al., 2009; White et al., 2012). In addition, global climate change programmes, which are encouraged as potential contributors to sustainable rural development and reduce carbon emissions. Despite the fact that efficiency of large scale agriculture has been emphasized as backdrop of FLDs, literature (e.g. Deininger et al., 2011; Zageba, 2011) shows that production models, based on smallholders, result in higher job and income gains without efficiency losses compared to large commercial farms. Deininger et al., (2011) notes that with the exception of some plantation crops, smallholder production models have proven to be channel for increasing agricultural productivity, which leads to alleviation of poverty. Some of the main challenges that accompany this land deals is that the term of contract between the government, investors and local landholders are not very transparent (Zageba, 2011). Some of the investment projects take long to start and the jobs created are few and lowly paid jobs that are short lived in case the projects are abandoned as it has happened in Tanzania and Mozambique. In Uganda, a 2009-government land audit revealed that more than half of the investments did not use the land as agreed (Deininger et al., 2011).

In addition, there are political issues surrounding government's allocation of forestlands and communal land to investors in Uganda, which brings competition for forests reserves and water catchment areas. This has led to protracted conflicts between the government and the locals on boundary. In Uganda, for example, there are claims that about 20,000 people have been evicted from their land with the legal case pending before the courts (Zageba, 2011). Further, Mwangi (2014) provide a current detailed documentation of displacements and evictions of pastoralists within the East African Community to pave way for large investments. This has led to increased environmental risks, in terms of environmental degradation (Mungai & Omondi, 2014). The

magnitudes of these projects will have implications on rural land rights and existing land users (Stickler, 2012). Nevertheless, Cotula et al., (2009) notes that customary rights are protected to some extent in Uganda Land Act 1998 whose main aim is to strengthen the protection of local land rights. While Mabikke (2011) notes that the law does not clearly show how the state will address issues relating to land.

In most of the countries that are FLDs recipients, there are weak legal frameworks for recognizing rural land rights and also poor business environments (Deininger et al., 2011). Moreover, the insecure legal land rights in most African countries imply that the locals might lose their land. Doss et al., (2014) argue that women rarely have land ownership documents and they have fewer rights with respect to land and; hence, focusing on a land title to identify land tenure can adversely affect women's land rights. In Africa women have adopted rights-based approach and collective protests to challenge customary land arrangements and other practices (Tripp, 2004). Nevertheless, in Mozambique few of the investors granted concessions were reported to contribute substantially and sustainably to rural development through employment creation, food production or other benefits; irrespective, the rural poverty increased in the same period in the presence of improving economic growth (Aabo & Kring, 2012).

Similar challenges exist in some other countries in Africa. For instance, a project in the Tana Delta region of Kenya where land allocated for sugar cane plantations is reported to have displaced hundreds of families and destroying one of Africa's most important bird habitats (McVeigh, 2011). In Sudan the FLDs led to severe local conflicts over land access and crop yields declined due to low investments in technology and soil fertility; the project was much later abandoned (Deininger et al., 2011). In Ethiopia, De Zoysa (2013) argues that land reform that encourages FLDs have weakened small landholders' access to food and livelihoods. Efforts to introduce large-scale rain-

fed wheat farms in Tanzania displaced pastoralists from some 40,000 hectares of prime grazing land, yet wheat production has been declining as these enterprises were ultimately deemed unprofitable (Rogers, 2004). Experience in most SSA countries shows that FLDs is not necessarily favourable, despite this situation, Uganda has been one of the destinations of foreign investors acquiring large parcels of land. Hence, there is the need to evaluate the effects of such transactions to the communities and compare the communities that have experienced FLDs and those that have not.

Nolte (2014) examined FLDs in Zambia and the steps that investors go through to obtain land within the Zambian land governance system. Using a qualitative analysis, it was found that the enforcement of formal rules in the process of acquiring land in Zambia is currently weak as investors, local authorities and government officials have strong leverage over local land users who are excluded from the process. The author expressed concern that continuous process of transforming customary land into state land will shift land administration towards statutory jurisdiction, which will have welfare implications for local land users. Employing empirical approach based on logistic regression, Osabuohien (2014) showed that in Nigeria, the indicators of local institutions in the communities do not exert significant influence on the likelihood of communities being targeted for FLDs, which presupposes that the local institutions are somewhat overwhelmed by the power of the government. It was noted by the author that the size of the community, its population, the educational level of the community leaders and amount of rainfall are key factors that account for communities receiving FLDs, particularly in rural areas.

Some studies have been carried out in Uganda with respect to land acquisitions. Gildseth (2013) analyse the nature of land tenure system in the Hoima districts following oil discoveries. Mabikke (2011) focuses on institutions and governance issues that need to be strengthened in the con-

text of escalating acquisitions. Chelimo (2011) focusing on the northern region which has been characterized with war conflict argued that the existing institutions-local council and magistrate courts played a significant role in addressing land disputes although overwhelmed by the many cases. Mwangi (2014) and Galaty (2011) argue that the pastoralists have affected adversely since much of the grazing land has been acquired which exposes then to higher risks in the context of changing weather conditions.

National Association of Professional Environmentalists-NAPE (2012), analyzing the Kalangala palm oil plantation in Bugala Island in Lake Victoria in Uganda, argues that FLDs leads to lack of access by local people to land and other natural resources such as water sources and forests, and they exacerbate rural poverty and risk of food crises. Culturally important sites have been destroyed and local traditions and customs lost as the local population migrates and diversifies. Despite the fact that rural communities' customary land rights are protected under the Ugandan constitution, there are cases of violation. The wages usually paid by these investors are quite low and given that the locals have already lost land (which is their source of livelihoods); they actually struggle to meet daily needs.

Analytical Framework

According to the 1995 constitution of Uganda (amended in 2005), land in Uganda generally belongs to the citizens of Uganda in accordance with their system of land tenure. There are four land tenure systems, that is: customary tenure; *mailo* tenure and native freehold tenure; freehold tenure; and leasehold tenure. This implies that the government has some authority to acquire or disposes land for investments and land deals by foreigners mainly occur in Uganda through leasehold rights to land. Currently there are two primary mechanisms through which investors can acquire land for investment in Uganda: through

direct negotiation with private land owners (possibly with government facilitation) or through the acquisition of government land held by various agencies (Ministry of Lands, Housing and Urban Development-MLHUD, 2013).

In the face of diverse challenges with FLDs activities, the negotiation process and the level of consultations in land deals will have a significant influence in stemming the adverse effects of FLDs. However, this will be determined, to a large extent, by those in authority in the host countries and alliances with the local community leaders (Osabuohien, 2014; Timko, 2014). This differs across countries based on their land policy. For instance, in Zambia, the ownership and right to transfer ownership draws from whether the land in question is categorized as 'State Land or Customary Land (Nolte, 2014). Though investors can get letter of consent in the process of acquiring customary land, the commissioner of lands that represents the formal institution of the government, has *the final say* as it is the main empowered agency to issue out deed of lease hold to the investor.

The case of Uganda differs from that of Nigeria where the Land Use Act entrusts on the government the custodian right to issue certificates of occupancy for land holders (Osabuohien, 2014); but a bit similar to what operates in Zambia (Doss, et al., 2014). The process of land deals in Uganda is guided by both the Constitution of the Republic of Uganda 1995 (as amended in 2005) and the Ugandan Land Act of 1998. Following the adoption of the recent Uganda's National Land Policy (UNLP) by the Cabinet in February, 2013, the landscape of land deals is expected to change.

The UNLP has the main purpose of consolidating the 'various scattered policies' associated with land and natural resources by placing emphasis on land ownership and land development. Its mission statement is to "transform Uganda through optimal use of land resources with a view to building prosperous and industrialized economy". This is based on the goal of efficiently, equitably and ap-

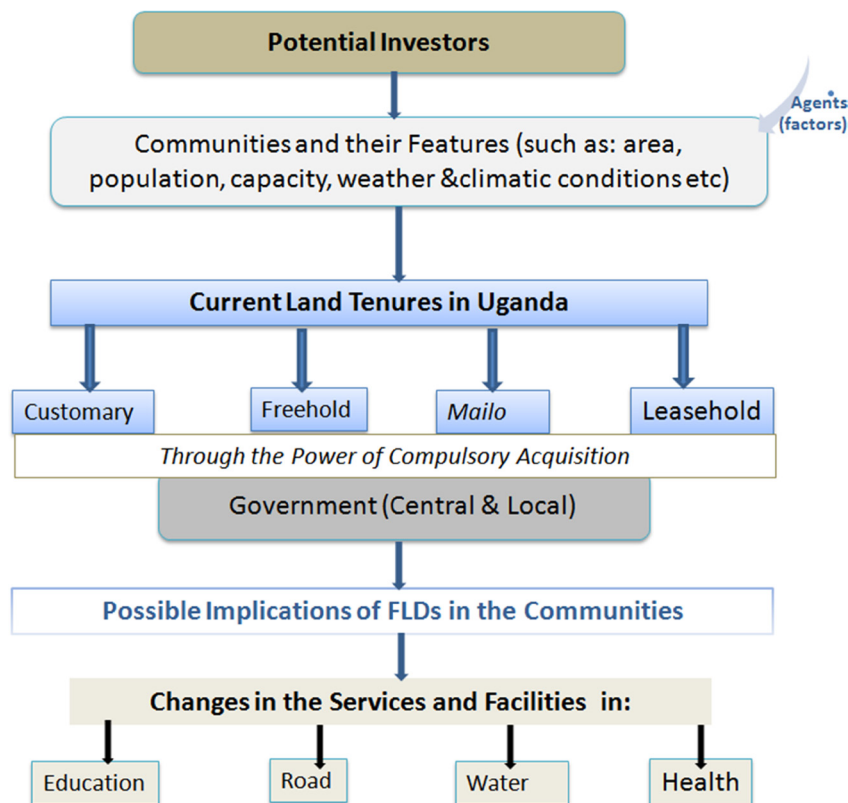
propriately managing the country’s land resources to expedite poverty reduction, wealth creation and overall socio-economic development. It is also expected that the UNLP will help to resolve cases of multiple rights and interests over the same piece of land; disposition and loss of ancestral land by some communities; disputes arising out of tribal, ethnic groupings and trans-state border; and the ineffective dispute resolution mechanisms that have bedeviled the land sector (MLHUD, 2013).

The continuous issues of disparities in ownership, access to and control of land by vulnerable groups, displacements, land grabbing and landlessness emanating from high population growth and increasing demands on land for investments particularly in many communities where land is neither demarcated nor titled, are equally hoped to be addressed by UNLP if properly imple-

mented. Other related aspects to be handled by the UNLP include: poor land utilization as a result of land fragmentation; environmental and climate change challenges; poor management of the ecological systems and weak management of natural resources. The country is in the process of implementing the first phase of the UNLP (between 2014 and 2017) by creating a National Land Policy Implementation Unit to coordinate the planning and implementation of the proposed strategies (MLHUD, 2013). However, given some financial constraints from the Government of Uganda, the implementation of the UNLP may take longer than expected and its national coverage will be a challenge³.

As fallout from the discussions, a framework is developed to capture the occurrences of FLDs in Uganda and the possible implications of such

Figure 1. Analytical framework on agents and implications of FLDs in Uganda
 Source: The authors.



activities on some structures of the communities as depicted in Figure 1. The Figure portrays the fact that Uganda has some institutional settings that regulate land activities including transfer of rights through lease, for example. As illustrated in Figure 1, an investor can anticipate the right to use the land through any of the land tenure system and the kind of land deal may differ based on tenure system in question. Also the locations (communities) that an investor may opt for can be influenced by the communities' features such as availability of land, among many others, which are depicted as *agents* (factors) in the upper part of Figure 1. For instance, in customary tenure where most of Ugandans hold their land, though it has the weakness of not providing security of tenure for landowners (MLHUD, 2013), the landowners using the instruments of the communities can collectively engage in the discussion with potential investors. This will be very similar in the case of leasehold tenure where there is grant to use the land. Since in most cases, individuals in the communities do not have titles for their land, the community witness becomes essential in ascertaining the respective individuals that have lived in the land and resolve issues related to the borders.

The above appears to depict a picture where the community has control over the access to land. However, due to the 'power of compulsory acquisition' on the governments (central and local), the government invariably will have the ultimate voice in the process of leasing land to investors; though it can confer with the communities that such investment will be made. When such investment (land deal) is made, there are possible implications on some outcomes such as changes (improvement or otherwise) of amenities including: education, road, water, and health facilities to the host communities as highlighted in the last segment of Figure 1. At any rate, the realization these expectations will largely depend on the investment and kind of negotiation that was made and the mechanisms put in place for such purpose.

DATA AND METHODOLOGICAL STRATEGIES

The Sources of Data

The data used for this chapter are from two main sources: the Uganda National Panel Survey (UNPS) and the Land Matrix. The UNPS is implemented by the Uganda Bureau of Statistics (UBOS) with financial and technical supports from the Government of Netherlands and the World Bank's Living Standards Measurement Study – Integrated Surveys on Agriculture (LSMS-ISA) project. The UNPS is usually carried out annually (at least from 2009), over a 12-month period of time (known as "wave") on a nationally representative sample of households in two visits that are approximately six months apart. The survey is conducted in two visits to appropriately take into cognizance agricultural outcomes that are associated with the two main cropping seasons of Uganda⁴.

In addition to the Uganda National Household Survey (UNHS) carried out in 2005/06, three other waves of UNPS have been carried out in 2009/10, 2010/11 and 2011/12, respectively, which track and interview 3,123 households distributed across 322 enumeration areas-EAs (simply referred to as communities in this chapter) in Uganda. The latest wave of the LSMS-ISA for Uganda (2011/12) is utilized to achieve the first objective of the chapter that centers on investigating the factors (agents) that influences FLDs in a given locations. It is also with a view to ensure that all the FLDs have occurred before then. To achieve the second objective with regards to the implications of FLDs, both the first wave (2009/10) and the last wave (2011/12) are used in order to underscore the changes to the community outcome variables over time. The structured questionnaires for the respective waves involve a set of survey instruments, namely: household questionnaire, women questionnaire, agriculture questionnaire, and com-

munity questionnaire. The data used stem from the responses to the community questionnaire as the focus is on community-level of analysis.

Data involving the communities residing in the sampled EA was collected with the administrative unit being the Local Council; but some specific responses were provided by the Sub-county Chief. The community survey information was collected by interviewing key informants within the institutions (organizations) of interest including community members and heads of selected facilities. The data was provided and stored in six main sections: namely: community identification particulars; availability of services within the community; education (majorly primary); health services; works and transport; and community characteristics, groups, needs and resources.

The second source of data is the Land Matrix Global Observatory, which gives information on the locations (communities) in Uganda that FLDs have taken place. The Beta Version 2 of the Land Matrix Database, which was launched in June, 2013, documents land deals across the world. Details on the investors, origin, destination, activities and total deals are also included on Land Matrix Database (Land Matrix, 2013). The recent paper by Anseeuw et al. (2013) helps with a useful summary of the data covered and scope of Land Matrix, which sheds some light to the concerns raised on the reliability of the data (Scoones et al., 2013; Oya, 2013). The database has been utilized in recent studies (Osabuohien, 2014; Nolte, 2014 etc.).

Methodological Strategies

To achieve the objectives of the chapter, a number of empirical strategies are employed: namely descriptive analysis, logistic regression and difference-in-difference technique.

Descriptive Analysis

The descriptive analysis is employed mainly to compare the selected variables in all the communities in the sample and compares them with those in the communities that have the occurrence of FLDs versus communities without FLDs.

Logistic Regression Model

The logistic regression based on probit technique is engaged to investigate the *agents* of FLDs across communities in Uganda. It starts by formulating an empirical model to provide evidence on factors (i.e. agents) that determine the occurrence of FLDs in a community. This is based on the understanding that studies (e.g. Arezki, et al., 2011; Cotula, 2012; Oxfam, 2013) have noted at the global level that availability of land and weak institutions are the main agents of FLDs in developing countries. The interest of this chapter is on within country factors. In other words, given that FLDs is good, what factors will make community *i* to attract it, and if FLDs are costly to the community what factors will make community *i* to resist it. The model to explain how community characteristics can influence the likelihood of FLDs draws from the recent study of Osabuohien (2014). Thus, it can be hypothesized that the occurrence of FLDs could be explained by the community factors, among others, as:

$$FLDs_i = \vartheta + \beta \text{Community_Factors}_i + \bar{Y} \text{Covariates}_i + \mu$$

- **FLDs:** The occurrence of FLDs in community *i* or not. The data from Land Matrix is used to construct this variable by categorisation of the communities across the different districts in Uganda.

- **Set of Community Factors:** Which include the proportion of land available for cultivation (*Land*); total number of households in the community (*HH_total*); indicators of transport infrastructure measured by the availability of modern means of transport (*Modtrans*). The exact size of the community (i.e. area) and its population are not available; hence, the percentage of land that is available for cultivation and total number households in the community as alternative measures is used. The availability of land in the community should reflect its area; thus, it is expected that the higher the proportion of land available in a community, the greater the likelihood of it being recipient of FLDs just as Osabuohien (2014) has established for the case of Nigeria. For the number of households, the kind of influence on FLDs will depend on whether they can provide requisite labor for activities of the investments or exertion of domestic pressure on the available land. In this case, the expectation cannot be determined *a priori*. For *Modtrans*, positive influence on FLDs as it will to reduce the cost of transportation both of inputs and outputs is expected.
- **Other Covariates:** Include the presence of non-state actors and their activities (*NSAs*); weather and climatic conditions (*Weather*); incidence of corruption in the communities (*Corrupt*); measure of accountability (*Accountable*); and the proportion of land used for agro-business and plantation in the community (*Agribiz*)⁵. The activities of NSAs are gaining more ground with regards to developmental issues including land as they can play essential function by sensitizing communities (Grain, 2013; Osabuohien, 2014). Therefore, a negative relationship between the likeli-

hood of FLDs and *NSAs* is expected. It has also been observed by George et al. (2013) that with respect to the role of *NSAs* in the management and enhancing of effective service delivery in Nigeria's public primary schools. In similar line of thought, *Corrupt* and *Accountable* variables are expected to have positive and negative association with FLDs, respectively. This is based on the extant studies (e.g. Arezki, et al., 2011; Sparks, 2012; Oxfam, 2013; Osabuohien, 2014) that FLDs tend to target countries with weak institutions and poor accountability. Finally, *Agribiz* and *Weather* are expected to have direct relationship with the likelihood of community receiving FLDs as there will be possibility of sizable farms that can be integrated for FLDs that are agricultural orientated with regards to contract farming and the relevance of favorable weather conditions⁶.

The description of the variables in terms of their measurement is provided in Table 2 along with their summary statistics.

Difference in Difference Technique

To assess the implications that the occurrence of foreign land deals (FLDs) have on the host communities in Uganda, focus was on the FLDs that have started and have been concluded before 2011. Communities with the occurrence of FLDs are taken as the treatment group and those without FLDs as control groups. Given the fact that the analysis is at the level of communities, there is no much challenge about the issue of spill-over and 'contamination'. This is particularly of essence as the outcome variables under investigation are more or less infrastructural variables. Furthermore, the communities are under the same macroeconomic atmosphere and general economic policy such

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Table 2. Summary statistics with description of variables in Ugandan communities

Variable	Description	All Sampled Communities		FLDs Communities		Non- FLDs Communities	
		Mean	S.D.	Mean	S.D.	Mean	S.D.
<i>FLDs</i>	The occurrence of FLDs in 2011 and before. Yes=1, 0 if otherwise.	0.133	0.340				
<i>Land*</i>	The percentage of land available for cultivation by members of the community (%)	56.866	29.608	71.619	13.739	54.909	30.608
<i>HH_total*</i>	Total number of households in the community	331.188	377.834	267.095	195.966	339.871	395.000
<i>Modtrans</i>	The most commonly used means of transportation. If there is the use of modern/commercial transport system (e.g. taxi/cab, pick-up/truck; bus/minibus; boat and own car) =1; 0 if otherwise.	0.145	0.353	0.171	0.381	0.142	0.350
<i>Weather</i>	Weather and climatic condition. If a there is relative tendency for rainfall (e.g. partly cloudy/partly sunny; mostly cloudy; completely cloudy; rainy) =1, 0 if otherwise.	0.687	0.464	0.683	0.471	0.687	0.465
<i>Nsas</i>	The existence/activities of Non-state actors (NGOs and CBOs), if yes=1, 0 if otherwise.	0.643	0.480	0.585	0.499	0.649	0.478
<i>Corrupt</i>	If there has been reported cases of corruption (fund misappropriation) =1, 0 if otherwise	0.587	0.493	0.732	0.449	0.563	0.497
<i>Accountable</i>	The mode of ensuring accountability. When there is the existence of internal auditors, external auditor and technical planning committee =1, 0 if otherwise (i.e. chairperson rules; finance office rules and others).	0.394	0.489	0.220	0.419	0.422	0.495
<i>Agribiz*</i>	The proportion of land used for agro-business/plantation farming in the community.	0.458	0.499	0.561	0.502	0.440	0.497
	Observations (no. of communities)	311		41		268	

Notes: For space, only mean and standard deviation (S.D.) are reported; the mean values are the means of the medians. The mean and S.D. for the dependent variable (*FLDs*) are respectively 0.1327 and 0.3398; they only applicable for 'All sampled Communities'. *Indicates continuous variables.

Source: Authors' computation.

as the Uganda National Land Policy that covers all communities. Though, it is not easy to clearly ascertain that changes that occur within the communities are essentially attributable to the presence FLDs; however, this analysis does give useful insight on how infrastructure facilities differ between communities with FLDs and those without it.

The Difference-in-Difference (DiD) technique is used to achieve the above because it is applicable when an intervention is random, conditional on group fixed effect and time fixed effect. One of the main limitations and assumptions of DiD is concerning the estimation not yielding treatment effect if both *states* have different time trends and where there is anticipation of policy intervention,

regional shocks, groups are not easily comparable and follow different macro-trends. The related problem with this approach is regarding the error terms, particularly when the time series used is long (Bertrand et al., 2004). To overcome the above shortcomings, two periods, which are relatively not too far apart, namely: the first wave (2009/10) and the third wave (2011/12) of the LSMA_ISA are used.

Apart from the fact that the analysis has both group and time dimensions, which is the primary requirement for DiD, the approach is also simple to grasp, easy to both implement and interpret. It can as well provide the correct results that will be useful for making inferences when the basic assumptions are met.

To apply the DiD technique, there are two *states of affairs*, $S = 0; 1$ (in our case, communities with FLDs = 1 and those without it = 0) and two periods, $t = 0; 1$. This can be written heuristically as:

$$W = \begin{cases} 1 & \text{if } S = 1, t = 1 \\ 0 & \text{if otherwise} \end{cases} \quad (2)$$

From above equation, causal relationship of interest is expressed as:

$$Y_{st} = \alpha + \tilde{n}W_{st} + \tilde{\alpha}_s X_s + \delta T_t + \epsilon_{st} \quad (3)$$

The time-invariant state fixed effect and the common time trend can be differenced out as:

$$\tilde{Y}_s = Y_{s1} - Y_{s0} = \tilde{n}(W_{s1} - W_{s0}) + \epsilon_{s1} - \epsilon_{s0} \quad (4)$$

Then the difference-in-difference is taken as:

$$\begin{aligned} Y^{DiD} &= \tilde{Y}_1 - \tilde{Y}_0 \\ &= Y_{11} - Y_{10} - (Y_{01} - Y_{00}) \end{aligned}$$

$$\begin{aligned} & -\tilde{n}(W_{11} - W_{10} - (W_{01} - W_{00})) \\ & + \epsilon_{11} - \epsilon_{10} - (\epsilon_{01} - \epsilon_{00}) \end{aligned} \quad (5)$$

This can be simplified as:

$$Y^{DiD} = \tilde{n} + \epsilon_{11} - \epsilon_{10} - (\epsilon_{01} - \epsilon_{00}) \quad (6)$$

Ideally, the final result from DiD is:

$$Y^{DiD} = \tilde{n} \quad (7)$$

This is the main parameter to be estimated when applying DiD and since there are four community outcome (Y) variables, four values of for each of them namely: changes (improvements or otherwise) in the provision of education, road, water and health facilities in the communities will be obtained.

EMPIRICAL RESULTS AND DISCUSSIONS

Findings from Descriptive Analysis

First focus is mainly on the concluded deals that have occurred earlier than 2011 in the Land Matrix Database. This is to have the analysis reflect essentially the FLDs that have started operations and then indicate both factors (agents) that influence such deal occurring in the communities⁷. Thus, the LSMS_ISA for 2011/2012 for the community dataset is used to capture the aforementioned points in both the descriptive analysis and logistic regression.

Table 2 presents some summary statistics on the main variables in the model in addition to their description. The means of the variables are compared between communities that have witnessed FLDs and those that have not. As would

be expected, the communities with FLDs have greater proportion of available land for agricultural cultivation, with the value of 71.62% compared to the communities that do not play host to FLDs that has the value of 54.91%. This result helps to inform that FLDs tend to concentrate more on communities where there is availability of arable land. This is of essence as about 80% of FLDs in Uganda are intended for agricultural purposes (see the last column and second row of Table 1). The above will imply that the occurrence of FLDs 'dances to the tune' of resource-seeking argument as extant empirical studies both at the cross-country (e.g. Arezki et al., 2011; Oxfam, 2013) and in-country (e.g. Osabuohien, 2014 for Nigeria) levels suggest.

The value on the total number of households reveals that FLDs tend to occur more in communities with low population. In effect, the average number of households in communities without the occurrence of FLDs is about 340 compared to the value of 267 in communities with FLDs. This finding for Ugandan communities is rather at variance for the Nigerian scenario where land deals occur in communities with more population. The divergence can be interpreted from the stand point of structural difference where the level of urbanization in Uganda is low with over 90% of the population in eastern, northern and western regions residing in rural areas (Commonwealth Local Government Forum-CLGF, 2013). It therefore suggests that probably, the local rural dwellers constitute a kind of domestic pressure on land, which can result in some degree of resistance from the communities⁸.

Focusing on the indicator of transportation system (*modtrans*), the results in Table 2 shows that on the average, communities with FLDs relatively have better infrastructure than non-FLDs communities, which points to the suspicion of infrastructural driven tendencies of FLDs. As Osabuohien (2014) have recently hinted, better (transport) infrastructure will reduce cost of transporting inputs to location of productive activities

and outputs to the market. The weather and climatic conditions (*weather*) within the communities indicates there is no much difference between the mean values of communities that have FLDs and those without FLDs, which suggests that there is no substantial difference in weather conditions especially rainfall across the communities.

In addition, the variable on the incidence of fund misappropriation in the communities (*Corrupt*) brings some interesting picture to the fore. The values show that communities with the occurrence of FLDs have higher issues of corrupt practices with an average value of 0.732 compared to the value of 0.563 in communities without FLDs. This informs that FLDs tend to target areas with weak institutions. The indicator on the adherence to accountability tenets corroborates the above finding where communities with FLDs has lower accountability value of 0.222 in comparison with those that do not have FLDs with the value of 0.422. Cross-country studies (e.g. Arezki et al., 2011; Deninger et al., 2011) have made this observation that countries with weak institution are mostly targeted by FLDs than others. The finding above also confirms the recent suspicion of Timko (2014) that local (communities) leaders can be bribed by government officials in collaboration with investors to circumvent due process of community consultation. On the average, land used for agricultural business and plantation in communities with FLDs, have greater proportions with the value of 0.561 compared to 0.440 in communities without FLDs. It therefore suggests that communities that have had knowledge on agricultural business will be more ready to accept the proposals for the occurrence of FLDs because they can expect the possibility of more commercialization of the agricultural sector that can be made realizable from contract farming or other arrangements, for instance.

A correlation test was also conducted as part of descriptive analysis. As reported in Table 5 in the Appendix, the basic information from the correlation test is that there is no issue of mul-

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ticollinearity⁹; only on the relationship between corrupt practices and adherence of accountability tenets that has high association of 0.867. This association is not unexpected as they are *different sides of the same coin*; hence, they are used differently in the regression analysis as reported in the next sub-section.

Findings from Logistic Regression

The baseline model, as presented in Table 3, includes the covariates- land, total households in the community and mode of transportation. They

all exhibited the expected signs but with varied significant levels. From the Table, the availability of land was the only significant covariate in all the Columns (1 to 6), which explains its relevance in informing FLDs location.

In Table 3, it can be inferred that the main *agents* (determining factors) of FLDs in Ugandan communities include: availability of land, incidence of corruption, tenets of accountability, and activities of Non-State Actors (NSAs). In effect, the greater the availability of land and possibility of corrupt practices in a community, the higher will be the likelihood of it *playing host* to FLDs. The sizes

Table 3. Agents of FLDs in Ugandan communities (Logistic Regression Results)

	Dependent Variable: FLDs Occurrence					
	1	2	3	4	5	6
	0.0146 ^a	0.0146 ^a	0.0134 ^a	0.0131 ^a	0.0131 ^a	0.0137 ^a
<i>Land</i>	(0.002)	(0.003)	(0.002)	(0.002)	(0.008)	(0.005)
	-0.0072	-0.0087	-0.0017	-0.0002	-0.0020	0.0012
<i>HH_total</i>	(0.981)	(0.977)	(0.582)	(0.601)	(0.622)	(0.735)
	0.1854	0.1876	0.2220	0.1896	0.2632	0.2747
<i>Modtrans</i>	(0.529)	(0.508)	(0.443)	(0.519)	(0.366)	(0.348)
		0.0156	0.0408	0.0077	-0.0197	-0.0278
<i>Weather</i>		(0.964)	(0.873)	(0.976)	(0.939)	(0.930)
			0.6182 ^b			
<i>Corruption</i>			(0.021)			
				-0.6696 ^b		
<i>Accountable</i>				(0.012)		
					0.5906	
<i>Agribiz</i>					(0.211)	
						-0.4448 ^c
<i>Nsas</i>						(0.099)
	-2.150 ^a	-2.155 ^a	-2.307 ^a	-1.630 ^a	-2.060 ^a	-1.953 ^a
<i>Constant</i>	(0.000)	(0.000)	(0.000)	(0.000)	(0.000)	(0.000)
<i>Pseudo R2</i>	0.064	0.064	0.106	0.114	0.076	0.084
<i>Wald Chi2</i>	10.70 ^b	12.22 ^b	15.75 ^a	16.30 ^a	13.18 ^b	13.83 ^b
<i>P-Value</i>	(0.013)	(0.016)	(0.008)	(0.006)	(0.022)	(0.017)
<i>log Likelihood</i>	-60.103	-60.102	-57.411	-56.892	-59.320	-58.802

Notes: P-values are in parenthesis. Superscripts ^a, ^b, and ^c denote significant at 1, 5 and 10% respectively. All the equations corrected for robust standard errors. Marginal effects are examined in all the specifications but not reported for space.

Source: Authors' computation.

of the coefficients vary around 1.3 and 1.4% (for availability of land) and about 62% for incidence of corruption. Significantly, the incidence of corruption poses a major influence for the occurrence of FLDs in Uganda. This finding supports some previous literature (such as Arezki, et al., 2011; Cotula, 2012; Oxfam, 2013; Osabuohien, 2014) that FLDs occur in locations with poor institutional and poor accountability settings.

On the other hand, communities that uphold the principles of financial accountability and with more activities of NSAs tend to be less targeted for FLDs. This is not too surprising since FLDs target communities with poor institutional setups like the incidence of corruption. Therefore, communities that uphold accountability tenets will be less attractive for FLDs; which is not out of place as investors can take advantage of poor institutional settings to acquire vast acreage of land by *nicodemously tipping* community leaders and government officials to play down on due consultation (Osabuohien, 2014; Timko, 2014). Whereas in communities where there is high regard for accountability there is less likelihood for FLDs occurrences. In view of these findings, the East African Community (EAC) as a regional and inter-governmental organ can play active role in fostering better accountability and transparency with respect to 'pushing' members to jointly stipulate standards for land deals. This can start from encouraging member countries to adopt and implement the internationally recognized Voluntary Guidelines for the Responsible Governance of Tenure of Land, Fisheries, and Forests. A related recommendation will be for the EAC Commission to support members that have launched National Land Policy to ensure its full implementation.

Another interesting finding is that the activities of NSAs in the community exhibits negative and significant association with the occurrence of FLDs (see the last Column of Table 3), which is not unexpected because an increase in the activities of NSAs is predictive of the reduction in the

occurrence of FLDs. The role of notable NSAs such as the Ugandan Land Alliance and Land and Equity Movement in Uganda, among others might have accounted for this finding unlike Nigeria where such do not exist yet as recently highlighted by Osabuohien (2014). In effect, the coefficient shows that the presence of NSAs in a community will result to a 44.48% chance of making such community to be less attractive to FLDs.

Findings from Difference-in-Difference

The basic outcome indicators in the communities are used to underscore the possible implication for the communities because the major promises that both the investors and government representatives usually make to communities revolve around improved infrastructural provisions like access to portable water, health care facilities, road accessibility and educational provisions, among others. This stance became very eloquent from the recent work of Nolte (2014) in Zambia. Using expert interview approach, it was demonstrated that the concerns of the host communities in relation to the promises and anticipations from FLDs center on the aforementioned facilities. A leader in one of the communities expressed this argument - "You see [...] we are lacking of schools, we are lacking of clinics, we are lacking of roads, [...]; if you (*the investor*) are given land [...], what are you going to do for the community [...]" (paraphrased from Nolte, 2014:3). It is based on the above arguments, which are usually expressed in most communities, that the present chapter focused on the community outcome variables: changes (improvements or otherwise) in the provision of education, road, water and health facilities in the communities.

From the values reported in Table 4, it is observable that all the selected outcome variables namely: services and facilities in the education, road, water and health in the communities with FLDs seem to be slightly lower in quality or are poorer in provision compared to the communities

Table 4. Implications of FLDs on communities using difference-in-difference

Outcome Variables	Treatment (with FLA)	Control (Without FLA)	Difference (DiD)
Education	2.246	2.000	0.246*
Road	2.123	1.571	0.552*
Water	1.766	1.640	0.126**
Health	2.208	2.125	0.083**

From the LSMS_ISA data, the values range from 1 (improvement in facilities/services); 2 (same or no discernible changes) to 3 (facilities/services worsened or deteriorated). This means the values are in reverse order denoting greater values imply lower quality of service or poorer conditions. * and ** denote significant at 1% and 5%, respectively.

Source: Authors' computation

without FLDs within the period considered (i.e. between the first and third LSMS_ISA waves). Using the value of 2 as cut-off point- no discernible changes, it suggests that values lower than 2 means that facilities have improved within the period. Conversely, values which are higher than 2 means deteriorated and worsened service provision¹⁰.

It is obvious from Table 4 that the provision of education in communities with FLDs slightly deteriorated while it remained the same in communities without it. For the road facilities and its provision, it can be inferred that the communities with the presence of FLDs have had the service worsened, while in those without FLDs there was some improvement. The level, with value of 1.571, seems to be higher than other categories of outcome variables that are considered. For water provision and facility, there is a somewhat change in the paradigm as the values are lower in both treatment and control groups. This denotes that both communities with FLDs and those without it experienced improvement in water provision; however, the communities without FLDs seem to have better relative outcome. The observed difference might have resulted from increased competition for resources in the communities

with FLDs as well as reduced livelihood for the households in the communities that affected by the land deals, directly or indirectly¹¹. As analogous to water, the outcome of the health care provision in communities (with or without FLDs) had some measure of deterioration as both had values that are greater than 2. Again, the communities with FLDs had slightly higher reduction than that of the communities without FLDs.

SUMMARY AND CONCLUSION

Large-scale foreign land deals (FLDs) have triggered significant interest from researchers and policymakers alike with an aim to understand the drivers (denoted as agents) and the possible implications of such deals. The optimists and pessimists have had their take but the results are not conclusive since some studies have shown positive impacts while others negative impacts especially with respects to welfare outcomes of the local population. Hence, this chapter undertook a case specific analysis for Uganda to explore the main agents and the implications of FLDs at the community level comparing the communities that have experienced FLDs and those without FLDs.

The results indicate that the availability of land and corruptible officials and leaders at the local levels are some of the factors that attract foreign investors. Presence of NGOs and availability of accountable financial system can reduce the propensity for FLDs in a community. On the other hand, the presence of these land deals can lead to deterioration of social amenities like education, road, and health and hence not so beneficial to the locals relative to the communities without the deals.

With the current legal system and land regime meaningful benefits from FLDs might not be realized; thus, enforcement of existing formal institutions is also imperative. The recently signed Ugandan National Land Policy seems to hold a

lot of promises in addressing some of the issues relating to FLDs; however, how far it will go will be determined to the currency and degree of its implementation, which is presently doubtful. The role of the East African Community (EAC) as both regional and inter-governmental organization will be of essence with regards to supporting Uganda implement her newly launched National Land Policy as well as adhering to the Voluntary Guidelines for the Responsible Governance of Tenure of Land, Fisheries, and Forests. There is also the need for further studies to do an in-depth analysis on the land deals that are related to agriculture in Uganda, since most of these deals are in the agricultural sector. This will help to investigate the performance and effects of such FLDs on households in the host communities. Taking further step to examine the *status quo* of the FLDs based on field visits is also recommended as investors will be willing to contribute to the development of host communities when they are in operations and profitably at that.

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REFERENCES

- Aabo, E., & Kring, T. (2012). The Political Economy of Large-Scale Agricultural Land Acquisitions: Implications for Food Security and Livelihoods/Employment Creation in Rural Mozambique. *UNDP/RBA Working Paper*, WP-2012-004.
- AfDB, et al (2012). Uganda, in *African Economic Outlook 2012: Promoting Youth Employment*. OECD Publishing. .10.1787/aeo-2012-60-en
- African Union Commission. (2011) *About African Union*. Retrieved February 5, 2012 from <http://www.au.int/en/>
- Anseeuw, W.; Boche, M.; Breu, T.; Giger, M.; Lay, J.; Messerli, P.; & Nolte, K. (2012) *Transnational land deals for agriculture in the Global South: Analytical Report based on the Land Matrix Database*. CDE/CIRAD/GIGA.
- Anseeuw, W., Lay, J., Messerli, P., Giger, M., & Taylor, M. (2013). Creating a public tool to assess and promote transparency in global land deals: The experience of the Land Matrix. *The Journal of Peasant Studies*, 40(3), 521–530. doi:10.1080/03066150.2013.803071
- Ansoms, A. (2010). Views from below on the pro-poor growth challenge: The case of rural Rwanda. *African Studies Review*, 53(2), 97–123. doi:10.1353/arw.2010.0037 PMID:20939135
- Arezki, R., Deininger, K., & Selod, H. (2011). What drives the global land rush? *World Bank Policy Research Working Paper*, No.WPS5864.

Agents and Implications of Foreign Land Deals in East African Community

- Bertrand, M., Duflo, E., & Mullainathan, S. (2004). How much should we trust differences-in-differences estimates? *The Quarterly Journal of Economics*, 119(1), 249–275. doi:10.1162/003355304772839588
- Central Intelligence Agency (CIA). (2014) *The World Factbook: Uganda*. Retrieved June 21, 2014, from <https://www.cia.gov/library/publications/the-world-factbook/geos/ug.html>
- Chelimo, G. A. (2012). *Land Rights in the Context of Post War Northern Uganda: The Case of Amuru District, Uganda*. International Institute of Social Studies Research Paper. Retrieved July 1, 2014, from thesis.eur.nl/pub/10750/RESEARCH_PAPER_FINAL.pdf
- Commonwealth Local Government Forum. (2013). *Country Profiles: Uganda*. Retrieved March 18, 2014 from <http://www.clgf.org.uk/uganda/>
- Cotula, L. (2012). The International Political Economy of the Global Land Rush: A Critical Appraisal of Trends, Scale, Geography and Drivers. *The Journal of Peasant Studies*, 39(3–4), 649–680. doi:10.1080/03066150.2012.674940
- Cotula, L., Vermeulen, S., Leonard, R., & Keeley, J. (2009). *Land Grab or Development Opportunity? Agricultural Investment and International Land Deals in Africa*. London: IIED/FAO/IFAD.
- De Zoysa, R. (2013). *The Implications of Large Scale Land Acquisition on Small Landholder's Food Security*. University College London, Department of Planning Unit Working Paper No. 156. Retrieved July 1, 2014 from <http://www.bartlett.ucl.ac.uk/dpu/publications/dpu/latest/publications/dpu-working-papers/WP156.pdf>
- Deininger, K., Byerlee, D., Lindsay, J., Norton, A., Selod, H., & Stickler, M. (2011). *Rising Global Interest in Farmland*. Washington, DC: The World Bank. doi:10.1596/978-0-8213-8591-3
- Doss, C., Meinzen-Dick, R., & Bomuhangi, A. (2014). Who owns the land? Perspectives from rural Ugandans and implications for large-scale land acquisitions. *Feminist Economics*, 20(1), 76–100. doi:10.1080/13545701.2013.855320
- Galaty, J. G. (2011, April). *The modern motility of pastoral land rights: Tenure transitions and land – grabbing in East Africa*. Paper presented at the International Conference on Global Land Grabbing. Land Deal Politics Initiative at IDS. Sussex, UK.
- George, T., Olayiwola, W. K., Adewole, M. A., & Osabouhien, E. S. (2013). Effective service delivery of Nigeria's public primary education: Role of non-state actors. *Journal of African Development*, 15(1), 221–245.
- Gildseth, I. (2013). *Land tenure practices and land acquisitions in oil region: The case of Hoima, Western Uganda*. Retrieved July 1, 2014, from <http://urn.kb.se/resolve?urn=urn:nbn:no:ntnu:diva-22927>
- Grain. (2013). Collating and dispersing: Grain's strategies and methods. *The Journal of Peasant Studies*, 40(3), 531–536.
- International Food Policy Research Institute (IFPRI). (2013). *2013 Global Hunger Index: The challenge of hunger: Building resilience to achieve food and nutrition security*. Bonn: IFPRI.
- Land Matrix. (2013). *The Land Matrix. Beta version 2.0*. International Land Coalition (ILC), Centre de Coopération Internationale en Recherche Agronomique pour le Développement (CIRAD), Centre for Development and Environment (CDE), German Institute for Global and Area Studies (GIGA) and Deutsche Gesellschaft für Internationale Zusammenarbeit (GIZ). Retrieved July 17, 2014, from <http://landportal.info/landmatrix>

- Mabikke, S. E. (2011, April). *Escalating land grabbing in post-conflict regions of Northern Uganda: A need for strengthening good land governance in Acholi Region*. Paper presented at the International Conference on Global Land Grabbing. Sussex, UK.
- McVeigh, R. (2011). *Biofuels Land Grab in Kenya's Tana Delta Fuels Talk of War*. Business and Human Rights Resource Centre. Retrieved July 1, 2014, from <http://business-humanrights.org/en/kenya-villagers-are-being-displaced-as-large-swathes-of-land-is-turned-over-to-companies-for-biofuel-production-article-alleges>
- Ministry of Lands, Housing and Urban Development (MLHUD). (2013). *The Uganda National Land Policy*. Kampala: Ministry of Lands, Housing and Urban Development.
- Mungai, M., & Omondi, P. (2014). Re-considering Large Scale Agricultural Investment as a New Paradigm for Mitigating Insecurity in Pastoral Rangelands: The Kenyan Case. In M. G. Berhe (Ed.), *A Delicate Balance: Land Use, Minority Rights and Social Stability in the Horn of Africa* (pp. 245–281). Addis Ababa: Institute for Peace and Security Studies.
- Mwangu, A. R. (2014). Land-grabbing in Uganda: Are Pastoralists Second Class Citizens. In M. G. Berhe (Ed.), *A Delicate Balance: Land Use, Minority Rights and Social Stability in the Horn of Africa* (pp. 192–223). Addis Ababa: Institute for Peace and Security Studies.
- National Association of Professional Environmentalists (NAPE). (2012). *A Study on Land Grabbing cases in Uganda*. Retrieved March 12, 2014, from http://reliefweb.int/sites/reliefweb.int/files/resources/Full_Report_3823.pdf
- Nolte, K. (2014). Large-scale agricultural investments under poor land governance in Zambia. *Land Use Policy*, 38, 698–706. doi:10.1016/j.landusepol.2014.01.014
- Osabuohien, E., & Efobi, U. (2011). Trade Outcomes in Africa's Regional Economic Communities and Institutional Quality: Some Policy Prescriptions. *Economic Insights-Trends and Challenges*, LXIII(4), 19–32.
- Osabuohien, E. S. (2014). Large-scale agricultural land investments and local institutions in Africa: The Nigerian case. *Land Use Policy*, 39, 155–165. doi:10.1016/j.landusepol.2014.02.019
- Osabuohien, E. S., Ogundipe, A., & Efobi, U. R. (2013). The land rush in Africa: Implications and institutional panacea. In E. E. Oku & K. O. Asubonteng (Eds.), *Harnessing land and water resources for improved food security and ecosystem services in Africa* (pp. 92–106). Accra: UNU Institute for Natural Resources in Africa.
- Oya, C. (2013). Methodological reflections on 'Land Grab' databases and the 'Land Grab' literature 'Rush'. *The Journal of Peasant Studies*, 40(3), 503–520. doi:10.1080/03066150.2013.799465
- Rogers, P. J. (2004, March). *Saskatoon on the Savanna: Discursive dependency, Canadian-guided agricultural development and the Hanang Wheat Complex*. Paper presented at the 45th annual international studies association conference. Quebec, Canada.
- Scoones, I., Hall, R., Borrás, S. M. Jr, White, B., & Wolford, W. (2013). The Politics of Evidence: Methodologies for Understanding the Global Land Rush. *The Journal of Peasant Studies*, 40(3), 469–483. doi:10.1080/03066150.2013.801341

Sparks, D. (2012). Large Scale Land Acquisitions in Sub-Saharan Africa: The New Scramble? *International Business and Economics Research Journal*, 11(6), 687–696.

Stickler, M. M. (2012, October). *Governance of Large –Scale Land Acquisitions in Uganda: The Role of the Uganda Investment Authority*. Paper presented at the International Conference on Global Land Grabbing II. Retrieved June 12, 2014, from <http://www.cornell-landproject.org/download/landgrab2012papers/stickler.pdf>

Timko, J. A. (2014). An analytical framework for assessing the impacts of *Jatropha curcas* on local livelihoods. In M. Bavinck, L. Pellegrini, & E. Mostert (Eds.), *Conflicts over natural resources in the global south conceptual approaches* (pp. 174–191). London: CRC Press. doi:10.1201/b16498-11

Tripp, A. M. (2004). Women's Movements, Customary Law and Land Rights in Africa: The Case of Uganda. *African Studies Quarterly*, 7(4), 1–19.

United Nations (2013). *World Population Prospects, The 2012 Revision: Key Findings and Advance Tables*. New York: Department of Economic and Social Affairs Population Division, ESA/P/WP.227.

White, B., Borrás, S. M. Jr, Hall, R., Scoones, I., & Wolford, W. (2012). The new enclosures: Critical perspectives on corporate land deals. *The Journal of Peasant Studies*, 39(3-4), 619–647. doi:10.1080/03066150.2012.691879

World Bank. (2013). *World Development Indicators 2013*. Washington, DC: The World Bank.

Zagema, B. (2011). *Land and Power: The Growing Scandal Surrounding the New Wave of Investments in Land*. Oxford, UK: Oxfam International.

ADDITIONAL READING

De Schutter, O. (2010). The emerging human right to land. *International Community Law Review*, 12(3), 303–334. doi:10.1163/187197310X513725

De Schutter, O. (2011). How not to think of land-grabbing: Three critiques of large-scale investments in farmland. *The Journal of Peasant Studies*, 38(2), 249–279. doi:10.1080/03066150.2011.559008

HighQuest Partners, United States. (2010). Private Financial Sector Investment in Farmland and Agricultural Infrastructure. *OECD Food, Agriculture and Fisheries, Working Papers, No. 33*, OECD Publishing. Retrieved July 1, 2014, from [10.1787/5km7nnpjlr8v-en](http://dx.doi.org/10.1787/5km7nnpjlr8v-en)

Jayne, T. S., Mather, D., & Mghenyi, E. (2010). Principal Challenges Confronting Smallholder Agriculture in Sub-Saharan Africa. *World Development*, 38(10), 1384–1398. doi:10.1016/j.worlddev.2010.06.002

Keeley, J., Seide, W. M., Eid, A., & Kidewa, A. L. (2014). Large-Scale Land Deals in Ethiopia: Scale, Trends, Features and Outcomes to Date. London: International Institute for Environment and Development and International Development Research Centre (IDRC).

Miho, P. (2014). International Land Deals in Eastern and Southern Africa. *Organization for Social Science Research in Eastern and Southern Africa*. Retrieved June 22, 2014, from http://publications.ossrea.net/index.php?option=com_sobi2&sobi2Task=sobi2Details&catid=3&sobi2Id=2828&Itemid=0

Okuku, J. (2006). The land Act (1998) and Tenure Reform in Uganda. *Africa Development. Afrique et Développement*, XXXI(1), 1–26.

Tyler, G., & Dixie, G. (2013). *Investments in Agribusiness: A Retrospective View of a Development Bank's Investments in Agribusiness in Africa and East Asia*. Washington, DC: The World Bank.

KEY TERMS AND DEFINITIONS

Agricultural Related Business (Agribiz): The production and processing of agricultural products essentially for the market.

Communities: Comprise one or more villages and enumeration areas usually administered by recognized leaders or local council.

Difference-in-Difference (DiD): An econometric estimation technique usually employed during impact assessment by comparing changes in the out variables between treated and untreated groups over time.

East African Community (EAC): One of the regional economic communities in Africa recognised by the African Union, established in 1999 for the economic, social and political progress of members. The current member countries include: Burundi, Kenya, Tanzania, Uganda, and Rwanda.

Foreign Land Deals (FLDs): Occurs when foreigners or foreign entities get access to use land in a country either solely or in conjunction with a domestic partner for diverse purposes.

Institutions: A framework that depicts guidelines and rules through which socio-economic relationship among individuals and economic agents in a particular country is regulated.

Investors: An individual or a corporation that has the financial resources to acquire access to use land in a country.

Not State Actors (NSAs): Non-for-profit and non-governmental organizations that carry out activities like awareness campaign and advocacy for the advancement of the societies.

ENDNOTES

- ¹ The Global Hunger Index (GHI) describes the state of a country's hunger situation. It measures progress and failures in the fight against hunger and ranks countries on a 100-point scale. Zero (0) is the most ideal score (no hunger), and 100 is the worst scenario (International Food Policy Research Institute-IFPRI, 2013).
- ² The choice of 2006 and 2012 is to have the years before and after the global economic crisis with a view to taking into cognizance the possible effects and to observe the recovery rates in recent time.
- ³ This was confirmed in different interviews with officers from Uganda's Ministry of Lands, Housing and Urban Development; Land and Equity Movement in Uganda-LEMU; and Ugandan Land Alliance in March 2014.
- ⁴ The dataset and other related documents such as structured questionnaires, basic information documents are available at <http://go.worldbank.org/WPG8NVTJF0> (accessed 09.01.2014).
- ⁵ This is different from those from FLDs.
- ⁶ Variables such as women access to land, security and educational attainment of community leaders used in Osabuohien (2014) for Nigeria are not available for community-level data in Uganda. Apart from the inclusion of other explanatory variables such as: *Corrupt*; *Accountable*; and *Agribiz*; this present study has different focus unlike the former that was on local institutions. In addition, efforts were made to include other variables such as: indicators whether the leaders of the communities have the same political and religious inclination with the

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central government; however, information on them are not available in the data set.

- ⁷ Based on the information in the Land Matrix Database, FLDs have occurred in 12 out of the 112 districts in Uganda. The size with 'current size under contract' status ranged between 270 and 20,000 Ha; while investors (beside those with joint ventures) are from the following countries: China, Germany, Kenya, India, Mauritius, Netherlands, Saudi Arabia, and United Kingdom.
- ⁸ It is against this backdrop that the analysis was not focused on only rural areas.
- ⁹ This boosts the confidence of the estimated results from the model; also, since focus is not on institutions, the issue of endogeneity will not be crucial.

¹⁰ As a suggestion for further research, there is need to undertake an investigation on the 'status' of these investments as one can only expect investors that are operating profitably to adhere to the principles of corporate social responsibilities in terms supporting the development of the host communities.

¹¹ The mechanisms and channels of the influence for the households in the communities where FLDs are located can be considered for further research.

APPENDIX

Table 5. Correlation tests

		1	2	3	4	5	6	7	8	9
<i>FLDs</i>	1	1.000								
<i>Land</i>	2	0.182	1.000							
<i>HH_total</i>	3	-0.063	-0.328	1.000						
<i>Modtrans</i>	4	0.028	0.211	-0.067	1.000					
<i>Weather</i>	5	-0.003	0.099	0.043	-0.117	1.000				
<i>Nsas</i>	6	-0.045	-0.152	0.107	0.002	0.018	1.000			
<i>Corrupt</i>	7	0.116	-0.059	0.178	-0.101	0.169	0.153	1.000		
<i>accountable</i>	8	-0.140	0.005	-0.082	0.080	-0.168	-0.170	-0.867	1.000	
<i>Agribiz</i>	9	0.082	0.147	0.246	-0.158	0.202	0.363	0.561	-0.582	1.000

Source: Authors' computation.