

# Lessons from the Field

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## Using 'Visioning' to Build a Positive Foundation for Community Land Protection

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LEMU used to begin every community land protection process by attempting to resolve intra-community land conflicts. However, communities often had so many complex internal land disputes that mediation attempts often only created more discord, sometimes stalling the land protection process entirely. This Lesson from the Field describes how LEMU went back to the drawing board to develop an innovative solution: collective visioning exercises to build unity and momentum for community collaboration.



LEMU staff lawyer Hilda Alupo Makmot facilitates a group of women through a visioning exercise

From 2009-2013, LEMU and Namati worked with communities in northern Uganda to document and protect their customary rights to 74 areas of communal land. In this period, LEMU's work with a community would begin with land conflict resolution, under the presumption that all intra-community land conflicts must be resolved before a community could successfully complete the community land protection process.<sup>1</sup> LEMU believed that it was necessary to first investigate, understand, and resolve all existing conflicts concerning community land before community members could embark on the rest of the documentation process with one mind.

However, LEMU discovered that the approach of resolving conflicts first often resulted in communities stalling indefinitely in the land protection process. The focus on conflict polarized communities into 'encroachers' and 'community members.' The encroachers' livelihoods benefited from, or depended upon, their illegal activities on communal lands and so they had little incentive to compromise with the community. It became apparent

that in many communities, internal land disputes were so complex that it was impossible to move past the conflict resolution stage. Being unable to work together collaboratively, communities were prevented from addressing the larger objective of securing and protecting their customary land rights. Additionally, the focus on mediating conflicts also placed LEMU staff at the center of tense situations: LEMU staff regularly faced intimidation and threats of witchcraft and violence from powerful or resistant encroachers. Some communities even rejected the entire community land protection process because they found it fostered division instead of the social harmony they wanted.

<sup>1</sup>This community land protection process has multiple steps, including: 1) Community visioning for the future; 2) Legal education and community capacity-building; 3) Mapping and harmonizing boundaries with neighbors; 4) Drafting community by-laws and natural resources management plans to govern intra-community land administration; 5) Election of a diverse, representative "council" responsible for community land and natural resources management (often including customary leaders as well as women, youth and other stakeholders); 6) Completion of necessary administrative steps for formal documentation, including surveying/geo-referencing; and 7) Community planning for the future, including rural planning, livelihood development, and other community-driven efforts to ensure future prosperity and endogenous-defined development.

In November 2013, in the face of these obstacles, LEMU went back to the drawing board to brainstorm and assess how to respond to these challenges. The result was a new strategy for the community land protection process: the process would begin with community-wide 'visioning' exercises and land conflict resolution became a near final stage of the process. The new strategy has so far dramatically increased community unity and accelerated communities' progress through the process.

This brief shares LEMU's experiences about how to facilitate Community Land Protection in post-conflict, rural, customary settings. In these contexts, some of the greatest threats to community tenure security may come from local elites and powerful community members who leverage their authority and influence to claim community lands in bad faith, which creates discord and division within communities. By discussing challenges and solutions, LEMU hopes to prepare other community land rights practitioners across Africa and the globe to attain positive and lasting results in their respective contexts.

### Wasp Nests and Rocket Science

During reflections on the challenges of land conflict resolution, LEMU drew inspiration from two illustrations from nature and physics that reveal important considerations for addressing land conflict resolution and facilitating community land protection:

**Wasps** ("pipino" in the Lango language) build their homes in unwelcome places and sting badly when disturbed. To remove a nest, Ugandan common sense teaches that one should wait to move the nest until late at night or early in the morning, when the wasps are sleepy and docile. If you try at midday when they are fully awake, they can become hostile and send you running! Likewise, using a broom or bare hands to



Wasps on a nest *Photo credit: Vilseskogen CC*

remove the nest is risky and unpredictable. It is better to quickly cover and trap the nest with a thick cloth and then immerse it in hot water.

LEMU observed that in the same way, persons who have encroached upon community land in bad faith are often as angry and dangerous as wasps. Any intervention to remove them may cause harm if not carefully timed and calculated, with an outlet of escape in case things turn for the worse. With this in mind, LEMU staff decided it might be possible to surround the 'wasps' with rules agreed upon by the community; democratically elected management structures; community-wide learning about land rights; and targeted legal support. This approach seemed likely to be more effective and less painful.

**Rockets** also shed light on how best to undertake community land protection efforts. To launch a rocket, an enormous amount of energy and resources are needed in order to move it faster and faster - and hold it together - until it reaches the 'velocity of escape' and can break through the earth's atmosphere. If a rocket does not reach this critical speed in one piece, it cannot enter outer space.

Similarly, LEMU realized that a community fractured by in-fighting will not have the internal cohesion needed to progress through or sustain the community land protection process. Communities must therefore build some level of 'cooperation momentum' in order to move forward and successfully pass through many stages of the process.

### Collective Visioning: Building Momentum for Co-operation

In January 2014, LEMU introduced the technique of Collective Visioning, done with both leaders and whole communities. Collective Visioning is an exercise where participants are asked to reflect upon the use and availability of their communal resources in the past, in the present, and in the expected future if nothing changes. From there, participants are asked to reflect on whether the likely future is what they actually want to happen, or if there is a different future that they hope for. After sharing thoughts on the future they hope for, participants collectively brainstorm how to realize their desired future. The focus is on identifying the steps the community needs to take together in order to arrive at a future where their children and grandchildren are prosperous and flourishing. LEMU's facilitated visioning process is explained in the box on the next page.

## LEMU's Community Visioning Process

Before beginning a visioning process, facilitators explain the flow of the process. They outline that participants will be asked to consider how the communal land was utilized in the past; how it is today; what the future will look like if the present does not change; their desired future; obstacles to this desired future and way forward to this desired future.

### Past

First, facilitators ask participants about how their community's common lands and natural resources were used and managed in the past, before the years of war and violence brought on by the Lord's Resistance Army. Questions may include:

- *How were your common grazing lands used?*
- *What was found on the land?*
- *Who managed or took care of the land?*
- *Were there rules for how the community could or could not use the land and natural resources?*
- *How did people live together within the community?*

### Present

Next, facilitators inquire about how the community is living together today, and ask about the current state of the community's lands and natural resources:

- *What about today, how is the land being used?*
- *Has there been any change in the availability of natural resources?*
- *Are you happy with the current situation? What is working well? What is not working well?*
- *Are leaders managing the communal land? Does this management have good results?*
- *How do people within the community interact and relate to one another?*

### Transitioning

At this point, the community's mood has often changed from one of joyful nostalgia for the past to one of disillusioned sadness about the current state of affairs. Facilitators allow the community to sit with this feeling for a few moments. The moment of silence is a very crucial point in the discussion, and should be handled carefully and delicately. After a few moments of silence, facilitators ask people to think about the future, inquiring:

- *Judging from your silence and sad faces, you seem not to be happy with the current situation. What will happen if the situation does not change?*
- *How do you feel about your grandchildren living in this kind of situation?*
- *Do you like what this future looks like?*

### Desired Future

At this point, the group discussion often brings tears to community members' eyes. Facilitators emphasize that while the current situation may seem hopeless, there is still hope. Facilitators transition the mood by asking community members what kind of future they want to leave for their future generations, posing questions like:

- *What kind of future would you like to see?*
- *What kind of relationship with neighbors would you like to have?*
- *What about your children, what kind of future do you want for them?*
- *What is preventing you from achieving this desired future?*
- *What would you like to see happen for your community in the future – and what part are you willing to play?*
- *Think of your children and grandchildren - what can you do to secure this desired future for them?*

## Strategies for Successful Community Visioning

The results of using collective visioning in community meetings have surpassed expectations, though LEMU has identified six important strategies for ensuring community visioning is effective:

### 1. Before starting community visioning, hold meetings with community leaders to orient them away from isolated cases and towards the bigger picture.

Going through an initial small-scale visioning exercise with 10 to 20 state, traditional, faith-based, and opinion leaders allows them to engage personally with the issues and to recognize that the focus of community land protection goes beyond the few encroachers currently causing problems.

In LEMU's experience, leaders begin to feel a natural ownership of the community land protection process when they realize its scope and potential to offer lasting solutions to community land conflicts (such as agreed-upon community rules for land and natural resources use, and clear governance structures for land and natural resource management). When the leaders are inspired, they become 'vision-bearers' in their communities and mobilize members to participate in subsequent community-wide meetings.

This dynamic was illustrated in the community of Agudu, where discouraged leaders initially insisted that they had "tried it all" to deal with encroachers on the communal lands and were now bent on evicting them from the community. A land grabber named Onapa<sup>2</sup> had given them particular trouble. *"We've already talked with him, and it didn't work,"* one Local Councilor explained, *"Onapa no longer listens to community leaders."* A Jago (clan leader) told LEMU staff, *"Even me, I will stop here. We are wasting time. If you call another meeting to discuss anything related to Onapa, people will not come. We're not going to come to any more community meetings. We are tired of this."*

After an uncertain silence, a member of LEMU's field team spoke up. *"If LEMU gets rid of this gentleman Onapa for you, that's well and good. But five years later, what if another person comes back, and LEMU's not there? What's going to happen then?"* In the reflection that followed, facilitators asked prompting questions until the topic of community-wide rules came up. *"Yes!"* the Jago exclaimed, *"When you write your rules, the*



LEMU staff facilitate a community meeting with men and elders

*rules will deal with the person. We need to write down our rules, and then we will work together based on that. Now we need to write our rules immediately!"*

Daniel, a Local Councilor, reminded his colleagues that *"[This land grabber] is one of us. If we use anger and threats, we will not achieve our purpose of peace and harmony... Let us concentrate on the solution and not the problem."* At that point, a different spirit came over the meeting. The leaders were animated by the idea that by establishing rules that apply to everyone in the community; it would be clear who is law-abiding and who is not. Rules, they decided, will best manage the communal land, not individuals. Agudu is now one of the communities most eager to complete the community land protection process with LEMU.

### 2. Hold community-wide visioning meetings.

Once leaders are inspired, it is necessary to bring together all stakeholder villages so that members can arrive at similar realizations and inspiration. Facilitators use the visioning exercise described previously.

These gatherings often involve hundreds of people from different villages. Given the size of meetings, LEMU has found that visioning is best done in smaller break-out groups. Local leaders who participated in the earlier leaders' orientation are often effective in facilitating these breakout groups. Once "Community Visions" have been collected, LEMU documents these in a Visioning Report and returns to the community to share each group's vision with the wider group.

LEMU recommends dividing into separate groups of men and women. This is because women may feel freer to speak their minds when men are not present – for example, one woman recently told a LEMU facilitator, *"I was sitting here with many things to say, but because you have asked me to speak, I can. Otherwise, if I*

<sup>2</sup> Names have been changed to protect individuals' privacy

got up and just freely spoke my mind like men do, I would be seen to be stubborn and disrespectful.” The separate groups allow facilitators to capture the unique experiences and aspirations of men and women. It is important to note that LEMU does not recommend dividing groups into “elders” and “youth” because it is beneficial to mix different age groups. These small group discussions are often powerful cross-generational learning opportunities that create space for elders and youth to learn from each other about the community’s history and share hopes and ideas about the future.

LEMU facilitators have been surprised by the number of times that community-wide visioning sessions have resolved encroachment disputes without any direct mention of the conflict or mediation attempts. Towards the end of one meeting in Agudu community, a woman



LEMU staff lawyer Priscilla Aling facilitates a women’s visioning session

named Dorcas stood up and announced that she had realized that she was part of the community’s problems and was willing to leave the community land she had taken as her personal grazing land. Her fellow women clapped - the woman next to her gave her a hug – and then other people, encroachers or relatives of encroachers, began confessing. The women laughed openly, frequently referring to their self-made rule of *“No pointing fingers!”* In the men’s circle, another man named Moses made a similar announcement declaring his intent to leave the parts of the grazing land he had claimed as his private property. Within two months of the first visioning meeting, eight people have now publicly renounced their encroachments and community members have since selected Dorcas as a Community Support Person for Agudu community. Although it remains to be seen whether these individuals will actually leave the land permanently, the fact that such announcements were made in public gatherings is a promising sign.

### 3. Allow moments of silence to be turning points.

LEMU has observed that when participants transition from remembering the past to discussing the present situation, the general mood shifts from happiness and nostalgia to sorrow because it dawns on people that the future looks bleak if nothing is done about the current situation. For example, there was a profound sadness during a leaders meeting in Barapworocero community, when participants described how they are now forced to tie their cattle in wetlands due to lack of community grazing land, which causes the cows’ hooves to soften and fall off, ultimately killing the cattle.

Similarly, in Ajuri, a woman named Helen explained in the visioning exercise how she was recently caught collecting firewood in the community land (which a powerful elite claims to be his personal land) and was then forced into the back of the elite’s truck with fierce dogs until relatives paid a goat for her release. She was carrying a baby on her back the entire time. Other women in the group told similar stories.

After such narratives, the atmosphere of the community meeting is often silent and heavy with emotion. The LEMU team has found that facilitators should treat this silence with respect and compassion because it is often a critical turning point. When the gravity of the current situation hits community members, a passion to protect their community - and their common land - is born. After reflecting in this moment of silence, field facilitators or sometimes the participants themselves begin to redirect the group’s thoughts – often with a joke or another mood-lightening comment that signals the transition from despair to determination to make a change.

### 4. Avoid telling people to ignore a conflict.

In a Visioning meeting in Ajuri Community, the field team found that telling the community not to focus



Women close their eyes during a visioning exercise

on the ongoing conflict over the communal land had the opposite effect of angering community members instead of calming them. Similarly, it was impossible to ask the community of Barapworocero to ignore the fact that they had been in court for over three years attempting to defend their community land from a land grabber. This situation could not be overlooked in Barapworocero's Visioning meeting. LEMU has learned that instead of asking a community to ignore a conflict, it is more effective to acknowledge the pain and anger caused by a current conflict but encourage the community to reflect on lasting solutions in the bigger picture, rather than focus only on a particular conflict.

### 5. Avoid demarcating or demonstrating land boundaries on an initial assessment.

During a first-time visit to Ogot Community, a District Environment Officer, at the request of community members, led a sample demarcation exercise to demonstrate the boundary between the community grazing land and the nearby wetland. Days later, an acre of pine trees planted in part of the newly clarified wetland area was mysteriously burned. The man who planted the trees claimed that LEMU was responsible because the sample demarcation had shown that the plantation was apparently on community wetland and this had angered community members. From this experience, LEMU now advises refraining from any direct activities on the community land in the first few months of the community land protection process, including demarcation. Directly visiting or demonstrating the community lands should be avoided, even if key community members or government officials encourage it. A mere demonstration may have dire consequences if it aggravates an existing conflict, and facilitators may not be aware of potential conflicts early in the process.

### 6. Community members explain the process to fellow members.

LEMU has learned that by the second or third meeting, regular meeting participants are in a position to explain clearly the community land protection process to new meeting attendees - including what they learned in previous meetings and what they have personally envisioned for the community's future. For example, in one meeting in Agudu, an individual who was participating for the first time tried to undermine the process by raising suspicions about LEMU's intentions, community members collectively restated the issues they had envisioned and then told him, *"You're the one who's confused. Now go back and sit down."*

The community members who had participated in the community visioning understood that this was their process and their goals for the community's future motivated them to support it.

## Overcoming Challenges in Community Visioning

Even facilitators' best efforts cannot prevent all the challenges that can arise early in a community land protection process and in the community visioning phase specifically. This following section details some of these challenges and suggests strategies that LEMU uses to address them.

### Challenge 1: Low participation in early meetings during the visioning process

LEMU has arrived at many community meetings expecting a large number of people, only to find that just a fraction of the community in attendance. Often, people do not attend early meetings because they are frustrated with past failed attempts to deal with land disputes. Some are disillusioned and resigned to the situation, others may feel that work or other activities are more important, and some simply do not care to invest energy into the community land protection process. To overcome initial low meeting attendance, LEMU takes the following actions:

**Ask community leaders and members to create a custom-made mobilizing strategy particular to their community dynamics.** To address attendance challenges, LEMU asks leaders and community members who show interest in the community land protection process to design and implement a custom mobilization strategy for their community. For example, in Bur Lobo, both leaders and community members took initiative to raise money to buy batteries for an old



Men listen during a community visioning discussion



LEMU Community Mobilizer Robins Odur leads a visioning session

megaphone in order to better mobilize people for the community visioning meeting. Three days before the next meeting, a community leader walked around the villages with the megaphone, announcing the planned meeting. 120 people attended, despite rain and alleged demobilization attempts by land-grabbing community member.

**Mobilize from multiple angles, with an emphasis on radio announcements.** Announcements made about community land protection meetings in multiple places - in church, on the radio, on signposts, at burials and weddings, in clan meetings, and door-to-door - are more likely to be heard and taken as legitimate. For example in Agudu, leaders (with support from LEMU) made announcements for a community meeting over the radio. As a result, attendance almost doubled from the previous meeting (from 66 to 120 participants). Similarly in Ajuri, early meetings had an average of 50 people attending, but when the Local Councilor 2 made an announcement on radio for the next meeting more than 70 people attended. However, some communities may be sensitive to politicization and elite interference. In these cases, there may be risks associated with using radio announcements to publicize community meetings; for example, land grabbers who have support from powerful, elites and government officials may learn about the community land protection process and act to sabotage the community's efforts.

**Encourage people to spread the right message and "bring a friend next time."** Tasking regular attendees to bring someone new to the next meeting is an important part of any mobilization strategy. It is also helpful to ask participants, "How are you going to relay the message of our meeting to those who are not

here?" This helps prevent the spread of misconceptions among people who did not attend the meeting and lets community members prepare to talk about community land protection in their own words.

**Challenge 2: Community members may be too disillusioned to be interested in Visioning**

In some cases, community members are weary of attempting to use legal or official means to solve their problems on the ground. Their experience may tell them that the state or local government is unresponsive, corrupt, or otherwise inefficient in addressing local injustice, and they may feel that any attempt to collectively vision about the community's future is overshadowed by the harsh realities they have faced. To show community members that the community land protection process has the potential to make real and lasting change in their community, LEMU is using these strategies:

**Do not assume that motivated leaders can inspire the community.** In Ajuri, LEMU has observed that the leaders are generally more interested in protecting the communal land than average community members. In a first meeting, when asked why there was low turnout among community members, the leaders informed LEMU that their people are disillusioned by the situation, and have asked: *"Why come to meetings when everyone who is supposed to help us is either scared or has been bought?"* In these situations, there is a need for facilitators and mobilizers to work directly with community members and not rely solely on leadership to motivate participation.

**Build trust by delivering on promises.** In recent meetings, community members have begun to display interest and willingness to support efforts to protect the



Women welcome LEMU's arrival to a community meeting

communal land once LEMU has delivered on several promises to the community.

For example, LEMU brought the District Environment Officer to the community in order to address and clarify misconceptions about the issue of wetland encroachment. A member of the community who was draining the community wetland for personal irrigation claimed that he had a license to use the wetland for 40 years and refused to cease his activities. However, when the District Environment Officer visited the community, he announced that this individual had merely submitted an application for a wetland permit but it had not been approved. Seeing this issue addressed helped to motivate the community by demonstrating the potential for real impact of community land protection efforts.

It is critical that promises to communities are only made when they are achievable. Failure to deliver on promises is likely to further damage the community's interest in the process.

**Demonstrate commitment to working with the community through the whole process.** Likewise, it is important to assure a community that LEMU will not abandon them until they complete the process. This has proven to be an important reassurance because the community has a history of officials coming up to help but abandoning them half way through their efforts. However, to account for situations where community willingness to participate changes, LEMU emphasizes that its commitment to the community depends on the community's sustained participation and effort.

## Our Conclusion: The Importance of a Positive Foundation

LEMU has learned that the beginning of a process sets the tone for the whole process, and that "what you focus on grows." If a facilitator begins a community land protection intervention with a focus on disputes and obstacles - including attempts to resolve land conflicts, address disputed boundaries, or decry environmental degradation - without first strengthening community governance and local rules for land and natural resource management, the process may stall or make little impact towards improved community land protection. Rather, the conflict itself will grow, and may become so tense as to preclude further land protection work.

Instead of beginning with conflict, LEMU now supports communities to build "cooperation momentum" through collective visioning exercises. This 'momentum'

appears to help propel communities through the process of writing their rules and by-laws for good local governance of community lands. Later, once community unity and strong rules for good governance have been firmly established, the community can then turn to the more complex process of harmonizing their boundaries, resolving associated land conflicts and mapping their lands, as well as all other stages of the community land protection process. The sequence of steps in the process appears to have a profound impact on the success of the process.

LEMU has learned that a positive visioning process effectively helps to build community unity. Visioning and constructive, collaborative community meetings support communities to realize that community members who are encroaching on community land are not only 'encroachers' - they are also community members and should not be excluded from the community land protection process. LEMU is witnessing firsthand how visioning helps steer community efforts away from specific land conflicts towards lasting and systemic changes such as documenting community-wide rules and planting boundary trees to protect community lands for the long-term. Most importantly, the visioning process appears to help reawaken community members' sense of power and invigorate their sense of responsibility to change their communities for the better - to vision, plan and actualize the future they want to leave for their children and grandchildren.



LEMU's field staff in Lira District

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