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Rural governance and power structures

Strategies for negotiating uneven power between local interests and external actors

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Introduction

Rural communities have their own internal logics of power – cultural, economic, and political – which can exist in some isolation from the external logics of the market, state, or legal power structures. When the interests of external social structures impinge upon the internal logics of rural places, the internal may well be overwhelmed by the external, which is by and large more potent and impactful. Yet rural communities can also intentionally, and sometimes successfully, engage with the resulting conflicts of power.

This chapter focuses on rural governance processes and how local actors can contend with and mediate external power dynamics. We animate the concept of rural governance, that process through which rural people and their institutions make decisions about the social organisation of their collective wellbeing. Crucially, we extend governance as being more than a matter of government or decision-making, traditionally conceived. Both within and without institutions, rural people engage formal and informal responses to power differentials and mismatched interests and cope with the results of decisions made throughout the structures of governance. We propose a distinction for this engagement that accounts for differences in conflicts of power: horizontal and vertical power structures. By *vertical power structures*, we mean forces that stratify social relations within a place, such as class, patriarchy, racism, and homophobia. By *horizontal power structures*, we mean forces that subjugate one place to another such as imperialism, colonialism, core-periphery relations, the distribution of hazards, and the sense of some regions as culturally advanced and others as culturally backward. Vertical and horizontal power structures typically mutually support each other, combining in the maintenance of kyriarchy. As well, vertical power structures in one place may depend upon horizontal subjugation of other places, such as economic exploitation of rural places supporting class relations in urban places (Bell, 2018), and vice versa.

Through both formal and informal means of rural governance, however, rural people are not helpless in the face of horizontal power. They can resist. There is power in the rural itself, in its people, and in their social organisations (Bell et al., 2010). We distinguish between three general

options for resistance: *opting out, opting in*, and *merging*. Opting out refers to a process of systematic removal of ones' local governance structures from the most oppressive or troubling of horizontal or vertical power structures. Opting in is characterised by intentional engagement in conflict with power structures through formal and informal means. Merging represents a mutually beneficial, multi-scalar combining of power structures in pursuit of a locally valued goal.

In what follows, we offer a case study of each option. First, we consider a grain farming cooperative in Washington which emerged as a response to increasing marketisation pressures by opting out of dominant market structures and pursuing alternative markets for direct-market, value-based flour. Next, in the foothills of the Appalachian Mountains, a small watershed organisation responded to a proposed coal mine by opting into legal appeal processes. Finally, Ugandan national leaders successfully merged oral, customary land tenure into their constitution to both protect traditional leadership structures and expand federal jurisdiction.

In each case, resistance emerges from conflict about the future of a place and between structural forces. Opting in, opting out, and merging could be understood as expressions of otherness, extensions of Castell's (1997) 'resistance identity.' Resistance identities are individual or collective response to the hegemonic power of top-down policymaking, typically generated by actors that are in positions or conditions often devalued, stigmatised, or overlooked by logics of political or economic domination (Zimmerbauer and Paasi, 2013: 33). Strategies for resistance are strategies for governance. Which strategies are selected by key actors in these case studies reflect the different solutions offered by opting out, opting in, and merging. Through opting out of existing power structures, individuals and institutions can pursue alternative sources of economic power for rural economies. Opting in attempts to mitigate a lack of access and efficacy of local groups in local, state, and federal bureaucracies. Merging accounts for a lack of vertical legitimisation of locally valued rights.

Through each typological category – opting out, opting in, and merging – we take care to describe the requirements of each form of response to external power structures in order to illuminate the context-based desirability and limitations of that form of response. While doubtless limited, as is any typology, our hope is this clear articulation of forms and requirements of grassroots response to external interests may aid policymakers, activists, and engaged community members in not only empowering local communities to more cohesively and creatively engage in power struggles, but recognise existing, and perhaps understated, responses.

Opting out: Shepherd's Grain

Opting out of an unjust, unsustainable, or otherwise undesirable situation is a common response of rural actors. Consider the familiar case of farmers turning from conventional, high-input production of plants and animals to alternative, value-added, and value-based growing methods. By opting out of untenable market pressures, vacillating commodity prices, and environmentally damaging practices and into different methods of production and marketing, even mid-sized farmers can often remain on their farms and in their preferred occupation across eras of economic insecurity.

The case of the Shepherd's Grain cooperative in the Palouse region of eastern Washington is a good example. In the mid-1980s, two wheat farmers, Karl Kupers and Fred Fleming, shared a concern for the ecological and economic unsustainability of conventional dryland wheat farming in the American northwest. They envisioned an alternative to what was a high-input and high-risk agricultural project: a method of high-quality wheat production that could actually reverse soil erosion while keeping its farm financially viable enough to reject federal commodity subsidies. In cooperation with local university scientists, they began using direct seed, no-till

cropping systems that minimised soil turning, and rotational cropping with legumes, barley and alfalfa. The farmers were pleased with how this low-input farming system improved soil quality, decreased pesticide use, and promised to provide significant carbon sequestration from reduced tillage and soil disturbance. However, low-input grain production requires more intensive labor and upfront costs than continuing high-input, traditional production. Kupers and Fleming identified farmers in their region who were similarly concerned about environmental consequences of grain production and established the Shepherd's Grain collective to coordinate their alternative agricultural efforts.

To sustain the cooperative, however, Kupers and Fleming had to develop a similarly alternative marketing model that allowed them to earn consistently higher prices per bushel of grain. They opted out of traditional farming methods for wheat; they then opted out of typical market mechanisms as well. First, the cooperative developed a strategic partnerships with local restaurants willing to pay a premium for 'regionally identified flours.' Shepherd's Grain uses strategic supply chain partnerships to replace the capital and expertise that otherwise would be required to handle grain milling and distribution. Nearly all sales are direct wholesale, which means that Shepherd's Grain depends on its customers to preserve its brand identity. Strategies for maintaining brand identity include recognition on partner websites and farmer visits to partner enterprises like the Bon Appétit cafés.

Next, Shepherd's Grain decided to set stable, year-long prices for their wheat based on cost of production plus a reasonable rate of return rather than charge a premium above commodity wheat prices. Cost of production is calculated as the sum of on-farm production expenses, transportation costs, Shepherd's Grain administrative fees and milling fees. Their aim was to disconnect the price received by Shepherd's Grain producers from commodity wheat prices so their farmers could receive a more stable and equitable return. By 2011, Shepherd's Grain was processing and marketing more than 500,000 bushels of wheat for 33 growers. Shepherd's Grain emphasises its story of *opting out* of the conventional grain production approaches by utilising environmentally friendly methods on multigenerational, family farms, and emphasising regional identity throughout the processing and consumption of the wheat. *Opting out* requires actors to build alliances outside of the rural to secure buyers who are willing to pay price premiums for social values, such as environmental and economic sustainability for the producers.

Opting in: the Mountain Watershed Association

Second, rural community organisations often selectively *opt in* to some power structures to resist other ones, particularly when there is a clear and viable mechanism for protest and resistance built into those structures. Consider the example of a certain western Pennsylvania watershed organisation attempting to resist state permitting of a new coal mine. In early 2017, the Mountain Watershed Association filed an appeal of the issuance of a permit for LCT Energy 'Rustic Ridge #1' mine with the Environmental Hearing Board. The proposed Rustic Ridge deep coal mine, in the Indian Creek sub-basin of the Youghiogheny River watershed of western Pennsylvania, would span nearly 3,000 underground acres with a 67-acre surface facility. This rural region of Pennsylvania is familiar with abandoned mine runoff impacting waterways and wells. While several decades of remediation efforts have improved water quality in the Youghiogheny River, the region remains economically reliant on rural resources, ranging from farming, to existing extraction, to tourism.

The Watershed's legal team filed suit against both the company pursuing mining and the local branch of government in charge of environmental regulation, arguing that neither group of actors had done their due diligence to protect the environment surrounding the proposed mine.

Permitting activity that would cause harm to waterways is illegal under Pennsylvania law. The mining company, the suit argued, offered insufficient preventative strategies to limit polluting discharges into the watershed, and that the Pennsylvania Department of Environmental Protection (DEP) did not adequately challenge the environmental gaps in the company's proposal.

Through this legal action, Watershed pointed out that twenty years ago, a proposed deep coal mine was proposed in the same area. At that time, the regional DEP office predicted significant water pollution and denied that mine proposal. 'As there have been no major geologic events in the permitted area since 1994 that would alter the potential for harms previously identified by the DEP, in issuing this permit the DEP has ignored their own findings from 1994,' stated Beverly Braverman, Executive Director of the Mountain Watershed Association. 'In appealing this decision, we hope the DEP's decision will be voided and that LCT will be required to permanently and immediately cease mine construction'.

The Mountain Watershed Association has faced resistance to their appeal. At an event sponsored by the company proposing the new coal mine, a spokesman for LCT Energy stated that a two million dollar 'community trust' would be established to support area projects only if residents did not exercise their legal right to bring the appeal. The company spokesman explained: 'If we spend a couple million dollars defending the permit, which we are prepared to do, it will be very difficult to provide funding for the community fund.'

Formally filing a legal appeal is a form of *opting in* to a formalised process of protest and resistance. Opting in requires resources – social capital, financial support, and knowledge about the appropriate and myriad ways to respond through the legal and other forma, extrajudicial systems. The organisation claims an active membership of fifty people and benefits from the pro bono aid of a local environmental justice firm. While not claiming a large standing budget, the organisation has some leverage in the region as the acting grant-disburser for waterway reclamation funds donated by formerly active mines in the region. Since opting in to formal protest involves fewer actors (organisation leadership, expert witnesses, and lawyers), members continue to be involved in more traditional forms of resistance – letter writing, fund raising, and on-site protests.

Merging: the Acholi of Uganda

The third strategy is *merging*: integrating formerly opposed power structures to pursue some common, or at least agreed upon, goal. To explicate this strategy, consider the case of customary land tenure in northern Uganda. According to customary law, land is *accessed*, rather than *owned*. In Uganda, like much of Africa, access rather than ownership means that land cannot be privatised and sold. All customary land in Uganda is collectively owned by the clan, with access being granted based on patriarchal lineage. The Acholi, of northern Uganda, exemplify this pattern of clan-based, customary land tenure. Access to land depends on intergenerational continuity, oral tradition, and social relationships legitimised by clan members and patriarchal hierarchies. This land tenure model was threatened during the war and internal displacement in the region between 1994 and 2006. After two decades of war, family and clan members reconvened from internal displacement camps at overgrown homesteads, struggling to recall forgotten boundaries. Violence frequently erupted between junior and senior men, squatters and returnees, and between widows and their late husbands' families.

To mitigate this unrest, some Acholi chiefs have been drawing upon the 1998 Land Act. This statutory law formalised legal pluralism by explicitly recognising customary rights to property. The Land Act 1998 defines customary tenure rights and lays out a process for registration and administration of customary rights. Local leaders are actively merging oral

traditions with this process of written registration to manage conflicts over access, belonging, and lineage in the wake of such prolonged, regional displacement. According to a legal officer working in Acholiland: 'We take their law books, we examine their customs and cultures. We intend to marry this together – because the law cannot function solely, it must function within the fabric of the customs.'

This pattern of merging is new, as the Acholi have long resisted privatising land, or even codifying their land tenure system based on oral tradition, due to fears that such formalisation of ownership may contribute to their loss of access to their land. Ugandans are familiar with the impact of privatisation of land. Nineteenth and twentieth century colonisation threatened and, in southern and central Uganda in particular, usurped customary land tenure. Indeed, land tenure issues hint at the tangle of power conflicts facing Uganda today. On one hand, the government of Uganda prefers freehold, or private title, land ownership. Privatisation allows development of rural areas through agribusiness, commerce, and other corporate investment in land. However, indigenous people prioritise collective ownership through customary land tenure, and any land sale requires agreement of the clan leadership. After all, even if residents were compensated for their land, they were displaced from a landscape that provided material, structural, and symbolic meanings to their social worlds. According to Otim (not his real name), a middle-aged Acholi man, 'home is where ancestors live, where your god dwells, where you were born, and where your kids live'.

Merging required two stages. First, the Ugandan government provided legitimisation, and legal protection, of customary land tenure by incorporating Acholi customary land tenure into the Ugandan constitution through the 1998 Land Act. Second, local, Acholi leaders legitimised the Land Act, and in the process, their own decisions regarding land access in a time of crisis. Both national and local leaders can benefit from *merging* as a strategy for managing power differentials, regional upheaval, and threats to traditional methods of conflict management. Incorporating community-based or regionally scaled customs into national jurisdiction may institutionally protect those regionally specific approaches while further legitimising the state. Long-term impacts are hard to predict, though. Merging can exacerbate power differentials, or the state may be legitimised on paper but impotent to make real change on the ground.

Caveats: navigating changing times

The long-term outcomes of each of these cases remain unclear, contingent on variable agricultural policies, legal outcomes, and hyperlocal power dynamics. Strategies of choice – opting in, opting out, or merging – may not fully address the changing power structures or vulnerabilities of rural people. The viability of seeking and achieving more appropriate power structures depends not only on the political efficacy of actors, but on the timeliness of external factors, the unanimity of local communities, political transparency of local and regional bureaucracies.

Moreover, at times, efforts to redistribute power within rural governance processes and between local interests and external actors are contingent upon volatile, external factors. For instance, in 2007, rapidly increasing commodity wheat prices challenged the year-long cost-of-production-based pricing model used by Shepherd's Grain. As the stable price that had been set for the year by Shepherd's Grain was well below the market price for commodity wheat, the cooperative had to renegotiate its strategies of opting-out of open-market pricing. It now takes into account the relationship between Shepherd's Grain wheat prices and the commodity market when setting its twice-yearly membership prices.

Second, organisational representation in formal processes of resistance, protest, or appeal, may occur concurrently with individual actions of acquiescence, compromise, or neutrality.

In Pennsylvania, some residents are trying to mitigate possible property value loss due to water pollution from the proposed deep coal mine by increasing value of their properties. These informal strategies range from planting mushrooms and ginseng to sell at nearby town farmers market to developing non-natural-resource based rural businesses. While these forms of compromise – or perhaps, acquiescence due to a sense of inevitability – complement the Watershed's formal engagement in the legal appeal, other individuals in the region maintain a neutral or even pro-mine stance, and either passively or actively critique the Watershed's approaches.

Third, intention and application of policies may not be implemented by the people closest to the conflict situation. In Uganda, the Ker Kwaro Acholi – the highest level of customary leaders among the Acholi people – are in the process of recording their rules governing customary tenure in the form of the Principles, Practices, Rights and Responsibilities. However, some Acholi chiefs are resisting the burden of formal, written laws in order to strengthen their own control of their villages. Although the formal system for administrating land tenure, carrying out transactions and settling disputes in Uganda is quite clear, the practice is less so.

Each of these cases blend formal and informal strategies of resistance to counter unbalances in both vertical and horizontal power structures. On one hand, horizontal forces subjugate markets in Washington state to core pricing structures, distribute risks of water pollution due to mining to a particular watershed in Pennsylvania, or trouble hierarchies in Acholiland. On the other hand, vertical forces of internal conflict stratify social relations and complicate actors' goals and responses to conflict. After all, it is key to keep in mind that communities are not cohesive units with unified desires. Communities are divisive to the individual level, fields of interaction, characterised by diversity within their geographically local landscapes. Communities are complex, with solidarity disintegrating on the individual level due to conflicts of values, histories, and power.

Conclusion

Rural people interact with and mediate horizontal and vertical power structures in myriad ways. Tensions between external structures and local actors can perpetuate political, economic, and legal disconnections between rural communities and their broader socioeconomic and political contexts. Rural communities facing their own power struggles often pursue different local outcomes than those proposed or pursued by power structures. Some may proceed by *opting out* of undemocratic, vertical or horizontal power dynamics by pursuing non-traditional markets. Others may face undesirable rural policies head-on by *opting into* legal due process. Still other rural communities may find solutions to the uneven distribution of power by *merging* formal and informal political authority.

This chapter utilised the cases of how members of three rural communities – a mid-sized grain cooperative in Washington, USA, a coal mining community in Pennsylvania, USA, and a region of northern Uganda facing challenges to their customary land tenure – engaged in alternative forms of resistance, protest, or compromise to power structures. The complexities of these specific cases, but briefly illuminated in this short space, emphasise the challenges of successful reorganisation of power.

Indeed, the viability of seeking and achieving more appropriate power structures depends on the social capital, economic savvy, and political efficacy of actors, as well as the political transparency of top-down bureaucracies. Thus, trying to change policy might not be the only or best ways for rural communities to pursue different local outcomes than those proposed or pursued by vertical and horizontal power structures.

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