Fallujah: 'illegal' agriculture on state land?

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"*The state is my mother and I have the right to take my mother's things.*" This is how Monji EGhoudi, a farmer in Fallujah, summarises the problems related to land in Tunisia. Fallujah in this context, is not the war zone in Iraq that was completely destroyed in 2004, but the informal name of an occupied piece of derelict industrial land in Gabès, a city in south-eastern Tunisia. This piece of land has been occupied and cultivated by (landless) farmers since the 1990s. Access to land is still an important issue in Tunisia today and brings up some fundamental problems. This article places the story of Fallujah in a broader historical context with a focus on the history of Tunisian modernization, the ambiguous role of the state and the marginalisation of the rural South of Tunisia. Using Fallujah as case study, we will try to show how on the one hand the government's ambiguous policy makes the population subject to its interests. On the other hand, we demonstrate how the same population is able to appropriate these interests to its own advantage, which makes them also the catalyst of many tensions.

(Figure 1)

Tunisia and the aspiration for modernization

When Tunisia gained independence in 1956, two processes left a deep mark on the country's future. First, the new independent state nationalized many former colonial lands, as well as several French companies. Second, many of the *terres collective de tribut* were also nationalized by the state. The so-called *terres collective de tribut* do not belong to anyone individually. Before the era of colonisation, the usufruct belonged to certain tribes or clans. The land could be cultivated individually for as long as necessary, but it could never become individual property.

These two processes were part of a general policy of modernization that was initiated after independence. Tunisia, like several other countries in the Middle East and North African (MENA) region, pursued a policy of state developmentalism. In other words, the state assumed responsibility for the economic development of the country. This modernization policy was focussed on the intensification of agriculture and industrialisation. In this period, the public company Groupe Chimique Tunisien (CGT) built a gigantic industrial complex in Gabès in 1972. In the beginning, the inhabitants of Gabès were very happy with the arrival of the factory, as it created 3000 jobs.

However, as the first article in this dossier showed, the opinion of the local population quickly changed when the adverse effects of the factory became clear. There were the consequences of the pollution caused by the factory. The impact on health and the environment had a profound influence on the livelihoods of the local population. The yield of agriculture became smaller due to the permanent air pollution, water became more scarce due to the enormous water consumption of the factory, fishermen experienced more difficulties and tourism was made impossible.

Another problem is land. The nationalisation of collective land made access to land more difficult for many small Tunisian farmers. Modernization also changed the idea of production itself. Priority was to be given to more efficient modes of production, i.e. on a large scale, with little attention being paid to the social, economic and ecological consequences for local communities. This then took place often at the expense of more small-scale agricultural activities of local Tunisian farmers.

The same thing happened in Gabès. Entire neighbourhoods such as Debdebba had to make way for the construction of the industrial complex. In 1974, the Agence Foncière Industrièle (AFI) was founded. They are responsible for the management of industrial sites in Tunisia. The AFI made it easier for the government to sell land to private companies. Shortly after their creation, this institution acquired official ownership over the piece of land known today as Fallujah. The area originally consisted mainly of terres collectives adjacent to the village of Ghannouch. Later it was bought by the GCT as a construction site.

Forgotten land?

In the 1970s and 1980s the inhabitants of Ghannouch showed no real interest in Fallujah. The land was not very fertile and there was enough other land to cultivate. But the situation changed significantly over the years. Not only was there an enormous demographic growth which made land increasingly scarce, the agricultural land also became more and more fragmented due to a change in the inheritance system. A final important element is that many of the other farmland in Cabanna (south of the industrial area) became increasingly depleted and the harvests suffered a lot from pollution. Water became increasingly scarce and the soil became more and more salineated. The inhabitants of Ghannouch found it increasingly difficult to provide for their livelihood, as they had always been an agricultural community.

For these reasons, several farmers returned to Fallujah in the 1990s, even though the land of Fallujah was not very fertile either. In 1992, for example, Ahmed Ben Taher returned for the first time to parts of this land, which historically belonged to his family. Monji Ben Taher, his son, told us that during Ben Ali's authoritarian regime, his father was almost immediately arrested and taken to court for taking over state land. However, Ahmed himself insisted on his right to cultivate his family's land and was later released.

Fallujah takes shape

After Ben Taher, many other farmers - mainly from Ghannouch - returned to the land surrounding the new industrial area. The name Fallujah, which was later introduced, referred to the ongoing conflicts between these farmers and the Tunisian government. Some of them occupied new plots of land, others bought so-called 'droits d'usage', in the beginning mainly from Ahmed Ben Taher and later also from other farmers. These 'droits d'usage' are an informal form of land ownership and can therefore not be compared with 'droits de proprieté' (the effective right of ownership). In the former, the farmers buy a right of use from other farmers, for which they have to pay once and which lasts indefinitely. In this way a kind of informal economy arose between the farmers, in which occupied plots of land were bought and sold at cheap prices. This is interesting, not only because it shows that the land was indeed regarded as a kind of property that could be sold, but also because the farmers organised themselves with remarkable ease and seemed to respect each other's (claims on) land (with a few exceptions).

(Figure 2)

Between 2002 and 2004, almost all the land around the industrial area would be repossessed in this way. As there were more and more farmers, it became increasingly difficult for the police to expel the farmers from the land. Also striking are the many pieces of farmland that are located right between the electricity poles. Since it is not allowed to build in the immediate vicinity of these electricity poles, farmers have more certainty that their land will not be taken away. Nevertheless, conflicts with the government and the police continued during this period, who kept expelling farmers (sometimes even by force) from the land. Often farmers were being detained for up to 14 days, which was problematic as they could then lose their other jobs due to their absence. In this way 'Fallujah' not only became a symbol for the right to access to land, but also for the continuing resistance of small farmers against the authoritarian government.

(Figure 3)

The dubious role of the government

However, the attitude of the government was rather two-sided. Although from the outset the government tried to drive farmers away from their land, at other times it implicitly recognised the informal property rights that had grown into existence. As early as the 1990s, for example, a number of farmers had already received compensation for having to relocate due to the construction of a new gas company (Bridgegas). Several farmers were also compensated for the pollution caused by this company and other companies of the Groupe Chimique.

Certainly in the last incident, the role of the government and the companies in question can be called dubious. When we asked them about the quality of their crops, some farmers in and around Fallujah told us that they had had the groundwater and crops tested for pollution. These tests repeatedly showed that neither the water nor the crops contained any harmful substances. However, the samples that were sent were only examined for a limited number of substances, none of which could be absorbed by water anyway. This way, these tests cannot be considered very representative. In addition, the tests were carried out by the ECM, a chemical company that is part of the Groupe Chimique and which was, as a consequence, clearly biased.

Another way in which we see the implicit recognition of the state is through conflict mediation. In the early days of Fallujah for example, a conflict between two farmers over land was dealt with in court. The fact that this conflict, theoretically still about state land, was dealt with by the state shows how in practice the state recognised the farmers' informal property rights. The farmers we spoke to knew very well that the land formally belongs to the state (a situation they could not change of course), but that does not mean that they accept this or consider this fair. Most of them told us that they saw it as their right to occupy the land.

Eventually, the government would further develop this ‘policy of tolerance’ - mainly driven by the Governor of Gabès - whereby a number of informal contracts ('engagements') were concluded with the farmers. The farmers agreed to leave the land if the state needed it. As a general rule, trees could not be planted, because customary law states that when a person has trees on their land, the land becomes de facto their property. This arrangement was also advantageous for the government, because the land that was previously neglected was now being maintained. One farmer we spoke to even had an arrangement with the government, which provided him with seeds for tobacco plants and repurchased the harvest (tobacco is a product that can only be produced with the permission of the state and is regulated by the Régie Nationale des Tabacs et des Allumettes).

The fact that one could be evicted from one's land at any time meant that, in reality, farmers had little certainty about their land. Most farmers therefore grow cheap vegetables such as onions, in order to keep their investments to a minimum and to reduce the risk of large losses in case they unexpectedly get expropriated. This appears to be a legitimate concern. When farmers had to make room for the gas company OMV (more about this below), but asked for an extension of the expropriation in order to be able to bring in their harvest, this was not granted to them. Instead, their farmland, including harvests, were destroyed. This kind of tolerance policy turns out to be an easy way to control the farmers: by tolerating them on the land they channel some of the dissatisfaction on the one hand, but when necessary, they always have the opportunity to expropriate them on the other hand.

A new battle

After the revolution in 2011, however, the farmers gained more confidence and became more assertive towards the police with regard to defending their rights. It is striking, for example, how the name 'Fallujah' was used in public from that period onwards, something one would previously never have dared to do (as well as talking about it to journalists and researchers). Thus, when the industrial area started to expand again at the expense of agricultural land, the farmers organised themselves to negotiate compensations.

In 2013, AFI had sold a large part of Fallujah's land to the gas company OMV (former abbreviation for Österreichische Mineralölverwaltung), after which the state took even harsher measures to drive the farmers off their land. Because the farmers did not want to accept this that easily, they got organised first just amongst themselves and then with the help of the local representation of the agricultural syndicate UTAP (Union Tunisienne de l'Agriculture et de la Pêche).

(Figure 4)

Lazhar Hajej, who represented the farmers in Fallujah together with Chetaoui Zirter, told us that the farmers wanted first and foremost to work in the new factory. This is striking, because one might think that they would turn completely against the (polluting) factory. But nothing could be further from the truth. The majority of the farmers in Fallujah are, as mentioned before, poor and often unemployed. Their first concern was a stable income and social protection. The pollution caused by the factory was much less of a concern. Because they alone could not achieve this social demand, says Lazhar Hajej, they needed the help of the UTAP.

The UTAP did not negotiate directly with the chemical company, but with the Ministry of Agriculture, who in turn negotiated with the GCT. The intervention of the state here too, shows how the government often implicitly recognized the property rights of the farmers in Fallujah. Of course, the 2011 revolution had a lot to do with this as well. The post-revolutionary government couldn't risk upsetting the farmers too much and in the first place wanted to keep the peace. This way the farmers came to an agreement with the OMV, who first paid 850,000 dinars and then 120,000 dinars (approximately 250,000 and 36,000 euros respectively) to compensate the farmers who suffered damage as a result of the establishment of the new gas company. It was the UTAP, together with Lazhar Hajej and Chetaoui Zirter, who then distributed the money amongst the farmers.

(Figure 5)

A victory for the peasants?

The cooperation between the farmers themselves and with UTAP could be seen as a new victory. After all, such a compensation was a big deal. Ahmed Hajej, for example, used the money from the compensation to buy a print shop that he now runs. He no longer has to work on the land. This contrasts sharply with the situation that forced his family to come to Fallujah in the first place. The farmers who still work on the remaining land are also aware of this and even count on the prospect that if they have to leave Fallujah in the future, they too will receive compensations.

This way, many farmers seem to cleverly find their way within Gabès's economic landscape. However, we should not underestimate the impact of the post-colonial modernization projects on local farmers. In the end, many farmers either lost their land or returned to land that no longer had the same qualities it used to have. Many farmers know all too well that both the land and the water are polluted and that the emissions from the phosphate plant poison their plants and disturb their growth processes. A woman we spoke to, ironically referred to these emissions as "le vend du port qui parle". She was also aware of the impact on her and her children's health, as well as on the environment's biodiversity.

People like her continue to cultivate this land because they often have no other choice. Many of them hoped to get a job in the factory with a fixed salary and a number of social rights when negotiating with the OMV. However, the factory did not respond to this question, possibly to avoid the creation of a strong trade union. The money they received instead, and which many other farmers still count on today, cannot be seen as a sustainable solution to the land problem in Ghannouch either however. That is why the UTAP is still negotiating with the government to provide the farmers with new land as compensation for the lands they lost in Fallujah.

The question is to what extent the government will respond to this. The government first and foremost wants to avoid any future revolts from the farmers and is therefore happy to help negotiate compensations between the farmers and the companies. But the government probably won't formally acknowledge their right to land any time soon. As has been demonstrated, it only recognizes this right implicitly. Another proof thereof is a statement of the director of the AFI, who told us that the OMV didn't have to pay any compensation, but only did so for 'humanitarian reasons'. According to him, it wasn't a question of responsibility or duty on the part of the government. On the contrary, the man held the farmers themselves responsible for the loss of their land, since they hadn't protested when the state first seized their land.

The farmers themselves mainly feel abandoned by their government. Despite the compensations, the government continues to ignore the underlying causes of the problems of small farmers: the acute shortage of affordable and fertile land, as well as the high unemployment rate. As long as these problems are not fundamentally addressed, the current political stability in Tunisia will remain very fragile.

List of figures

Figure 2: Monji EGhoudi on the remaining piece of land from his father, Ahmed Ben Taher, who was the first man to return to 'Fallujah'.

Figure 3: Working the land between and near electricity poles provides more security for the farmers since it isn’t allowed to build there anyway.

Figure 4: Part of Fallujah is occupied by the new gas company OMV that is part of the Groupe Chimique, located south of Ghannouch.

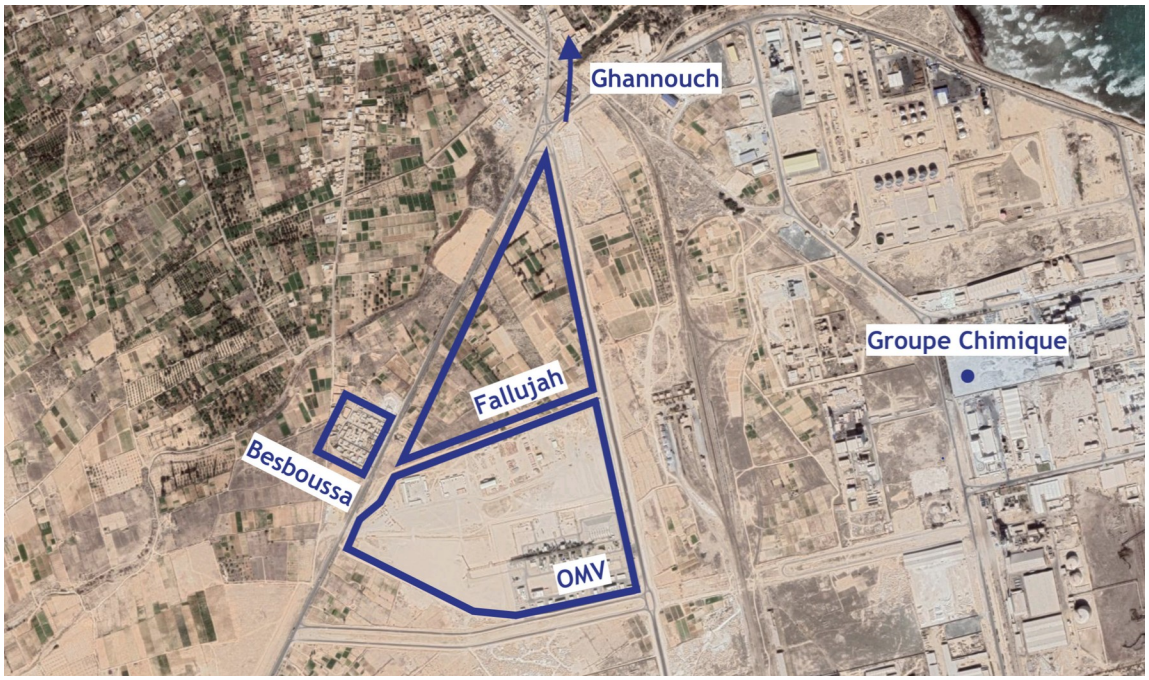

Figure 5: Fitouri Aloui, chairman of the local UTAP (Union Tunisienne de l'Agriculture et de la Pêche) who helped to negotiate the compensations.