People's Struggles for Land Resources in Tanzania

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Abstract

In 1995 the Government of Tanzania published the National Land policy and in 1999 two Land Acts (the Village Land Act and the Land Act) were enacted. The process leading to the enactment of the two Acts was protracted (lasting from 1996-1999). This is because the government chose to approach the legislative process rather cautiously due to a campaign organized by various activists and NGOs championing for laws that are democratic and gendered. The activist and NGO campaign took different organizational forms but the most notable were the National Land Forum (NALAF) and the Gender Land Task Force (GLTF). This article examines the content, character and contradictions within the land campaign coalition. The article argues that these attributes were key in determining the outcome of the campaign when it was concluded in 1999.

Introduction

In 2002 the Ministry of Land and Human Settlement planned to survey 20,000 plots in Buyuni and other villages on the outskirts of Dar es Salaam. This project encountered strong opposition from residents of the villages, especially in Buyuni, located some 35 km from the heart of the city. The opposition and protests of the people of Buyuni echoed similar voices made elsewhere in the country where land has been alienated from the rural small producers and re-allocated to a rich local and foreign elite. This wave of land protests occurred even after the coming into force of the new land laws in May 2001. It would be recalled that, for at least four years since the adoption of the new land laws, activists, of various shades, organized a campaign for a democratic and just land tenure system. Most of the organizations involved in this campaign were organized either under the umbrella of the National Land Coalition (NALAF) or the Gender Land Task Force (GLTF) or both. The protest staged by the people of Buyuni was a reminder that the core issues of the campaign, which lasted between 1996 and 1999, were yet to be resolved. Under the new land laws and economic dictates, small producers, especially those in rural areas, will continue to experience land alienation and a denial

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of access to resources and hence, they will be increasingly stripped of their means of livelihood.

For some time in the 1990s the land question was an important agenda to many organizations and activists. But not after the new laws were enacted in 1999 causing some organizations and activists to abandon their land agenda. However, land remains a fundamental issue to small producers in rural areas. It features prominently in their daily struggles for survival. The centrality of land to small producers takes different forms of expression. In many rural areas it has manifested itself in the form of resistance against forced land alienation, overt and covert land disputes, and sometimes open and violent confrontation between people and police, and sometimes clashes over land use between farmers and pastoralists in areas such as Kilosa in Mogorogo region, disputes over village boundaries, and disputes between investors and local communities (URT 1994; Kamata 2002). In some cases, disputes have turned lethal. Sources of the disputes in many cases are either systematic land alienation through various means including privatization and investment in rural areas or authoritative restrictions placed over the access to land and other land based resources, as is the case with the Ngorongoro Conservation Area.

By 2004 rural small producers' fears and concerns that they were vulnerable to land alienation were compounded by the fact that the government enacted The Land (Amendment) Acts of 2004. This Act followed concerted pressure by some donors, foreign investors and banks who claimed that the Land Acts needed to be amended to 'ensure smooth operation of Bank lending policies.' Initially the government position was that there was no reason to amend the land Acts, (Mkapa 2002). This position, however, changed. The government decided to amend the acts and assured the people that the proposed amendments would not lead to the privatization of land. Speaking to the press on 29 June 2003, the Minister for Lands and Human Settlement, as quoted by the Daily News of June 30, 2003, stated that; "there won't be any drastic changes to the Act. The amendments are only aimed at removing difficulties in using land as collateral for bank loans." The Minister further noted that the proposed amendments were being reviewed jointly by the Ministry, the Attorney General's Chambers, the Bank of Tanzania, and the Tanzania Bankers Association. The voice of small produces in rural areas and other marginalized groups in society was conspicuously absent from the discussions on how to revise the Land Acts. This exclusion stands as

testimony to how the state behaves when the interests of donors and investors conflict with those of marginalized groups in society.

Protests of the people of Buyuni, resistance and struggles of peasants in rural areas and workers in public firms against dispossession demonstrated that there are many challenges ahead and many struggles to fight. Despite the different nature of many instances of resistance, they are linked. What are their emancipatory tendencies? What are their strengths and weaknesses? Can ways be found to strengthen the positive tendencies and nurture the separate isolated struggles into a unified movement? It is also important to be aware of the fact that gains of yesterday's struggles may be easily eroded or lost, especially when the state embarks on a policy and law reviews without consulting the people, and activists behave as if there has never been struggles before from which to draw lessons and inspirations. Activists need to learn from past activism and use the lessons to inform new and continuing struggles. This is a way of defending past gains and to forge ahead and open new frontiers. Therefore, activists should not shy away from critical reflection and self-criticism because "thinking critically about practice, of today or yesterday, makes possible the improvement of tomorrow's practice" (Freire, 2001: 44). It is for these reasons that this article looks at past practices and experiences of activism in Tanzania with a view to drawing important lessons and experiences for future work and struggles. To inform this attempt, however, reference is made to the campaign for a democratic, just and gender sensitive land tenure system. The campaign lasted from 1996 to 1999. Other experiences, especially the resistance of rural small producers and their various encounters and engagements with the state will be brought forward in order to illuminate the strength and/or weaknesses of the campaign itself.

The campaign in question, as it has been noted above, was organized under the auspices of NALAF, which also included members of GLTF. Later a similar campaign, broadening the original land reform campaign issues, was carried out by the Research on Food Security Group (KIHACHA). KIHACHA linked issues of food security, land rights and governance (KIHACHA 2002). The campaigns organized by both NALAF and KIHACHA raised the land question for public debate.

The Neo-Liberal Stint

In the mid and late 1980s Structural Adjustment Programmes (SAPs) became the panacea for Africa's economic predicaments. As a precondition for

continued aid and loans from the International Monetary Fund (IMF) and the World Bank, on one hand, and members of the Group of 7 (G7) on the other, African countries were pressured to adopt SAPs. The IMF and the World Bank conditionalities made 'creating an enabling environment' to attract foreign investment a top priority (Gibbon, 1995: 12 & 13). In accordance with this logic, African Governments were required to adopt policies which would accommodate and legitimate foreign capital interests, particularly the operation of a market driven economy. It is partly in this context that the 1990s land policy and land law reform in Africa, and Tanzania in particular, has to be understood.

Tanzania started implementing SAPs in the late 1980s. Since then the effects of the reforms have been felt in different corners of the country, especially in the resource rich areas. In the late 1990s, for example, the state evicted small-scale miners from Bulyang'ulu gold fields. The manner in which the state acted was a clear testimony that it would do anything, including violating basic principles of justice and its own laws, in order to clear the way for foreign investments. Equally important are widespread cases of land disputes. The late 1980s saw a rise in reports of land struggles countrywide, some being a direct result of liberalization,[1] while others resulted from the government decision to allow people to go back to where they were settled prior to villagization.[2] It is partly due to this that in 1991 President Ali Hassan Mwinyi formed a Commission of Inquiry into Land Matters and recommending how to address land disputes was one of its major tasks. The Commission completed its work and presented its report to the government in November 1992. However, the government did not encourage public debate on the report in spite of the Commission's recommendation that there should be a public debate based on the report and the government's response

[1] The National Land Policy recognizes that liberalisation has contributed to such land conflicts "Due to the investment policy, a big number of people and companies, who expect to be investors, have emerged. These need big areas of land and as a result competition for good arable land is leading to disputes between these potential investors and villagers (See Sec. 1.1(vi) of the National Land Policy 1995).

[2] Shivji (1998, 12) notes that "Villagisation had a major impact on land tenure generally, and the rights of rural land users in particular. In effect, it amounted to a major land reform. Yet that is not how it was conceived, planned, and implemented. The result was confusion in tenure and total undermining of security for customary landholders."

to it (Shivji, 1998: 70). The government went ahead to prepare and publish its own Land Policy without consulting the public.

Government claims for the necessity of land reforms notwithstanding, a careful reading of the National Land Policy, existing Land Laws, and the informal government position on the Commission's report, suggests that the government's major preoccupation was to satisfy the logic of Structural Adjustment Programmes (SAPs), which require that conditions be created to make land a commodity.[3] Thus, the government's policy talks of a new land market. If anything, the Government used land disputes as a justification for land reform. Settling disputes and ensuring security of tenure of the people in rural areas was not, however, its major interest.

Equally important is the way the state approaches public concerns and issues of national and popular interest. Many factors determine this tendency, including ideology, leadership style, and imperialistic agendas. These in turn determine the role of the state and whose interests the state serves. For instance, from the 1960s to early 1980s the state was developmentalist, guided by *Ujamaa* ideology. As such its broad agenda was anti-imperialist. Based on this it occasionally adopted policies and mobilized its people against imperialism. Between 1962 and 1967, for example, both freehold and leasehold land holding systems were abolished (URT, 1994: 18, 20). The systems largely benefited foreigners and a pre-colonial section of *makabaila* (feudal lords), and an emerging *petit bourgeois* class (*mabepari uchwara*). Between 1967 and 1970s the state nationalized the major means of production. This was after the Arusha Declaration was pronounced. In 1971 the then ruling party: The Tanganyika African Nation Union (TANU), issued guidelines, popularly known as *Mwongozo wa TANU*. *Mwongozo* sought to address the un-socialist attitudes and relations of production at work (Rweyemamu, 1976: 59, 66). This is no longer the same under neoliberalism because the dominant tendency is completely the reverse. The state mobilizes and coerces people to support imperialistic agendas in the name of globalization. The state goes so far as to demobilize those forces which attempt to resist such an agenda, and as a result, quickly responds to foreign interests and adopts anti-people policies and legislation under the pretext of

[3] The process, in which the government assured donors and foreign investors that it was going to amend the land laws, attests to the fact that donors and investors felt that land laws did not sufficiently make land qualify as a commodity.

'poverty alleviation' and the poverty reduction strategy, which ostensibly guides the entire budget and policy process. It is within this political and economic context that the struggles for a democratic and fair land tenure system occurred.

Struggles for the Right to Participate

Beginning in the mid 1980s, Non-Governmental Organizations (NGOs) were given the political space to form. Some studies suggest that the emergence of NGOs in Africa and the Third World was a result of a new policy agenda of neo-liberalism (Chachage, 2002; Mamdani, 1995; and Manji and O'Coill, 2002). The NGO proponents saw them as a preferred channel for service provision but also as central component of 'civil society'. As a component of civil society, their role is to promote pluralism and act as counterweight to state power (Hearn, 1998, 89; Kiondo 1995). Moreover, Stewart (1998, 11) argues that NGOs are capable of providing a link between 'big' development initiatives and the poor people, by telling 'big' developers where to put the development. But there is also a view that the NGOs could work as agents to promote hegemony and this time it is the hegemony of neo-liberalism (Manji and O'Coill, 2002).

In Tanzania, like in other African countries, there was an increase of NGOs and their activities in the 1980s. Kiondo (1995(a): 86) observes that the emergence of NGOs in Tanzania gave the masses alternative organizational structures, apart from the official state structures, and people learned to organize independent of inefficient state structures. Whereas Kiondo's view may be correct for some NGOs, they cannot be generalized. The NGOs, which emerged in the 1980s and 1990s, had different ideologies, missions and visions. Some de-politicized local communities and their problems and worked well with the state. These include mainly 'development' oriented NGOs that sought to fill the gaps left by the state in social service delivery, and thus, pretended to be apolitical. Others sought to bring the masses into political processes through demanding a say in decision-making. Among these were NGOs which sought to promote the status and rights of specific social groups in society, and those which ascribed to themselves a progressive agenda in their statements of intent and vision. The NGOs in the latter category tried to identify themselves with the most marginalized groups.

Organizations with very different missions became the basis for the formation of both NALAF and GLTF, which were central in the mid-1990s

land campaign. The differing character of the organizations constituting the 'coalition' was a sufficient challenge to reckon with, even before the campaign gathered momentum. The 'coalition' had many issues to address but all agreed on the goal of ensuring that a democratic and gender sensitive land tenure system was put in place. There was also some consensus on the need for the state to consult the majority of people in the process of making new land laws. NGOs took the initiative of raising a debate after the government ignored earlier appeals to open the Commission's report to public scrutiny. The reluctance of the government to engage in an open public debate was evident in the way it excluded members of civil society organizations from the workshops and seminars to discuss the draft land policy. For example, a workshop on Land Policy was held in Arusha in 1991, without activists or civil society organizations (URT, 1991). The Government was also hesitant to be engaged and when officials were invited to attend discussions on land, they would not attend (HAKIARDHI 1998).

Early initiatives organized by activists and NGOs were either in response to the National Land Policy or the draft Land Bill or both. In April 1996, a workshop was organized by the Land Rights Research and Resources Institute (HAKIARDHI) to debate the National Land Policy and its implications for small producers, especially those in the rural areas.[4] From 3rd – 5th March 1997, a consultative women's workshop on the draft Bill for the Basic Land Act was held at the Russian Cultural Centre, and this became the basis of the formation of the Gender Land Task Force. The idea of the workshop came from the *Baraza la Wanawake la Taifa* (BAWATA). The aim was to promote the passing of a gender progressive Land Act. The "Task Force" objective was to closely follow up the recommendations from the workshop so as to ensure that they would be included in the Land Bill before the enactment of the New Land Act.

Discussions were not sufficiently co-coordinated, and thus individual efforts were duplicated with no significant impact. In May 1997, a two-day consultative meeting was convened at the Russian Cultural Center, focusing on how a serious debate on land could be organized and co-coordinated. In attendance were activists and representatives from gender, pastoral and media NGOs, including some of the conveners of the meeting. This meeting became the basis of organizing a National Land Forum to campaign against

[4] For papers presented at this workshop see *Change Magazine*, Vol 5, First Quarter 1997.

the new Land Act and develop a national debate on land (HAKIADHI, 1997; Shivji ,1998: 71).

There was great enthusiasm when NALAF was formed. In itself, this was a notable achievement because for the first time a sizable number of NGOs and activists came together and committed themselves to a joint stand on the land struggle. It was a step forward towards forming a broad mass movement on land rights and on other issues of importance to the people. The consultative meeting even came up with a declaration of NGOs and other interested persons, called *Azimo la Uhai*. The declaration stated that the Bill the government was sending to Parliament did not take into account the interests of a large majority of land users. The Bill, the declaration further stated, took away the basic rights of citizens to be consulted and to participate effectively in the decision-making processes. It also noted that the Bill endangered the very life and independence of the people, as it facilitated foreigners and the few rich and powerful people within the country to appropriate the lands of the down-trodden and the disadvantaged (HAKIARDHI, 1997: 2). The declaration and other publications issued by GLTF and the Tanzania Media Women's Association (TAMWA) were the basis upon which public discussion on the land question were carried out.

Initially, when the coalition was formed the going seemed easy, because most of the activists, especially those who constituted the National Land Committee (KATAA), a coordinating committee of NALAF, had actively participated in the early efforts of creating the coalition. They had a clear understanding of the campaign, and knew the objectives of the coalition. As such, there was a clear and broader understanding of the issues at stake. With time, however, it became clear that there were many struggles facing the coalition. At one level, the struggle was to enable everybody to articulate campaign issues with clarity and without contradicting each other. This was internal and called for interactive learning and debate on important issues on land, what they meant and what the implications would be if they were to go in a certain direction. There weren't enough of these intense debates and reflections, which would have equipped activists with the tools to understand and link different issues of the campaign. This became a big weakness. As a result, there were very few people who could articulate the issues of the campaign, and even those ended up contradicting each other whenever the 'coalition' position was being presented. Eventually an attitude of "just compromise for the sake of keeping the coalition alive" became prevalent.

One could take internal contradictions as a healthy indicator of the diverse nature of the campaign. But then there should have been an understanding that a broad coalition, like NALAF, which constituted people with diverse interests and ideological inclinations, required a different campaign strategy. For example, how could progressive left and liberal feminist agendas be accommodated in the same coalition? A deeper analysis bringing together issues of class, gender, history and justice would have helped to streamline some of this confusion and misrepresentation. Some members of the NALAF coalition were able to see this weakness and proposed that discussion and debate on the land Bill be linked to a deeper analysis of the economic reforms taking place in the country (HAKIARDHI, 1998).[5]

Others in the campaign were of the opinion that some issues in the campaign required a deeper analysis to transcend the simplistic presentation of an otherwise complex issue. Shivji (1998: 86), for example, argued that the gender issue needed to be contextualized and related to the larger questions of democratization, liberalization and marketisation of the economy (ibid: 87). However, this progressive analysis of the feminist movement was defeated in the women's caucus and never surfaced into the broad coalition (i.e. NALAF). Instead, the liberal feminist perspective which simply wanted to see the visibility of women in the new land laws and the recognition of equal access to land for men and women, won the day. This suggests that among the women caucus the liberal feminists were in the majority. What won the day was indeed a great cosmetic change to suit a *petit bourgeois* of urban based men and women, rather than a progressive reform which sought to safeguard the land interest of the marginalized men and women in the rural areas. As such, struggles for rural women's equality in land ownership failed. Equally, those pushing for a gender blind 'progressive' agenda could not deal with the gender aspect on land reform and so took it for granted that it was taken care of in the entire discourse and critique. Within this context, the 'coalition' was unable to identify the primary and secondary contradictions and find ways of linking both in the campaign.

The rifts within NALAF became evident and compounded by "confusion" about the membership of NALAF. New labels were created. Those who

[5] Most of the narratives/information here are based on the author's close observation of the land campaign 1997-1999. The author was a secretary for the National Land Committee (KATAA).

continued to closely identify with NALAF were later regarded as championing a "progressive agenda" and, others, especially some members of the GLTF, were identified as carrying the "gender" banner. A false dichotomy between progressive and gender positions was thereby adopted. Documenting this situation, a publication of the United Nations Human Settlements Programme noted:

> *Parallel to the GLTF, whose main focus was on gender issues, a National Land Forum (NALAF) was formed …., the focus of NALAF's lobby work was more on "progressive issues" such as the plight of the pastoralists, decentralization, radical title of land be vested in the people of Tanzania and freehold. However members of both the Forum and the Task Force overlapped. In May 1998, the two merged and became known as the "Land Coalition", although they maintained two separate Secretariats* (Benschop, 2002: 108).

The 'coalition', which Benschop refers to, reconstituted NALAF. The coalition was in fact a result of the rift within NALAF and the ignorance of some new members and leaders of the GLTF on the origin of NALAF. It is important to note that members of NALAF and those of the task force (and not of the coalition), were overlapping. When the "coalition" was formed, it became a turning point on how the whole campaign was approached. Soon, mobilizing decision-makers became the major focus of the campaign. It is also important to correct, as a matter of fact, that NALAF did not advocate a freehold land tenure system as Benschop claims. At the core of NALAF's demand was securing lands of the rural smallholders through vesting village lands into the village assembly (See *Azimio la Uhai*). [67]

Social Mobilization or Taking the Place of the 'Peasants'

Gavin Williams' (1976) essay criticized intellectuals who pretended to assume the place of the "peasants and spoke on their behalf." Williams was concerned with how intellectuals imposed their views and way of seeing the world in the name of the "peasants". This became a major dilemma for activists during the land reform campaign. The question was: what was the best approach for conducting the campaign? There was a persistent difference in understanding the outcomes and the implications of the

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[6] Most of the narratives/information here are based on the author's close observation of the land campaign 1997-1999.

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proposed approaches. This manifested itself in two major forms; those who had a strong belief in social mobilization and the creation of a social movement; and those who preferred to "take the place of the peasants" on the other. The latter tended to trap itself in the conception that the state is the only site of politics (Wamba, 1994), and if anything was to be done in expanding the site of politics, it is for the state to just recognize and consult civil society organizations. These activists often mistrusted the people, thinking that it is best to educate them. On this, Shivji (2002: 135), observes; "the function, as they see it themselves, is awareness raising and advocacy in which the people themselves are passive, ignorant subjects or victims, incapable of struggling for their rights."

There were also those who began from the assumption that the state is not the only site of politics, it needs to be reconstructed, and as such it must reflect and articulate politics as expressed and articulated in other sites (Wamba, 1994). Civil society organizations and activists need to be "militants" whose major role is to act as a bridge between people at the grassroots and other sites of politics (Wamba, 1994: 259). Their central understanding of politics is that people can self-emancipate. That is, for emancipatory politics to be successful, the people have to take their proper position as the subject and not the object of any processes that seeks to transform their relations with the state and other groups in society.

During the campaign for land reform, one could see tensions between those who felt that the campaign should be "decentralized" so the people would assume their proper position in the debate, and those who had faith in the state and its ability to listen to and accommodate the views of the marginalized. Those with confidence in the state felt that it was a waste of time mobilizing the people thereby losing the opportunity to directly influence the state. Time and attitude are key to a people oriented approach. Patience is needed. Organizing is time consuming, and requires "educated elite" activists to stay in the rural areas, engaging people in open, mutual and free discourse, in order to win the trust of people ideologically and work with them to chart out ways of carrying and sustaining the campaign.[8] This

[8] As for the previous sections most of the narratives here are based on the observation by the author between 1997-1999.

did not happen, as most activists could not make sufficient time to spend with people in rural areas.[9]

Some two years after the land campaign in 1999, a group of researchers and activists organized into Rural Food Security (KIHACHA) to prove to activists that working with people and spending time with them makes a crucial difference. The KIHACHA approach engaged people from the start, from the conception of the research, to conducting it, analyzing and validating the information collected, translating the information into campaign materials, and organizing and conducting the campaign. This was an effective way of conducting a campaign leading to an effective mobilization of the people in the areas where the programme was implemented, but also in the country as a whole. KIHACHA, like other organizations which took a similar approach earlier on, had to face the brunt of the state harassment.[10]

The dominant approach during the land reform campaign, however, became that of elite activists engaging directly with the state. A piece meal agenda was adopted, with the argument that, "if we do not catch up, if we delay, we could lose everything." This approach had one advantage in practicality because coalition members were talking to many different government officials either in the Ministry of Land and Human Settlement Development, the Attorney General's Chamber, or simply mobilizing Members of Parliament (MPs) to support their agenda.[11] A series of seminars was organized in Dar es Salaam and in Dodoma. Lobbying state decision-makers instead of mobilizing the people became the main focus of the campaign as the process approached its end. Promises were made and hope kept on

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[9] For the most part they could organize workshops or seminars in a village and leave immediately after. The expectations were that the people would continue on their own.

[10] A similar incidence happened to HAKIARDHI when it organized a seminar in Arusha to discuss the Act establishing the Ngororngoro Conservation Authority. After the seminar in Arusha, a series of ward based seminars had been planned to take place within the Ngorongoro Conservation Area, the Government did not allow these seminars to continue.

[11] This seems to be a very difficult lesson to learn despite the failure during the land campaign. The same approach was used when NGOs attempted to block the NGO Act. Those who went to Dodoma to lobby the MPs had high hopes after talking to them. The results, as some activists expected, were 'discouraging'. It was shocking to those who had hopes but it was something to expect among those who know the MPs and the way they operate.

building up that issues of the campaign were heard by decision-makers and, therefore, they would be included in the law. This kind of approach was prone for manipulation and compromise on matters of principle.[12]

The Idea of 'Organic' Activists

In the 1930s Gramsci was concerned with the question of whether intellectuals are "an autonomous and independent social group, or … every social group have its own … category of intellectuals" (Forgacs, 2000: 301). He was of the opinion that intellectuals are not autonomous social groups but they are "organic" within certain social classes (Forgacs, *ibid*). Gramsci's view was based on his analysis which led him to conclude that each new emerging class creates along with itself its own intellectuals. He had no doubt that the *bourgeois class* as a new dominant social class in western societies had its own intellectuals whose major function was to serve it. Apart from their diverse roles in society, that of organizing, administering, directing, educating or leading others (ibid: 300), Gramsci summed up the role of intellectuals of the *bourgeois class* as that of organizing coercion and consent. His major preoccupation thus was how to form intellectuals of the dominated and oppressed social groups, intellectuals "who will be capable of opposing and transforming the existing social order" (Forgacs, ibid: 300). Our analysis of the composition of the activists involved in the campaign draws from Gramsci's analysis. However, it is important to make it clear that within the Tanzania's social formation a *bourgeois* class *per se* does not exist although a "ruling class" does exist. The independence of the ruling class in relation to other social and global classes/forces from outside is a complex phenomenon which deserves a separate discussion elsewhere.

The coalition had a good number of activists of different backgrounds and academic orientations. Some were working for the coalition and campaign because they represented their organizations. Among these were those who felt comfortable working in the campaign because they also believed in what was being sought. But there were also those who were just representing their organizations and had no passion for land rights. There was another category of activists, some of whom belonged to organizations, but their support and solidarity with the campaign was born out of their concern and commitment to the cause. This mix of activists added complexity in organizing and carrying out the campaign. Broadly, it gave two loose

[12] As for the previous sections most of the narratives here are based on the observation by the author between 1997-1999.

categories of activists: the activists of the people on one hand and the activists for the people on the other.

The distinction between the activists (intellectuals) of the people and the activists (intellectuals) for the people is necessary. This is because the organization of the campaign was influenced by the presence of both elements. The activists of the people are those organically linked to the masses. What they seek to achieve is to organize the masses to oppose and transform the existing social order. They are thus concerned, in a Gramscian formulation, not with the immediate but organic phenomenon which gives rise to "*socio-historical criticism*" (Forgacs, 2000: 201). These activists would organize, think, and constantly consult with the people, and give to the people systematically, what they receive from them haphazardly (Mao cited in Shivji, 2002: 131).[13] This is because they are all committed to one destiny. They do not pretend to know exactly what people want. They may have some rough ideas or crude images, but they do not impose their opinion.

But even with this type of activism, their origin social class may pose some problems and contradictions. If many of them are members of the *petit bourgeois* who have '*committed class suicide*', *á la* Cabral, there is a tendency of leaderism. This tendency has been described by Campbell (1997: 11) as one where the speaker is central as organizer and participants are passive listeners with the ideas only emerging from leaders (in our case intellectuals/activists). It is important to emphasize that the organic intellectuals of the masses must be aware of these contradictory tendencies and overcome them. They should be activists whose basic method of work is to take a public statement for investigation and debate it at various sites of politics (Wamba, 1994: 259), and in this case amongst the masses in order to eventually give them homogeneity for the purpose of struggles for transformation.

The activists for the people usually capture the moment in order to preserve the status quo, especially in situations when the existing social order is undergoing some transformation or is in crisis. They emerge as intellectuals

[13] Wamba begins from the assumption that people, men and women, think. What the 'intellectual' is supposed to do is to investigate the internal content of what they actually think. It is through analysis of these forms of consciousness that we grasp the forms of political consciousness and of the antagonism with the existing overall socio-political order.

for the people, but organically they are linked to the dominant class in society. Such activists pretend to know what is good and bad for the masses of people, which they are neither connected to nor in constant consultation with. In times when some changes are required in order to conserve the status quo they play an active role of constructing consent.

The activists for the people could be likened to missionaries. They tend to present themselves as knower of bad and good and assume that people are ignorant and need to be educated. Their views are always correct, and they have nothing to learn from those they teach. This type of activist would persuade people to embark on and embrace processes marginalizing the people, which they twist and present as having lots of opportunities and benefits for the people. As such, seizing the opportunity of the moment is always at the top of the agenda. Because of this they are inconsistent and contradictory most of the time with regard to what they support and oppose.

The coalition had many such activists for the people and fewer activists of the people. The former switched loyalty. Today they would be working "for" the people, analyzing the draft land laws. The next day they would be consulting for the state and the World Bank.[14] Their commitment was always shifting and never clearly known. As part of the campaign the coalition organized a land week to coincide with the parliamentary (*Bunge)* meeting in Dodoma. During the week a number of activities were planned, among them a series of workshops and seminars with members of parliament. It was in one of the workshops organized for this purpose that some activists became part of the "scum" in which a workshop organized by the coalition was "hijacked" by the government. Reporting on this incidence the *Family Mirror* of February 5-11, 1999 carried a lead story with the heading: "Anti-Land Bill Crusade Collapses: Renegade NGOs join Government stand." Part of the story in the paper said:

> *The non-governmental organizations coalition which, for the last two years, has been campaigning against the government move to institute two new land bills have fallen apart, allegedly following the hijacking of the crusade*

[14] Shivji (1990) tries to explain this tendency from the truism of the NGOs that they are elite and based with few roots in the people. Enunciating on this he wrote, "Our horizon is short, expecting quick results. When results are not forthcoming disappointment sets in, we quit in despair, or worse, cross the line and get accommodated in the establishment. This affects our integrity as individuals and the credibility of our organizations.

> *by the government which had also bought over four of the NGOs, some of which were planning to organize a rally in support of the bills.*

When the land campaign had served its purpose activists for the people shelved it. This was a result of less donor interest and attention to land issues. This happened after the land laws were passed in 1999. Despite a decreased interest in land after 1999, nonetheless a new opportunity arose, to "educate" the people on the new land laws. Seminars, brochures, popular publications, and media were employed to "educate" people on what the new land laws say. However, the "for the people" activists were not interested in the negative implications of the laws for the people.

There is one more tendency, although minor, which needs to be addressed. It can be found in both categories although it is more prone to the activists "for the people." This is the type of activists who are quick to claim victory, even when victory is difficult, celebrating even the most minimal achievement. These type of activists need to be reminded again and again of Cabral's call to cadres of his party, that they should tell no lies. His call was "Expose lies whenever they are told. Mask no difficulties, failure. Claim no easy victories" (Cabral, 1973: 72). Celebrating is perhaps synonymous to claiming victory where there is none, and in the process, masking weaknesses and failure. The unresolved questions on land issues, the voices and resistance that people in rural areas continue to pose is a testimony that victory for land rights are still many miles away. Shivji noted that perhaps, there was cause to celebrate. But if there was any, then it should be a celebration of a victory for a cause, that is, the coalition was able to put the land question on the public agenda:

> *The politicians did not have a field day. At every step, they had to justify and answer even if most of the time they did not convince anybody, not even themselves. But I am sure they have learnt a good lesson in good governance. The activists of the civil society have also learnt a lesson on how to pressurize your rulers without being manipulated (*Shivji, 1999*).*

Struggles for a democratic and just land tenure system in Tanzania had all these types of activists. They were very crucial on how strategies were shaped and expectations formed. In the future, campaigns and struggles of the nature under discussion need to have many in the category of activists of

the people so that more can be achieved and positive lessons learnt can be carried over to continuing and new struggles. As Cabral proposes, activists have to:

> *Think in order to act and act in order to think better. We must always face the present and the future with optimism, but without losing sight of realities and particularities of the special difficulties of our struggle* (Cabral, 1980: 226).

Contesting Deprivation and Marginality

As we think about the future, it is important to address questions of how to combine various fronts and forms of struggles and resistance into one campaign in order to form horizontal and vertical communication with solidarity and alliances to strengthen future activism. One of the major weaknesses of the land campaign was the failure to link with processes taking place in various rural areas, i.e. failure of the activists (intellectuals) to play their role of giving "a fundamental social group 'homogeneity' and awareness of its own function" (Forgacs, op. Cit: 425). Apart from the case of the Ngorongoro Conservation Area, where some activists did try to link them up to the campaign, many other cases were not noticed, and where they were noticed, little attention was given to bring them into the larger campaign. In December 1998, for example, families in Nzasa Village had their houses burnt, property destroyed and their means of livelihood ruined by the government. The government claimed that these villagers invaded the Kazimzumbwi forest reserve. The villagers, however, claimed that the land in which they had their houses and farms was not part of the reserve until the government re-demarcated the forest borders – just before the operation was carried out. Even after their eviction, the villagers were not given land for resettlement. Narrating the condition in which they lived after the eviction, Maimuna Mohamed, a resident of what used to be Nzasa village noted:

> *Just imagine, I have no house, food, clean water. I do not know what to do with my five children, taking into consideration that there are no any efforts by the government to assist us (The Guardian,* December, 1998*).*

The fait of Maimuna and other villagers of Nzasa were not isolated as there were other forced evictions in other places of the country prior to and during the campaign for a democratic land tenure system. In the case of Nzasa, the

government did not pay any regard to issues of consultation and participation, nor did it consider issues of justice. The eviction of the small-miners in Bulyang'hulu gold fields also took the same fashion. The brutality of state organs in both cases was immense. However, in the later case, the government ignored a court injunction granted by the High Court to the small-scale miners. Their resistance, through various means, did not pay. The state, acting on behalf of a foreign interest, had no patience and no respect for the "rule of law".

The case of Bulyang'hulu gold mine, even after the eviction of the miners, continued to linger on. There were reports of violations of human rights. Some activists, led by the Legal Environmental Lawyers Association of Tanzania (LEAT), at a later stage took up the issue and called for the state to clear up the matter by allowing an independent commission to investigate the authenticity of claims made by the people in Bulyang'hulu and elsewhere that, in the process of evicting small-scale miners, some people were buried alive. This investigation was not allowed.

The presence of the mine in Bulyang'hulu has led to the emergence of other issues of concern to the people. A large majority of people feel deprived; they do not see how the mine benefits them. A woman from Bugarama ward recently observed that the events of 1996 had a serious negative impact on them. In a somber tone she said:

> *We did not feel free, there were police everywhere. Some men ran away from their families, women could not run away and leave their children. They stayed, but since then the going is difficult. I used to sell tea and farm. We have nobody to sell tea to now, and farming is not paying. For our neighbours in Bugarama farming is even impossible because land has been occupied by the mine and they are not allowed to farm. This problem is extending to other areas where the company is acquiring land for a house project for its staff (*Kahama 2003*).*

People in the mine area continue to raise issues as the mining company expands its activities. They question the way their land has been acquired by the company. They challenge the authority's top-down decision making. They accuse village leaders of failing do defend their interests. Some villagers were of the opinion that land laws need to be revised. However, in the process of doing so local residents need to be fully involved and armed with research. "A research needs to be conducted, and we need researchers

who can spend enough time with us", proposed a peasant from Bugarama ward, "in order for us to deeply understand the nature of the problem and its long term effects."[15] Demands like these have both theoretical and empirical grounds. Theoretically this relates to the idea of the organic activist and practically it supports work and approach of KIHACHA and the Ngorongoro study previously conducted by HAKIARDHI. In the Ngorongoro study, activist intellectuals carried out research whose findings were brought back to the residents of the Ngorongoro Conservation Authority. People debated the findings and made some recommendations on how a campaign to press for their rights could be better organized. KIHACHA also used a similar approach in conducting its campaign. In both cases, there was a firm link through constant consultations between the intellectuals and the people (KIHACHA, 2002: Shivji and Kapinga, 1997: Shivji and Kibamba, 2002).

This tendency was also experienced in the Rufiji delta where the government approved a large prawn farm for an investor - East African Fishing. The project was to effect not less than forty thousand residents of the delta. In approving the project, the government not only marginalized opinion and the interests of the people of Rufiji but it also ignored advice of its own body, the National Environmental Management Council (NEMC). On July 1997, representatives of the residents of Rufiji Delta from Salale village issued a statement which expressed their position on the proposed project. The statement questioned the government's approach of inviting investors with no regard to democratic procedures and issues of justice. Their statement accused the government of not taking into account concerns about the effect the project would have on the people of Rufiji and the nation as a whole. On this, the statement noted that the project would result in eviction of not less than 40,000 people from their customary lands, denying them access to sources of income, employment and food. The statement further noted that the whole project was meant to oppress and humiliate the people of the Rufiji Delta (HAKIARDHI, 1997(a)).

Let us shed some more light on happenings on the ground concerning people's struggles for space in decision making on matters concerning them, and in resisting marginalization and deprivation. The experience of the residents of Buyuni, Mbweni, and other areas affected by projects by the

[15] The views were expressed by a participant in a workshop on Land Rights, organized by HAKIARDHI, held in Kahama District in April 2003.

Ministry of Land and Human Settlement are examples of people's struggle. The Ministry of Land and Human Settlement was surveying 20,000 plots for allocation to Dar es Salaam residents. Local residents questioned the rationale of the project and challenged the government's approach characterizing it as arbitrary, and violating democratic and legal procedures. Initially each village organized its own resistance. The affected villagers did not know each other although their problem was the same. Their desire and need to link up with activists led to the formation of a joint committee which became instrumental in pushing the struggle to higher frontiers and giving it a higher profile. The committee, on behalf of the villagers, issued a joint statement expressing concern on how the whole project was undemocratically carried out, and that if it was to be implemented, as planned, it was going to impoverish local residents. The village of Buyuni became the focal point of the struggle. The government directed most of its attention and force toward Buyuni. At the end of the day, the government, using presidential legal power to acquire land for the public interest, declared that all lands in the project area was acquired by the state. The most interesting question in this case, however, is that the government knew that it was violating its own laws. An official of the Ministry for Land and Human Settlement observed that if all the legal procedures were to be respected and followed, the project would not be completed within the planned time frame. A similar view was voiced by a land official in Kahama district in respect of acquisition of village land there.[16]

One has to realize that the struggles which people go through are not easy. This is because legislative changes do not necessarily lead to social transformation. In the case of land and other resources such legislation legalizes the tendency and decisions whose effect is dispossession of the marginalized. Social transformation is born out of social struggles where men and women are actively involved, not represented. This requires committed

[16] The author separately discussed with two officials in Dar es Salaam and Kahama in 2002 and 2003.

intellectuals and organizations, which are born out of resistance and struggles of the masses for a secure present and a better tomorrow. Both the activist intellectual and grassroots based activists need to know that each will learn and teach each other. Paul Freire (2001: 49) observes that; "to know how to teach is to create possibilities for the construction and production of knowledge rather than to be engaged simply in a game of transferring knowledge." The challenge for the activists of today and tomorrow is how to use lessons and experiences of past struggles in activism.

Conclusion

The land acts were passed in 1999 and from May 2001 they became operational. This however is not the closure of a chapter on this matter, as the land question remains burning as ever (Shivji, 1999). Those who educate the people on the new land laws will always encounter challenges from the people whose land has been acquired for public interests or through presidential legal powers. They will continue to encounter men and women, who will ask, "… if that is what the laws say why are things done differently?" Or "yes I don't know what the laws says but I know when justice has been denied", or "whose interest does the law protect?" Given their proper place and forum, the people will engage the state on their own. In a symposium on 'Land, Investment and Privatization', participants, a majority of whom came from the rural areas, noted and proposed that:

> *The presidency, as trustee of land, on behalf of the public (citizens of Tanzania) for different reasons and enormous evidence – including change of ideology and patriotism, is not a credible and reliable guarantee to public interests and especially so, interests of small producers.*
>
> *In order to secure and guarantee protection of public property and interests, the Land Acts must be amended in order to vest radical title of village land upon villagers themselves and general (national) upon public institutions with a wider representation such as the Village Assembly and Parliament.*
>
> *The responsibility on land vested upon these institutions should be categorically stated in the Constitution.*

Voices like these will never be silenced. They will always be raised and echoed as people continue to resist the brunt of state and neo-liberal policies. Activists may take a back seat but the struggles over resources will continue

because the people question. They do not take anything for granted. They will need the contribution of committed intellectual/activists who together with them will try to better understand the reality of the situation in order to sharpen the organizational and tactical weapons for the many struggles ahead. The question is; who are these activist intellectuals going to be?

Their limitations notwithstanding, activists have championed alternative ways of approaching and doing things, including making the decisions pertaining to people's resources and their rights over such resources. This has been the case more than a decade ago and is likely to be so in the foreseeable future. With new pressures from dominant capitalist interests, people, especially those who reside in the rural areas and depend on land for their livelihood, are vulnerable and are likely to be more marginalized. Deprivation and exclusion will continue under different guises. As activists plan to engage the state and other powerful interests, it is important to focus on the issue of resources broadly. The future is full of challenges and requires committed men and women who will organize and mobilize the energy and creativity of the people to resist and transform oppressive relations.

References

Benschop, M., 2002, "Right and Reality: Are Women's Equal Rights to Land, Housing and Property Implemented in East Africa?" Nairobi: United Nations Human Settlement Programme.

Cabral, A., 1980, ***Unity and Struggle*** (London and Nairobi: Heinmann).

Cabral, A., 1973, ***Revolution in Guinea*** (London: Stage1).

Campbell, H., 1997, "Vision of Leaders in the 21st Century: The Nyerere Legacy", Presentation for the International Conference on Reflections on Leadership in Africa: 40 Years after Independence. Dar es Salaam, December.

Chachage, S. L. C., 2002, "Leadership in the Civil Society in Tanzania: A Case Study of the Tanzania Gender Networking Programme (TGNP) and the Association of Journalists and Media Workers (AJM), in Bujra, A. and Adejumobi, S. eds, ***Leadership, Civil Society and Democratisation in Africa: Case Studies from Eastern Africa*** (Addis Ababa: DPMF).

Change Magazine, (1997). Vol 5, First Quarter.

Forgacs, David, 2000, ***The Antonio Gramsci Reader*** (New York: New York University Press).

Freire, P., 2001, ***Pedagogy of Freedom: Ethics, Democracy, and Civic Courage***, (New York and Oxford: Rowman & Littlefield).

Gibbon, P., 1995, "Merchantisation of Production and Privatisation of Development in Post-*Ujamaa* Tanzania: An Introduction," in Gibbon, P. ed, ***Liberalised Development in Tanzania***, (Uppsala, Nordiska Afrikainstitutet).

HAKIARDHI, 1998, "Report of the Second NALAF Meeting"; Russian Cultural Centre, Dar es Salaam, 28th June.

HAKIARDHI, 1997, "Azimio la Uhai; Limetolewa na Ulingo wa Kutetea Haki za Ardhi (UHAI)".

HAKIARDHI, 1997 (a), "Tamko la Wananchi wa Kata ya Salale Wilaya ya Rufiji", 17 Julai.

Hearn, 1998, "The 'NGO-isation of Kenyan Society: USAID & the Restructuring of Health Care"; ***Review of Political Economy***, No. 75, pp. 89-100.

Kamata, N., 2002, "Aina na Chimbuko la Migogoro ya Ardhi Tanzania"; Mada iliyowasilishwa kwenye Mkutano wa Kumi wa Hali ya Siasa Tanzania, Tarehe 19 hadi 20 Septemba 2002, Ukumbi wa Nkrumah, Chuo Kikuu cha Dar es Salaam.

KIHACHA, 2002, ***Food is Politics and Chakula ni Siasa*** (Dar es Salaam: IDS, University of Dar es Salaam).

Kiondo, A., 1995, "Political-Economic Developments"; in Strom, G. B. ed, ***Change in Tanzania 1980-1994***, Sweden.

Kiondo, A., 1995(a), "When the State Withdraws: Local Development, Politics and Liberalisation in Tanzania," in Gibbon, P. ed, ***Liberalised Development in Tanzania*** (Uppsala, Nordiska Afrikainstitutet).

Mamdani, M., 1995, "A Critique of the State and Civil Society Paradigm in Africanist Studies," in Mamdani, M. and Wamba dia Wamba, E. eds, ***African Studies in Social Movements and Democracy***, (Dakar: CODESRIA).

Manji, F and O'Coill, C., 2002, "The Missionary Position: NGOs and Development in Africa," ***International Affairs***, 78, 3, pp. 567-83.

Mkapa, B., 2002, ***Mtanzania***, A Daily Kiswahili Newpaper of October 2.

Rweyemamu, J., 1976, ***Underdevelopment and Industrialization in Tanzania: A Study of Perverse Capitalist Industrial Development*** (Nairobi, Oxford University Press).

Shivji I. G., 2002, "The Life and Times of Babu: The Age of Liberation and Revolution", ***The Dar Graduate; Journal of the University of Dar es Salaam Convocation***, Vol. 3, New Series.

Shivji, I. G., 1999, "The Land Acts 1999: Causes for Celebration or Celebration of a Cause", Keynote Address to a Workshop on Land held at Morogoro 19th – 20th February.

Shivji, I. G., 1998, ***Not Yet Democracy; Reforming Land Tenure in Tanzania*** (Dar es Salaam: HAKIARDHI and IIED).

Shivji, I. G., and Kibamba, D. M., Eds, 2002, ***Mwongozo wa Haki za Ardhi kwa wananchi wa Tanzania: Uzoefu wa haki za Ardhi Katika Hifadhi ya Ngorongoro*** (Dar es Salaam: HAKIARDHI).