TANZANIA ZAMANI

Indexed in EBSCO databases

ISSN 0856-6518
Volume XII No. 1, 2020

A JOURNAL OF HISTORICAL RESEARCH AND WRITING

Published by
The Department of History, University of Dar es Salaam
and
The Historical Association of Tanzania (HAT)

NOTES FOR CONTRIBUTORS

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TANZANIA ZAMANI

Journal of the Department of History,
University of Dar es Salaam
and
The Historical Association of Tanzania
Published twice a year

SUBSCRIPTION RATES PER COPY

Price: Tsh. 5,000

Annual subscription within Tanzania: Tsh. 10,000, including postage.

Institutions outside Tanzania: USD 25 or its equivalent, including postage.

Individuals outside Tanzania: USD 15 or its equivalent, including postage.

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EDITORS' NOTE

The four articles constituting this issue of *Tanzania Zamani* address remarkably different aspects of Tanzania's past and present, with the themes spanning from border disputes and relocation of the capital city to social marginalisation and registration of heritage resources. We trust that our esteemed readers will benefit from this diversity of scholarly endeavours.

The first article by James Zotto invokes the normative theory to explain the resilient border dispute between Tanzania and Malawi. In line with the theory, Zotto assesses the sturdiness of the 1890 Anglo-German Treaty which established the border between the two territories and traces actual practices in the implementation of the treaty since its signing. The article ultimately concludes that, like many other colonial boundary making treaties, the Anglo-German Treaty was imprecise and incomplete, and that it did not reflect the realities on the ground, hence the unending dispute. It ultimately concludes that, while the treaty may be used as a basis for renegotiating the border, it cannot be used as the only criterion in settling the dispute.

Reginald Kirey's article traces to the colonial period the history of the recently concluded relocation of Tanzania's government seat from Dar es Salaam to Dodoma. Among other things, it probes the extent to which the post-independence decision to pick a different location for the capital was motivated by the ideology of *Ujamaa* socialism, the imperative of promoting the national identity and the legacy of colonialism. In brief, the article explains why the British colonial administration in

Tanganyika conceived the idea of moving the capital to Dodoma but fell short of implementing it, and shows how in the 1970s the post-colonial regime grappled with the implementation of the idea based on new rationalities and convictions, but never fully implemented it until 2020.

The third article by Musa Sadock addresses an aspect of social marginalisation in the Mbozi District, examining particularly how the HIV/AIDS epidemic affected the society at the grassroots level in the last three decades, and the manner in which the affected people handled their plight. The article demonstrates how the advent of HIV/AIDS in the district occasioned major increases in AIDS-related orphans and numbers of elderly people caring for them. It also documents the agency and resilience of people in these groups, as they indulged in wage labor, sex work, petty trade and farming, and as they sought livelihoods in self-help group activities and enlisted neighbourhood support.

The last article by Thomas Biginagwa is a response to the dilemma arising from poor recognition and formal registration of heritage resources in independent Tanzania. The article attempts to explain why only a limited number of such resources are proclaimed and registered and why such modicum effort concentrates mostly on colonial legacy and neglects traditional African heritage. It traces the roots of the heritage registration system in the country to the colonial period and uncovers the shortcomings in the creation and maintenance of the Tanzania's heritage register.

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Border Treaties and Interstate Disputes in Africa: An Extension of the Normative Theory in Explaining the Malawi-Tanzania Conundrum

James Zotto
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Abstract

The colonial project for the partition of Africa in the second half of the 19th century, which culminated in the 20th century, led to the disgruntlements among African countries in the post-colonial period. One discontentment manifests itself in the interstate border disputes. This paper is a critique to colonial scholarship which maintains that African borders were defined by colonial treaties with great precision. While I acknowledge the colonial border treaties as the foundations of the modern African states, this paper argues that most of the treaties were imprecise, incomplete, ill-defined, used vague documentation, routinely ignored ethnic composition of the territories and did not reflect realities on the ground, and, consequently staked interstate conflicts and wars in post-colonial period. To advance this argument, this paper is situated in the normative theory to explain the Malawi-Tanzania border dispute in the Lake Nyasa area, which reflects an ill-fated legacy of colonial boundary making process. Data for this paper are mainly drawn from the archival sources accessed from the British National Archives in the United Kingdom, Bundes Archives in Germany, SOAS; and another documentary information accessed from various libraries – public and private. Findings divulge that the Anglo-German Agreement of 1890 which situated the boundary between Malawi and Tanzania contained some anomalies entrenched in the contradictions within the treaty, limits and exercise of sovereignty of the two powers and geographical realities. The paper sums up that the two countries cannot use the treaty as one and the only justification for situating the boundary either on the eastern shore or in the middle of the lake. The treaty may, however, provide the basis for the two nation-states to renegotiate and compromise their shared boundary and rectify the errors noted.

Key Words: border treaties, Lake Nyasa, normative theory.

1.0 Theories Explaining Border Disputes: In Search of the Relevance of the Normative Theory

Understanding border disputes requires a thorough analysis of issues that influence conflicts, management and relations, such as strategic, political, economic, environmental, legal, domestic and international issues. This paper, therefore, uses political realist, institutional-statist and normative theories to explain border disputes and extends the latter to examine its relevance in the Nyasaland-Tanganyika row. While the earlier two theories are primarily concerned with political and domestic issues governing disputes, the latter theory is concerned with border treaties. This theory has been accorded little attention in the current literature since many scholars approach border disputes from the angle of power struggles between the actors. This study enlightens the relevance of the normative theory in examining border treaties and how they have glimmered disputes in post-colonial period in Africa. The main foundation of political realism is the principle of dominance. The theory holds that international politics is governed by objective, universal laws based on national interests defined in terms of power. In this regard, boundaries are fundamental to the bases of national power. Therefore nation states project various prescriptions for boundary protection as the demarcation lines of territorial integrity and exclusive control.[1] Power means an actor's ability to get another actor to do what she/he would otherwise not do.[2] Realists interpret international politics as a never-ending struggle for power and security among states and regard border disputes as a constant, endemic and unavoidable facet of the struggle.[3] So, borders must be defended and fought for because they are perceived as territorial divisions–imagined historical identities or objects of zero-sum state competition for power, prestige, lebensraum and security. In modern border disputes, a zero-sum situation is a situation in which if one wins an amount of something then

[1]S. P. Sharma. "The India-China Border Dispute: An Indian Perspective." *The American Journal of International Law*, Vol. 59, No. 1 (1965): 16-17.
[2]J. S. Goldstein and J. C. Pavehouse. *International Relations* (New York: Longman, 2009).
[3]S. A. Kocs. "Territorial Disputes and Interstate War, 1945-1987." *The Journal of Politics*, Vol. 57, No. 1 (1995): 159-160; R. A. Simmons. "Rules over Real Estate: Trade, Territorial Conflict and International Borders as Institution." *The Journal of Conflict Resolution*, Vol. 49, No. 6 (2005): 825-827.

another loses the same amount.[4] As such, in international relations, states always prioritise their interests, which may be the sovereignty of a country, increased relative economic or military capabilities or power.[5]

Therefore, borders and geographical expansion are reflections of and increase state power.[6] Since states are the most important actors on the international scene, so boundaries are necessary between them and therefore are defended. Boundaries are contested because they are interpreted as strict dividing lines protecting state sovereignty and national security.[7] The theory is significant as it exposes the role of political, economic and strategic motives in triggering border disputes. However, the theory has downplayed factors which have reduced the number of border disputes and others that have caused border disputes, such as historical legacies and legal claims. For example, modernisation forces have reduced the number of border disputes in the Middle East, which is usually perceived as a hotbed of border disputes, from 33% before the Second World War to 16% after the war. Yet, mutual treaties account for 80% in reducing border disputes. A similar trend has been observed in Africa, where most of the economic interstate border contests have been successfully settled.[8]

Institutional-statist theory is based on domestic problems and is built on what F. J. Blanchard calls a "volatile mix" of functional values of the boundary being contested and the characteristics of the states involved in the dispute.[9] This theory holds that the intrinsic salience of a given border depends *a priori* upon the following: military-strategic,

[4]C. H. Kim. "The Resurgence of Territorial and Maritime Issues in the Post-modern Era." *The Journal of Territorial and Maritime Studies*, Vol. 1, No. 1 (2014): 7.
[5]K. E. Wiegand. "Resolution of Border Disputes in the Arabian Gulf." *The Journal of Territorial and Maritime Studies*, Vol. 1, No. 1 (2014): 41; N. P. Gleditsch. "Armed Conflict and the Environment: A Critique of the Literature." *Journal of Peace Research*, Vol 53, No. 3 (1998): 387.
[6]H. J. Morgenthau and K. W. Thompson. *Politics among Nations: The Struggle for Power and Peace* (New Delhi-Ludhiana: Kalyani Publishers, 1985), pp. 30-55; J. A. Vasquez. "Why Do Neighbors Fight? Proximity, Interaction, or Territoriality." *Journal of Peace Research*, Vol. 32, No. 3 (1995): 278.
[7]V. Kolosov. "Border Studies: Changing Perspectives and Theoretical Approaches." *Geopolitics* Vol. 10, No. 4 (2005): 612.
[8]A. Ajala. "The Nature of African Boundaries." *African Spectrum*, Vol. 18, No. 2 (1983); Simmons, 2005, *op. cit*.
[9]J. F. Blanchard. "Linking Border Disputes and War: An Institutional-Statist Theory." *Geopolitics*, Vol. 10, No. 4 (2005): 690.

economic and constitutive functions; national identity; ethno-national unity; as well as state building and preservation. Thus, the larger the number of functions a border performs, the greater the incentives it generates for policymakers to initiate border quarrels, to escalate existing controversies or to reject boundary-related compromises. Also, he notes that a country with low stateness can generate special needs which can make it highly desirable for policymakers to exploit the functions that boundaries serve, since they have a few strategies that they can employ to achieve higher levels of stateness. As a result, domestic deficiencies, internal resource mobilisation obstacles and the inability to concentrate resources and attention on the resolution of specific problems mean that such countries must rely extensively on external assets to surmount their internal and external problems. One such important external asset is a border which helps to satiate a country's needs.[10] Krista E. Wiegand adds that, since a disputed border is important for states and their people, leaders of challenger states can divert attention away from domestic problems by attempting to (re)acquire a disputed territory while mobilising support for the government. He, thus, regards border disputes as a product of what he calls "domestic diversion."[11] Blanchard employed this theory in analysing the Indo-Pakistan border disputes of between 1947/8 and 1965 and argues that border disputes are the result of a volatile mix of rich functional values of a border, a deficient stateness of a disputant(s) and troubled borderlands.[12] While we appreciate the diverting of attention away from domestic tribulations and the role of borders in igniting dissension, we are aware that other potent factors (e.g. historical and legal issues) have been overlooked in the analyses. For instance, the British Boundary Commission did not adequately resolve boundary issues, especially ethno-national and legal issues. This might have increased the number of border claims between India and Pakistan.

[10]*Ibid*., pp. 697-708.
[11]K. E. Wiegand. "Territorial Dispute Settlement Attempts as Domestic Diversion." A paper Presented at the Annual Meeting of the American Political Science Association, Seattle, September, 2011, p. 0, 2.
[12]Blanchard, 2005, *op. cit.*

The normative theory is based on history and international treaties. Its main argument is that border disputes are caused by a feeling that a piece of a territory was wrongfully seized, rather than by strategic or economic values of the boundary.[13] The theory views border disputes or accords as dependant on the sturdiness of treaties. As such, international treaties not only prevent disputes from arising, but may also fuel them. The number of border claims can be reduced if treaties are more precise and if there is a consensus on following the treaties and resolving or adjudicating claims.[14] By contrast, ambiguities contained in treaties are highly likely to lead to border disputes, since states may have different conceptions of justice or because relevant norms may be differently understood in such a situation. Therefore, interstate border disputes have occurred in situations where international treaties have left room for the claims in question to be staked.[15] For instance, Japan staked claims to a few, small, sparsely inhabited islands in the northeast of Hokkaido (the northern territories), not to the more economically and militarily valuable islands farther north;[16] and Venezuela persistently staked claims to agriculturally unproductive areas covered by rain forest in Guyana, not to the oil-rich areas of northern Columbia. The same applies to the border disputes between India and Pakistan.[17] In many areas where disputes have occurred, treaties and maps are not congruent. On this, John W. Donaldson argues that, in order to be respected, a boundary requires both recognised legal validity and a clearly identified geographical position.[18] This is because a demarcated territory is equivalent to a property of a government. As such, international boundaries are lines where one government's property begins and

[13]A. B. Murphy. "Historical Justifications for Territorial Claims." *Annals of the Association of American Geographers*, Vol. 8, No. 4 (1990): 332-334; K. Fierbeck. "Political Imperatives and Normative Justifications: A Reply to Joyce Green." *Journal of Political Science/ Revue canadienne de science politique*, Vol. 34, No. 1 (2001): 157-161.

[14]J. A. Vasquez. "Why Do Neighbors Fight? Proximity, Interaction, or Territoriality." *Journal of Peace Research*, Vol. 32, No. 3 (1995): 283.

[15]T. Forsber. "Explaining Territorial Disputes: From Power Politics to Normative Reasons." *Journal of Peace Research*, Vol. 33, No.4 (1996): 434-439.

[16]P. O'shea. "Playing the Sovereignty Game: Understanding Japan's Territorial Disputes" (University of Sheffield: PhD Thesis, 1996), pp. 16-17.

[17] Murphy, *op.cit*., pp. 337-338; Forsberg, 1996, *op. cit*., pp. 444-445.

[18]J. W. Donaldson. "Perceptions of Legal and Geographical Clarity: Defining International Land Boundaries in Africa", in R. Home (ed.). *Essays in African Land Law* (Pretoria: Pretoria University Law Press, 2011), p. 5.

another's ends.[19] Much evidence from Africa in general and from Malawi and Tanzania in particular shows that the disputes are largely prompted by border treaties and related documents, such as maps. Most of the treaties on borders neither show geographical realities on the ground, nor do they represent acceptable demographical division. Moreover, in areas where the colonial powers did not have any economic interests, boundaries were extremely ambiguous.[20] Since treaties are also contested and negotiated terrains, it is important for African states to re-examine their troubled boundaries.

2.0 The Establishment of Colonial Borders in the Lake Nyasa Region

East-Central Africa, just like other African regions, experienced the imperialist scramble for colonies. Specifically, the Lake Nyasa region witnessed an intense scramble involving three major imperialist powers, namely Britain, Germany and Portugal. The drawing of the boundaries separating the spheres of influence of these powers involved the signing of bilateral treaties by the powers concerned. One such bilateral agreement was the Anglo-Portuguese Treaty of 10 August 1890. This treaty placed the border between British Nyasaland (Malawi) and Portuguese East Africa (Mozambique) on the shore of Lake Nyasa, on the latter's side. Article 1 of this treaty reads:

> To the north by a line which follows the course of the River Rovuma from its mouth up to the confluence of the River M'sinje, and thence westerly along the parallel of latitude of the confluence of these rivers to the shore of Lake Nyassa. To the west by a line which, starting from the above-mentioned frontier on Lake Nyassa, follows the eastern shore of the lake southwards as far as the parallel of latitude 13º 30' south...[21]

Likewise, Article I (sub-section 2) of the Anglo-German Treaty of 1 July 1890 situated the border between German East Africa (now Mainland Tanzania) and the British

[19]R. H. Jackson and C. G. Roseberg. "Why Africa's Weak States Persist: The Empirical and the Juridical in Statehood." *World Politics*, Vol. 35, No. 1 (1982): 2-4.
[20] Donaldson, *op. cit*., p. 14.
[21]B. Ian. *African Boundaries: A Legal and Diplomatic Encyclopedia*. (Berkeley: University of California Press, 1979), p. 1119.

protectorate of Nyasaland (Malawi) on the shore of Lake Nyasa in German East Africa. According to this treaty, the German colonial possession was bounded:

> To the south by a line which starting on the coast at the northern limit of the Province of Mozambique, follows the course of the River Rovuma to the Point of confluence of the Msinje; thence it runs westward along the parallel of that point till it reaches Lake Nyasa; thence striking northward, it follows the eastern, northern and western shores of the lake to the northern bank of the mouth of the River Songwe; it ascends that river to the point of its intersection by the 33rd degree of east longitude; thence it follows the river to the point where it approaches most nearly the boundary of the Geographical Congo Basin defined in Article I of the Act of Berlin.[22]

The third agreement involved Germany and Portugal. According to Article II of the German-Portuguese Agreement, signed in Lisbon, Portugal, on 11 June 1891:

> The boundary line which separates the Portuguese from the German possessions in South-East Africa follows the course of the River Rovuma from its mouth to the point where the River M'sinje joins the Rovuma and runs to the westward on the parallel of latitude to the shores of Lake Nyasa.[23]

[22]See the original Anglo-German Agreement of 1 July 1890. All provisions included. British National Archives, London, *Acta/ Helgoland-Sansibar-Vertrag, No.17*, pp. 15-17; The Anglo-German Agreement, 1 July 1890; Heligoland-Sansibar-Vertrag, 1 May 1919. See also B. Ian, *ibid*., p. 1119; German History in Documents and Images, *Wilhelmine Germany and the First World War, 1890-1918, Anglo-German Treaty [Heligoland-Zanzibar Treaty] (July, 1, 1890)*, Volume 5., n.d., p. 2. A full treaty text can be found in Das Staatsarchive, Sammlung der offiziellen Aktenstucke zur Geschichte der Gegenwart [The State Archive, Collection of Official Documents Relating to Contemporary History]. Leipzig, Verlag von Duncker & Humblot, 1891, Vol. 51, p. 151. Translation by Adam Blauhut; E. Hertslet, *The Map of Africa by Treaty*, Vol. III, Nos. 260-382. (London: Harrison and Sons, 1909), p. 900.

[23]B. Ian, *op. cit*., p. 970.

With regard to the three treaties cited above, it can be said that the boundary separating the German, British and Portuguese spheres of influence in the Lake Nyasa region was confined to the lake shore in German East Africa and Portuguese territory. More specifically, with reference to our case, the Anglo-German Agreement of 1890 indicates that the boundary of German East Africa, which separated her with Nyasaland, runs through the eastern, northern and western shores of Lake Nyasa in German East Africa. This boundary is commonly called the eastern shore boundary. Thus, for the purposes of this paper, I use the eastern shore or the eastern side to mean the shore or side of the lake in the part of German East Africa that is today known as Mainland Tanzania. Also, I use the western shore or western side of the lake to mean a shore or side of the lake in Nyasaland, which is today known as Malawi.

We have already seen above that the eastern shore boundaries separated the powers on the scene of partition of the Lake Nyasa area. In this regard, the eastern shore boundaries were chosen in preference to the median line for a number of reasons. One reason was that such treaties were intended to push Germany and Portugal as far back as possible from the British sphere of influence.[24] I may therefore say that this was a deliberate move to avoid further clashes among these powers over the Lake Nyasa region if their boundaries ran through the middle of the lake. The definition of such boundaries would be vague, and thus contested**.** The second reason, and perhaps more important than the first, was that the early establishment of British activities in the Lake Nyasa region, had given the British the advantage of taking the largest share of the Lake Nyasa region. This follows from two considerations. First, Lake Nyasa was a corridor of the British Universities Mission to Central Africa (U.M.C.A) activities. The U.M.C.A. activities began in this region before any other European forerunners of colonialism arrived on the scene to start projects such as schools, dispensaries and churches. Consequently, such British missionaries as William Percival Johnson appealed to the British government to occupy

[24]British National Archives, London, *The Boundaries of Tanganyika in the Northern Part of Lake Nyasa*, Acc. No. EAF 130/7/01. See Correspondence from Mr. Browning to Mr. Fry (British officials) about the exact boundary between Tanganyika and Nyasaland, 12 May 1959.

the Lake Nyasa region.[25] With this advantage, the British made use of the missionary factor when advocating the protection of Lake Nyasa from infringement by their rivals.[26]

Related to this reason is the 'disruption' the Lake Nyasa region had experienced following the unwillingness of Germany and Portugal to invest in the fight against slave trade. Thus, only Britain had vivid interests in the Lake Nyasa region and fought against the slave trade, locally called *ukapolo.*[27] German occupation of this region would have meant taking the fight against the trade across the lake, an activity that would be costly to Germany, whose imperial charter, *Schutzbrief,* entered international politics late, with an insufficient capital investment. It was only in about 1884 that Germany's interest in East Africa began; this was followed by the establishment of German protectorate over some areas in the region in 1885.[28] This fact is akin to Heinz Schneppen's argument that in 1880 nowhere on African soil were the German colours flying. It is in this regard that Schneppen says that Germany was a late comer to the colonisation enterprise.[29] Similarly, Portugal had no interest in the Lake Nyasa region. As such, she didn't want to be involved in the campaign to abolish the slave trade in the Lake Nyasa region.[30] Given these facts, I can argue that Britain had greater interests in and stronger reason to occupy the Lake Nyasa region. For example, she sought to defend her missionaries and trade interests in the region.

The third reason for British occupation of the Lake Nyasa region was that the Anglo-German Agreement of 1890 excluded the German colonial claims over much of East

[25]See L. Chisui. *Kalilole wa Wana Msapulo wa Kalilole* (Likoma, n.d.), p. 53.
[26]A. C. McEwen. *International Boundaries of East Africa*. (Oxford: Oxford University Press, 1971), pp. 177, 179.
[27]*Ibid*. See also, L. Chisui, *op. cit.* He describes how disruptive slave trade was and the efforts of the U.M.C.A to abolish it. Also, see Eginald Mihanjo "Capital, Social Formation and Labour Migration: A Case Study of the Wampoto in Mbinga District 1900-1960" (University of Dar es Salaam: M.A. Dissertation, 1989); Eginald Mihanjo, "Transition to Capitalism and Reproduction: The Demographic History of Lake Nyasa Region 1850-1980s" (University of Dar es Salaam: PhD Thesis, 1999).
[28]B. Ian, *op. cit*., p. 957; R. Oliver and A. Atmore. *Africa since 1800*, Vol. IV (Cambridge: Cambridge University Press: 1994), pp. 106-109.
[29] H. Schneppen. "Why Kilimanjaro is in Tanzania: Some Reflections on the Making of this Country and its Boundaries." *National Museum of Tanzania*, Dar es Salaam, Occasional Paper No. 9, 1996, p.4.
[30]McEwen, *op. cit*., p. 173.

Africa, though it unleashed a wave of nationalist protests in Germany.[31] Three explanations bear this out. One is that Germany's attention was focused on the Indian Ocean coast; she had managed to put down the British ambition to traverse Africa from Cape Town to Cairo. After the former succeeded in doing this, she withdrew her intention to have territories in East and Central Africa. Secondly, Germany was satisfied with the Heligoland prize. When Germany was given Heligoland Island, she withdrew her territorial claims from certain parts of East Africa, including the Lake Nyasa region. Heligoland is a tiny island, a few miles off the German coast on the Dead Sea. The Germans had interest on this island. Since it connected the Baltic Sea and the North Sea, Heligoland was regarded by German naval strategists as an invaluable bastion to the gateway of the German fleet. This became a serious negotiation substance between the two powers. When the Heligoland question was resolved, Germany accepted British protectorate over Zanzibar. When these were agreed upon, it seems that Germans were flattered with colonial ambitions and disregarded most of the areas once contested with other powers. Along this line of thinking, Heinz Schneppen argues that Germany had not been able to realise its maximum objectives for the Lake Nyasa and on Zanzibar. This clearly illustrates "a colonial marriage" between the Germans and Britons shaped by the political interests of give and take.[32] Third, Germany secured access to and the right of transit on Lake Nyasa. Thus, Germany was less concerned with countering British ambitions in the Lake Nyasa region.[33]

The last reason given by A. C. McEwen was that, theoretically, during the process of partitioning the continent, other powers were unable or unwilling to press their claims as far as the theoretical limits of their spheres of influence, while others did it strongly. For instance, British nationals, particularly members of parliament, church ministries and elders persuaded their government to protect the nation's interests in the Lake Nyasa

[31]German History in Documents and Images, *op. cit*., p. 1.
[32] Schneppen, *op. cit*., pp. 25-30.
[33]McEwen, *op. cit*., p. 179.

region.[34] It is in this light that I can agree with Heinz Schneppen's argument that Lord Salisbury proposed to divide the territories North-West of Lake Nyasa, where Britain could get the lion's share. In turn Germans would be compensated by a portion of the territory South-West of Lake Victoria, with a dividing line drawn from the Northern tip of Lake Tanganyika to Lake Victoria.[35] Subsequently this became an agreement between Germany and Britain. In sum, the definition of early boundaries in the region indicates that both Germany and Portugal were confined to the eastern shore of the lake, which served as boundaries separating them from the British Protectorate of Nyasaland. The latter country had a strong bargaining power to occupy a large part of the Lake Nyasa region because of the advantages she had before and at the time of partitioning the continent. Such advantages included Britain's involvement in the abolition of the slave trade and investments in social infrastructure. From the above discussion, I can conclude that the process and outcome of border formation on the Lake Nyasa region was determined by rivalries, cooperation, investment and history of arrival of the concerned powers in the region. These factors played a greater role in bilateral negotiations which consequently influenced a share each respective power would get.

3.0 Boundary Adjustments in the Lake Nyasa Region after the Initial Agreements

Some inter-territorial boundaries were adjusted during the colonial period after initial treaties had been signed. This happened in areas where disputes arose, for instance due to inconsistencies in the definition of a particular boundary or in geopolitical conditions between contiguous territories. In such cases, boundary commissions were constituted and charged with the task of proposing boundary revisions, hence the drawing of new inter-territorial boundaries. In the tripartite region of Lake Nyasa, two notable boundary adjustments were made. One of these involved the German and Portuguese territories in the River Ruvuma area, which is a contact zone. There were three phases of boundary adjustment with regard to these two colonial territories.

[34] *Ibid*., pp. 18-19, 174.
[35] Schneppen, *op. cit.*, p. 25.

The first phase began and ended in 1907. During this time, a joint German-Portuguese boundary demarcation commission made slight adjustments to the boundary between the territories under these powers. The adjustments were meant to get rid of certain inequalities evident in the use of a 'parallel' for an international boundary between the confluence of the River Ruvuma and the River M'sinje and the shores of Lake Nyasa. The word parallel was conceived by the two powers concerned as obscuring as to the exact location of the boundary on the ground. As a result, natural topographical features were used to define the boundary.[36] The boundary was changed on the Mozambique side at the mouth of the Txuinde (Kiwindi) stream, by being extended about 0.5 kilometres southward of the initial tripoint. The tripoint was located approximately at latitude 11º 34' 30" S and it was presumed to be the centre or middle of the stream.[37] The revised boundary became effective from 24 November 1909.[38]

The second phase began and ended in 1913. The boundary was adjusted for two reasons. The first was that both the German-Portuguese Agreement of 1886 and the Anglo-Portuguese Agreement of 1890 referred to the boundaries at the contact zone between the territories under these three powers which were not clear on the course of the River Ruvuma. In other words, the powers did not say exactly which part of the river served as the boundary between German East Africa and Portuguese East Africa. Secondly, there were issues to do with the location of the islands in the River Ruvuma. These two reasons made the European powers reach an agreement in 1913, through which Germany acquired the islands in Upper Ruvuma, above the river's confluence with the *Domoni* area, while Portugal got the islands below the confluence. Further to this agreement, the *thalweg* of the River Ruvuma was declared a boundary line and the inhabitants of both territorial banks were granted, among other things, fishing rights.[39] The third phase of the boundary

[36]McEwen, *op. cit*., p. 211.
[37]The Geographer, Bureau of Intelligence and Research, Department of State, United States of America, *International Boundary Study: Malawi-Tanzania (Tanganyika and Zanzibar) Boundary*, No. 37, 26 October 1964, pp. 3-4; Ian, *op. cit.*
[38] Ian, *ibid*., p. 971.
[39]McEwen, *op. cit*., p. 212.

modification started and ended in 1937. The course of the River Ruvuma experienced constant changes. This gave rise to disputes as to who had sovereign rights over the banks at certain points and over the islands in the river. Due to these difficulties, an Anglo-Portuguese boundary commission was formed to make certain modifications to the boundary.[40] An agreement was reached on 11 May 1936 and was subsequently approved by the Council of the League of Nations in its Ninety-Eight Session of 14 September 1937. In this agreement, it was resolved that a line passing through the middle of the River Ruvuma would serve as a boundary and that the islands in certain sections of the river would belong to Tanganyika while those in the other sections would belong to Mozambique. It was further agreed that in the sections where there were no islands, the boundary would follow the *thalweg* even when its position was changed by natural forces in the river bed. In addition, it was agreed that, if the bed of the river underwent any changes, the river would be diverted into its old bed or, if that was impossible, some territorial compensation would be provided.[41] Other subsequent agreements included the freedom to navigate the river without distinction of nationality of the people from both territories. The inhabitants of both banks had the right to draw water, to fish and to collect salt from the river. [42] The use of physical features at the time was regarded as a convenient means of locating a boundary, since physical features such as lakes, oceans, mountains, rivers and big trees were regarded as permanent objects. One weakness of using physical features such as water bodies as interterritorial limits was that such features were dynamic based on climatic variations that kept them fluctuating and changing their courses. As a result, boundary adjustment negotiations were imperative to address changing boundary alignments due to shifts in water course.

Another notable boundary adjustment involved the British and Portuguese territories on the Lake Nyasa region. The two colonial governments undertook to regulate their frontier

[40]Tanzania National Archives, Dar es Salaam, *League of Nations and Permanent Mandates Commission, Minutes of Session*; Vol. 7. Minutes of the Thirty-five Session, held at Geneva from May 31 to June 1 1937, including report of the Commission to the Council; Geneva, 1937; Ian, *op. cit*., p. 971.
[41]*Ibid.*
[42]*Ibid.*

which they delineated through the Anglo-Portuguese Agreement signed in Lisbon, Portugal, on 11th June 1891. There were reasons for this boundary adjustment. One reason had something to do with the desire of the governments to alter certain provisions of the treaty which they felt were contradictory. Another reason was lack of precision in interpreting or executing the treaty with regard to points of mutual interest. Also, new conditions had arisen in the area in question which necessitated the making of certain adjustments to the boundary. Lastly, representatives of the two governments had suggested that certain sections of the frontier between Mozambique and Nyasaland should be made.[43] So, the two governments agreed on the rectification of their shared frontier; this was indicated in Article 1 (sub sections 1-3) of the Anglo-Portuguese Agreement, signed in Lisbon, Portugal, on 1st January 1953. The agreement reads:

> The frontier on Lake Nyasa shall run due west from the point where the frontier of Mozambique and Nyasaland meets the shore of the Lake to the median line of the waters of the same Lake and shall then follow the median line to its points of intersection……. which shall constitute the southern frontier (1). The Government of the United Kingdom shall retain sovereignty over the islands of Chisamulo and Likoma together with the exercise of all rights flowing from such sovereignty, including full, unrestricted and unconditional rights of access. The Government of the United Kingdom shall also retain sovereignty over a belt of water two sea miles in width surrounding each of these islands, except that where the distance between Likoma and the mainland is less than 4 miles the waters shall be equally divided between the two Governments (2). The inhabitants of Nyasaland and the

[43]Ian, *op. cit*., p. 1194; See also British National Archives, London, *The Boundaries of Tanganyika in the Northern Part of Lake Nyasa*, Acc. No. CO 822/1555. Such information about boundary adjustment is specifically found in the "Opinion on the Tanganyika/Nyasaland Boundary border on Lake Nyasa by the Attorney General of Tanganyika to the British Government of Tanganyika, dated 29.6.1959, pp. 12-14.

> inhabitants of Mozambique shall have the right to use all the waters of Lake Nyasa for fishing and other legitimate purposes, provided that the methods of fishing which may be employed shall be only those which are agreed upon by the Government of Nyasaland and the Government of Mozambique (3).[44]

This treaty came into force on 18th November 1954.[45] Thus, the initial Anglo-Portuguese Treaty of 1891 was abrogated, and therefore the new boundary between the territories under these two powers was moved from the eastern shore of Lake Nyasa in Portuguese East Africa to the middle of the lake.

It is interesting to note that the eastern shore boundary between Germany and Britain was not adjusted. The only adjustment to the boundary between the territories under the two powers was made at the River Songwe, an end point of the eastern shore boundary, and also at a section that connects Lake Nyasa to Lake Tanganyika. A mixed commission was entrusted with the work of delimiting the boundary at the River Songwe. The commission began its boundary demarcation work in 1898 from the River Songwe and proceeded westward to Lake Tanganyika.[46] The commission was led by Captain Charles Close, who later became the president of the Royal Geographical Society and Director of the Ordinance Survey (1911-1922). Captain Close was assisted by a German Commissioner, Herrmann Hauptmann.[47] In the process of boundary delimitation, the commission, in pursuance of Article VI of the Anglo-German Agreement of 1 July 1890 (as cited above), was appointed to delimit the frontier between British and German territory from Lake Nyasa (at the River Songwe) to Lake Tanganyika. Noting that the boundary depended on the positions of two meridians, the Commission decided to carry out a triangulation

[44]Ian. *op.cit*., pp. 1194-1195.
[45]*Ibid.*
[46]McEwen, *op. cit*. pp. 178-179, cited in *Report by Captain Close, R.E., on the Delimitation of the Nyasa-Tanganyika Boundary in 1898*. Foreign Office, Confidential No. 7115, March 1899.
[47] British National Archives, London, *Report by Captain Close, R.E., on the Delimitation of the Nyasa-Tanganyika Boundary in 1898*. London, Foreign Office, p. 1, Acc. No. FO 881/7115; J. W, Donaldson, "Pillars and Perspective: Demarcation of the Belgian Congo-Northern Rhodesia Boundary." *Journal of Historical Geography*, Vol. 34 (2008): 182-183.

along the boundary. Also, modification was called on because the River Songwe affected the boundary due to shifting of its bed or was likely to in the future. The modification altered the boundary from the northern bank of the mouth of the River Songwe (adjoining Lake Nyasa) to the middle of the same river.[48] Clearly marked and elaborated boundary pillars were erected on the ground to mark the limits of the territories under Britain and Germany.[49] After the work had been completed, the commission called upon the two powers to confirm the 1890 Treaty, with abrogation effected from the River Songwe to the Lake Tanganyika. Consequently, the Anglo-German Agreement relative to the boundary of the territories under Britain and Germany was signed in Berlin, Germany, on 23rd February 1901. A few sections of this agreement important to our analysis here read:

> Section 1- It begins at the mouth of the Songwe River at Lake Nyasa and follows this river upwards to its junction with the Katendo Stream in the Shitete district… Section 2- In all cases where a river or stream forms the boundary, the "thalweg" of the same shall form the boundary; if, however, no actual "thalweg" is to be distinguished, it shall be the middle of the bed.[50]

At this juncture, it is clear that the eastern shore boundary which was defined by the Anglo-German Treaty of 1890 and which was confirmed in 1891 was not demarcated on the ground, nor was it modified. The propositions for this are twofold. First, a boundary defined in terms of a lake shore was self-demarcating, and thus required no physical demarcation or alteration. The second proposition is that water limits were at the time popular with both the diplomatists and the surveyors. Regarding the former, the presence of water features provided valuable geographical material during the negotiation, especially in unexplored and unmapped areas. With respect to the latter, the adoption of water boundaries meant reduction of the amount of work which should have been done

[48]E. Hertslet. *The Map of Africa by Treaty*, Vol. III (London: Harrison & Sons, 1989), p. 925.
[49]*Ibid.*, pp. 925-926. See descriptions of the marked areas and the pillars installed on the ground.
[50]*Ibid.*

and the water line was considered more permanent and more easily recognisable than a series of artificial boundary marks.[51]

Before the names Malawi and Tanzania became the official names of these two modern states, both countries evolved through different names. From the time of occupation, the modern-day Malawi was called Nyasaland Protectorate in 1891. However, in 1893 it was incorporated in to British Central Africa Protectorate. In 1907, the present-day Malawi was again called Nyasaland Protectorate. From 1953, it was part of the Federation of Rhodesia and Nyasaland. Upon the attainment of independence in 1964, the name Nyasaland was abandoned and instead the independent country was, and still is called Malawi. With regard to Tanzania, it is a country that was formed following the union of two countries, namely Tanganyika and Zanzibar in 26th April 1964. So the present study is within Tanganyika, which is commonly called Mainland Tanzania. This part of the country was formerly a German colony and was therefore part of German East Africa up to WWI. Other parts of German East Africa are the modern-day countries of Ruanda and Burundi. After the WWI ended, German East Africa was split up and placed under the mandate of two colonial powers. Ruanda and Burundi were placed under the Belgian mandate while the remaining part, which is modern day Mainland Tanzania, was under the British mandate. This part was called Tanganyika from 1920 up to the time of independence in 9th December 1961. The same name was maintained after independence up to 1964 when the United Republic of Tanzania was formed.

4.0 Anomalies of the Anglo-German Treaty of 1890 and the Resulting Malawi-Tanzania Border Dispute

The Anglo-German Agreement of 1890 situated the boundary between Britain and Germany on the shore of Lake Nyasa in German East Africa (modern-day Mainland Tanzania). However, the practices of Germany and Britain in respect to this boundary were contrary to the provisions of the treaty. Similarly, the treaty itself was not implemented on the ground. In other words, the demarcation of the boundary was not

[51]McEwen, *op. cit*., pp. 78-79, 195.

shown on the ground, a fact which suggests that the process of demarcating the boundary between the two territories was not completed. Consequently, later during the colonial and post-colonial periods the treaty caused a border dispute. This brings us to the question we need to answer in order to understand how the treaty in question has been a contributing factor for the Malawi-Tanzania border dispute. Was the treaty inconclusive and ill-defined? Did the powers ever respect it? Therefore, the central thesis relates to the exactness of the boundary which the two powers had determined and which was later inherited by the post-colonial governments of Malawi and Tanzania. To establish the inconsistencies in the agreement and the ultimate divergent interpretations emanating from the treaty we need, first of all, to look at certain Articles contained in the treaty, since the agreement cannot be understood without considering such Articles. Second, we need to examine what we call in this paper 'silences' in the treaty in question. The Articles to be examined are: Article VI, Article VII and Article VIII. Article VI states that any correction of the demarcation lines described in Articles I to IV that is necessary due to local requirements may be undertaken through an agreement between the powers. Also, Article VII states that the two powers agree that they shall not interfere in the sphere of influence assigned to the other power through Articles I–IV. They shall not, in the other power's sphere of influence, make acquisitions, sign treaties, accept sovereign rights or protectorates or prevent the other from expanding its influence; it is understood that companies or individuals subject to one power shall not be permitted to exercise sovereign rights in the sphere of influence assigned the other, except with the consent of the latter. In addition, Article VIII states, among other things, that trade is free; and shipping is free on lakes, rivers, canals and their ports for both powers. The subjects of both powers have the right to settle freely in either power's territories, provided that these are located in the free trade zone.[52]

The Articles cited above indicate certain anomalies which, in turn, lead to contradictions between within the treaty, actual practices of the colonial powers and the realities on the

[52] See the original copy of the Anglo-German Agreement. British National Archives, London, Anglo-German Agreement (Helgoland-Sansibar-Vertrag), No. 1, 1 July 1890.

ground. In this regard, there is evidence that from 1890 to 1918 Germany extended her territory on to the waters of Lake Nyasa. Perhaps this means that German sovereignty was extended into the middle of Lake Nyasa. However, there is no evidence indicating that the territorial limits of Nyasaland were extended to the eastern shore of the lake. Two pieces of evidence support this. First, Germany operated a steamboat on the lake from 1898 on.[53] However, it is not clear whether Germany did what she did because of the General Act of the Berlin Conference of 1884/85 which required the European powers to suppress slave trade by operating steamboats on the inland waters and navigable rivers. In similar vein, it is not clear whether Germany's 'occupation' of the waters was granted by Article VIII of the treaty cited above, that is, free trade and navigation. But some evidence shows that Germany controlled a certain part of Lake Nyasa. This is built on the fact that, while the German steamboat, *Hermann von Wissmann*, and other small vessels were patrolling the lake so that slavery could be abolished, the boat continued patrolling the lake and conducted shipping activities even after slavery had been formally abolished. The steamboat was bombarded and destroyed during the First World War by British troops.

The second piece of evidence is that Germans controlled such Lake Nyasa islands as Lundo and Papayi. During German colonial rule, such islands were lepers' settlements. Lepers continued to live on the islands even during the British period, until 1927, to be exact, when the lepers were moved to an area in the hinterland called Ngehe.[54] This reveals that both the German and British colonial administrations controlled the islands and, in so doing, they considered certain parts of the lake to fall within their geographical area. This view is supported by Brownlie Ian, who argues that the administration of these islands means that Germany's presence on the lake was not confined to the mere exercise

[53]Many sources indicate the existence of such ships. See, for instance, McEwen, *op. cit*.
[54]Committee of State Succession. *The Effect of Independence on Treaties*. (London: Stvenson, 1965).

of rights of navigation.[55] However, there is no evidence suggesting whether the British had acquiesced to such 'occupation' of the lake by Germany.

Regarding the evidence of Germany's exercise of jurisdiction of the islands, McEwen maintains that the two islands were at the time of partitioning of the region small and unknown to the two powers. Therefore, he notes that settlement on such small Islands does not offer any justification for anyone to lay claim to the islands. [56] While it is true that the islands were small, McEwen's legal analysis lacks historical significance, and therefore a number of questions are left unanswered. For instance, the view that the islands were small and unknown implies that the two powers had little knowledge of the entire Lake Nyasa area at the time of partitioning of the region, and therefore the treaty they signed is questionable. Second, the islands had both administrative and social significance. For instance, although he dismisses their values, McEwen shows that about 500 people lived on one island, Papayi, by 1893, and that the lepers were moved to Ngehe, owing to overcrowding on the island.[57] In any case, this shows that the Germans and later the British in Tanganyika had complete authority over the islands. Third, unlike the other islands in the Lake Nyasa waters, the islands under contention were not defined by the agreement. For instance, we saw earlier that the islands in the River Ruvuma were clearly defined and the midstream boundary was agreed upon. Again, we saw that in the Anglo-Portuguese Agreement of 1891, which put the boundary on the eastern shore of the lake in Portuguese East Africa, the islands which were in the waters (i.e. Chisumulu and Likoma) which were the bases of the U.M.C.A. were clearly defined and given to Nyasaland. Evidence for this is found in Article VI of the Anglo-Portuguese Agreement. Among other things, this agreement states:

> Portugal agrees to recognize, as within the sphere of influence of Great Britain on the north of Zambesi, the territories extending from the line to be settled by the joint Commission mentioned in

[55]Ian, *op. cit*., p. 966.
[56]*Ibid*., p. 197.
[57]*Ibid*.

> the preceding Article to Lake Nyassa, including the islands in that lake south of Parallel 11º 30' south latitude, and to the territories reserved to Portugal by the line described in Article I. The islands of Chisamulu and Lukoma, or Dikomo and all other islands of Lake Nyasa further to the south, shall be recognised as being within the British sphere of influence.[58]

The Anglo-Portuguese Agreement of 1954, which moved the boundary between these powers from the eastern shore to the middle of the lake, stated that such islands belonged to Nyasaland. Thus, despite the islands being close to Mozambique, there has been no significantly recorded dispute between Malawi and Mozambique, because they were defined and inhabited according to the treaty. Therefore, McEwen argues that these islands are part of Malawi.[59] Detailed description of the Anglo-Portugues Agreement of 1954 provides clear validation of the normative theory, in which a boundary defined clearly and provided with grounds for the adjoining states to follow, has no or less frailty to ignite a dispute.

This paper departs from the absolute legal status of the Malawi-Tanzania border dispute. Scholars who base their analysis of this dispute on absolute legal grounds do not acknowledge Germany's jurisdiction beyond the shores of the lake. They thus consider the treaty in question to be conclusive and indisputable. For instance, Chris Mahoney and others[60] claim that the Anglo-German agreement is an authoritative document and is a good starting point in determining sovereignty over the Lake Nyasa. They further argue that, since the treaty is explicit as to the shore boundary, it gives the entire lake to Malawi. Thus, Tanzania bears the burden to dismiss this.[61] Similarly, A. C. McEwen emphatically asserts that, in order for anyone to know the legal origins of the Lake Nyasa boundary between Malawi and Tanzania, reference must be made to the Anglo-German

[58]*Ibid*., E. Hertslet, *op. cit*., pp.1120-1121.
[59]McEwen, *op. cit*., p.197.
[60]C. Mahoney *et. al*. "Where Politics Borders Law: The Malawi-Tanzania Boundary Dispute" (n.d.).
[61] *Ibid*., p. 10.

Heligoland Agreement of 1890. He submits that the treaty was plain and cannot be affected by any other admission.[62] He realises, however, that considerable confusion had arisen since that time.[63] As a historical paper, I look at how different events and pieces of evidence relating to the treaty have resulted in divergent interpretations regarding the border on the Lake Nyasa area thereby causing misunderstandings over the boundary between Malawi and Tanzania during and after colonialism. My argument is that the Anglo-German Treaty of 1st July 1890 should be the starting point for a historical analysis of the divergent interpretations of the border by the two countries. Below I present a few cases of misunderstandings emanating from the controversies presented above.

During the late 1940s, the British colonial government in Tanganyika raised some concerns over its territorial limits in the Lake Nyasa region. The concerns originated from the fact that the government wanted to exploit the fish resources in the lake. However, the government's understanding of its boundary with Nyasaland was not clear, especially with regard to the Anglo-German Agreement. On the contrary, the Nyasaland government claimed that the entire lake belonged to it, a claim based on the same agreement. Because of the decline in the amount of fish in the lake, the Tanganyika government sought to understand its jurisdiction, as the excerpt below shows:

> I have the honour to refer to Lake Nyasa and inquire into the extent of the jurisdiction of Tanganyika Territory over these waters. During recent years, the fishing on Lake Nyasa has deteriorated greatly and the Administration would like to take some steps to "stop the rot". When the fishery officer was asked for his advice, he stated he was only too willing to do all in his

[62]McEwen, *op. cit*., p.186.
[63]*Ibid*., pp. 177-178.

> power to help but he understood that Tanganyika had no rights in Lake Nyasa not even the right from the offshore.[64]

The above excerpt indicates that the officials of the Southern Province in Tanganyika, which had Lake Nyasa within its jurisdiction, did not know their territorial limits. Hence, the Chief Secretary of Tanganyika sought clarification of the matter from the Chief Secretary of Nyasaland. The two officials convened at Government House in Zomba, Nyasaland, on 24th December 1949. At this meeting, they allowed Tanganyika to use three miles of Lake Nyasa. A letter from Zomba reads:

> I am directed to refer to your letter No. 23601/11/53 dated 9th January 1950, on the subject of fishing rights in Lake Nyasa and to confirm that subject to the under-mentioned considerations, the Government of Nyasaland Protectorate grants to the Government of Tanganyika Territory fishing rights for Africans in Lake Nyasa within a three-mile limit from the Tanganyika Coast on the lake.[65]

From the letter above, it is obvious that the two governments resolved only issues pertaining to fishing, but did not address the border-related problems. Yet, it is not clear whether the three-mile distance included the islands as well. As such, it was a partial resolution, which left issues pertinent to the boundary untouched. Indeed, interterritorial issues between Nyasaland and Tanganyika were regarded insignificant by the Imperial British Government and as such were accorded little regard. At this time, Tanganyika was nearly at an exit door, which meant too little value to the British Government to give its material and administrative directives. Thus, the British Government did not provide its paternal role in resolving the dispute between the two sovereigns.

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[64]Tanzania National Archives, Dar es Salaam, *Fishing, Lake Nyasa, Draft Note on Discussions Regarding Tanganyika Territory Fishing Requirements Held at Government House, Zomba, 20 December 1949*. The quotation above is a letter from the Provincial Commissioner of the Southern Province in Lindi to the Chief Secretary of Tanganyika Territory in Dar es Salaam dated 27 May1949.

[65]*Ibid.*, A letter from the Chief Secretary of Nyasaland in Zomba to the Chief Secretary of Tanganyika Territory in Dar es Salaam dated 21 October 1950.

Contentions between the two colonial governments continued to surface in the 1950s. The imperial government in London was equally involved in matters pertaining to the border dispute on the Lake Nyasa area. The most serious area of contention was the interpretation of the evidence which established the sovereignty of German East Africa and later Tanganyika under the British government, with respect to the islands, waters and the limits of their jurisdictions. Correspondence between colonial officials will help us analyse and draw some conclusions on this issue. The Deputy Governor of Tanganyika wrote to the Secretary of State for Colonies in London, concerning the boundaries of Tanganyika. In the letter he said the following regarding the boundary between Tanganyika and Nyasaland:

> **"To the West with Nyasaland (Lake Nyasa):** Commencing at the point where the parallel of latitude of the confluence of the Rovuma River and Msinje River meets the eastern shore of Lake Nyasa (such point being the terminal point of the boundary between the Tanganyika Territory and Portuguese East Africa). The boundary follows the eastern, northern and western shores of Lake Nyasa to the mouth of the Songwe River. The islands in Lake Nyasa adjacent to the above-mentioned lake shores form part of the Tanganyika Territories". It is understood that this description was taken from the Anglo-German Convention of 1890. Unfortunately, no copy of that Convention can be traced in this Territory. I shall, therefore, be grateful if you will supply me with either a copy of the Convention or an extract concerning the boundary on Lake Nyasa. It will be helpful if you could send me at

> the same time a copy of Admiralty Chart No. 3134 which I believe is the most up to date of the Northern part of Lake Nyasa.[66]

The above quotation raises doubts with regard to the sources that the Tanganyika government had used to make this boundary. First, the Anglo-German Treaty did neither refer to the islands, nor did any documents to the date of this telegram show such a jurisdiction of the islands. Second, while the first sentence cited the treaty, the Deputy Governor did not mention the title of the document he was referring to. This provides grounds for one to believe that such a view on the islands comes from the fact that the German and Tanganyika administrations thought the islands had been located within their territories.

In his letter, the Secretary of State for Colonies in London regretted that he was unable to supply a copy of the 1890 Anglo-German Agreement concerning the spheres of influence of the two colonies. The letter also quoted the Anglo-German Treaty of 1890. However, the letter did not mention the islands. In addition, the letter confirmed that Admiralty Chart No. 3134 was the most up to date document that covered the northern part of Lake Nyasa. He asked the Crown Agents for Oversees Governments and Administrations, Mr. K. G. Fry, to purchase a copy of the Admiralty Chart and forward it directly to the Deputy Governor.[67] A reply from the Crown Agents of the Colonies and Administrations directed the Deputy Governor to obtain a copy of the publication he had requested. The copy had to be obtained from the Hydrology Department of the Navy, Admiralty Hydrographic Supplies Establishment, and the cost of the chart had to be charged to the Tanganyika government's account.[68]

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[66]British National Archives, London, *The Boundaries of Tanganyika in the Northern Part of Lake Nyasa*, Saving telegram from the Governors Deputy, Dar es Salaam, Tanganyika Territory, to the Secretary of State for the Colonies, London, 18 November 1958.

[67]*Ibid*. Saving Telegram from the Secretary of State for the Colonies, London, to the Officer Administering the Government of Tanganyika, 9 December 1958.

[68] *Ibid*, Saving telegram from the Crown Agents, Mr. K.G. Fry, East African Department, London to The Governor's Deputy, Dar es Salaam, Tanganyika Territory, 9 December 1958.

As shown, the two correspondences cited above give directives to the government of Tanganyika to find documents, rather than clarifying the boundary. Thus, a number of questions are unanswered. First, a reply from the Secretary of State for Colonies, who was charged with colonial matters on behalf of the British government, did not clarify the issues pertinent to the boundaries of Tanganyika. Second, there is a confusion regarding the sources for the valid reference of the boundary on the Lake Nyasa area. Apart from mentioning the treaty, the Secretary also referred to the chart. Yet, he did not indicate whether the so-called up-to-date edition of the chart was a conclusive piece of evidence for reference, and not the treaty. This clearly indicates contradictions in the sources. Third, no piece of evidence indicates that the Tanganyika government received and used the suggested chart as a reference to the boundary in question. As a consequence, this boundary confusion continued.

While these uncertainties were evident in the various quarters of the British colonial administration, the Commissioner for Rhodesia and Nyasaland who was based in Nairobi, Kenya, wrote to the Tanganyika government, claiming, among other things, that the islands in the northern portion of Lake Nyasa belonged to Nyasaland. Similarly, the Government of the Federation of Rhodesia and Nyasaland recognised its boundary with Tanganyika to be the one described in the Anglo-German Agreement of 1890.[69] Upon receipt of the letter, the Deputy Governor of the Tanganyika Territory directed the Ministry of Lands and Mineral Resources to reply to the letter. Among other things, the Minister wrote:

> The Tanganyika Government has no documents which indicate the 'sphere of influence' of Great Britain, nor has it any copy of the map mentioned in Article 2. The question then arises whether the Lake Nyasa came under the 'sphere of influence' of Great Britain. We have been unable to trace no documents or books which

[69]*Ibid*, A letter from the Commissioner of Rhodesia and Nyasaland, Nairobi, Kenya, to Governor's Deputy, Tanganyika Territory, 28 November 1958.

> would clarify this point. Reference has been traced to an agreement of 1884 which seems to indicate that the Zambezi River and Lake Nyasa were recognised as international water ways. This would mean that Lake Nyasa was outside the 'sphere of influence' of either German or Great Britain. The 'Congo Basin' Treaties signed in Berlin in 1885 seem to bear out this contention. From such German records as are held by the Tanganyika Government, it would appear that these islands were always regarded by the Germans as coming under their jurisdiction. The largest of these islands, Lundu off Mbamba Bay, was used as a leper settlement during the German regime and as well as under the British up to 1927 (c.) when it was removed to the mainland at Ngeke (nr. Liuli). In general, the islands have been administered by the de jure Government of Tanganyika. It may well be that the occupation of these islands for some 70 years by both the German and British Administration of Tanganyika has created a prescriptive right to these islands.[70]

In addition, this letter was submitted to the colonial authorities in the United Kingdom. The Tanganyika government thought that the Secretary for Colonies in London would be approached by the Federal Government of Rhodesia and Nyasaland for clarification of the matter.[71] However, there is no evidence indicating that the Federal Government of Rhodesia and Nyasaland approached the colonial government in that regard. In similar vein, no evidence shows that the British government clarified the issue of the boundary.

Based on the correspondences cited above, we can argue that the border contention between Nyasaland and Tanganyika is embedded in the silences of the treaty and

[70]*Ibid*. Letter from R. Craufurd-Benson, Ministerial Secretary, Ministry of Lands and Mineral Resources, Tanganyika Territory to the Commissioner for Rhodesia and Nyasaland, Nairobi, Kenya, 24 January 1959.
[71]*Ibid*. Saving telegram from the Governor's Deputy, Dar es Salaam, Tanganyika Territory to the Secretary of State for the Colonies, London, 27 January 1959.

sluggishness on the part of the British administrators both in the Metropole and the two colonies. First, it seems that Article VIII of the Anglo-German Treaty was interpreted as granting a free zone for trade and navigation without clearly specifying issues of sovereignty. In effect, both colonial states believed that they had sovereign rights over the waters of the lake. Yet, the British Metropolitan government paid very little attention to this contention. As such, the states did not know how to handle this matter. Thus, neither the documents nor the colonial states defined clearly the boundary between the two states. A. C. McEwen calls such a confusion a genuine ignorance of the true position of the boundary, a genuine ignorance that has been fortified by certain erroneous assumptions expressed on maps and in public documents.[72]

Probably, McEwen's view assumes that the colonial and post-colonial states were really 'ignorant' of the treaty and other supporting documents, and thus their confusion did not have any effect on disputing the boundary on the Lake Nyasa area. But he does not say why they were ignorant of the treaty, given the fact that the colonial states were well-established institutions with political and legal apparatus. Thus, we cannot take this proposition for granted. For each colonial state, territorial expansion and possession were key requisites, thus the weaknesses of the documents in relation to the boundary constituted a loophole for either nation-state to claim that the territory that had not been clearly defined belonged to it or to its counterpart. It is in relation to this argument that I find the normative theory is applicable to explain the cause of the Malawi-Tanzania border dispute, in that if boundary treaties are not clear, they leave room for states to stake claim to territories. This idea is also supported by Wafula Okumu, who argues that, although the 292-mile Tanzania-Malawi border was defined by a joint British and German boundary commission in 1898 and the Anglo-German Agreement of 1901, it was not determined in detail.[73]

[72]McEwen, *op. cit*., p. 178.
[73]W. Okumu. "Resources and Border Disputes in Eastern Africa." *Journal of Eastern African Studies*, 4:2 (2010): 294.

In connection with the confusions presented above, there is the question of the practicability of the Anglo-German Treaty of 1890 because of the incompleteness of the boundary making process. It is correct to conclude that the boundary was not demarcated. Thus, the treaty can be said to be wholly static, although the grounds on which the treaty was to be executed were essentially dynamic. This has made it difficult to determine where exactly the boundary was situated. The other boundaries in the Lake Nyasa region, such as the boundaries between Portugal and Germany, Portugal and Britain, and Britain and Germany, were clearly defined and demarcated. With the exception of the boundary between Tanzania and Malawi, the others were demarcated using such permanent physical objects as beacons. Also, descriptions of the boundaries were provided. In places where the objects were not visible or their numbers had become illegible, they were replaced with more accurate objects.[74]

At this juncture, it is clear that the eastern shore boundary which was defined by the Anglo-German Treaty of 1890 and which was confirmed in 1891 was not demarcated on the ground. In this state of affair, McEwen argues that diplomatists and surveyors viewed that a boundary defined in terms of a lake shore was self-demarcating, and thus required no physical demarcation as water limits were at that time popular. The adoption of water limits had two advantages at the time. First, the presence of water features in partitioned areas provided valuable geographical material during the bilateral negotiations, especially in unexplored and unmapped areas. Second, the adoption of water boundaries meant reduction of the fieldwork labour.[75]

On the basis of the above explanations, I concur with Wafula Okumu's view that border disputes in Eastern Africa are caused, among other things, by the lack of clearly defined and marked boundaries. I specifically agree with him with respect to his argument that the Tanzania-Malawi border dispute highlights one of the most blatant colonial boundary

[74] For a comprehensive work of demarcation of boundaries in Lake Nyasa region, see B. Ian, *op. cit.*, pp. 971, 1123-1135. Also, most of all boundaries that were defined were demarcated on the ground.
[75]McEwen, *op. cit*., pp.78-79, 195.

making errors.[76] In a similar fashion, A. T. Aghemelo and S. Ibhasebhor argue that the international agreements of the era of the scramble for Africa are a source of conflicts among African states; they call such agreements an 'unhappy legacy of colonialism'.[77] This unhappy legacy of colonialism has haunted most post-colonial states. This is so because some problematic boundaries made during the colonial period were left unresolved because the governments accorded priority to other issues.

5.0 Conclusion: Reflecting the Normative theory

In brief, throughout the German colonial period, the boundary in the Lake Nyasa area remained ambiguous because the respective powers did not address the issue of ownership of the offshore islands, fluctuation of the eastern shore and execution of actual surveys and boundary demarcation. What was done by both powers was in contravention of the treaty. Consequently, German sovereignty and later colonial Tanganyika sovereignty extended beyond the territorial limits as provided for in the treaty, while Britain Nyasaland never occupied the lake waters beyond the middle of the lake. Due to these anomalies, after WWI the British colonial states of Tanganyika and Nyasaland disputed this border on the basis of the different interpretations of the treaty. Similarly, drawing on the precedence of the colonial past, President Banda's administration in Malawi and later succeeding presidents in Malawi regarded the treaty as a complete legal and political document that situated the boundary on the eastern shore of the lake. However, this was a static view because Malawi overlooked other provisions of the treaty and hardly asked whether the treaty was complete or not. In this regard it is hard for Malawi to state categorically where the eastern shore of the lake was, given the expansion of the lake over the years. On the contrary, Tanzania administration said that the boundary she shared with Malawi was situated in the middle of the lake. Tanzania's position was based on the 'incompleteness' of the Anglo-German Agreement, experiences

[76] Okumu, *op. cit*. pp. 279; 293.

[77] A. T. Aghemelo and S. Ibhasebhor. "Colonialism as a Source of Boundary Dispute and Conflict among African States: The World Court Judgement on the Bakassi Pennisula and its Implications for Nigeria." *Journal of Social Sciences*, Vol. 13, No. 3 (2006): 177.

from other shared international water bodies as well as a past precedence based on the presence of the Germans up to the middle of the lake. However, Tanzania's claim regarding the median boundary is equally questionable. It is impossible to locate such a boundary for a boundary that was not demarcated and was shifted over the years. Generally, the claims of both states indicate that the treaty in question was contradictory, and therefore it was the source of the Malawi-Tanzania border dispute. This argument affirms the relevance of the normative theory, which states that, whereas international treaties were not clear and consistent, they provided the basis for adjoining countries to contest their boundary. In contrast, the sturdiness of the international treaty, which divided the two countries, provided room for them to reach an agreement to adopt the treaty. From the claims and counterclaims presented above, it is evident that the two countries cannot use the treaty as a justification for situating the boundary either on the eastern shore or in the middle of the lake. The treaty may, however, provide a basis for the two nation-states to renegotiate or go on in mediation of their shared boundary and rectify the errors noted.

A Long Way to Dodoma: Deconstructing Colonial Legacy by Relocating the Capital City in Tanzania

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Abstract

The decision taken by the Tanzanian government to relocate its capital from Dar es Salaam to Dodoma in 1973 and the subsequent attempts to implement it is an important event that has not been thoroughly discussed by historians. Most of the knowledge of this event is in the form of the reports prepared by town planning experts during the 1970s. This paper addresses this lacuna by reconstructing a comprehensive history of the event in question. It examines, among other issues, the extent to which the decision to move the capital to Dodoma after independence was justified by the concepts of socialism (Ujamaa), national identity and the colonial legacy. An attempt is made to piece together the disjointed accounts from the various sources of information on the decisions and measures that were taken to move the capital after independence. This paper, unlike other studies, traces the idea of relocating the capital to the colonial period. It makes intensive use of archival information gathered from London and Dar es Salaam, and also benefits from the vast amount of information collected from newspapers and parliamentary records.

Key words: capital, relocation, *ujamaa*, legacy and identity.

1.0 Introduction

Attempts to move the seat of the Tanzanian government from Dar es Salaam to Dodoma started with the Germans and British, who planned to establish an inland capital. There is ample archival evidence of discussions on this matter. For some reason, colonialism ended without any attempt to transfer the capital, but the idea did not die with the end of colonial rule. On 1st October 1973, President J.K. Nyerere announced the decision to move the capital from Dar es Salaam to Dodoma at the 16th Congress of the TANU party.[78]

[78] National Archives (London), hereafter NA, FCO 31/15559/JET 1/8, "The New Capital of Tanzania", Foreign and Commonwealth Office, 20th October 1973. TANU stands for Tanganyika African National Union.

Although there are several documented reasons for TANU's decision to move to Dodoma, there has not been much focus on how such decision was influenced or strengthened by the concepts of national identity, the *Ujamaa* philosophy and the colonial legacy. By the turn of the twenty-first century, relocation to Dodoma had, apart from various measures that the government had already taken, not been fully achieved, with the views of newspaper reporters suggesting that the project was bound to fail. In 2016, however, the government renewed its interest in moving the capital to Dodoma. Since then, several ministries, including their employees and senior government officials, have moved to Dodoma. This paper, apart from documenting the various reasons for relocating the capital, traces its history to the colonial and post-colonial politics of relocation. It bears testimony to the fact that the decision to move to Dodoma after independence was formerly driven by geographical and political factors, which were later reinforced by the fact that the government wanted at the same time to site its capital in Dodoma town which, unlike Dar es Salaam, was less influenced by the colonialists.

Map 1: The Regions of Tanzania

Source: By courtesy of Costa Mahuwi, Map ©: Costa Mahuwi, Cartographic Unit, University of Dar es Salaam, 2017.

2.0 Conceptualization of Capital *vis-à-vis* Capital Relocation

The concept of a capital city can be understood as a city where a country's political seat is based.[79] Only in countries like the Netherlands, Bolivia or Malaysia are their political seats detached from their capitals.[80] A capital city is the epitome of country's national identity, as it exhibits its cultural, political and symbolic images.[81] Capital cities act as the locus of 'national pride', host national ceremonies and commemorations, and

[79] Vadim Rossman. *Capital Cities: Varieties and Patterns of Development and Relocation* (London: Routledge, 2017), p.13.
[80] *Ibid*.
[81] *Ibid*.

accommodate important national institutions or facilities such as the state house, law courts, the central bank, museums, public universities, the airport and theatres.[82] They differ from other cities in that "they take on a particular political meaning".[83] For example, they are sometimes designed in a particular architectural style as the government's political symbol.[84] Scholars have argued that capital cities not only act as the economic powerhouse of nations, but they also are places purposefully chosen for political reasons.[85] Evidence in several studies supports this argument.[86] Vadim Rossman argues that "both the very concept of capital and the proposals for capital relocation are often based on certain concepts of state and power", the so-called "normative tasks of the state".[87]

However, political reasons alone do not explain why countries embark on relocating their capital or why such projects have proliferated across the world in recent years.[88] Relocating a capital may also be due to the need for security, or because the government wants to experience what Rossman calls "national spatial perception."[89] Relocating capitals is therefore a nation-building project aimed at achieving different national goals.[90]

[82] Enid Slack and Rupak Chattopadhyay. "Introduction", in Sack and Chattopadhyay (eds.). *Finance and Governance of Capital Cities in Federal Systems* (Canada: McGill-Queen's University Press, 2009), p.3; Fassil Demissie. "Imperial Legacies and Postcolonial Predicaments: An Introduction", in Fassil Demissie (ed.). *Postcolonial African Cities: Imperial Legacies and Post-Colonial Predicaments* (Abingdon: Routledge, 2007), p.2; Simon Bekker and Goran Therborn. "Introduction", in Simon Bekker and Goran Therborn (eds.). *Power and Powerlessness: Capital Cities in Africa* (South Africa: HCRC Press, 2012), p.1.

[83] See, for example, Michael Minkenberg (ed.). *Power and Architecture: The Construction of Capitals, the Politics of Space, and the Space of Politics* (Germany: Berghahn Books, 2014), p.6.

[84] *Ibid*.

[85] Bekker and Therborn, "Introduction", pp.,1-2.

[86] Blair A Ruble. "Foreword", in Vadim Rossman. *Capital Cities: Varieties and Patterns of Development and Relocation* (London: Routledge, 2017), p. x; Simeon Mesaki. "The Conception and Building of the New National Capital City in Dodoma, Tanzania, 1973-1981." Paper presented in Conference for Research in Progress at the University of York (March 22-24, 1982), p.1.

[87] Rossman, *Capital Cities*, *ibid*., pp.1-3.

[88] *Ibid*, p.xiii.

[89] *Ibid*., pp.1-4.

[90] *Ibid*., pp.6-7.

According to Lawrence J. Vale, "many capital cities are where they are because of who else is nearby and how close," hence the concept of a neutral centre.[91] Although this factor applies in different countries, it cannot fully explain why several African countries chose to relocate the capitals they inherited from their colonial masters. A.J. Christopher argues that "decolonization [in Africa] led to expectations that independent governments would establish new capitals devoid of the imprint of alien powers."[92] As a matter of fact, Africans were of the opinion that locating the seat of government at the geographic centre of their country would simplify administration and neutralize the colonial centre-periphery legacy. Another reason was that African nationalist leaders wanted to replace colonial capitals with new capitals, as they thought that the former were nothing other than colonial sites. However, some relocation projects in Africa were the idea of senior government leaders who advocated relocation for their own interests.[93] Relocation of this kind is often directed at achieving what Vale calls personal identity or sub-national identity.[94]

Generally, the relocation of capitals in Africa not only resulted from the fact that governments wanted to base their administrative activities at the geographic centre, but also from the nationalistic desire to reconstruct indigenous urban images which had been destroyed by western imperialism.[95] The inherited African capital cities bore huge imprints of colonialism in terms of their architectural design, their residential patterns and their monuments.[96] As a result, "independence brought a reappraisal of the inherited

[91] Lawrence J. Vale. "Capital Architecture and National Identity", in Michael Minkenberg (ed.). *Power and Architecture: The Construction of Capitals and the Politics of Space* (Germany: Berghahn Books, 2014), p.35.
[92] A.J. Christopher. "Continuity and Change of African Capitals." *The Geographical Review*, Vol. LXXV (1985): 44.
[93] *www.malawiproject.org*, last accessed on 26th July 2017.
[94] See, for example, Vale, "Capital Architecture and National Identity", *op.cit.*, pp.32-37.
[95] For a thorough discussion on how western imperialism destructed African indigenous urban culture see Aidan Southall. "The Impact of Imperialism upon Urban Development in Africa", in Victor Turner (eds.). *Colonialism in Africa*, Vol.3 (Cambridge: Cambridge University Press, 1971), pp.216-253.
[96] Discussion on the cultural legacies of imperialism can be seen in Dominik Geppert and Frank Lorenz (eds.). *Sites of Imperial Memory: Commemorating Colonial Rule in the Ninetieth and Twentieth Centuries* (Manchester: Manchester University Press, 2015).

capitals with their foreign images".[97] Moreover, colonial capitals were established at strategic points or at 'headlink positions' to make it easier to control the colonies and exploit their resources.[98] To reverse this colonial 'organization of space', new capital cities shorn of imperial legacies had to be established at sites chosen by Africans themselves.[99]

Even in countries where colonial capitals were retained, efforts were made to 'africanize' them. As Fassil Demise observes, "urban Africans "are remaking and imprinting postcolonial cities with their own forms of urbanity".[100] A dramatic development in East Africa was the case of Nairobi, where the government changed its inherited imperial images after independence. In Nairobi, as elsewhere in East Africa, colonial monuments were replaced by new monuments and all streets with colonial names were renamed.[101] Similar changes in street names took place in Dar es Salaam, as several streets with British names were renamed in the early 1960s.[102] The elders of Dar es Salaam had even wanted to replace the inherited Askari Monument, which sits at the city centre, with a statue of Nyerere, but he turned down the offer.[103] These changes are explained by the fact that "the urban landscape and spatial layout of the capital city" should portray symbols of the state's authority, such as monuments, street names and public spaces, to mention a few.[104] Aleida Assmann and Linda Short maintain that the transfer of power or regime

[97] Christopher, "Continuity and Change", p.52.
[98] *Ibid*., p.46.
[99] Mesaki, "The Conception and Building of the New National Capital", *op.cit*., p.1. For the concept of organization of space see James R.Brennan and Andrew Burton. "Introduction", in James R. Brennan, Andrew Burton and Yusufu Lawi. *Dar es Salaam: Histories from an Emerging African Metropolis* (Dar es Salaam: Mkuki na Nyota, 2007), pp.4-5.
[100] Demissie, "Imperial Legacies and Postcolonial Predicaments", *op.cit*., p.2.
[101]Samuel Owuor and Teresa Mbatia. "Nairobi", in Bekker and Therborn (eds.). *Power and Powerlessness, op.cit.* p.125; Unnamed Reporter, "Majina ya Ukoloni Mwiko Nairobi," *Mwafrika*, 7th April 1964, No.1, 209.
[102] Tom Mgondah, "Majina ya Barabarani Mjini", *Ngurumo*, No.805, 18th November 1961, p.2; Anonymous Reporter, "Tubadili Sasa Lumumba Street", *Ngurumo*, No. 769, 6th October 1961, p.3.
[103] Peter D.M. Bwimbo. *Mlinzi Mkuu wa Mwalimu Nyerere* (Dar es Salaam: Mkuki na Nyota Publishers, 2015), pp.39-40.
[104] Bekker and Therborn, "Introduction", in Bekker and Therborn (eds.). *Power and Powerlessness, op.cit*., p.1.

change is usually followed by "an abrupt reorganization of memory", which involves, *inter alia*, changing street names.[105]

Tanzania, like other African countries, followed in the footsteps of countries in other continents which had successfully relocated their capitals. Brazil and Pakistan are good examples, as their old cities of Rio de Janeiro and Karachi were replaced by Brasilia and Islamabad in the 1960s, respectively.[106] Malawi's capital was the first to be relocated in post-colonial sub-Saharan Africa. In 1965, Hastings Kamuzu Banda, the first president of Malawi, declared that Lilongwe, not the former colonial capital of Zomba, would be the political seat of government.[107] Tanzania followed suit in 1973. In 1975, the Nigerian government joined the race by announcing its decision to move its federal capital from the over-populated Lagos to the more central, environmentally healthier and less populated town of Abuja.[108] By 12th December 1991 Abuja had become the new capital of Nigeria.

3.0 Tracing the Idea of Relocation to German and British Times

As already mentioned, the decision to relocate the seat of the government from Dar es Salaam to Dodoma was made long before independence. Between 1915 and 1916, the Germans toyed with the idea of establishing a new capital or a 'hill station" inland.[109] In 1916, for example, they surveyed Kisii and Buga sites in Morogoro.[110] They were prejudiced against Dar es Salaam, the capital (*Hauptstadt*) they had painstakingly built in the late 19th century, because it recorded a high number of deaths from malaria and because its

[105] Aleida Assmann and Linda Short. "Memory and Political Change: Introduction", in Aleida Assmann and Linda Short, *Memory and Political Change* (UK: Palgrave Macmillan, 2012), p.3.
[106] See, for example, Christopher, "Continuity and Change", *op.cit*., p. 52; Bekker and Therborn (eds), *Power and Powerlessness*, p.3; Orestes Yakas. *Islamabad: The Birth of a Capital* (London: Oxford University Press, 2001), pp.1-9.
[107] *www.malawiproject.org*, last accessed on 27th July 2017; Christopher, "Continuity and Change", *op.cit*., p.52.
[108] Laurent Fourchard. "Lagos", in Bekker and Therborn (eds), *Power and Powerlessness*, *op.cit*., pp.66-78; Wale Adebanwi. "Abuja" in Bekker and Therborn, *Power and Powerlessness*, *op.cit.*, pp.84-101. See also *www.britanica.com*, last retried on 27th July2017; J. Isawa Elaigwu. "Abuja, Nigeria", in *Finance and Governance of Capital Cities in Federal Systems* (Canada: McGill-Queen's University Press, 2009), p.201.
[109] Mesaki, "The Conception and Building of the New National Capital", *op.cit.*, p.2.
[110] Tanzania National Archives (hereafter TNA), No. 20961/29, Director of Public Works to Chief Secretary (hereafter CS), 15th November 1932.

climate was too humid for them to settle there.[111] However, their efforts to relocate their *Hauptsadt* did not bear fruit. The outbreak of the First World War shattered their hopes of implementing the idea. During the war, they moved their Central Office (*Zentral Buero*), including volumes of government files and papers, to Morogoro (and soon afterwards to Tabora), due to fear of the impending bombardment of Dar es Salaam by the British Navy.[112]

The transfer of Tanganyika to the British as a Trust Territory after the First World War brought with it a new hope among British officials of building an inland capital. In the first instance, the British translated the German survey report, hoping to use the sites mentioned therein.[113] Lying 25 miles south of Kidete, the German sites were recommended by certain government officials on account of their flat landscape and abundance of streams.[114] Attracted by the sites, the Treasurer suggested that the Kings African Rifles should be stationed there for a particular period of time to gather more information about the sites.[115] Like their predecessors, the British wished to establish "a special capital or a hill station" in place of Dar es Salaam.[116] During the 1930s, government officials had abandoned the idea of using the German sites, and so looked for a site in the centre of the country. [117] However, the government lacked the finance and political will to effect the move. This was clearly revealed by the Chief Secretary on 31st May 1932, "a move from Dar es Salaam is not practical politics immediately."[118] Although the government was financially unable to embark on the project in the early 1930s, preliminary surveys and earmarking of potential inland sites continued until 1936. In September 1932, the Chief

[111] Mesaki, "The Conception and Building of the New National Capital'', *op.cit*., p.2.
[112]Joseph Kulwa Kahama. *SIR GEORGE: A Thematic History of Tanzania through His Fifty Years of Public Service* (Beijing: Foreign Language Press, 2010), p.73; Adolf C. Mascarenhas. "The Port of Da es Salaam." *Tanzania Notes and Records,* hereafter TNR, No.71 (1970), p.92. For transfer of records see J.M. Karugila. "A National Archives in a Developing Country." *TNR*, Nos.84 & 85 (1980), p.118.
[113]The report was compiled by Dr. Schnee, the Governor of the German East Africa Protectorate. Seen in TNA, No. 20961/20, from Assistant Registrar General of Documents to the Land Officer, 14th October 1932; TNA, No. 20961/1, Minutes by CS, 31st May 1932.
[114] TNA, No. 20961/2, "Site for Capital or Hill Station", Minutes by Treasurer, 30th May 1932.
[115] *Ibid*.
[116] TNA, No.20961/3, From CS to the Directory of Surveys, 9th June 1936.
[117] TNA, No.20961/5, Minutes by CS, 28th September 1932.
[118] TNA, No.20961/1, Minutes by CS, 31st May 1932.

Secretary commented that it was worth canvassing the merits of alternative places and exploring sites which might be suitable, and it would also be expedient to obtain the opinions of Europeans and Indians on the subject.[119] Mr. Gillman and Colonel Maxwell were commissioned to prepare a memorandum on the project.[120] This task was completed in October 1932, and the document was forwarded to all senior government officials for their comments.[121]

The choice of the site for the capital was greatly contended, because three major considerations needed to be taken into account in selecting the site. First, the site should "naturally depend very largely on the governmental functions to be discharged there." Second, it should have a suitable climate and an adequate source of water, and third, it should be located at the geographic centre of the territory to facilitate communication.[122] In connection with the first criterion, there was also the question of "whether the Government and industrial and commercial headquarters should be together or separate."[123] The government was worried that if the separate view was upheld, then it would have been detached "from the economic life of the country," implying long journeys by businessmen or bankers, for example, wanting to meet high-level government officials on business matters.[124] It was emphasised that choice of the site should be based on geographical or climatic factors if the administrative activities of the government were detached from the commercial centres of the country. "If the limiting factor [was] accepted, that is putting government and commercial activities together, the choice [was] restricted to Dodoma, Mwanza, Arusha, Moshi or Morogoro".[125] However, of all the possible sites reviewed, Dodoma was considered the most suitable. The following commentary revealed the advantages and disadvantages of siting the capital in Dodoma:

[119] TNA, No.20961/5, Minutes by CS, 28th September 1932.
[120] *Ibid*.
[121] *Ibid*.
[122] TNA, No.20961/6 "Possible Move of Capital of Tanganyika from Dar es Salaam," 8th October1932
[123] *Ibid*.
[124] *Ibid*.
[125] *Ibid*.

> Dodoma is an important road, rail, and air junction, and probably the most accessible place in the Territory. It has no economic resources of its own (even in this "plant more crops" year its produce will not, I think, exceed 4,000 tons'.) and no non-native population to speak of, nor reasons why there should ever be any. There being no water, there are few mosquitoes and it is comparatively healthy, but much hotter than Dar es Salaam at certain seasons of the year. As soon as a large town grew up, malaria would no doubt appear, but might not be difficult to control. Of the sites discussed so far, Dodoma is probably the least unsuitable.[126]

Explanations were given as to why other regions in Tanganyika did not match Dodoma. For example, Arusha was considered unsuitable because land would be quite expensive to acquire there, and was, together with Mwanza and Moshi, described as being "too eccentric to the territory."[127] The climatic and health environment of Morogoro made it unfit for being the capital. The Uluguru Hills would have been a potential site if it were less precipitous and not so overpopulated. Tukuyu and Songea were automatically rejected for being "completely eccentric to the Territory," and Tabora was found to be highly infested with tsetse flies.[128] Despite its reliable source of water from Ruaha River, Iringa was thought to be located too far from the central railway line, and it would have cost a whopping £1.5 million to build a connecting line.[129]

In view of the foregoing, the British selected Dodoma by the process of elimination. A list of possible sites was created and each was critically reviewed. The site had to meet the five following requirements: (i) easily accessible by existing forms of transport; (ii) a relatively healthy climate; (iii) a reliable source of water; (iv) the availability of natural sources of fuel; and (v) enough space for future expansion of the township.[130] Three more requirements were added later: (1) it must be easy to obtain enough workers and food locally; (2) the distance from the railway line should not exceed 20 to 30 miles; and (3)

[126] *Ibid.*
[127] *Ibid.*
[128] TNA, No.20961/11, "Note on a Possible Site for a Future Capital of Tanganyika Territory," October, 1932.
[129] *Ibid.*
[130] *Ibid.*

consideration should be given to the future development of the Territory in regard to settlements, minerals, and other things needed by the capital.[131] Of all the climatic requirements, altitude was the most important. It was decided that an altitude of 4000 feet would be conducive to "the mental and physical well-being of the Europeans in East Africa".[132] All these requirements confirmed Christopher's argument that the relocation of capitals in colonial Africa resulted from "the administrative rearrangements of the colonial powers, the quest for healthy sites and the recognition of altering economic circumstances".[133]

4.0 Dodoma Site Confirmed

Although one of the reasons for selecting Dodoma was its central position, other similar sites had been suggested before. For example, although Itigi was believed to be the actual centre of the country, it was too dry, and so it was eliminated in favour of places nearby, like Kilimatinde and Manyoni.[134] None of these places met the interests of the British Officials. The reasons for choosing Dodoma were that it was located almost at the centre of the country, it was "the best junction for any north and south Railway, and [was] already on the Great North Road".[135] Although Dodoma was semi-arid, the fact that it was healthier than Dar es Salaam, it had magnificent hilly surroundings that were an appealing sight and it had "unlimited space" cleared any doubt about the possible future expansion of the capital.[136] "I have always held the view", opined the Chief Secretary, "that if the capital is ever moved from Dar es Salaam it must move to Dodoma".[137]

Another reason was given. Government departments and institutions, distributed as they were, could best be connected to the central government if its seat were to be established in Dodoma. As shown in the table below, of all the nine departments existing in

[131] *Ibid*.
[132] *Ibid*.
[133] Christopher, "Continuity and Change", *op.cit*., pp.48-49.
[134] TNA, No.20961/11, "Note on a Possible Site for a Future Capital of Tanganyika Territory," October 1932.
[135] *Ibid*.
[136] TNA, 20961/16, from CS to PC, Dodoma, 8th October 1932.
[137] *Ibid*.

Tanganyika, only the Tsetse Research and Forestry Departments were temporarily established in Shinyanga and Lushoto, respectively, while the rest were permanently established in different places, and to transfer them, cautioned the Director of Public Works, would be extremely costly.[138]

Table 1: Distribution of Colonial Departments and Institutions in 1932

Name of the Department	Location	Status
Seat of the Government including Headquarters	Dar es Salaam	Permanent
Vertenary Department	Mpwapwa (Dodoma)	Permanent
Agricultural Department	Morogoro	Permanent
Geological Department	Dodoma	Permanent
Forestry Department	Lushoto (Tanga)	Temporary
Tsetse Research Department	Shinyanga	Temporary
East African Research Station	Amani (Tanga)	Permanent
East African Coffee Research Station	Moshi	Permanent

[138] TNA, No.20961/29, Director of Public Works to CS, 15th November 1932.

East African Meteorological Station	Tabora	Permanent

Source: TNA No. 20961/29, 11th November 1932.

A section of government officials objected to the idea of removing the seat of government from Dar es Salaam. For example, the Director of Medical and Sanitary Services for Tanganyika considered that Dodoma was not only too arid, prone to dust storms and strong winds, but was also full of flies and mosquitoes. Completely dissatisfied with it he wrote to the Chief Secretary: "Personally I should rather live in Dar es Salaam than in Dodoma".[139]

After the end of the First World War, the idea of a new capital city in the interior was unheard of in the British colonial government until 1960 when it was proposed again in the Legislative Council (LEGCO).[140] Although all members of the LEGCO had agreed upon moving the capital to Dodoma, Sir Ernest Vasey, the then Minister of Finance, declared that it was quite impossible for the government to raise money for the project, which was estimated to be £7,000,000, equivalent to Tanzania shillings 140,000,000.[141] In addition, the colonial state could hardly embark on such a project when it knew full well that independence was just around the corner.

5.0 The Campaigns and Reasons for Relocation after Independence

After independence, the idea of relocating the capital to Dodoma was once again brought up.[142] In 1966, Joseph Nyerere (MP) proposed in Parliament the relocation of the capital to Dodoma.[143] His proposal was based on the premise that moving the capital to Dodoma

[139] TNA No. 20961/49, Director of Medical and Sanitary Services to CS, 5th April 1933.
[140] The National Archives of London (hereafter NA), No. FCO 31/1559, "The New Capital of Tanzania," The British High Commissioner at Dar es Salaam, Diplomatic Report No.474/73, 20th October 1973.
[141]Tanzania National Assembly Hansard, September-October 1973, p.493.
[142] Dodoma as well as Singida was part of the former Central Province during British period. It became an independent region in 1963. See, for example, *http://www.dodoma.go.tz/profile*, last accessed on 2nd April 2020.
[143] Parliament of the Republic of Tanzania, Hansard, 22nd -28th February 1966, pp.325-331.

was in line with national development. According to him, Dar es Salaam was located at the edge of the country, leaving many regions, especially inland regions, unfairly connected to the country's capital in terms of distance, with the result that the country seemed bigger than it would be if the capital were to be located at its geographic centre. He went on to explain that it complicated administration of the country, as people had to travel a long way from Dar es Salaam to inland regions. He therefore thought that locating the seat of government at the centre of the country would reduce the distance considerably, while at the same time arresting the apparent imbalance in the development of some regions, which some Members of Parliament had been complaining about.

Following this proposal, a week-long parliamentary debate ensued, attracting numerous yet conflicting comments from various MPs and Ministers.[144] The critics faulted the proposal on various grounds. They argued that the the idea was premature, expensive and uneconomic, and was likely to inflame feelings of regionalism in the country. In particular, Paul Bomani argued against separating the capital from the University of Dar es Salaam, which was the country's think tank. He was of the opinion that should the government choose to relocate, it should consider building another university in Dodoma. The protagonists seconded most of Nyerere's arguments above.

Although the proposal got the support of the majority, including the President, the government was financially ill-equipped owing to many other public activities which needed immediate attention. But as time went by, some events took place that not only strengthened the proposed idea but also popularized it. For example, The Project Planners Associates Limited of Toronto (PPA) surveyed Dar es Salaam between 1966 and 1968 and reported that it was unfit to be a capital.[145] The report stirred the TANU leaders

[144] *Ibid*., pp. 444-488.
[145] http://www.dodoma.go.tz/profile, last accessed on 2nd April 2020. See also E. Mtei, "Town Planning Revolves Around the People: A Record of Ten Years," *TNR*, No.76 (1975), p.182.

to continue the debate on relocation. In his speech on 27th January 1972, Nyerere hit the nail on the head when he critiqued TANU's administrative system. He saw that over-centralization of government power in Dar es Salaam impinged on TANU's commitment to achieving rural development or *maendeleo vijijini*.[146] He foresaw the challenge of achieving *maendeleo vijijini* if all the Principal Secretaries, *Makatibu Wakuu*, were allowed to continue discharging their duties from Dar es Salaam.[147] Implicit in Nyerere's speech was the dire need to move the capital to a convenient site inland.

At Party level, the then Mwanza Region TANU Committee set the wheels in motion by launching a campaign to relocate the capital.[148] The campaign received strong support from TANU's Central Committee, and because TANU was the only political party, it soon became a nationwide campaign. The Party organized a national referendum, whereby 1017 TANU District Committees supported the idea against 842 which did not.[149] These results showed that seven regions (Ruvuma, Mtwara, Kilimanjaro, Morogoro, Ziwa Magharibi, Lindi and Pwani) voted against relocation and the remaining 11 regions approved it.[150] At regional level, the picture was different, as 15 out of 18 regions voted for relocation.[151] Those which voted against the move were Kigoma, Ruvuma and Coast.[152] Those who did not attend Party meetings were not given the vote, although the government encouraged citizens to air their views in local newspapers.[153] On 1st October 1973, President Nyerere formerly announced the results, which were in favour of relocation. During the event, he underlined the point that the decision to move the capital to Dodoma must remain permanent.[154] In reviewing the reasons provided by those involved in the referendum, Nyerere highlighted the point that the majority had voted for Dodoma because it was

[146] Unknown Reporter, "Hotuba ya Rais Kwa Taifa January 27, 1972," *Ngurumo*, No.4184, 29th January 1972, p.2.
[147] *Ibid*.
[148] NA, No. FCO 31/1559, Report No.474/73, 20th October 1973; Mesaki, "The Conception and Building of the New National Capital", p.8.
[149] Parliament of the Republic of Tanzania, Hansard, September – October 1973, p.494.
[150] *Ibid*.
[151] *Ibid*.
[152] Mesaki, "The Conception and Building of the New National,''p.3.
[153] Parliament of the Republic of Tanzania, Hansard, September – October 1973, p.494.
[154] *Ibid*. p.498.

centrally located.[155] He emphasized that funds for the project should be sourced within the country.[156] Following this announcement, it was agreed that the capital would be moved from Dar es Salaam to Dodoma in ten years' time. The announcement was greeted with acclamation, with local bands, like *Morogoro Jazz*, improvising songs praising the decision.[157]

As a result of the above deliberation, the Prime Minister's Office was transferred to Dodoma. Between 1974 and 1990 six Prime Ministers in a row worked in Dodoma, namely Rashid Kawawa, Edward Sokoine, Cleopa Msuya, Salim Ahmed Salim, Joseph Warioba and John Malecela.[158] The actual transfer of the capital from Dar es Salaam to Dodoma took place in 1974.[159] A recorded symbolic event to mark this transfer involved a farewell party organized for Kawawa in Dar es Salaam Train Station.[160] Between 30th September and 1st October 1974, 132 families of the officials working in the Prime Minister's Office were received at Dodoma Train Station.[161]

The reasons for selecting Dodoma as the nation's capital are widely documented. First, its central position was thought to act as a convenient junction between the Great North Road (Arusha to Mbeya Road) and the East-West Road (Dar es Salaam to Mwanza Road).[162] Secondly, the region was described as having a comfortable climate and impressive landscape, making it more appealing than other towns."[163] Thirdly, although Dodoma was economically backward, it was thought that upgrading it to the status of a

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[155] *Ibid*., p. 494.
[156] *Ibid*., pp.499-500.
[157] Elizabeth Mahenge-Dandi. "Muziki wa Zamani wa Tanzania na Harakati za Ukombozi." https://books.google.co.tz/books?id=1fPPDwAAQBAJ&dq=kuhamia+dodoma&source=gbs_navlinks_s, last accessed on 5th April 2020.
[158] Luqman Maloto. "Makala ya Maloto: Kuhamia Dodoma Kumbukumbu Halisi Kumuenzi Mwalimu Nyerere." 23rd October 2019, *https://www.mwananchi.co.tz/habari/Makala/siasa/MAKALA-YA-MALOTO--Kuhamia-Dodoma-kumbukumbu-halisi-/1597436-5321900-n7pl38/index.html*, last accessed on 2nd April 2020.
[159] Brennan and Burton, "Introduction", p.58.
[160]*https://www.mwananchi.co.tz/habari/Makala/siasa/MAKALA-YA-MALOTO--Kuhamia-Dodoma-kumbukumbu-halisi-/1597436-5321900-n7pl38/index.html*, last accessed on 2nd April 2020.
[161] Simon Ng'hwaya. "Wahamia Dodoma," *Uhuru*, No.3133, 1st October 1974, p.1.
[162] See, for example, Cameron McNamara. "Strategic Plan for the Development of the National Capital Dodoma, Tanzania: A Review of the National Capital Plan," volume 2, (1988), p.2.
[163] *Ibid*.

capital would act as a springboard for its development.[164] After all, President Nyerere's philosophy of *ujamaa* opposed unequal development of the regions, which was a legacy of colonial rule. In January 1972, for example, he suggested that Dar es Salaam's financial hegemony over other regions should not be tolerated.[165] Announcing the decision to move in October 1973, he argued that the move to Dodoma was in line with *villagization*.[166] The fourth factor concerned other problems facing Dar es Salaam at the time, especially population pressure. Dodoma was expected to "offset many of the deficiencies of Dar es Salaam."[167]

There are two more important reasons. In the first place, because Dar es Salaam was a harbour, in 1966, Y.M. Nkurlu (MP for Iramba) argued that it was not strategically located to avert a possible external attack.[168] Nkurlu likened the State House to diamond or money, the owner of which must keep safe in a container in his house and lock the door, or padlock it to prevent it from being stolen. As "the gateway to Tanzania", Dar es Salaam was considered poorly located in relation to its security.[169] As a matter of fact, the question of security was at the core of TANU's socialism, thanks to the cold war politics. Brennan and Burton intimated that "the *Ujamaa* philosophy fortified official suspicions of urban populations".[170] Studies have also shown that the politics of the Cold War forced the British to use the Indian Ocean as one of their naval bases, which threatened the security of the East African region in the 1960s.[171] In the second place, moving the capital to Dodoma was in line with the government policy of *decentralization,* which

[164] *Ibid*; Mesaki, "The Conception and Building of the New National Capital," p.2.
[165] *Ngurumo*, No.4184, 29th January 1972, p.2.
[166] Parliament of the Republic of Tanzania, Hansard, September-October 1973, pp.495-496.
[167] McNamara, "Strategic Plan", p.5.
[168] Parliament of the Republic of Tanzania, Hansard, 22nd-28 February 1966, pp.441-442; Markus Mpangala. "Miaka 42 Serikali Imefeli Mkakati Wake Dodoma", *http://www.rai.co.tz/miaka-42-serikali-imefeli-mkakati-wake-dodoma/*, last accessed on 2nd April 2020.
[169] For Dar es Salaam as the gateway to Tanzania see "Dar City doesn't Reflect its People's Beauty", Letters to the Editor, *Sunday News*, No.3004, 18th August 1991, p.4.
[170] Brennan and Burton, "The Emerging Metropolis," p.61.
[171] M. L. Baregu. "Perception of Threat and Conception of Defense before the Mutiny in Tanzania People's Defense Forces." *Tanganyika Rifles Mutiny January 1964* (Dar es Salaam: Dar es Salaam University Press, 1993), p.64; N. N. Luanda. "The British Intervention 21st to 25th January 1964 Tanzania People's Defense Forces." *Tanganyika Rifles Mutiny January 1964*, *ibid*., pp.127-129.

accompanied the efforts to implement *Ujamaa*.[172] According to Christopher, "the shift from Dar es Salaam to Dodoma was part of the presidential aspirations for a philosophy of African socialism in Tanzania."[173] Establishing the capital in Dodoma, it was argued, would enable the government to work closely with the rural population in implementing *villagization*.[174]

With only two percent of its population employed in the agricultural sector between 1966 and 1977, Dar es Salaam could hardly meet the requirements of *Ujamaa*, which emphasized collective rural farming.[175] George Kahama underscored this point when addressing a delegation from China on 21st December 1974. "The mistakes made in our current cities like Dar es Salaam, where its inhabitants rely on foodstuff imported from other regions, must not be repeated in Dodoma."[176] Not surprisingly, those who drafted the 1976 Dodoma Master Plan had to make sure that the capital aligned with the *ujamaa* philosophy of promoting rural development.[177] The idea was by and large to build a "man-centred city", which would be in touch with the national policy of socialism and self-reliance.[178] The concept of self-reliance, for example, was incorporated in the Master Plan by setting aside *shamba* spaces.[179] By the early 1970s, Dodoma was the most prosperous region in terms of *villagization*.[180] In keeping with *Ujamaa*'s doctrine of equality, residential areas in Dodoma were expected to accommodate different types of

[172] Mesaki, "The Conception and Building of the New National Capital," pp.2, 4; Davis Mwamfupe. "Urban Expansion and Population Displacement: A Case Study of the Peri-Urban Zone of Dar es Salaam, Tanzania." *Tanzania Journal of Population Studies and Development*, Vol.4 No.2 (1997), p.82.
[173] Christopher, "Continuity and Change", p.52.
[174] Mesaki, "The Conception and Building of the New National Capital", pp.4-5.
[175] For the statistics see Brennan and Burton, "The Emerging Metropolis", p.59.
[176] Simon Ng'hwaya, "Ujenzi wa Makao Makuu ni Rasilimali Dodoma", *Uhuru*, No.3201, 21st December 1974, p.5.
[177] CDA, "National Capital Master Plan Dodoma, Tanzania: Technical Supplement No.4", April, 1976, p.196.
[178]Mesaki, "The Conception and Building of the New National Capital", p.11.
[179] CDA, "National Capital Master Plan Dodoma", p.198.
[180] Unknown Reporter, "Wagogo Waanzisha Vijiji vya Ujamaa", *Ukulima wa Kisasa Tanzania*, No.195, September 1971, p.9; Unknown Reporter, "Vijiji vya Ujamaa", *Ukulima wa Kisasa Tanzania*, No.204, 3rd June 1972, pp.8-9.

people.[181] The idea was to avoid having settlements based on class or race, as in Dar es Salaam.[182]

It is important at this juncture to explain the extent to which the concept of colonial legacy formed part of the debate on relocating the capital. TANU party leaders, particularly Nyerere, claimed that Dar es Salaam, whose urban history goes back to the era of Seyyid Majid (the Sultan of Zanzibar) before it came under the Germans and British, lacked a typical African urban image and identity. Its history and cultural legacy were considered to be influenced too much by the Arabs, Indians, Germans and British. Therefore, by siting the Tanzanian capital in Dodoma it was hoped that the characteristics of the colonial legacy of Dar es Salaam would no longer dominate. Brennan and Burton wrote "The legacy of colonial rule remains abundantly clear in contemporary Dar es Salaam", which is manifested in its architecture, monuments, street layout and settlement patterns.[183]

During Majid's era (1862-1870), Dar es Salaam, which formerly consisted of Mzizima, Msasani and Kunduchi villages, was politically linked with Zanzibar. However, with the death of Seyyid Majid in 1870, the town lost its political tie with Zanzibar and continued to grow, albeit slowly.[184] Following coastal resistance in the late 19th century, it was captured by the Germans, who in January 1891 declared it the capital of the then *Deutsch Ostafrika*.[185] The Germans constructed modern buildings, introduced a new administration and established racially-based settlements. By the early 20th century, the town exhibited an impressive image of German imperialism, both physically and

[181] CDA, "National Capital Master Plan Dodoma", pp.197-198.
[182] James R. Brennan. *TAIFA: Making Nation and Race in Urban Tanzania* (Ohio: Ohio University Press, 2012), p.31. At independence, settlements in Dar es Salaam were divided into High density areas for Africans, Medium density areas for Indians and Low-density areas for colonial administrators. See Mtei, "Town Planning", p.180.
[183] Brennan and Burton, "Introduction", p.4.
[184] Andrew Burton. *African Underclass: Urbanisation, Crime & Colonial Order in Dar es Salaam* (London: The British Institute in East Africa, 2005).p.44.
[185] Bernad Calas. *From Dar es Salaam to Bongoland: Urban Mutations in Tanzania* (Paris: Karthala, 1998).p.31.

symbolically.[186] It survived the Maji Maji skirmishes without any recorded destruction of its buildings concentrated along the harbour.[187] The outbreak of the First World War led to bombardment by the British Navy of the German Wireless Tower, part of the Railway Station and the former Government House.[188]

The British took over the capital after the war without changing its physical setting, but as a matter of necessity, they set about a major symbolic transformation of the city soon after. For example, the British removed the von Wissmann monument and replaced it with the Askari Monument.[189] Other monuments involved included the bust of Bismarck, the statue of Carl Peters and the Kaiser Wilhelm I memorial.[190] German streets were renamed, with the result that twenty six of them had been renamed by 1920.[191]

The foregoing imperial legacy partly explains why TANU raised the banner high, supporting the move to Dodoma. There is clear evidence that Nyerere himself did not like Dar es Salaam and its huge State House, which was rebuilt by the British in 1922 after the former German palace was bombarded during the First World War.[192] According to William Smith, "Nyerere had never liked the place [the State House], and referred to it privately as [his] prison, [...] he never wanted to live there".[193] His dislike of the State House notwithstanding, he cheered up his audience soon after he was sworn in as the first Present of Tanganyika: "you have taken me to that big German house and I have had

[186] See, for example, Juhani Koponen. *Development for Exploitation: German Colonial Policies in Mainland Tanzania, 1884-1914* (Finland: Finish Historical Society, 1994), p.183; Gideon S.Were and A. Wilson. *East Africa through a Thousand Years: A History of the Years A.D.1000 to the Present Day* (London: Evans Brothers Limited, 1968), p.237; R.F. Eberlie. "The German Achievement in East Africa," *TNR*, No.55 (1960), p.202.
[187] John Iliffe. *A Modern History of Tanganyika* (London: Cambridge University Press, 1979), pp.193-194; Richard Reusch D.D. *History of East Africa* (Hamburg: Evang. Missionverlage, 1954), p.323.
[188] Gardner, *German East*, pp.114-115; Judith Listowel. *The Making of Tanganyika* (London: Chatto and Windus Ltd, 1965), p.55; James R. Brennan and Andrew Burton. "The Emerging Metropolis: A History of Dar es Salaam, circa 1862-2000", in James R. Brennan, Andrew Burton and Yusufu Lawi. *Dar es Salaam: Histories from an Emerging African Metropolis* (Dar es Salaam: Mkuki na Nyota, 2007), p.29.
[189] Michael Perraudin and Juergen Zimmerer (eds.). *German Colonialism and National Identity* (London: Routledge, 2011), p.4.
[190] F.S. Joelson. *Germany's Claims to Colonies* (London: Hurst & Blackett, LTD, 1939), p.114.
[191] The Tanganyika Territory: Official Gazette, Vol. I., No.35, 4th October 1920, p.209.
[192] W.T. Casson. "Architectural Notes on Dar es Salaam." *TNR*, No.71 (1970), p.182.
[193] William Edgett Smith. *Nyerere of Tanzania* (UK: Random House, 1973), p. 23.

a good sleep there".[194] However, Nyerere's negative feelings concerning the colonial concept of a state house were personal, not TANU's attitude, but it can certainly be argued that the decision to relocate the capital was partly grounded on what the British High Commissioner in Dar es Salaam referred to as *African authenticity,* the ardent supporter of which was Nyerere himself.[195] He wrote:

> …doubtless more important in the President's mind is the fact that, where even the name Dar es Salaam is not African but Arabic, Dodoma is wholly African, owing nothing to Portuguese, Arabs, Indians, Germans, British or other rapacious intruders. So, the move is in some sense an African gesture, a return to "authenticity", and the nationalistic motive…[196]

Thus, apart from its central position, Dodoma was "a microcosm of the history of Tanzania".[197] According to President Nyerere, the main reason for relocating the capital to Dodoma was its central position; the rest were advantages that could be derived from moving the capital to Dodoma.[198] With an average distance of 300 miles from all edges of the country, Nyerere was convinced that Dodoma would be "the logical location of a capital or administrative centre," which would "prevent the country becoming over centralized around Dar es Salaam".[199] Thus, although geographical and political factors contributed to TANU's decision to move the capital to Dodoma, it was supported by President Nyerere's conception of national identity and colonial legacy.

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[194] *Ibid*.
[195] NA, No.FCO 31/1559/JET/8, Foreign and Commonwealth Office in London to British High Commissioner, Dar es Salaam, 7th November, 1973.
[196] NA, No. FCO 31/1559/1/15, British High Commissioner Dar es Salaam to The Right Honourable, 20th October 1973.
[197] Mesaki, "The Conception and Building of the New National Capital", p.2.
[198] Parliament of the Republic of Tanzania, Hansard, September-October 1973, p.494.
[199] NA, FCO 31/15559/JET 1/8, "The New Capital of Tanzania, 20th October 1973; NA, FCO 31/15559/1/10, "Nyerere Chooses Dodoma," *The Guardian*, 4th October 1973.

In Tanzania, as elsewhere in Africa, attempts were made to erase the colonial urban legacy after independence.[200] In Dodoma, the Town Planners were instructed to build a capital which "symbolize[d] the essence of Tanzania both to its own people and to the outside world".[201] The Capital Development Authority (CDA) blueprint stated explicitly: "The city would be a home and not a monument".[202] These nationalistic views were not without criticisms. J. Ngolela, for instance, criticized the Tanzanian and Malawian governments for their decision to "forsake well established existing capitals for raw, poor and incompetent centers" for mere national pride.[203] In 1993, *The Express* reported of Tanzanians who complained about the cost incurred by the government "to turn a tiny, dry and dusty [Dodoma] town into the country's capital."[204]

6.0 The Process and Challenges of Relocation: From Nyerere to the Magufuli Era

Implementation of the Dodoma capital project started by setting up administrative machinery for that purpose. On 5th October 1973, the Ministry of Capital Development or The Ministry for the Affairs of the Capital was established, and the next day it was placed under Chief Adam Sapi Mkwawa. Mr. Machumba became the Principal Secretary. This Ministry, with headquarters in Dodoma, was placed under the Minister of State in the President's Office, which was then under Peter Siyovelwa.[205] CDA was placed under George C. Kahama.[206] It consisted of an eight-man Board of Directors: The Director General (George C. Kahama), The Chairman (Chief Adam Sapi Mkwawa) and The Regional Commissioner of Dodoma (Mr. J.W.Kihampa). Others were the Minister of Commerce and Industries; the Minister of Finance; the Minister of Economic Affairs and

[200] See, for example, Terence Ranger. "The Politics of Memorialisation in Zimbabwe", in Susana Carvahlo and Francois Gemenne (eds.). Nations *and their Histories: Constructions and their Representations* (UK: Palgrave Macmillan, 2009), p.64.
[201] CDA, "National Capital Master Plan Dodoma", p.193.
[202] Mesaki, "The Conception and Building of the New National Capital", p.8.
[203] J. Ngolela as quoted by Mesaki, "The Conception and Building of the New National Capital", p.23.
[204] Edna Ndejembi, "Twenty Years After: How Close are to Dodoma?" *The Express*, No.088, October 10-13, 1993, p.8.
[205]Unknown Reporter, "Dodoma Yapewa Wizara", *Mfanyakazi*, No.351, 6th October 1973, p.1.
[206] Cameron McNamara, "Strategic Plan for the Development of the National Capital Dodoma, Tanzania: A Review of the National Capital Plan: Plan Objectives, Strategies and Recommendations", volume 3, June 1988, p.1.

Development Planning; the Minister of Communications and Works and the Minister of Housing and Urban Development.[207]

The immediate tasks of CDA were to select the site, prepare the Master Plan, and supervise implementation of the transfer.[208] CDA was at the same time expected to (1) make plans for the development of Dodoma, (2) transform it into a capital, (3) advise the government on how to transfer its offices to Dodoma, (4) make sure that land and other immovable property were acquired for the purpose, and (5) facilitate and organize transfers to Dodoma.[209] The first ten-year phase of moving the capital was expected to cost 3,710 million Tanzania shillings, equivalent to £220 million.[210] It was hoped that "if Tanzania was undisturbed for 10 years", the capital would move to Dodoma by 1984.[211] However, the costs involved in this project raised doubts and objections from some people and institutions. For example, a British Diplomat questioned: "the total is alarming, who is going to pay, and is it worth it?"[212] The Diplomat continued:

> …the President claims that costs are less than most people supposed; he says it is a matter of people, not of buildings. If need be, he would have Ministers, Government and party up at Dodoma in next to no time housed in caravans or barracks, and the National Assembly in session under a baobab tree. He does not dream of towered cities; he would not be much distressed if the new capital turns out to be a modest *kraal*, provided only that it is full of happy, co-operative and equal Africans; for small is beautiful.[213]

[207] NA, FCO 31/15559/JET 1/8, "The New Capital of Tanzania," Foreign and Commonwealth Office, 20th October 1973.
[208] NA, FCO 31/15559/ME/4418/B/3, 8th October 1973; Mesaki, "The Conception and Building of the New National Capital," p.15.
[209] NA, FCO 31/15559/5/28.
[210] NA, FCO 31/15559/JET 1/8, "The New Capital of Tanzania", 20th October 1973.
[211] *Ibid*.
[212] NA, FCO 31/15559/1/15, "British High Commissioner, Dar es Salaam", 20th October 1973.
[213] *Ibid*.

It appears that the President could not allow the question of cost to deter TANU from transferring the capital. He seconded most of the comments made by MPs that the cost of building a new Parliament or Party headquarters was unavoidable, even in the absence of the Dodoma project.[214]

In December 1973, PPA started surveying the sites.[215] The three sites of Ihunwa (12 miles from Dodoma), Hombolo (23 miles) and Dodoma town were recommended.[216] A two-day meeting held by CDA chose Dodoma town as the ideal site.[217] In August 1974, CDA contracted PPA to develop the Master Plan.[218] The Plan was completed and approved in 1976.[219] Although it was agreed that the Plan would be reviewed every five years, it was not until 1988 that the second review took place.[220] The third review was due in 1992.[221]

The transfer was planned to start by moving 40% of the central government from Dar es Salaam to Dodoma between 1976 and 1988 and the remaining 60% in the next five years.[222] However, in February 1981 it dawned on those involved that such a plan was bound to fail.[223] The Master Plan faced implementation challenges.[224] CDA was forced to seek technical support from The United Nations Centre for Human Settlements (UNCHS) to review the Plan. From 1987 to 1988, the UNCHS sent Cameron McNamara Pty Ltd. from Australia for that purpose.[225] A number of changes to the Plan were suggested. It is not the intention of this paper to give details of the recommendations made. Suffice it to say that the Plan was improved in the areas of housing, engineering, infrastructure,

[214] "Tanzania to Move Capital", *Financial Times*, 2nd October 1973.
[215] Mesaki, "The Conception and Building of the New National Capital", p.9.
[216] Simon Ng'hwaya, "Makao Makuu: Sehemu Tatu Zapendekezwa kwa Ujenzi", *Uhuru*, No.3170, 13th November 1974, p.1.
[217] *Ibid*.
[218] N.O.E.Nkya, "Solve Dodoma Water Supply Problem", Letters to the Editor, *Sunday News*, No.3006, 1st September 1991, p.4.
[219] Mesaki, "The Conception and Building of the New National Capital", p.9; *Sunday News*, No.3006.
[220] *Sunday News*, No.3006.
[221] *Ibid*.
[222] Mesaki, "The Conception and Building of the New National Capital", p.15.
[223] *Ibid*.
[224] McNamara, "Strategic Plan", vo. 3, p.3.
[225] *Ibid*., p.1.

transportation and land use.[226] With the new Plan, objectives were set to ensure that the transfer of the capital was "carried out in a planned, economic and orderly manner".[227] The role of the capital was clearly defined: "to develop the national capital as the centre of interaction and communication, for the political legislature, cultural, administrative, foreign affairs and commercial business".[228] To achieve this, it was recommended that buildings for ministries, Parliament and CCM's headquarters should be constructed immediately.[229] In January 1991, the construction of CCM's Headquarters on Chimwaga Hill was already underway and was due to be completed by July 1992.[230]

The cultural image of the capital was given serious attention by the new Master Plan, which encouraged the construction of cultural facilities such as monuments and "buildings of national importance".[231] The concept of cultural image implied anything physical or social that was in line with the promotion of national identity and culture.[232] Things like "a conference centre, religious centres, a national stadium, a market, hotels and a number of commercial and recreational facilities" were to be concentrated in the centre of the capital.[233] In response to this demand, CDA spent more than 195 million shillings constructing a new market, *Majengo Market,* between 1985 and 1991.[234] As regards monuments, in 2000 CDA erected the Nyerere Square with a life-sized statue of President Nyerere in the heart of Dodoma.[235]

[226] *Ibid*., p.3.
[227] *Ibid*., p.2.
[228] *Ibid*., p.4.
[229] *Ibid*.
[230] John Kulekana, "Kolimba Inspects Party Building", *Daily News*, No.3459, 22nd February 1991, p.5.
[231] McNamara, "Strategic Plan", vol.3, p.4.
[232] *Ibid*.,p.4.
[233] Mesaki, "The Conception and Building of the New National Capital", p.12.
[234] Revocatus Makaranga, "Soko Jipya Mjini Dodoma Kuanza Kutumika Machi", *Mzalendo*, No. 1027, 13th January 199, p.2.
[235] The information provided here is based on the information available at the site. The site was officially opened by Frederick T. Sumaye, the then Prime Minister of the Republic of Tanzania.

Like similar projects elsewhere in Africa, the Tanzanian capital project was constrained by lack of finance, which prolonged its accomplishment.[236] The Kagera War of 1978/79 and the economic crisis of the 1980s complicated the move.[237] These events worsened the economy, thus inflating the cost of the capital relocation project.[238] The government had to battle for alternative sources of funds but to no effect.[239] In attempting to solicit funds for the project, it consulted The Arab Bank for Economic Development of Africa, The African Development Bank, *Bank di Sicilia* of Italy, Industrial Bank of India, *Girozentrale und Bank* of Austria, The Tanzania Investment Bank and Tanzania Housing Bank.[240] Pius Msekwa reminisced that three major factors were brought to bear on the failure to relocate the capital within the period planned.[241] First was the Kagera War which drained the government's financial resources. Second was the collapse of the former East African Community, which forced the government to divert its resources to projects affected by the break-up. Third was the oil crisis of the 1980s, which adversely impacted the value of the currency.

Serious efforts were made to move the capital during the late 1980s and early 1990s. The new plan after the oil crisis was to move five important ministries to Dodoma between 1988 and 1993.[242] Although nothing of this kind had taken place by the early 1990s, efforts had been made to move the parliament to Dodoma. Parliamentary meetings, which were formerly held in Dar es Salaam, had already started in Dodoma. These meetings took

[236] Mesaki, "The Conception and Building of the New National Capital", pp.15-16.
[237] ippmedia.com, "Magufuli Kuhamia Dodoma," last accessed on 30th October 2017.
[238] Mesaki, "The Conception and Building of the New National Capital", p.16.
[239] Christopher, "Continuity and Change", p.52.
[240] *The Express*, No.088, October 10-13, 1993, p.8.
[241] Pius Msekwa as interviewed by Kizitto Noya, "Pius Msekwa Aibua Siri ya Kuhamia Dodoma", *http://jambo-leo.blogspot.com/2016/08/pius-msekwa-aibua-siri-ya-kuhamia-dodoma.html*, last accessed on 2nd April 2020.
[242] Markus Mpangala. "Miaka 42 Serikali Imefeli Mkakati Wake Dodoma", 28th April 2016, *http://www.rai.co.tz/miaka-42-serikali-imefeli-mkakati-wake-dodoma/*, last accessed on 2nd April 2020.

place in CCM Hall beginning in 1974 and by the 1980s were held in Pius Msekwa's Hall.[243] They are currently held in the new parliamentary building.

As the government gradually established itself in Dodoma, it confronted the challenge of having civil servants migrating to the new capital. By the early 1990s, a large number of government servants had established themselves in Dar es Salaam and frowned at the thought of moving to Dodoma. Senior government officials found themselves at loggerheads with these civil servants over the government's instructions to move. For example, the then Prime Minister-cum-Vice President, John Malecela, was furious with these officials and issued a verbal warning which hit the headlines. On 16th July 1991, *Uhuru* published one such warning with the title: "*Kuhamia Dodoma ni Lazima*", loosely translated "*Moving to Dodoma is Mandatory*."[244] In this article, Malecela warned those who remained adamantly opposed to the move that their offices would be moved with or without them.[245] In December 1991, he instructed that all records of his office should be moved from Dar es Salaam to his new office in Dodoma, and he demanded that henceforth all correspondence be sent to his new office.[246]

The foregoing pronouncements were met with a good deal of criticism by the media, particularly the newspapers. One of the counter-arguments was that Dodoma was too underdeveloped to attract people to live there.[247] A similar backlash against the move to Dodoma was witnessed in 1993, when the government announced it would transfer 6 out of 25 ministers from Dar es Salaam to Dodoma in twenty years. The critics mocked the announcement, arguing that the process would take too many years to finish and the only

[243] Parliament of Tanzania, "Lijue Bunge la Tanzania", *https://www.parliament.go.tz/uploads/documents/publications/en/1481626675-LIJUE%20BUNGE%20LAKO%20final.pdf*, last accessed on 2nd April 2020. CCM stands for Chama cha Mapinduzi.
[244] Unkown Report, "Kuhamia Dodoma ni Lazima – Malecela", *Uhuru*, 16th July 1991, No.8770, p.1.
[245] *Ibid*.
[246] Emmanuel Mimbi, "Malecela Aagiza Wakuu Kuhamia Dodoma Haraka", *Mzalendo*, No.1064, 29th September 1991, p.1.
[247] Munga Tehenan, "Kuhamia Dodoma Nishai", *Mzalendo*, No.1061, 8th September 1991, p.9.

solution they gave was for the government to call the whole thing off.[248] "All the ministers and the president himself love Dar es Salaam. They use Dodoma offices when they visit there", *The Express* reported.[249] The same broadsheet concluded, "no Tanzanian has complained that he or she was under-represented simply because the capital was in Dar es Salaam".[250]

Already in the period between April and July 1991 a special committee, chaired by Malecela, had been formed to advise the President on matters of relocation, which had met twice.[251] In January, President Ali Hassan Mwinyi issued a statement urging government institutions to build houses in Dodoma for their employees.[252] The lack of housing and water discouraged civil servants from migrating to Dodoma.[253] Malecela complained that these were lame excuses, for almost all regions in Tanzania faced similar challenges.[254] Efforts were made to overcome the challenge of housing. For example, apart from several construction projects under CDA, the National Provident Fund (NPF) launched the construction of "252 housing units in Area D" in September 1991.[255]

Campaigns for the capital relocation project escalated in the 1990s, as well as the objections against it. A reporter associated with *The Guardian* wrote in 1999, "the Dodoma phenomenon is fast becoming forgotten history".[256] He likened the move to Dodoma to "a ghost by [then] growing horns."[257] Seeing no hope of its success, he made a sarcastic comment, "A small American town will probably have been built on the Moon

[248] *The Express*, No.088, October 10-13, 1993, p.8.
[249] *Ibid*.
[250] *Ibid*.
[251] *Mzalendo*, No.1061, 8th September 1991, p.9.
[252] Revocatus Makaranga, "Mwinyi Ahimiza Taasisi Kujenga Nyumba Dodoma", *Uhuru*, 23rd January 1991, No.8621, p.5.
[253] See, for example, Musalali Musambili, "Dodoma Receives Daily Insufficient Water", *Daily News*, No.3592, 1st August 1991, p.4; *Sunday News*, No.3006, 1st September 1991, p.4.
[254] *Mzalendo*, No.1064, 29th September 1991, p.1.
[255] Musa Luputu, "NPF Builds 252 Houses in Dodoma", *Sunday News*, No.3010, 22nd September 1991, p.1.
[256] Walusanga Ndaki, "Move-to-Dodoma Ghost Becomes Increasingly Dreadful", *The Guardian*, No.1440, 16th July 1999, p.8.
[257] *Ibid*.

before Bongo's capital moves to Dodoma".[258] However, the pendulum swung back in favour of the same 'forgotten history' or 'ghost' in July 2016, when President John Pombe Magufuli vowed to move to Dodoma by 2020.[259] All ministries were required to have transferred their departments and employees to Dodoma by June 2020.[260] The Prime Minister, Kassim Majaliwa, showed the way by transferring his office to Dodoma on 26th September 2016.[261] By March 2017, all ministers and their deputies, including 2,069 civil servants, had already moved to Dodoma.[262] The number of civil servants who had moved to Dodoma had reached 2, 346 by the end of the year.[263] On 12th October 2019, President Magufuli officially announced that he would move to Dodoma.[264] But what made this long awaited transfer possible? There are three possible explanations in my opinion. First, there have been renewed efforts by the government to revamp projects of national interest. Secondly, although the transfer process that began in 1974 was gradual and faced a number of challenges, it reached its peak in the last decade. By that time, a number of projects necessary for establishment of the capital had been accomplished, including, for example, the construction of the University of Dodoma, a huge achievement by President Kikwete's government. Thirdly, the complete transfer of the capital was expected to reduce the government's administrative costs.[265]

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[258] *Ibid.*

[259] "Rais Magufuli Atangaza Kuhamia Dodoma Rasmi", *https://www.bbc.com/swahili/habari-50033713*, last accessed on 2nd April 2020; Sabato Kasika, "Hii Ndiyo Safari Ya Miaka 40 Kuhamia Dodoma", 3rd August 2016, *https://www.ippmedia.com/sw/safu/hii-ndiyo-safari-ya-miaka-40-kuhamia-jijini-dodoma*, last accessed on 2nd April 2020.

[260] "Ratiba ya Serikali Kuhamia Dodoma", 22nd September 2016, *http://www.jamhurimedia.co.tz/ratiba-ya-serikali-kuhamia-dodoma/*, last accessed on 2nd April 2020.

[261] *https://www.bbc.com/swahili/habari-50033713*, last accessed on 2nd April 2020.

[262] "JPM: Nimekaribia Kuhamia Dodoma", *https://www.habarileo.co.tz/habari/jpm-nimekaribia-kuhamia-dodoma.aspx*, last accessed on 5th April 2020; "Achana na Dr.Magufuli, Mawaziri Waanza Kufunga Vilago Kuhamia Dodoma",*http://www.archivioradiovaticana.va/storico/2016/07/25/achana_na_dr_magufuli,_mawaziri_waanza_kufunga_vilago_kuhamia_dodoma!/sw-1246486*, last accessed on 5th April 2020.

[263] Valentine Oforo, "UN Opens Offices in Dodoma", Online Citizen Newspaper, *www.thecitizen.co.tz,* last cited on 8th December 2017.

[264] "Rais Magufuli Atangaza Kuhamia Mji wa Dodoma", 13th October 2019, *https://parstoday.com/sw/news/africa-i56586-rais_magufuli_atangaza_kuhamia_katika_mji_wa_dodoma*, last accessed on 2nd April 2020.

[265] "Kuhamia Dodoma ni Kuwakomboa Walipa Kodi", *Rai,* 28th July 2016.

7.0 Conclusion

This paper has traced the idea of relocating the capital in the last one hundred and sixteen years of the history of Tanzania Mainland. The paper has shown that the colonialists wanted to move the capital inland from the coast, but could not do so due to warfare and financial constraints. Although the idea of relocation lingered for years after independence, it became increasingly vocal in the early 1970s. There were, in my view, three fundamental reasons for TANU's decision to move to Dodoma. First, the Dar es Salaam model of urbanization, especially its disengagement from agriculture, was thought to contradict TANU's policy of socialism, which encouraged rural development. The second equally important reason and closely connected to the above was President Nyerere's desire to leave Dar es Salaam, the history and cultural legacy of which largely glorified foreign cultural influence. The third reason was the central location of Dodoma which appealed to TANU's officials, who argued that it was strategic for the country's administration and security. The TANU government was optimistic that the process of moving the capital would take ten years, but the odds were against them. The oil crisis, which paralleled the Kagera War, affected the progress of the project. As the country slowly recovered from the economic downturn and, despite the opposition of the public, efforts were made to resume the project. This paper has reminded us that as we celebrate the achievement of moving the capital to Dodoma, we should bear in mind that the achievement did not happen overnight.

People's Power: Local Agency among HIV AND AIDS Marginalized Groups in Mbozi District, Tanzania, 1980s-2017

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Abstract

This study examines the Mbozi society`s responses to the plight of marginal groups attributed to HIV/AIDS for the past three decades. The groups in question include people suffering from and or living with HIV/AIDS, AIDS related widows, AIDS orphans, and the elderly caring AIDS orphans. Rather than focusing synchronically on the responses from the international community, government and Non-governmental organizations as has been done by many studies, this study diachronically concentrates on the ordinary people`s responses at the grass-roots level. It argues that to cope with their plight, marginal groups associated with HIV/AIDS engage in different livelihood strategies including wage-labour, begging, sex work, petty trade, income generating groups, self-help groups, farming as well as enlisting family and neighbourhood support. By drawing on documents and interviews with people at the grass-roots level, this study not only brings to the fore the voices of the marginalized and people`s agency and resilience in the context of HIV/AIDS pandemic but it also adds to the growing body of knowledge on social exclusion in Tanzania in particular and Africa as a whole.

Key words: HIV/AIDS, marginalised groups, social exclusion, livelihood strategies.

1.0 Introduction

"*We [the people living with HIV&AIDS-PLWHA] only get white coloured pills [amalembo amazelu[266]] from the government [referring to the white coloured antiretroviral drugs-ARVs]. We do not get any other assistance from the government. We therefore sustain*

[266] In the Nyiha language *amalembo amezelu* means white coloured medicine or pills. In this case, informants refer to the white coloured ARV pills.

ourselves by taking our own initiatives such as engaging ourselves in agriculture and petty trade."[267]

Since the 1980s, the people of Mbozi district,[268] as the above quotation indicates, have been showing agency in dealing with HIV/AIDS[269] marginalisation also known as social exclusion. Social exclusion entails the disempowerment or inability of specific social groups to access cultural, social and economic resources in a given society that are enjoyed by the rest of the society thereby diminishing the groups` self-actualisation.[270] In Mbozi district as in other parts of Tanzania, the government`s restrictive policies and its inability to provide social services to the groups, the culture of stigmatization of the groups and impoverishing forces such as poverty have had a hand in the exclusion of the groups. In Mbozi district, and within the context of HIV/AIDS, the excluded groups include orphans, widows, people living with HIV/AIDS (hereafter PLWHA) and the elderly. Indeed, in Mbozi district, as in other regions of Tanzania in particular and Africa generally, HIV/AIDS has increased adult mortality which in turn has increased the number of orphans and widows. Moreover, the deaths of young adults (18-49 years of age) from AIDS have left the elderly fending for themselves besides taking care of orphans

[267] Interview with an "A" informant at Iyula on 28th November 2017. The name of the informant is not disclosed because of confidentiality. The informant is a person living with HIV.

[268] Mbozi district is one of the districts of Songwe Region, formerly and until 2016 under Mbeya Region, in the Southern Highlands of Tanzania. The district borders Ileje, Mbeya, Chunya and Sumbawanga districts; and the republics of Malawi and Zambia. In this article, Mbozi district refers to an undivided administrative area as it existed before 2012. In 2012, the district was divided into Mbozi and Momba districts. Mbozi district`s residents are mainly the Nyiha and Nyamwanga speakers who mainly engage in agriculture. The common crops include maize, beans, rice, millet and coffee. Prior to 2016, Mbozi district was, after Kyela district, the second most affected by HIV/AIDS district in Mbeya Region.

[269] AIDS is a viral disease caused by HIV. In Mbozi district, as in many other parts of Africa, adult HIV transmission is mainly through heterosexual intercourse. In Mbozi district the disease was first diagnosed in 1986.

[270] F. Kaijage. "Social Exclusion and the Social History of Diseases: The Impact of HIV/AIDS and the Changing Concept of the Family in Northwestern Tanzania," in S. McGrath *et.al* (eds.). *Rethinking African History* (University of Edinburgh: Centre of African Studies, 1997) pp. 331, 332; J. Welshman. *Underclass: A History of the Excluded 1880-2000* (London: Hambledon, Continum, 2006) chpt 9; L. Rispel and J. Popay. "Confronting Social Exclusion, HIV and Gender Inequalities in South Africa." *Agenda,* 81**,** 2009 pp. 90-91. Although the concept "social exclusion" is an import from Europe, it has relevance in Africa; thus, it has been modified to suit African context. As Rispel aptly puts it, in Africa social exclusion is conceptualized as marginalization, poverty and vulnerability. See L. Rispel, B. Molomo & S. Dumela. *South African: Case Study on Social Exclusion, A report* (Cape Town: HSRC Press, 2008), p. viii; L. Rispel, B. Molomo & S. Dumela. *Rapid Appraisal of Social Inclusion Policies in Selected Sub-Saharan Countries, A Report* (Cape Town: HSRC Press, 2008), p. 2.

who have been left by their departed sons and daughters.[271] As for local people initiative or local agency,[272] it means that the people at the local level-district authority, village, neighbourhood and homesteads are not merely recipients of external assistance from the central government, international communities and Non-governmental organisations (NGOs) but they are active actors in responding to HIV/AIDS marginalisation.[273] However, this perspective, which this article adopts, is not entirely new. Indeed, in the field of African history, the local agency framework can be traced back to the 1960s to what the late T.O. Ranger called "African initiative" or African adoption/ choice. Henceforth this perspective has withstood the test of time. Ranger`s central argument is that African history should bring at the centre stage African agency by seeing Africans not as victims but as resourceful protagonists in environment or conditions, which are not of their own making but imposed on them. The imposed conditions may include structures and/ or large external forces such as capitalism, state policies etc. In other words, ordinary people could challenge the powerful forces and structures to the extent of even changing them.[274] This article therefore applies the perspective to study the history of HIV/AIDS as it relates to social exclusion. By adopting the perspective, however, it should not be interpreted as belittling or neglecting the role of the external actors. Indeed, as the above quotation shows, the central government, in collaborations with the

[271] Interview with A. Kisiwa, Social Welfare Officer, Mbozi district, at Vwawa on 14th July 2014.

[272]The article adopts the concept of agency from a body of literature that sees individuals especially the non-elites and underprivileged-unemployed, the poor, the stigmatized, people with disability, the sick, and so forth as having the capacity to negotiate, resist, undermine and sabotage, institutions, norms and other socio-economic constraints in order to survive or access social economic resources. See, for example, K. P. Siena. *Venereal Disease, Hospitals, and the Urban Poor: London`s 'Foul Ward,' 1600-1800* (Suffolk and New York: University of Rochester Press, 2004), pp. 3-4, 7; N. Ansel and L. van Blerk. "Children`s Migration as a Household/Family Strategy: Coping with AIDS in Lesotho and Malawi. *"Journal of Southern African Studies, Vol. 30, No. 3* (September 2004): 673, retrieved on 30th May 2018 at https://doi.org/10.1080/0305707042000254155. In Mbozi context it refers to the local people`s strategies to cope with marginalization amidst socio-economic and political constraints.

[273]For the role of external actors in mitigating HIV/AIDS social exclusion in the district, see M. Sadock. "HIV/AIDS and Social Exclusion in Mbozi District, Tanzania, 1980s-2014." *Tanzania Zamani: A Journal of Historical Research & Writing, Vol. VIII No. 1* (2016): 18-25.

[274] A number of historians have documented Ranger`s thesis. See for example,J. Lonsdale. "Agency in Tight Corners: Narrative and Initiative in African History." *Journal of African Cultural Studies Vol. 13, No. 1* (June 2000): 6-7, retrieved on 30th May 2018 at http://doi/10.10801713674303, J. Mccracken. "Terence Ranger: African Historian and Activist." *Journal of Southern African Studies, Vol. 41, No. 5* (2015): 1103, retrieved on 30th May 2018 at https://doi.org/10108/030570702015.1083275. See also I. Kimambo. *Penetration and Protests in Tanzania: The Impacts of World Economy on the Pare*, 1860-1960 (London: James Currey, 1991).

international community, provided ARVs to the people living with HIV/AIDS (PLWHA). The article therefore argues that the HIV/AIDS related marginal groups have agency to internalise the external assistance as well as taking their own initiatives in dealing with the marginalisation. While the aforesaid argument builds on studies on peoples` responses to HIV/AIDS exclusion, it differs from many such studies that treat the groups at the grass-roots level as passive actors who wait for external assistance.[275] Even a few studies that have greatly enhanced our understanding of community engagement in redressing HIV/AIDS exclusion , they have mainly focused on either communities` role in giving the excluded food assistance, the role of external agents such as NGOs, or state and development agencies in empowering communities.[276] Neglected are issues such as how do the excluded earn their living given the fact that much of the communities` assistance is intermittent, insufficient and unsustainable.[277] Thus, this article investigates the livelihood strategies of the excluded in Mbozi district for the past three decades.

To document the responses, the article answers five questions: how Mbozi society handled marginal groups in pre- HIV/AIDS period? What has been the extent of social exclusion associated with HIV/AIDS since the 1980s? What has been the plight of the HIV/AIDS excluded since the 1980s? How have the excluded responded to marginalisation occasioned by HIV/AIDS since the 1980s? And how effective has the responses been to addressing HIV/AIDS exclusion from the 1980s to 2017?

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[275] Some of the studies which emphasise more on external assistance and NGOs than on people`s local initiative includes: F. Lerisse *et.al.* "Vulnerability and Social Protection Programs in Tanzania," Research and Analysis Working Group, 2003, pp. 1-2; L. Rispel and J. Popay. "Confronting Social Exclusion, HIV/ AIDS and Gender Inequalities in South Africa." *Agenda*, 81 (2009): 90-98; I. Jamil and R. Muriisi. "Building Social Capital in Uganda: The Role of NGOs in Mitigating HIV/AIDS Challenges," a paper presented at the International Conference Organised by the International Society for Third Sector Research, Toronto, 11th -14th July 2004; United Republic of Tanzania, Tanzania Commission for AIDS (TACAIDS): *National HIV and AIDS Responses Report 2013*, April 2014.

[276] A. Gibbs *et.al*. "Social Context and Building Social Capital for Collective Action: Three Case Studies of Volunteers in the context of HIV and AIDS in South Africa." *Journal of Community and Applied Psychology*, 25 (2015): 110, A. Mushonga and T. Chimbidzikai. "Communities at Work: A Case of local responses to Care and Support of Children in Zimbabwe." *Canadian Journal of Public Health*, *Vol. 99 Supplement 1* (May/June 2008): 15 retrieved on 9th May 2018 at http://www.jstor.org.stable/41995002.

[277] Sadock, *op.cit*. Similar findings of fragile and patchy community interventions have been recorded in South Africa. See, for example, a report by M. Russell and H. Schneider. "A Rapid Appraisal of Community Based HIV/AIDS Care and Support Programmes in South Africa," Centre for Health Policy, University of Witwatersrand, August-November 1999, p. 19.

This article is based on research conducted at different times in 2010, 2014 and 2017 in Mbozi district. Key informants were interviewed using interview guides and documents were consulted at Mbeya Regional offices, Mbeya Zonal Archives and Mbozi District offices. The article is divided into five sections. The first section is about marginal groups in pre-HIV/AIDS period. The second section documents the extent of HIV/AIDS exclusion, and the third part focuses on the plight of the HIV/AIDS excluded, the fourth section deals with livelihood strategies of the excluded, and the efficacy of such strategies, and the last section is a conclusion.

2.0 Social Marginalisation in Pre-HIV/AIDS Mbozi

In pre-colonial Mbozi, as in many other parts of Africa, marginal groups such as orphans, the elderly and widows existed but traditions, norms and social institutions for caring the groups minimised their visibility. Widows, for example, were cared for by relatives of the deceased. According to both Nyiha and Nyamwanga traditions, widows were not evicted from the homestead of the deceased but were given the freedom to choose either to be inherited by one of the relatives of the deceased or remain as an independent. If she chose the latter and had no children, she was required not to be re-married, if she re-married, she relinquished the right to access her deceased husband`s properties. But if she had children and decided to be remarried, her children were to inherit the properties and if the children were still young the property of the deceased was to be under the custodian of one of the adult kinfolk of the deceased until the children came of age. If the widow had children and decided to be inherited, the kinfolk who inherited the widow served as a custodian of the children`s property inherited from deceased.[278] Generally, in Mbozi although widows were not allowed to inherit the properties of the deceased, they were allowed to use them and they were never evicted from such properties.

[278]Tanzania National Archives (hereafter TNA) Mbozi District Book, Vol. 1; Interview with *Mhombe* (an advisor and juror to the Chief) Jackson Nzunda at Vwawa on 18th June 2010.

Apart from widows, the society ensured the well-being of orphans. Traditionally, child up-bringing and care among the Nyiha and Nyamwanga were first and foremost the responsibilities of parents and children`s relatives from both paternal and maternal sides.[279] The role of relatives in caring of children became even more critical whenever either of the parents died. In case of the death of a farther, a widow, as indicated earlier, was inherited by a brother of the deceased husband or any clansman. While the death of a wife made it imperative for maternal relatives to replace a new wife to a husband whose wife had died. Again, the spirit of wife replacement was, among other reasons, to take care of orphans of the deceased wife.[280] In addition to parents and relatives, the society in general had a role of ensuring that children were brought according to the Nyiha`s customs and traditions.[281]

Apart from child care, the Mbozi society had a system in place for caring of the elderly. According to the Nyiha and Nyamwanga traditions, elders` sons and daughters were responsible for caring of their elderly fathers and mothers by providing them with food and shelter. Equally, neighbours had a role to play: they worked at specific time on the farms owned by elders. The produce from the farms went directly to assist the village elders.[282]

However, with the coming of colonialism in Mbozi district in the late 19th century, new changes were introduced regarding child care and support, and the care of widows and elderly. For example, under the influence of Christianity and western education, levirate marriages, though they persisted, began to decline, as some Christians and the educated ignored them. That said, however, Christians and the educated continued with the long

[279] T. Bachmann. *Ich Gab ManchenAnstob* (Hamburg: Ludwig Appel, 1943) translated by C. Benischke. *I Made Many Things Happem*, pp. 18-19. Bachmann was a Moravian missionary who lived among the Nyiha of Mbozi between 1899 and 1916.
[280]*Ibid*. p. 18, B. Brock, "The Nyiha of Mbozi," *Tanzania Notes and Records* No. 65, March 1966 p. 10.
[281]Bachmann, *op.cit*. p.18.
[282]*Mhombe* Jackson Nzunda, interview; interview with N. Mkoma (a custodian of Nyamwanga traditions) at Ndalambo on 3rd June 2010; interview with Y. Mwashiuya at Vwawa on 22nd July 2014.

tradition of taking care of orphans of their relatives either by adopting them into their families or assisting them in the widows` households.[283]

The above social mechanism continued into the post-colonial period up to the advent of HIV/AIDs in the early 1980s. During the post-colonial period Christians and the educated continued to care the marginalised in accordance with their new acquired western culture and religious beliefs, while other residents of the district continued to uphold their traditions of care of the marginalised as explained earlier. Yet, the coming of HIV/AIDS ushered in a period of the weakening of a system of social safety nets thereby increasing the number of marginal groups.

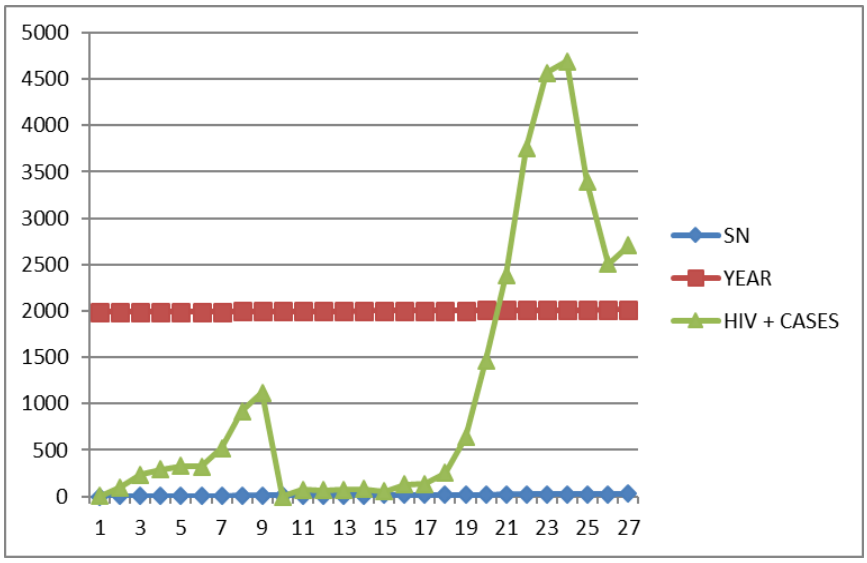
3.0 The Extent of HIV/AIDS Exclusion in Mbozi

Both government and societal sources indicate that the excluded groups in Mbozi, in large measure, increased due to HIV/AIDs. One such category of the excluded that became common in the district was the people living with HIV/AIDS (PLWHA). This groups increased due to the increase of HIV cases as table 1 below illustrates.

[283]*Mhombe* JacsonNzunda, interview

Table 1 : HIV Positive Cases in Mbozi District, 1987-2013

SN	YEAR	HIV + CASES
1	1987	6
2	1988	100
3	1989	238
4	1990	294
5	1991	330
6	1992	324
7	1993	524
8	1994	920
9	1995	1120
10	1996	0
11	1997	75
12	1998	67
13	1999	75
14	2000	78
15	2001	55
16	2002	130
17	2003	133
18	2004	254
19	2005	641
20	2006	1467
21	2007	2389
22	2008	3757
23	2009	4564
24	2010	4692
25	2011	3391
26	2012	2508
27	2013	2704



Note: No data were available for 1996
Source: Vwawa Governmental Hospital, 2017

Table 1 above shows the increase of HIV positive cases that reached a peak in the early 1990s before levelling off in the late 1990s, but increased sharply in the early 2000s.

In addition to PLWHA, orphans and widows became common in the district. Between 1986 when the first case of AIDS was diagnosed in the district and 2005 when anti-

retroviral (ARV) treatment began, many young adults (18-49 years old) died leaving behind many dependants such as orphans and widows. Illustrating this phenomenon, Ms. Kisiwa, the Mbozi district Social Welfare Officer, noted that: "The increase of orphans in the district is mainly attributed to HIV/AIDS. Before the start of ARV treatment, many people died of AIDs, and left many orphans and widows who currently [2014] need to be cared for."[284] Kisiwa's observation is also supported by government reports. A 2002 Mbozi district report, for example, indicated that the consequences of HIV/AIDS were increased orphans, widows and widowers.[285] Indeed, from 1987 to 2005 there were on aggregate 341 AIDS deaths recorded from health facilities. (see Table 2 Below).

Table 2: AIDS Mortality in Mbozi District, 1987-2005

Year	1987	1988	1989	1990	1991	1992	1993	1994	1995	2001	2002	2004	2005
Deaths	1	10	21	16	11	6	4	17	19	35	57	49	95

Note: No data were available from 1996 to 2000, and for 2003
Source: N. Malocho, *Mbozi Socio-Economic Profile (1997),* p. 62; DMO *Halmashauri ya Wilaya ya Mbozi, Idara ya Afya: Taarifa za Miaka 2002 na 2003, Miongozo ya Kutolea Taarifa za Huduma za afya Mganga Mkuu wa Mkoa: Wilaya ya Mbozi miaka 2005 na 2006.*

From table 2 above, AIDS deaths increased from 1 in 1987 to 95 deaths in 2005. Although the data from the above table give us a picture of AIDS mortality, they are conservative estimates because of missing data for some years, but mostly important many AIDS related deaths in the district happened outside the health facilities thus they were not recorded. Thus, it is difficult to know with certainty the number of AIDS deaths, but what is certain is that the deaths led to the presence of widows and orphans. In 2008, for example, out of 165,960 children aged between 0 and 17 years, 38,994 (23%) were

[284] Kisiwa, interview.
[285] District Medical Office (hereafter DMO), Mbozi District Comprehensive Council Health Plan for the year 2002, p. 20.

orphans[286] some of whom were cared for by the elderly following the deaths of their parents.

Similar to the government officials` observation, members from the Mbozi society from different parts of the district showed an increase of marginalisation in the era of HIV/AIDS. Wilson Tuyele Mwambwiga of Iyula village testified that, "From 2005 to 2007, many residents of the village died of AIDS leading to the increase of the number of widows and orphans. However, now (2010) the number of deaths has decreased due to the availability of ARVS."[287] Similar views were given out by residents of Ndalambo and Igamba.[288] According to Nelson Mkoma, an elder and resident of Ndalambo aged 74 years, HIV/AIDS increased the number of widows and orphans. He noted:

> The disease [HIV/AIDS has increased the number of orphans and widows in this area [Ndalambo]. I [Nelson], for example, have three orphans who are totally dependent on me. I am now back again to the task of child up-bringing with all its burdens, a task which I thought I had completed after my sons and daughters were married a long time ago. These problems of widows and orphans increased in the 1990s following the decline of widow inheritance, a tradition which had existed among the Nyamwanga since time immemorial. Its decline is due to concerted campaigns against it as it is associated with the spread of HIV/AIDS. The campaigns are conducted at public meetings, schools, churches, and in health facilities.[289]

The analysis in the above quotation is important because not only does it highlight the increase of marginalisation due to HIV/AIDS, it also enlightens us on one of the important factors for its increase i.e. the decline of widow inheritance. The institution of widow

[286] Prime Ministers' Office, Regional Administration and Local Government, Mbeya Regional HIV and AIDS Strategic Plan 2014-2018, Mbeya Regional Secretariat, 2014, p. 22.
[287] Interview with W. Mwambwiga at Iyula on 31st May 2010.
[288] Interview with S. Mbembela at Igamba on 19th May 2010; interview with W. Mwambwiga at Iyula on 31 May 2010.
[289] Interview with Mkoma, *op.cit*.

inheritance among the Nyamwanga and Nyiha served as a social insurance to widows and orphans. It is, however, important to note that the decline of the institution due to HIV/AIDS constitutes an immediate factor. Long term factors for the decline of the institution can be traced to the introduction in Mbozi of Christianity and western education as far back as in the late 19th and early 20th centuries. Both Christianity and western education made some residents of Mbozi to ignore traditions[290] such as widow inheritance and pursued other values and religion instead. Thus, the aforementioned change in the context of HIV/AIDs was one among a series of forces at play in the weakening of the institution; yet its timing left many orphans and widows in a vulnerable situation.

4.0 Plight of the Excluded in Mbozi District

As indicated earlier, the excluded in Mbozi were not monolithic, but consisted of different social groups namely people living with HIV/AIDS (PLWHA), widows, orphans and the elderly. Since the 1980s, people living with HIV/AIDS had faced three major problems: poverty, inability to access drugs for opportunistic infections, and stigma and neglect. Poverty especially among those who suffered from AIDS, stemmed from the fact that they were too weak to engage in economic activities or they had sold most or all of their economic assets for the management of the disease.[291]

Besides economic hardships, PLWHA faced the problem of accessing drugs for opportunistic diseases. Unlike in the 1980s and 1990s when the government freely gave drugs to PLWHA for opportunistic infections, in the early 2000s, and faced with larger number of PLWHA, such an exemption was removed. PLWHA in Mbozi were only exempted from paying the registration card fees which at Vwawa Government Hospital

[290] Brock, *op.cit*., p.24; J. Erdtsieck. "In the Spirit of Uganga-Inspired Healing and Healership in Tanzania" (Amsterdam Institute of Social Science Research: PhD Thesis, 2003), pp. 116-117.

[291]Interview with F. Siame at Ndalambo on 3rd June 2010; interview with L. Nzowa (a Coordinator of the Service, Health and Development for People Living Postively with HIV/AIDS (SHDEPHA-Mbozi) at Vwawa on 22nd July 2014.

was Tsh 3000 ($1.5).[292] Generally, PLWHA who had no health insurance were required, like any other citizens, to pay for the treatment of opportunistic infections.[293] Payment for the drugs, however, was a big challenge to many PLWHA.

Additionally, PLWHA faced stigma. The advent of HIV/AIDS was also accompanied by stigmatization of PLWHA and or AIDS patients.[294] Yet, the resultant stigma was not static but changing. According to informants, AIDS patients were more stigmatised in the 1980s and 1990s than in the early 2000s.[295] This change was partly due to HIV/AIDS education campaigns and the availability of ARVs, which reduced stigma attached to the disease. Stigma arose partly because of scary and debilitating symptoms of the disease. In the 1980s and 1990s, stigma was manifested in different forms including physical and verbal abuse, neglect, name-calling, and discrimination. Regarding the abuse, some relative care-givers used to beat up the sick on various excuses such as being too troublesome by asking for constant care and attention.[296] As for neglect, some care-givers abandoned AIDS patients due to the scary symptoms of AIDS. A typical of the symptoms was herpes zoster (*mkanda wa jeshi*).[297]

Regarding name-calling and discrimination, informants[298] noted that in the 1990s some members of the Mbozi society called sufferers of AIDS with pejorative terms such as "the dead-to be" (*mfu mtarajiwa*) and the "immoral one," to name but a few. Some even used to point fingers at any AIDS patient walking down or up the street. Name-calling and finger pointing were possible partly because of the physical symptoms an AIDS patient showed that were easily noticed by everybody: wasted body, persistence cough, periodic

[292] Nzowa, interview, *ibid*.
[293]Nzowa, interview, *ibid*.; interview with Y. Mwashiuya at Vwawa on 22nd July 2014.
[294] DMO, "Comprehensive Council Health Plan for the Year 2002," p. 20.
[295]Nzowa, interview; Mwashiuya, interview; S. Simkoko interview at Vwawa on 2nd August 2014.
[296]Interview with A. Nzunda at Vwawa on 21st June 2010.
[297]Nzowa, interview.
[298] Nzowa and Simkoko, interviews.

fevers, diarrhoea, and even boils.[299] Afraid of the aforementioned injustices, some patients became isolated and thereby refraining from participating in social gatherings and engagements. One informant brought this fact home by noting that: "I was afraid of going to funerals and public meetings because I was called names, pointed fingers at and laughed at. During those days (1990s) HIV/AIDS` educational campaigns were minimal; thus, many people were ignorant of the disease."[300] This quotation is important because it not only shows stigma but also the reason for its existence, namely lack of health education on HIV/AIDS. It was partly because of lack of this knowledge that some residents of Mbozi thought that one could contract the disease by casual touching of an AID patient, greeting someone by hand-shaking and even eating in the same utensils with an AIDS patient.[301] These misconceptions led some people in the district to ostracise AIDS patients.

Nevertheless, in the 2000s, following the availability of ARVs and massive health education campaigns on HIV/AIDS, stigma has been reduced. Underscoring this change one informant observed that people living with HIV/AIDS in the early 2000s were less stigmatised than their colleagues in the 1980s and 1990s.[302] However, the informant`s above observation is by no means an indication of lack of absence in the 2000s. On the contrary, the vestiges of stigma continued in the early 2000s. Some people living with HIV/AIDS who had openly disclosed their HIV positive status faced stigma. One PLWHA testified that her colleagues did not touch her bucket that was in a queue for fetching water at a public tap lest they contracted the virus.[303] This experience, however, was not exceptional, other PLWHA informants reported that some parents in their communities forbade their children from associating with or playing children games with the children

[299]Nzowa, interview.
[300]Interview with "B" informant at Vwawa on 22nd July 2014. I use the letter "B" rather than the real name of the informant on ethical ground. The informant was HIV positive.
[301]Nzowa, interview.
[302] *Ibid*.
[303] Interview with "C" informant 22nd July 2014 at Vwawa. I use the letter "C" to protect the privacy of the informant as she was HIV positive.

of PLWHAs for fear that PLWHA`s children might transmit the virus to their children.[304] This type of stigma indicates social discrimination at best. Yet this discrimination was not peculiar to PLWHA or their children, other social groups such as widows faced the same problem.

In Mbozi widows became more visible in the era of HIV/AIDs due to mortality from the disease and campaigns against levirate or widow inheritance. Widow inheritance was singled out as a risk factor for the transmission of HIV. This, however, as noted earlier, did not mean the end of the tradition. By 2017, the practice was still going on, but the campaigns led to the increase of independent and un-inherited widows who were prone to social injustices and deprivation. One of the major injustice widows faced in Mbozi was the confiscation by in-laws and other relatives of the properties of the deceased husband. Many cases of this type of injustice were reported in many areas of the district.[305] This can be illustrated by the following representative case. A 38 years old widow[306] on ARVs treatment was living in a suburb of Vwawa town with two children: a son and a daughter from the second marriage. She was married for the first time in 1994 at Hasamba village but the marriage ended following domestic violence. In 2000 she remarried at Isansa village until 2003 when her husband died. While in the second marriage, she, alongside her late husband built a house and owned other properties such as land and furniture. After the death of her husband, the brothers of the deceased asked her to leave the homestead of the deceased as they claimed to have traditional rights to the property of the deceased. But later she realised that they were planning to sell the house and land. Following the advice from her mother and discouraged by the lengthy legal procedures one had to follow to get his or her rights, she surrendered all of the properties to the in-laws and returned to her mother at Nambala village and in 2004 moved to Vwawa town. In 2007 she tested HIV positive and in the same year became a member of the Mbozi branch

[304] Interviews with "D "and "E" informants. The identities of the informants have been hidden for confidentiality.
[305] Interview with S. Mswima at Iyuala on 31st May 2010; interview with C. Sijame at Igamba on 19th May 2010; interview with J. Mwasenga at Ndalambo on 3rd June 2010.
[306] Because the informant is also HIV positive, I have hidden her true identity for confidentiality.

of the Service, Health and Development for People Living Positively with HIV/AIDS (SHDEPHA), a Non-Governmental Organisation for PLWHA.

The above narrative indicates, among other issues, gender-based injustices against women justified on distorted notion of traditions. The injustices, however, had, as Frederick Kaijage pointed out in the context of Kagera, nothing to do with traditions but served to advance the selfish interests of the in-laws, in this case the need to accumulate personal wealth.[307] Therefore, the above mentioned eviction which had no regard to the welfare of children was contrary to the traditions and motivated by individual greed to accumulate personal wealth. Moreover, the narrative sheds light on victim`s disillusionment with legal recourse to justice. The disincentives to this course of actions, as hinted at in the story, include lengthy producers. Yet other barriers, as aptly observed by Frederick Kaijage, include inequity of the laws in gender terms and corruption within the judiciary system.[308] Aside from the above mentioned cultural-legal problems, widows faced the problem of accessing medical drugs. According to the District Welfare Officer, widows, like many other excluded groups, were exempted from medical cost sharing.[309] Yet, perennial lack of drugs made the exemption useless.

Apart from widows, orphans faced problems. The main challenges this group faced included lack of basic human needs- food, shelter and clothes- and educational learning materials as well as access to social services such as health and education. A large number of orphans could not get the needs and services because either they lacked parents or guardians or in case where these custodians were available, they were too poor to provide for the needs or services. Similar fate of lack of basic needs and access to health care befell the elderly.

[307]Kaijage (1997) *op.ci*., p. 348.
[308]*Ibid* p. 349.
[309]Kisiwa, interview.

5.0 Family and Kinship Support

As in pre-HIV/AIDS period, in the era of HIV/AIDS family and kinship structures offered basic human needs to the vulnerable members. Yet, in the context of HIV/AIDS the capacity of the above-mentioned structures to support the vulnerable became increasingly constrained and forced the marginalized individuals to take care of themselves. This can be illustrated by cases of orphans, PLWHA, widows and the elderly who had to fend for themselves to survive the difficulties they confronted.

The above-mentioned support mechanisms continued into the era of the liberal market with its attendant structural adjustment programs (SAPs) which began in the 1980s. This period coincided with the coming of HIV/AIDS. As in other parts of Tanzania,[310] this era in Mbozi increased poverty in many families as manifested in insufficient food and failure to purchase essential goods and agricultural inputs. This economic hardship forced many families to abrogate their traditional role of supporting their marginalised kin such as orphans, and instead focused on caring of their individual nuclear families. This shift to individualism happened at a time when the government, in implementing SAPs, was withdrawing from providing free medical care and services to citizens as well as introducing user-charges in government health facilities.[311] To add insult to injury, HIV/AIDS emerged with its attendant campaigns against levirate marriages. These changes in Mbozi, similar to other parts of Tanzania, as Frederick Kaijage aptly shows,[312] had adverse impact on the care and support of orphans. Consequently, many orphans became excluded from accessing basic needs. Despite the aforementioned constraints on family and kinship structures, kinship relations showed resilience in care and support of the orphans as demonstrated in a case of an orphan below:[313]

[310]C. Chachage. "Structural Adjustments in Tanzania: the Other side of the Story," Conference on the Road to a Market Based Economy in Tanzania," Department of Political Science and Public Administration, University of Dar es Salaam, October 27-28 1993 p. 148.
[311]*Mhombe* Jackson Nzunda, interview; Mwashiuya, interview.
[312]Kaijage (1997) *op.cit*., pp. 351-352.
[313] Many such cases exist in Mbozi, but I take this one case to represent many other related cases.

A bilateral orphan and HIV positive girl was born in 1991 at Vwawa.[314] Both her parents died of AIDS related symptoms. Her mother died before she started primary education in 1997 while her father died in 2002. Following the deaths of her parents, she was taken by a paternal grandmother who took care of her until 2007 when the care-giver died. Thereafter she was taken to a maternal aunt where she stayed for a couple of months before she was taken to a maternal grandmother where she stayed until 2009. From 2010 to June 2014, she was under the custody of a paternal aunt. While in primary school and prior to the death of her father, who was a petty trader, she was used to getting all school requirements: uniform, exercise books and pencils. But following the death of her father, who however did not bequeath her any property life became extremely tough for her as her relatives who cared for her were extremely poor. Indeed, she was forced to work for wages in private farms so as to get educational materials. She continued working for part-time wages until she completed standard seven. In addition to showing the resilience of kinship support,[315] the above narrative indicates the agency of the excluded in the sense that the victim, in this case the orphan, took initiatives to redress her problems. Specifically, she worked for wages in village farms to get money for buying her needs. This type of agency was also shown among PLWHA.

PLWHA in Mbozi not only received family and community support but also showed personal initiatives to deal with exclusion. Demonstrating these aspects one informant from Igamba noted that when he was diagnosed with AIDS in the early 1990s his relatives took care of him by regularly taking him to hospital as well as providing him with food. But as the disease became prolonged, the assistance stopped, thus he had to eke out a living by making small furniture for sale and cultivating his farm, though the produce from the farm was so little because he lacked much energy required for massive production. As for hospital services, his relatives became tired of taking him to Mbozi

[314] True identity of the informant is hidden for confidential purposes, as the informant is HIV positive.
[315] Details of kinship resilience are in M. Sadock "Rupture and Resilience of Kinship and Family Networks in Support of the HIV &AIDS excluded in Mbozi District, Tanzania, 1980s-2017 (a journal article forthcoming).

Mission hospital; instead his neighbours became in charge.[316] This gloomy situation for the victim continued until the early 2000s when international and domestic NGOs rendered their support to PLWHA.[317]

Similar to PLWHA, elders` situation was not impressive. This reality is aptly demonstrated by a 67 years old man who was diagnosed with HIV in the 1990s and was on ARV treatment in 2014 and taking care of two orphans whose parents had died of AIDS related symptoms. Despite his frail condition, the elderly was cultivating in his small farm of coffee intercropped with maize and beans. When asked why he was working in the farm given his advanced age and poor health condition he remarked in the Nyiha language that, "*kwendimaje mpaka kufwa nze ataliko uwa kunavwa*" which is loosely translated into English as "I will till the land till I die as there is no one to help me."[318] He further noted that unlike in colonial and Nyerere times when the elderly used to receive assistance from their kin and neighbouring communities, "nowadays we [elders] receive no help at all."[319] The long standing tradition of helping the elderly, according to informants, ended with the coming into power of President Ali Hassan Mwinyi.[320]

Although the above narrative sounds nostalgic, it is important as it reflects changes of culture in Mbozi from communal to selfish or individualistic approaches. Yet, the claim that individualism began during the presidency of Ali Mwinyi, that is, the beginning of structural adjustment programs (SAPs) is rather off the mark. Although individualism became more entrenched during the SAPs, it predates the programmes. In Mbozi, similar to other coffee growing areas in Tanzania such as Kagera,[321] individualism became influenced by the market economy which in turn was facilitated by the coffee economy,

[316] Interview with "F" informant. I use this letter to hide the true identity of the informant as the informant was HIV positive.
[317] Interview with "F" informant.
[318]Interview with informant "G" at Ilembo village in Vwawa Ward, 22nd July 2014. I use the letter "G" to hide the true identity of the informant to conform to confidential protocol of patients and People living with HIV/AIDS.
[319] Informant "G," interview.
[320]*Mhombe* Jackson Nzunda, interview; Mkoma, interview; Mwashiuya, interview.
[321]Kaijage (1997) *op.cit*., p. 352.

trade and labour migration. As far back as the 1930s, Mbozi had wealthy coffee producing Africans. Yet, this individualistic value was a bit weakened during *Ujamaa* at which time communal values were emphasised, but the individualistic values became resurrected in the era of SAPs.[322]

6.0 **Individuals, Neighbours and Community Organisations**

In Mbozi district neighbours and self-help community organisations played a key role in assisting the excluded. One of such self- help imitative was a micro-financial arrangement popular called the village community banks (VICOBA). The VICOBA model was borrowed from Niger in West Africa and introduced in Tanzania in 2002. Generally, the VICOBA is a saving and loan giving scheme organised at a neighbourhood level. Neighbourhood members, the majority of the members being women, raise money through buying shares from the VICOBA as well as borrowed money from the VICOBA which was returnable with small interest ranging from 5% to 10%. Usually each VICOBA had maximum of 30 members who democratically elected among themselves a chairperson, a secretary and an accountant. Furthermore, the thirty members group was sub-divided into five groups and the members of the group acted as guarantors via their shares to a group member who took a loan from the VICOBA. The interest in turn was shared between the borrower and the VICOBA. The interest accrued to the VICOBA was, depending on the decision of members, used for income-generating activities of the VICOBA[323] or could be spend for social responsibly such as assisting the needy. In 2016 at Iyula village in Mbozi district, for

[322]Mwashiuya, interview; *Mhombe* Jackson Nzunda, interview. The aforementioned informants` views are also supported by researches from other parts of Tanzania: See C. Msoka "Criminal Bands and the Future of Urban Tanzania: How Life has been Redefined," in H. Moksnes and M. Melin (eds.). *Claiming the City: Civil Society Mobilization by the Urban Poor*, (Uppsala: Uppsala University, 2014) p. 185; M. Mbilinyi. "Poverty and Human Development Report, 2011," p. 3, retrieved on 3rd July 2015 at www.tzdpg.or.tz/fileadmin/migrated/../marjorie-PHDR-Reviwe-TGNPpdf. The authors note that during the Ujamaa period, that is, from the 1960s to early 1980s communal support system was strong but it was replaced by individualism with the coming of Neo-liberalism from the 1980s. Henceforth, the attitude of each person for himself or herself is pervasive.

[323] S. Lushakukuzi, *et al*. "Village Community Banks (VICOBA) and Members` Business Sustainability: Case Study of Kunduchi Ward at Kinondoni District in Dar es Salaam." *International Journal of Business Marketing and Management* (IJBMM) Vol. 2, Issue 3 (March 2017): 63, retrieved on 25th May 2018 at www. Ijbmm.com/article/mar2017/9971864285.

example, the *Wanatumaini* (those with hope) VICOBA decided to give uniforms, toiletries and stationery worth 300,000/ ($75) Tanzanian shillings to thirty orphan pupils.[324]

Another self-help initiative was income-generating group in Igamba village. In 2007 PLWHA organised themselves in a self-help group called *Tupambane* (Let us Fight). In the same year the group received one million ($500) Tanzanian shillings from the Tanzania Social Action Fund (TASAF) for initiating economic enterprises. Indeed, with this seed money on their hands, the group started poultry farming. The project thrived until 2015 when it died following the deaths of the group`s chairperson and secretary. However, in 2017 the group was in the process of reviving it. Before its demise, the project generated income to the group by selling of eggs, but the most important benefit of the project was that members ate eggs thereby improved their health given the nutritious value of eggs.[325] Yet, the demise of the aforesaid project with the death of the leaders merit close attention because it speaks to the underlying leadership and managerial problems that many income generating activities (IGA) self-initiative groups faced in Mbozi. The problems were, however, not peculiar to Mbozi but common in other parts of Africa as well. Similar to Mbozi, Russell, in the context of the early 2000s South Africa, notes that a good number of PLWHA income generating activities failed because members lacked leadership and bossiness knowledge on how to manage projects let alone to assess the profitability of establishing a given project in a given locality.[326]

Besides, VICOBA and community organisations, individuals assisted the HIV/AIDS excluded. Testifying to this at Iyula village a 12 years old pupil and PLWHA girl, whose parents died of AIDS in 2007 but was under the custody of her maternal uncle following the death of her parents, observed that:

[324] Stella, interview.
[325] Interview with G. Mera, a member of the HIV/AIDS village committee at Igamba on 1st December 2017.
[326] Russell, *op.cit*. p. 33.

> There is one neighbour called Anna Mswima who in 2014 gave me a hen to domesticate. The hen used to lay up to fifteen eggs. Out of the fifteen eggs, I would sell ten eggs to buy stationary, bars of soap and body oil to mention but a few items. It is because of that hen that now [2017) I have six hens which help me a great deal to meet sundry expenses.[327]

The above quotation is significant as it not only shows the existence of humanistic values manifested by a neighbour giving a hen to the needy but it also demonstrates the enterprising sprit of the excluded, that is the she managed, through good husbandry, to increase the number of chicken from one to six Indeed, the aforesaid enterprising sprit is shown in many livelihood activities of the excluded.

7.0 Livelihood Strategies of the Socially Excluded

The excluded of Mbozi used different strategies to earn their living. Some strategies, which many scholars have also documented in other African countries, included begging and sex work. However, and contrary to other studies in Africa which have overemphasised strategies such as begging and sex work,[328] in Mbozi rural setting[329] begging and sex work were limited to a few excluded groups especially school going orphans while sex work was confined to widowed women. Many of the excluded eked their living by doing farming and conducting small businesses.

Having introduced the above strategies, this section of the article discusses in details the strategies used by the excluded by starting with begging and sex work before moving to

[327] Interview with informant "H" at Iyula, 28th November 2017. I use the letter "H" to hide the true identity of the informant as the informant was HIV positive.

[328]M. Mhloy. "Report on the Social and Economic Impact of HIV/AIDS on Rural Households in Masvingo Province: the Case of Gutu District," in *The HIV/AIDs Challenge in Africa An Impact and Response Assessment: The Case of Zimbabwe* (Addis Ababa: Organisation for Social Sciences Research in Eastern and Southern Africa (OSSREA), 2008), pp. 45, 91; A. Pankhurst, *et.al*. "Social Responses to HIV/AIDS in Addis Ababa, with Reference to Commercial Sex workers, People Living with HIV/AIDS and Community Based Funeral Association in Addis Ababa," in *The HIV/AIDS Challenge in Africa, op.cit.*

[329] Child-begging and prostitution have, however, been reported in the towns of Mbozi district.

farming and business. As noted earlier, orphaned school going children whose guardians were poor begged for money even from strangers in order to buy school requirements such as exercise books and pens. A 12 years old HIV positive orphan girl from Iyula village aptly illustrated this. She noted: "Sometimes I beg for money from the Samaritans (*wasamalia wema*) along the road who usually give me between one-hundred and two-hundred shillings, but the money from this source is too little to buy my necessities."[330]

Nevertheless, the above-mentioned begging case, as noted earlier was an exception rather than the norm. The norm was that a great number of orphans, though under enormous constraints, earned their living by engaging in various economic activities. Two cases from Iyula and Igamba villages illustrate such activities. In 2017 in Iyula village a 17 years old orphan was the head of the other two siblings. The household mother and father had died of AIDS in 2000 and 2005 respectively. One of his siblings, a 10 years old girl was in primary school, while the other 14 years old had completed standard seven and selected to go to secondary school but never reported for studies because of lack of money. Instead he together with his old brother cultivated maize in a one-acre farm that their parents bequeathed them. However, they hardly harvested one bag of maize from the farm as they cultivated maize without the use of fertilisers and other agricultural inputs. They were too poor to buy the inputs. Consequently, the harvest from the farm hardly sustained them for six months. Given this situation, the orphans had to work as farm labourers in the farms of the rich. In addition to farm work, they worked as casual labourers doing menial jobs whose payment ranged from 1000 ($1cent) to 10000 ($ 5) shillings. [331]

Moving from Iyula to Igamba, a 17 years PLWHA orphan, whose mother and father died of AIDS in 2010 and 2011 respectively, worked in her sister`s women salon. She worked in a salon in order to supplement the meagre money she received for her upkeep from another sister of hers who was a civil servant in Dodoma. By working in the salon, she earned on

[330] Interview with a 12 years old PLWHA at Iyula on 28th November 2017.
[331] Interview with a 17 years old boy, head of a household, in Iyula Division on 28th November 2017.

average 6000 ($3) per day. Furthermore, she noted that the money she received from her Dodoma sister was used to buy stationery and uniforms when she was schooling, but it was not enough to cater for her sundry expenses such as buying soap, body oil, and sanitary pads.[332]

With regard to sex work, another rare strategy, widows deployed it to earn a living. The following narrative of a 38 years old PLWHA widow informant called "I" [333]from Iyula Division illustrates the strategy. The informant`s husband died of mental related illness in 1993 leaving her with two children. Following the death of her husband, her in-laws evicted her from the house she had built with the deceased husband accusing her of responsibility for the death of the husband by bewitching him. After the eviction, she, together with her two children, went to stay with her parents who were also based in Iyula village. Amidst financial problems, in 1995 she began to sleep with men for money in the village. While in the sex work, she got pregnant in 2002 and because of the pregnancy she decided to test for HIV and was diagnosed positive. She delivered a son and three years later she gave birth to another baby boy. In 2009 her first born son passed the primary school examination, thus he was required to go to secondary school but she was too poor to send him to secondary school. Her brother, however, assisted her second born child to go to secondary school and was in (2017) a third-year student at the university. Nevertheless, the year 2010 was a turning moment for her as she stopped sex work and non-profitable small-scale business of selling fish in the village and began to fully engage herself in crop cultivation and livestock keeping. During that year the Water Reed and SHIDEPHA - Non-governmental organisations (NGOs) - gave she-goats for domestication to PLWHA in Iyula village. She was given two goats. SHIDEPHA also trained her and became an HIV/AIDS educator. This position was accompanied by a monthly allowance of 130, 000/ shillings ($60). With the allowance and the goat project she started to fully

[332] Interview with a 17 years old PLWHA orphan in Igamba Division, on 1st December, 2017.
[333]Interview with informant "I" at Iyula on 28th November 2017. I use the letter "I" to respect the privacy of the informant).

engage in agriculture. She hired labourers to work in her maize farms. Indeed, in 2017 she harvested thirty-three bags of maize and had ten goats. Farming had changed her life for better. It was because of farming that she had a brick built and corrugated iron-sheet roofed house with a seating room and two bed-rooms.[334]

Despite informant`s aforesaid achievements, she faced one major challenge which was also typical to other excluded in Iyula and Igamba Divisions. The challenge was the low prices of maize. [335] In Iyula and Igamba Divisions, as in other parts of the district, there was a drastic fall of the prices of maize. A 100 kilograms bag of maize was sold at 30,000 ($15) shillings in 2017 while the same bag in 2015 and 2016 fetched 100, 000 ($50) shillings.[336]

Although maize price fluctuations were common in the district, the above mentioned drastic fall of prices in 2017 was partly attributed to the central government ban on selling maize outside Tanzania.[337] In Mbozi context, this meant the end of the hitherto lucrative maize markets of the neighbouring countries of Malawi, Zambia and Congo DRC.[338] The government justification of the ban was on national food security as well as discouraging the sale of unprocessed maize. In other words, the Tanzanian government aimed at selling maize value-added products such as flour. The sale of processed maize, the government argued, would in turn encourage the establishment of agricultural processing industries.[339]

Having narrated the above-mentioned informant's story and the challenge she faced, it is important to highlight the significance of the narration. The story shows a number of broad socio-political and economic issues happening at local and national levels.

[334] Interview with "I" informant in Iyula Division on 28th November 2017.
[335] *Ibid.*
[336] *Ibid.*
[337]IPP media.com retrieved on 28th May 2018 at https://www.ippmedia.com/sw/biashara/malori ya magendo-kutaifishwa.
[338] B, interview.
[339]Ippmedia.com.

Specifically, it highlights the following. Firstly, and similar to the two widows mentioned earlier, it shows gender injustices inflicted upon widows by in-laws. Secondly, it shows dynamism in individuals in terms of their livelihood strategies. The informant worked as small business woman, sex worker and a farmer. Thirdly, it indicates how national decisions, as demonstrated by a ban on maize export, impacted on individuals at the local level. And finally, it demonstrates individual`s agency. This aspect of agency was manifested in all the excluded including the elderly as shown by an elderly widow from Igamba Division called informant "J."

The life history of the informant "J" shows the agency of the excluded in profound way. The informant was born in 1957, a second wife to her husband who until his death in 2012 was a local government employee as a Ward Education Officer (WEO). The couple had two children: a son and a daughter. Before his death, the husband had built three houses: one at the nearby village of Isansa, a place where he had been working before his untimely death, the second at Vwawa, the headquarters of Mbozi district, in which the senior wife was living, and the last at Igamba village in which she was living. Following the husband`s death, the senior wife claimed sole ownership of the Vwawa house as well as the deceased`s pension contribution money and other entitlements. Except for the Igamba house, the informant received nothing from the deceased husband, not even a piece of land to farm. Given this situation, in 2015 she fell sick and admitted to the district hospital at Vwawa for months. While in hospital and given her age –being 60 years old, she was given an identity card issued to the elderly allowing them free medical care and treatment in government health facilities. She was later discharged from the hospital but henceforth she became too weak to do strenuous activities such as tilling the land. Thus, to earn a living she started, with the help of two orphans under her custody, to brew local beer made out of maize and millet locally called *kangala*. The two orphans were from her son and daughter who had died of AIDS, a disease which she called *uvuvinu vitu vupwa uva munsi* (the modern disease of our land) in 1999 and 2001 respectively. She brewed the beer twice per week: four tins (20 litres) per round. Each tin fetched 5000 ($2,5) shillings. Thus,

she earned 40,000 ($20) per week. She spent the earned money on buying maize for the food of the family and brewing beer, salt, soap, kerosene,[340] and medical treatment cost for the orphans.[341]

Despite the aforesaid success, the informant`s business faced a number of challenges including some customers who drank her beer on loan, but never repaid the debt. Nevertheless, the critical challenge that the informant faced was lack of enough capital to expand her business or even to diversify her business. Indeed, if she had the capital, she would venture into other businesses including establishing of a grocery store, and pigs and poultry farming.[342]

The above discussed informant's testimony is significant in the sense that it challenges the dominant one-sided portrayal of gender injustice whereby men are always depicted as victimising women. In this story, and in the context of a polygamous marriage, it is the senior wife who was a perpetrator of injustice to her husband`s co-wife. Thus, the underlying issue here was economic imperative to accumulate personal wealth in line with existing individualistic value, as explained earlier. The value was contrary to the *Ujamaa* and/ or *Ubuntu*[343] values which emphasised on communitarian ethos including caring for each other well-being and mutual support, to mention but a few. The story also shows the absence and or inadequacy of government assistance to the excluded. In this context, the

[340] Interview with "J" informant, at Igamba Division on 1st December 2017. I use the letter "J" in lieu of the real name to protect the privacy of the informant.

[341] Although and according to the Tanzania government policy, orphans are exempted from cost sharing in public health facilities thus they are supposed to get free medical treatment and care after getting an exemption card, transport costs and the bureaucracy of getting the card discourages many orphans from seeking it. According to the interview I conducted with Kisiwa (District Social Welfare Officer), in order to get a card, an applicant must first seek a letter from his or her village government testifying that he or she is an orphan or elderly, Whereupon, s/he takes the letter to the ward government for the endorsement and finally to the District Social Welfare Officer for the approval and issue of the card. The Social welfare Officer is at the district's headquarters many kilometres away from many villages. Igamba village, for example, is 21 kilometres away from the headquarters with un-tarmac roads.

[342] C, interview.

[343] E. Bongmba. "Reflections on Thabo Mbeki`s African Renaissance." *Journal of Southern African Studies* Vol. 30 No. 2 (June 2004): 297-9, retrieved on 28th May 2018 at http://doi.org/10.1080/0305707042000215374.

informant did not receive any economic assistance from the government in terms of social grants neither did the orphans who also had no government medical insurance cover.

8.0 Conclusion

HIV/AIDS in Mbozi district has increased marginal groups: widows, orphans and PLWHAs as well as adding the burden of caring of orphans among the elderly. Nevertheless, the groups have not remained complacent but shown agency in addressing the marginalisation occasioned by the epidemic. They have coped with stigma, poverty and inability to access medical services. By bringing the agency of the marginal groups to the fore, this article differs from many scholars who downplay individual agency while overstating the role of external players such the government and international community.[344] The aforementioned emphasis on external efforts renders passive individuals` initiatives. Yet, this article has found that the HIV/AIDS marginal groups of Mbozi district have agency by engaging in wage labour, income –generating groups, self-help groups, farming, petty trade, begging, sex work as well as enlisting, especially for orphans, family and neighbourhood support. While the findings are in line with many scholars who have documented different group`s strategies including doing activities which are socially construed as demeaning especially sex work and begging,[345] the findings from this study differ from such scholars by showing, in the rural context, that the excluded did socially respectable activities as well such as farming and petty trading. Through the activities, the excluded registered a number of successes including self-reliance, sustenance and even owning some property. Despite the successes, obstacles such as gender imbalanced laws, lack of capital, lack of managerial skills, government policies and economic hardships impinged upon the initiatives of the excluded. Given the intricate nature of the challenges, it is important that the local and central governments as well as the international community should supplement and compliment individuals` initiatives to cope with marginalisation.

[344] F. Lerisse, *op.cit*; L. Rispeland and J. Popay, *op.cit*. and I. Jamil and R. Muriisi, *op.cit*.
[345] M. Mhloy *op.cit*. A. Pankhurst, *et.al.*

Development of Cultural Heritage Registration in Post-Colonial Tanzania

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Abstract

Although Tanzania is endowed with a significant amount of nationally and internationally renowned cultural heritage resources that span about 3.6 million years to the present, very few of them feature in the national heritage register. The government has only proclaimed and registered fifty-five heritage assets deemed to be of national significance since independence, almost six decades ago. Most of the registered heritage resources are built heritage with colonial ties, at the expense of traditional African ones. Spatially, heritage properties in regions along the Indian Ocean coast dominate the proclaimed heritage properties. This paper investigates the reasons for these trends, by tracing the roots of the heritage registration system in the country to the colonial period and by uncovering the shortcomings in the creation and maintenance of the heritage register, and proposes solutions and strategies for addressing the challenges. The paper cites examples from African countries and beyond to illustrate how comprehensive heritage registers are created and maintained.

Key words: Register, heritage registration, Antiquities Department, Tanzania

1.0 Introduction

Tanzania has extensive cultural heritage resources that are nationally and internationally recognised, spanning the Plio-Pleistocene (circa 3.6 million years ago) and contemporary periods.[346] These include both immovable and movable sites and relics of

[346] A. Mturi. "Whose cultural heritage? Conflicts and contradictions in the conservation of historic structures, towns and rock art in Tanzania," in P. Schmidt & R. McIntosh (eds.). *Plundering Africa's Past* (Indianapolis: Indiana University Press, 1996), pp. 170-190; B. Mapunda. "Cultural heritage and development in Tanzania," in B. Mapunda & P. Msemwa (eds.). *Salvaging Tanzania's Cultural Heritage* (Dar es Salaam: Dar es Salaam University Press, 2005), pp. 243-258.

palaeontological, archaeological, historic and cultural significance,[347] as well as the intangible heritage comprising belief systems, social customs, ethical values, religious ceremonies and traditional knowledge systems, all of which are important expressions of heritage.[348] Whereas some heritage resources enlighten our understanding of early life forms and humanity's bio-cultural evolution,[349] others provide evidence of global physical processes, such as palaeo-climatic changes and how humans adapted to them.[350] They also reveal the history of humans' use of natural resources and how this impacted the landscape.[351]

Despite the stated richness and significance of various cultural heritage resources found in Tanzania, a comprehensive register for them (also known as an 'inventory') is yet to be drawn up. [352] The lack of a comprehensive heritage register is probably contributing to the rapid demise of these resources - not only due to extensive vandalism by some local

[347] A. Mabula and C. Magori. "Reflections on the archaeology curriculum at the University of Dar es Salaam," in *Salvaging Tanzania's Cultural Heritage*, pp. 25-35; A. Mturi. "State of rescue archaeology in Tanzania," in *Salvaging Tanzania's Cultural Heritage*, pp. 293-310.

[348] M. Mulokozi. "Management of intangible heritage in Tanzania," in *Salvaging Tanzania's Cultural Heritage,* pp. 279-292; E.B. Ichumbaki. "Monumental Ruins, Baobab Trees and Spirituality: Perceptions on Values and Uses of Built Heritage along the East African Coast" (University of Dar es Salaam: PhD diss., 2015).

[349] R. Blumenschine, *et. al*., "Broad-scale landscape traces of Oldowan hominid land use at Olduvai Gorge and the Olduvai landscape palaeoanthropology project," in *Salvaging Tanzania's Cultural Heritage,* pp. 158-189; Mturi, 2005, *op.cit*.

[350] C. Musiba and C. Magori. "Laetoli paleoecology: predictive behavioral ecology model based on functional morphology and sediment proxy data," in *Salvaging Tanzania's Cultural Heritage*, pp. 137-157; E. Mjema. "Catastrophes and deaths along Tanzania's western Indian Ocean coast during the early Swahili period, AD 900–1100." *Azania: Archaeological Research in Africa* 53, no. 2 (2018): 135-155.

[351] P. Lane. "Developing landscape historical ecologies in eastern Africa: an outline of current research and potential future directions." *African Studies* 69, no. 2 (2010): 299-322; T. Biginagwa. "Historical archaeology of the nineteenth-century caravan trade in north-eastern Tanzania: a zooarchaeological perspective" (University of York: PhD diss, 2012); M. Heckmann. "Farmers, smelters and caravans: Two thousand years of land use and soil erosion in North Pare, NE Tanzania." *Catena* 113 (2014): 187-201; M. Heckmann, *et. al*. "Human-environment interactions in an agricultural landscape: a 1400-yr sediment and pollen record from North Pare, NE Tanzania." *Palaeogeography, Palaeoclimatology, Palaeoecology* 406 (2014): 49-61.

[352] Mturi, "State of rescue,"*op.cit*.; D. Kamamba. "Cultural heritage legislation in Tanzania," in *Legal Framework for the Framework for the Protection of Immovable Cultural Heritage in Africa* (ICCROM, 2009), p. 13-17.

community members,[353] but also to the damage that occurs when various developmental projects are being implemented, especially those involving significant modification of the land.[354] The latter is probably happening now in Tanzania, because a huge amount of infrastructural development is taking place, which includes the ongoing construction of a new 1,150 km Standard Gauge Railway line from Dar es Salaam to Mwanza,[355] the construction of a Stiegler's Gorge hydroelectric power station that extends 230 km² across River Rufiji in Selous Game Reserve,[356] and the laying of a pipeline for transporting crude oil from Ohima Region in Uganda to Tanga Region in Tanzania,[357] as well as ongoing civil engineering projects across the country triggered by the current government's

[353] M. Leakey. "Africa's vanishing art: the rock paintings of Tanzania" (Doubleday Books, 1983); T. Biginagwa. "Assessment of public awareness to archaeology in Irangi Hills, Central Tanzania" (University of Dar es Salaam: BA diss., 2002); J. Kimaro. "Cultural heritage management in Kilwa: towards sustainable conservation and management of Kilwa Kisiwani and Songo Mnara World Heritage Site" (University of Dar es Salaam: MA diss., 2006); F. Masele. "Cultural heritage management in Tanzania: a case study of Kunduchi ruins site, Dar es Salaam" (University of Dar es Salaam: MA diss., 2007); E. Bwasiri. "The implications of the management of indigenous living heritage: the case study of the Mongomi wa Kolo rock paintings World Heritage Site, Central Tanzania." *The South African Archaeological Bulletin* (2011): 60-66.

[354] B. Mapunda. "The role of archaeology in development: the case of Tanzania." *Transafrican Journal of History* (1991): 19-34; S. McIntosh. "Archaeological heritage management and site inventory systems in Africa." *Journal of Field Archaeology 20, no. 4* (1993): 500-504; Mturi, 2005, *op. cit.*; H. Kiriama, *et.al.*, "Impact assessment in the conservation and management of African heritage: what next?" in H. Kiriama, *et. al.* (eds.). *Cultural Heritage Impact Assessment in Africa: an overview* (CHDA, 2010), p. 77-81; E. Ichumbaki and E. Mjema. "The impact of small-scale development projects on archaeological heritage in Africa: the Tanzanian experience." *Conservation and Management of Archaeological Sites* 20, no. 1 (2018): 18-34.

[355] United Republic of Tanzania (URT). "National Five-Year Development Plan 2016/17 – 2020/21." Ministry of Finance and Planning, 2016; United Republic of Tanzania (URT). "Standard Gauge Railway Line (SGR) Project, Dar es Salaam – Makutopora, Tanzania: Environmental Impact Assessment Draft Report." Available: https://yapimerkezi.com.tr/PdfDosyalari/a6dc104c-d2b1-4c96-9aa2-3b9d5ea15ed5.pdf). [Accessed March 24, 2019].

[356] B. Dye and J. Hartmann. "The true cost of power: the facts and risks of building Stiegler's Gorge Hydro-Electric Power Dam in Selous Game Reserve, Tanzania." *World Wildlife Fund International* (2017); R. Harvey. "Damned if you Dam: Tanzania's Energy Dilemmas." *South African Institute of International Affairs Occasional Paper 281* (2018).

[357] East African Crude Oil Pipeline (EACOP). "Social and resettlement service for the East African Crude Oil Pipeline, Tanzania Section: Resettlement Policy Framework." Available: *eacop.com/publication/view/eacop-resettlement-policy-framework-tz-full-report-english.* [Accessed: March 26, 2019].

implementation of industrialization policy,[358] and the construction of new residential and commercial buildings and roads, together with the opening of new mines.[359] Unquestionably, implementing these projects puts undocumented cultural heritage resources at risk, especially in the absence of a legally-enforced cultural resources impact assessment.[360]

It can be argued that in the current situation where most traditional heritage management systems in Africa have been deliberately paralysed since the colonial period (discussed below) in favour of state-based heritage management systems[361], the existence of a properly coordinated national inventory of cultural heritage resources would minimize the challenges pertaining to their sustainability.[362] The bottom line is, "we cannot manage what we do not know exists,"[363] and so making an inventory of the nation's cultural heritage resources would produce an official heritage register, comprising heritage assets considered important as regards the culture, history, archaeology, architecture and traditions of the country.[364]

[358] URT, "National Five-Year Development Plan 2016/17 – 2020/21," *op. cit*.

[359] Ichumbaki and Mjema, 2018, *op.cit*.

[360] Mturi, 2005, *op.cit*.; G. Kaminyoge and E. Lyaya. "The effectiveness of cultural heritage impact assessment as part of environmental and social impact assessment in Tanzania." *Studies in the African Past* no. 13-14 (2018): 20-44; Ichumbaki and Mjema, 2018, *op.cit*.; see also Figure 1.

[361] A. P. Jopela. "Traditional Custodianship: a useful framework for heritage management in southern Africa?" *Conservation and Management of Archaeological Sites* 13, no. 2-3 (2011): 103-122; Webber Ndoro. "Heritage laws: whose heritage are we protecting?" *South African Archaeological Bulletin* 70, no. 202 (2015): 136.

[362] McIntosh, 1993, *op.cit*.; Mturi, 2005, *op.cit*.; A. Çayırezmez. "Cultural Heritage Inventory System of Turkey on the Web" in *CIPA XXI International Symposium* (2007): 207-209.

[363] McIntosh, 1993, *op.cit*.

[364] P. Parker and T. King. "Guidelines for the Evaluation and Documentation of Traditional Cultural Properties." *National Register Bulletin*, 38 (1998); Mturi, 2005, *op.cit*.

Figure 1: A section view of an early-second millennium archaeological site of Kimu in Pangani Bay massively destroyed by the construction of fish ponds. Photo courtesy of E. Ichumbaki and E. Mjema

The heritage register has been described as a national database and an essential planning tool for managing, protecting and conserving the country's heritage resources.[365] It fulfils these roles by entering relevant information on the heritage resources, such as type, location, size, significance, preservation status, legal ownership and strategies for managing them.[366] In Tanzania, all cultural heritage resources listed in the national

[365] McIntosh, 1993, *op.cit.*; D. Myers, *et. al.*, "Arches: an open source GIS for the inventory and management of immovable cultural heritage," in Euro-Mediterranean Conference, Springer, Berlin, Heidelberg (2012): 817-824.; H.W. Cape. "Grading: purpose and management implications." *Heritage Western Cape*, no. 16 (2016).

[366] S. Lavelle. "Assessing Significances for Historical Archaeological Sites and relics." Heritage Branch, NSW Department of Planning, 2009; R. Letellier and R. Eppich. "Recording, documentation and

cultural heritage register are legally protected under the Antiquities Act No. 10 of 1964 and the amended Antiquities Act No. 22 of 1979. Accordingly, as explored below, the Antiquities Act requires the Director of Antiquities to identify, assess, gazette and register cultural heritage resources that merit recognition and protection as national cultural heritage.

As already stated, Tanzania's cultural heritage register is neither comprehensive nor regularly updated. For instance, since its establishment in 1937 (over 80 years ago) during British colonial rule, only 131 sites, monuments and protected objects have been registered. Unfortunately, scholars and heritage practitioners have not yet come up with a strategy for reviving and continually updating the heritage register to ensure that all heritage assets are sustainably protected.

This paper examines the way in which cultural heritage resources in Tanzania are registered to uncover major shortfalls in how this is done, and to propose strategies for addressing them. The paper is divided into six sections. Following this introduction is Section Two, which briefly explores the pre-colonial heritage management system in Africa, demonstrating its effectiveness before the introduction of western or state-based management systems. Section Three discusses the colonial system of heritage management, typically state-based, employing an institutional and legal framework in which 'heritage registration' featured. As revealed later, the major shortcomings of the current heritage register, the focus of this paper, can be traced to this period. Section Four analyses how heritage assets have been registered since independence to date. Some 'facts and figures' drawn from the current heritage register are presented and major loopholes pointed out. Section Five describes strategies for addressing the loopholes identified in the preceding section, using some examples from African countries and beyond to provide lessons on how comprehensive heritage registers are developed,

information management for the conservation of heritage places" (Routledge, 2015); Cape, 2016, *ibid*.

maintained and regularly updated. Section Six, the final section, summarizes the key issues explored in the paper and draws a conclusion.

2.0 Pre-Colonial Heritage Management Systems Africa

Pre-colonial African societies did not need any sort of 'formalized' inventory or registration system of their cultural heritage assets to manage them, not because they were unable to document them in writing at that time, but because local communities living in close proximity to places of cultural significance ensured their survival through traditional custodianship.[367] Albino Pereira de Jesus Jopela describes the traditional custodianship as encompassing "all mechanisms and actions guided by belief systems and customs, carried out by local communities, aimed at the continuous use and preservation of the place and the surrounding environment, including the preservation of its value and symbolic and cosmological significance."[368] Under these systems, the use of heritage assets was governed and regulated by customary laws enforced by traditional custodians.[369] In particular, kings and chiefs were responsible for organizing the use and safekeeping of each heritage resource, including enforcing rites and taboos and maintaining respect for places that were sacred and culturally significant to the community.[370]

Webber Ndoro[371] argues that because traditional custodianship originated from the day-to-day practices of local communities using heritage sites, there was a natural linkage between them. A good illustration of this is the integration of archaeological sites, for

[367] Mulokozi, 2005, *op.cit*.; Ndoro, 2006, *op.cit*.; Jopela, 2011, *op.cit*.; Elgidius B. Ichumbaki. "A history of conservation of built heritage sites of the Swahili Coast in Tanzania." *African Historical Review* 48, no. 2 (2016): 43-67.

[368] Jopela, 2011, *op.cit*.

[369] F. Berkes, *et. al*., "Rediscovery of Traditional Ecological Knowledge as Adaptive Management." *Ecological Applications*, 10, 5 (2000): 1251–62.

[370] E. Mantjoro. "'Traditional Management of Communal-Property Resources: The Practice of the Sasi System." *Ocean and Coastal Management*, 32, 1 (1996): 17–37; Berkes, *et.al*., 2000, *op.cit*.; Mulokozi, 2005, *op.cit*.; Ichumbaki, 2016, *op.cit*.

[371] Ndoro, 2006, *op.cit*.

instance, some rock painting sites in central Tanzania, in the socio-economic dynamic of present-day communities, for example, through rain-control rituals,[372] which are important for ensuring good harvests, health and fortune, thereby minimizing risks to their lives. Thus, traditional custodianship protected the cultural and natural heritage through sustainable socio-economic and religious practices. However, with the onset of European colonialism this system collapsed.

3.0 Colonial Heritage Management Systems and the Dawn of Heritage Registration

The involvement of the British colonial government in cultural heritage management in Tanganyika was more elaborate than during the German colonial period. Similar to several other colonists in Africa, the British imposed heritage management systems informed by science, technology, and 'experts', and which was based on legislation enforced by the legal administrative framework[373]. This approach emanated from the Athens Charter of 1931. The charter was developed by fifteen European nations and its application extended to European colonies overseas, Africa being a part[374]. Among other things, the Athens Charter required each European country and its colony abroad to establish administrative procedures and legislative measures to protect monuments of *artistic, historic* and *scientific* interests. Consequently, in Tanganyika the *Monument Preservation Ordinance* (MPO) was enacted in 1937, specifically to protect such monuments. As detailed below, this law had a bearing on what was to be protected, with African traditional heritage resources being left out of protection programmes. Furthermore, the few cultural heritage sites that were identified for protection through legal administrative framework became government properties.

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[372] Biginagwa, 2002, *op.cit*.; Bwasiri, 2011, *op.cit*.

[373] A. Mauma. 'The Link between Traditional and Formal Legal Systems," in Webber Ndoro and Gilbert Pwiti (eds.). *Legal Frameworks for the Protection of Immovable Cultural Heritage in Africa* (Rome: ICCROM, 2005), pp. 22–24.

[374] C. Athens. "The Athens Charter for the restoration of historic monuments." in *1st International Congress of Architects and Technicians of Historic Monuments (Athens,* 1931); J. Jokilehto. "A history of Architectural Conservation: The Contribution of England, French, German and Italy Thought towards an International Approach to the Conservation of Cultural Property" (The University of York: PhD diss., 1986).

During the British colonial period, 76 properties were thus registered, accounting for 58% of the properties listed in the register to date. Guided by the MPO, the colonial focus was more on the 'built heritage', such as buildings (single or in a group), graves, tombs, towers, fortresses, historic gardens and so on. Accordingly, the built heritage constitutes 77.6% (n=59) of the properties listed during the colonial period, most of them (64.4%; n=38) with colonial ties, and only 30.5% (n=18) reflecting indigenous interests. At that time, fourteen archaeological sites (18.4%) were also registered, ten (71.4%) being rock painting sites in Kondoa district, Dodoma region. Furthermore, three geologically related heritage sites (3.9%) were also registered. These data show an obvious bias as regards registering the built heritage with colonial ties at the expense of traditional African heritage properties.

In terms of spatial distribution, all the properties registered during the colonial period are located in fourteen regions, although the majority (60.5%, n=46) are found in Tanga (22), Dar es Salaam (8), Coast (12) and Lindi (4) regions alongside the Indian Ocean. Inland, thirteen properties (17.1%) in Dodoma region were registered, with the 17 (22.3%) remaining properties scattered throughout nine regions. These statistics show that the colonial government focused on registering the built heritage located along the coast. Ichumbaki[375] remarks that one of the reasons for prioritising the coastline was the presence of mosques, which were better preserved than other sites, due to the fact that Islamic law forbids the destruction of mosques so that the stones can be reused to construct non-mosque buildings.

4.0 Heritage Registration in Post-Colonial Tanzania

Despite the rhetoric of liberation and independence, the governance of heritage in Tanzania has remained the same as during the colonial period. No meaningful changes have been made to the legal heritage instruments. As Webber Ndoro[376] observes, in most

[375] Ichumbaki, 2016, p. 45.
[376] Ndoro, 2015, *op.cit*.

African countries either the legislation has not been revised since colonial times or only minor cosmetic changes have been made. As demonstrated below, Tanzania's heritage legislation belongs to the latter category, with the result that the colonial approach to heritage management continues to be used, such as what is to be protected and commemorated and what is not.

The Antiquities Act No. 10 of 1964 (amended in 1979) replaced the *Colonial Monuments Preservation Ordinance* promulgated in 1937, and became the basic legislation governing the protection and preservation of the country's movable and immovable cultural heritage.[377] The Act interprets the heritage it protects as follows: a *relic* (any movable object made, shaped, carved, inscribed or otherwise produced or modified by human agency before 1863); a *monument* (any building, structure, rock painting or carving, earthwork formed, built, painted, excavated or otherwise engineered by human agency before 1863); a *protected object* (any ethnographic object or any wooden door or doorframe carved before 1940 in an African or oriental style, or any objects declared by the minister responsible for antiquities; and an *ethnographic object* (any movable object made, shaped, painted, carved, inscribed or otherwise produced or modified by human agency in Tanganyika after 1863, for use in a social or cultural activity, whether or not it is still being used by any community in Tanganyika. The Act empowers the minister responsible for antiquities to declare an object or structure, which is of archaeological, historic, cultural or scientific significance, a protected object or monument, respectively.

Similar to the colonial legislation, the current Antiquities Act is narrow in terms of heritage variety, clearly focusing on monumental heritage, resulting in other types of heritage celebrated by Tanzanians being omitted from protection plans, for instance liberation heritage, cultural spaces in towns, indigenous architecture, intangible heritage and spiritual sites. Furthermore, the perception of heritage as being old or ancient

[377] United Republic of Tanzania (URT). "Antiquities Act (No. 10 of 1964)." *Government Printer*, 1964; United Republic of Tanzania (URT). "Antiquities Amendment Act (No. 22 of 1979)." *Government Printer*, 1979.

imposes restrictions on its categorisation, because the Act states that for something to qualify as heritage needing protection it must be at least 100 years old, which is wrong. Webber Ndoro argues that in African societies time is considered cyclical, so that the materials and wisdom or knowledge they used to create heritage sites, including the associated rituals, practices and festivals, have a function in today's world.[378] As it stands, the Act fails to accommodate the dynamic vibrancy of Africa's heritage which, as mentioned above, has a bearing on the type of heritage properties that feature in the current national heritage register, as revealed in its scrutiny as follows.

5.0 Heritage Registration Trend: facts and figures

By Independence Day on December 9, 1961, 76 heritage properties had already been proclaimed and registered by the British colonial government as briefly described above. The independent government of Tanganyika (now Tanzania mainland), through the Antiquities Department (henceforth AD), adopted the register and continued to add more properties to it. However, for almost six decades the government has proclaimed and added only 55 properties to the heritage register (Table 1), equivalent to 41.2% of all the properties registered since the establishment of the register in 1937. This suggests that the British colonial government was more committed to registering heritage in the country than the independent government of Tanzania, despite the fact that the British colonial government had far fewer cultural heritage experts (less than three) than those currently employed in the AD (over 60).

The analysis of the register shows that the properties registered since independence to date are located in eight administrative regions (Table 1), which is only 30.7% of the regions of Tanzania mainland today. Dar es Salaam has the largest share, with 39 properties (70.9%) registered, followed by Dodoma with eight properties (14.5%). Arusha has two properties registered, while the other five regions have only one heritage property

[378] Ndoro, 2015, p.236.

listed in the current heritage register. This spatial distribution denotes a significant bias, calling for a national survey to find out what needs to be proclaimed and registered, which is discussed in the next section.

Table 1: Distribution of registered heritage assets during colonial and post-colonial period

S/N	Region	Colonial period	Post-colonial period	Total	%
1	Dar es Salaam	8	39	47	35.8
2	Tanga	22		22	16.7
3	Dodoma	13	8	21	16
4	Coast	12	1	13	9.9
5	Arusha	3	2	5	3.8
6	Lindi	4		4	3.0
7	Tabora	4		4	3.0
8	Iringa	2		2	1.5
9	Mwanza	2		2	1.5
10	Kigoma	1	1	2	1.5
11	Singida	2		2	1.5
12	Kagera	1		1	0.7
13	Ruvuma	1		1	0.7
14	Shinyanga	1		1	0.7
15	Mara		1	1	0.7
16	Mbeya		1	1	0.7
17	Mtwara		1	1	0.7
18	Unknown*		1	1	0.7
	TOTAL	**76**	**55**	**131**	

* This entry in the register (S/N. 6.127) reads "Preservation of Archaeological Objects" without specifying the location.

The proclaimed and registered heritage assets are in three broad categories: *built heritage properties* (e.g. historic houses – either isolated or amalgamated, historic graves, towers, defensive walls, historic human-made objects, and historic gardens); *archaeological sites* (e.g. palaeontological, stone-tool, and rock painting sites); and *natural* heritage properties (e.g. dinosaur fossils, geological caves and a meteorite). Similar to properties registered during the colonial period, the category that dominates is that of the built heritage, with 42 properties (76.3 %), 38 of which (90.4%) have colonial ties, while the remaining four (9.5%) are not connected with colonialism. This is followed by 11 (20%) archaeological sites, while the two (3.6%) natural properties are a meteorite and a slave route.

Table 2: Categories of registered heritage assets during colonial and post-colonial Tanzania

S/N	**Category**	**Colonial period**	**Post-colonial period**	**Total**	**%**
1	Built heritage	59 (58.4%)	42 (41.5%)	101 (100%)	77
2	Archaeological sites	14 (56%)	11 (44%)	25 (100%)	19
3	Natural sites	3 (60%)	2 (40%)	5 (100%)	4
Total		**76 (58%)**	**55 (42%)**	**131 (100%)**	**100**

This clearly shows the narrow perception of the government and heritage practitioners of what constitutes cultural heritage in the African context, and Tanzania in particular. Therefore, it can rightfully be argued that heritage registration in post-colonial Tanzania has been driven and guided by the colonial/western perception of cultural heritage, which centres on 'monumentalism': *scale*, *visibility*, *permanence*, *centrality* and

ubiquity,[379] which might explain why the current register is mostly biased towards listing heritage assets built during the colonial period, as revealed in Table 2 below. Accordingly, it can be argued that properties with colonial ties have for many years enjoyed better protection than the 'typical African traditional heritage' such as sacred forests, which Tanzanians revere the most.[380]

Further scrutiny of the register reveals that a substantial amount of heritage assets (n=38) were listed in the early 1960s, focusing specifically on the 19th-century 'Defensive Walls' located in Tanga region, which emanated from an initiative by the British colonial AD in the late 1950s to document these monuments. Ichumbaki argues that because of the low number of practitioners, the British confined to document monuments in only a few places along the coast. The records show that a British archaeologist called Neville Chittick, who was the Curator of Antiquities from 1937-1963, pioneered the heritage registration system in the country.[381]

The register shows that not one single property was registered in the 1970s, and that only eight were registered in 1980s. However, during the 1990s, 35 assets were proclaimed, all being colonial built heritage located in Dar es Salaam, which Ichumbaki argues, was triggered by the ad-hoc government strategy for identifying, documenting and promoting the country's rich cultural heritage as a tourist attraction to promote the economy and the livelihoods of Tanzanian people.[382] The last twenty years witnessed the registration of six heritage properties only. This trend clearly shows that heritage registration work in

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[379] Ndoro, 2005, *op.cit*.; R. Harrison. "Heritage: critical approaches" (New York: Routledge, 2013); Elisabeth A. Hildebrand. "Is monumentality in the eye of the beholder? Lessons from constructed spaces in Africa." *Azania: Archaeological Research in Africa* 48, no. 2 (2013): 155-172; E. Ichumbaki. "Monumental ruins, baobab trees and spirituality: perceptions on values and uses of built heritage assets of the East African coast" (University of Dar es Salaam: PhD diss., 2015).

[380] Bwasiri, 2011, *op.cit*; Ichumbaki, 2015, *op.cit*.; F. Kimaro. "An ethnological study of traditional conservation practices of Vabena and Vakinga of Njombe region" (University of Dar es Salaam: PhD. Diss., 2018).

[381] United Republic of Tanzania (URT). "National Cultural Heritage Register." *Jamana Printers*, 2018.

[382] Ichumbaki, 2016, pp. 61-2.

post-colonial Tanzania was undertaken sporadically after the departure of the British. Nevertheless, the general trend needs to be reversed if the government is really determined to sustainably protect the cultural heritage resources as pledged in the cultural heritage policy of 2008.

Based on the foregoing analysis, it can be argued that the lack of commitment, clear guidelines, procedures and the criteria for nominating heritage assets are some of the major factors militating against their proclamation and registration. Moreover, the current register has no strategy for managing the listed resources, on the assumption that all the listed assets will be managed by the central government, which is an impossible task. Several other issues concerning rectification of the current situation are discussed in the following sections.

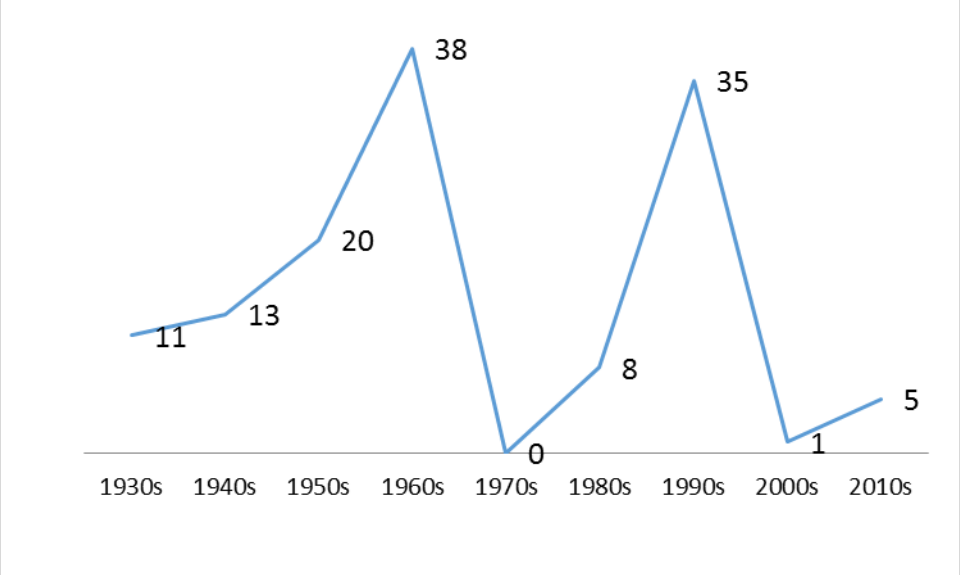

Figure 2: Heritage registration trend in pre-and post-independent Tanzania

6.0 Strategies for Improving Cultural Heritage Registration in Tanzania

The AD must collaborate with various stakeholders, both local and international, to design clear guidelines and procedures for identifying, assessing and ultimately

proclaiming heritage assets for protection. In what follows are the various strategies that could be employed.

First, the AD should spearhead the devising of *criteria* pertinent to the selection of heritage assets to be proclaimed for the register, in which a wide variety of stakeholders should participate so as to obtain their views on the types of heritage properties they would wish to see protected. As it stands, such criteria do not exist, which might explain why the post-independence registering of heritage properties continues to mimic that of the colonial period. In this regard the AD could consider the *significant criteria* proposed by Bhandari[383] to at least start accommodating a wide range of typical African cultural heritage that has been left out. These are: *historic* (significant in terms of the culture or history of the nation, or the range of associations with the context); *aesthetic* (having aesthetic characteristics highly valued by the community, or exhibiting creative or technical development); *social/religious* (significant to a community for social, cultural, religious or spiritual reasons); *scientific* (having research potential to contribute to our understanding of the natural and cultural history of the nation); *representative* (significant due to current interests) and '*other value*' (significant due to the value of the heritage to past, present or future generations, usually in addition to one or more of the above criteria).

This paper demonstrates that because traditional sacred sites (places that Tanzanians revere, or regard as important for their daily lives) do not feature at all in the current heritage register, the *socio-religious* significance criterion described above should be included to accommodate these forms of living heritage. Similarly, the *representative* criterion should also be included to accommodate, for instance, traditional buildings not linked to the colonial past, but which define current townships in various areas,[384]

[383] B. Bhandari. "Management of national heritage areas." *Contributions to Nepalese Studies* 22, no. 2 (1995): 167-179.
[384] Ichumbaki, 2016, *op.cit*.

because, regrettably, houses in the historic towns such as Pangani, Bagamoyo, Kilwa, Mikindani and Ujiji have not been regarded as being of heritage significance.

Furthermore, Tanzania could learn from Australia, where the *Australian Heritage Commission* (henceforth AHC) will list a property in the national heritage register if it is 'of outstanding value to the nation' because of its importance as regards any of the following aspects:

i. It shows the course of Australia's natural or cultural history;
ii. It possesses uncommon, rare or endangered aspects of Australia's natural or cultural history;
iii. It yields information contributing to an understanding of Australia's natural or cultural history;
iv. It demonstrates the principal characteristics of either Australia's natural or cultural places and cultural environment;
v. It exhibits particular aesthetic characteristics valued by a community or cultural group;
vi. It demonstrates a high degree of creative or technical achievement in a particular period;
vii. A particular community or cultural group has a strong association with it for social, cultural or spiritual reasons;
viii. A person or group of persons has a special association with it in terms of their life and work that is of importance to Australia's natural or cultural history; and
ix. Anything that upholds indigenous traditions.

Second, the AD should identify key stakeholders, who would be responsible for undertaking a national survey of the heritage to identify, assess and nominate properties for proclamation and ultimate registration. Accordingly, the AD should state which stakeholders would be responsible for conducting the survey, which personnel would be responsible for evaluating heritage properties, who would be responsible for preparing

and submitting to the authorities the 'nomination dossiers' of properties for inclusion in the register, who would form the committee responsible for evaluating and deciding on the submitted 'nomination dossiers', and who would form a committee with the authority to register and deregister properties, among several others. The guidelines and procedures for each of the identified activities must be made clear.

This paper once again considers the *Australian Guidelines for the Assessment of Places for the National Heritage List* (2009) a good example of best practice, as they guide the process of listing the heritage assets and describe the roles and responsibilities of various stakeholders. For instance, the Guidelines require the minister responsible for cultural heritage to determine the date for commencing assessment, to announce priority themes of the year, and to invite public nominations of possible cultural heritage assets within forty working days. The Minister is then required to submit the nominations to the AHC within thirty working days after the nomination period for review and recommendations. However, the Guidelines empower the minister to reject outright any nominations not made in good faith, or which do not abide by the regulations. The AHC then reviews the nominations and publishes its final assessment on the internet for the public to comment on. Thereafter, it submits the assessment, including comments by the public. The list of cultural heritage assets arrived at through this process becomes the basis for including the nominated properties in the National Heritage Register, which is done within ninety working days. Finally, the minister is obliged to publish the results in the government gazette and on the internet, showing both the properties accepted for inclusion in the list and those that were rejected.[385]

Third, it would be important to devise a system for *grading* heritage assets, whereby they would be managed by authorities at the national, regional, district or lower administrative level, depending on their 'significance'. Grading heritage resources would

[385] Australian Heritage Council (AHC). "Guidelines for the assessment of places for the National Heritage List," Department of the Environment, Water Heritage and the Arts, Commonwealth of Australia (2009).

be important because the central government would not be able to manage all the properties in the national register.[386] Although grading criteria are country-specific, Tanzania could learn from South Africa, where the grading system and management strategies are clearly stipulated in the *South African Heritage Resources Act No.* 25 of 1999.

The *South African Heritage Resources Act* (SARA) stipulates a three-tier system for managing heritage resources, namely the national, provincial and local level.[387] Accordingly, the South African Heritage Resources Agency (SAHRA) handles 'Grade I' heritage resources, which are described as having the 'highest significance'. The 'Grade II' heritage resources ascribed 'exceptionally high significance' are handled by Provincial Heritage Resources Authorities (PHRAs). Finally, local municipalities deal with 'Grade III' sites of 'local significance.'[388] Ndlove[389] is of the view that this three-tier system promotes the management of cultural resources at local government level and enlists the participation of communities to increase their interest in heritage management.

Branch[390] recommends that the grading of archaeological and paleontological sites, where the materials are often buried, should be based on surface indications. The grading remains tentative until excavation, collection, analysis and dating have been done to provide a complete picture of the site's significance. Another invaluable lesson to point out is that grading is an iterative process and can change over time. In this regard, a heritage asset can be upgraded from a lower to a higher grade due to new information

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[386] N. Ndlove. "Legislation as an instrument in South African heritage management: is it effective?" *Conservation and Management of Archaeological Sites* 13, no. 1 (2011): 31-57; S. Chirikure. "Heritage conservation in Africa: The good, the bad, and the challenges." *South African Journal of Science* 109, no. 1-2 (2013): 1-3.

[387] J. Kotze and L. van Rensburg. "Legislative protection of cultural heritage resources: a South African perspective." *Queensland U. Tech. L. & Just*. J. 3 (2003): 121; C. Scheermeyer. "A changing and challenging landscape: heritage resources management in South Africa." *South African Archaeological Bulletin* 60, no. 182 (2005): 121–23; *Ndlove, 2011, op.cit.*

[388] Cape, 2016, *op.cit*.

[389] Ndlove, 2011, p. 36.

[390] H. Branch. "Assessing significance for historical archaeological sites and relics." *New South Wales, Australia Heritage Council*. Accessed January 30 (2009): 2013.

being obtained from a more detailed investigation.[391] Likewise, it can be downgraded and even removed from the heritage register. In Australia, for instance, the factors that determine re-evaluation of a heritage asset would be a change in the community's attitude to its social or aesthetic value, deterioration in its fabric, or new and important research casting doubt on previous knowledge that led to its prominence.[392]

In Australia, the *Environment Protection and Biodiversity Conservation Act* (EPBC, 1999) mandates the minister to re-grade or even remove a heritage property from the register. The Government of Zimbabwe follows the same *modus operandi* in updating its national heritage register, which is in accordance with the provisions of the National Museum and Monuments Act (Chap 25:11). In this regard, Dr. Happinos Marufu informs that some liberation heritage sites in Zimbabwe have been promoted to be of national significance to honour the freedom fighters' role, while some of those promoted during the colonial period to perpetuate imperialism were removed after independence in 1980.[393]

Fourth, it would be vital to build the technical capacity of local heritage practitioners, who would liaise with other stakeholders, particularly local community members countrywide, to determine, identify and properly record heritage resources and prepare heritage nomination dossiers to feed into the register. Several institutions could be involved in this exercise. Through the AD, the Ministry of Natural Resources and Tourism (MNRT) could collaborate with national universities, the National Museum of Tanzania and related institutions to provide specialised and technical training. The MNRT could also seek international support from, for instance, UNESCO World Heritage Centre, the International Council on Monuments and Sites (ICOMOS) and the International Centre for the Study of the Preservation and Restoration of Cultural Property (ICCROM), among others. It appears that a similar recommendation was made almost twenty-seven years ago by Susan McIntosh when she addressed the World Bank meeting in 1993:

[391] Lavelle, 2009, *op.cit*.
[392] AHC, 2009, p. 13.
[393] Personal communication, 19th August 2019.

> "…organizations such the World Bank should consider supporting training programs for Third World archaeologists, with internships at U.S. universities with appropriate expertise, and in areas where the World Bank has development projects, providing equipment which would be most efficient for archaeological survey and testing. Most particularly needed are intensive surveys in all African countries; one cannot 'manage' if one does not know what the resource base contains."[394]

Fifth, the AD should collaborate with heritage stakeholders to sustain the national heritage survey for the register. Several approaches could be employed to achieve this. Mturi[395] proposed that the AD should establish the conditions for granting research licences to researchers to conduct extensive surveys and document the cultural heritage resources in their study area. In this regard, Mturi proposed that the AD could prioritize granting licences for projects that include an extensive survey and documentation plan. This paper foresees another opportunity, whereby the AD could collaborate with the departments of Archaeology and History of the University of Dar es Salaam (UDSM) and other higher learning institutions offering similar heritage courses in the country with a view to using the practical fieldwork offered to students each year. This training, jointly supervised by qualified and experienced researchers from the universities and the AD, would reinforce students' heritage-related knowledge, which would feed into the heritage register by default rather than populating bookshelves with unused field reports.

Furthermore, the District Cultural Officers and 'Honorary Antiquities Wardens' could be used, if trained to do so, to identify heritage properties for the register. District cultural officers in almost all districts could perform this task without the need for antiquities officials. This would require the MNRT to negotiate with the President's Office, Regional Administration and Local Government that employs the district cultural officers to effect

[394] McIntosh, 1993, p.500.
[395] Mturi, 2005, *op.cit*.

this collaboration. Indeed, this is legally supported by Tanzania's Antiquities Act (1964/1979), which empowers local government authorities to oversee cultural heritage resources in their area of jurisdiction, including handling accidental discoveries of them, and to pass and reinforce by-laws for protecting the resources. The AD could also use a provision in the same Act to appoint persons known as 'Honorary Antiquities Wardens' to assist in identifying, reporting and protecting the assets. Unfortunately, the AD has not taken advantage of this legal provision to appoint such persons, who could probably have been helpful.

Sixth, in order for the proposed strategies to work out smoothly and with an effective outcome, there is an urgent need to pass a new cultural heritage law since the current one is outdated. First and foremost, the proposed new heritage law must reflect the definition, perception and interpretation of cultural heritage of Africans, to ensure that what is essential from their perspective is protected and commemorated.[396] It should also promote what[397] is called an 'equal partnership' between the government and communities, clearly illustrating the way in which various stakeholders can participate in protecting the heritage as well as benefiting from it. Indeed, this idea features prominently in the current discussion on post-colonial practices in archaeology and heritage management in Africa under the so-called 'usable pasts'.[398]

The proposed new legislation should address the fundamental question of why the heritage is being protected and for whose benefit. There are several examples in Tanzania of the law protecting 'things' that communities do not necessarily regard as their heritage,

[396] Ndoro, 2015, p. 136.

[397] Shadreck Chirikure, *et.al.*, "Community Involvement in Archaeology and Cultural Heritage Management: An Assessment from Case Studies in Southern Africa and Elsewhere." *Current Anthropology* 49, no. 3 (2008): 467-485.

[398] Chirikure, *et.al*., 2008; Paul Lane. "Possibilities for a postcolonial archaeology in sub-Saharan Africa: indigenous and usable pasts." *World Archaeology* 43, no. 1 (2011): 7-25; D. Stump, *et.al.*, "On applied archaeology, indigenous knowledge, and the usable past." *Current Anthropology*, 54, 3 (2013).

or which are not worth commemorating. For example, Chiku Said[399] reports that at Chongoleani peninsular on the northern coast of Tanzania, the local community completely disregards the 'Defensive Wall' listed in the National Heritage Register in 1961 and protected under the Antiquities Act (Cap 333), but instead respects and pays attention to a sacred grove nearby, effectively protecting it as their heritage under customary law (Figure 3).

Figure 3: A 'Defensive Wall' (left) which is a national monument protected under the Antiquities Law, and a nearby 'sacred grove' (right) protected by the local community as their heritage.

Similarly, Bwasiri[400] argues that even the decision by the colonial and post-colonial governments to proclaim and register the rock painting sites in Kondoa district, Dodoma region, was not due to their cultural significance to neighbouring local communities, because they were eventually prevented from accessing these sites for ritual activities after they were proclaimed, triggering serious antagonism between them and the site managers.[401] The ruins at Kaole in Bagamoyo[402] and Kunduchi in Dar es Salaam[403] were dealt with in the same way.

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[399] Chiku Said. "Local people's perceptions and valorization of cultural heritage sites at Chongoleani peninsular, northern coast of Tanzania" (University of Dar es Salaam: MA dissertation, 2020).

[400] Bwasiri, 2011, *op.cit*.

[401] see also Leakey, 1983, *op.cit*.; United Republic of Tanzania (URT). "Nomination Dossier: Kondoa Rock Art Sites." Antiquities Division, 2004a; United Republic of Tanzania (URT). "Management Plan: Kondoa Rock Art Sites." Antiquities Division, 2004b.

Another area the proposed legislation must take on board is the need for a cultural heritage impact assessment (CHIA) to be carried out for two reasons. Firstly, it will reinforce the heritage resources on land that is going to be developed to ensure it is protected, and secondly, it will provide additional information on cultural heritage resources pertinent for feeding into the register.[404]

Finally, there is a need to consolidate the details of each registered property and create an online version of the register for easy access by the public.[405] The current nomination dossiers are in hard copy, making it not only difficult to update information about properties when the need arises, but also to access this information. This paper argues that a detailed version of the register posted on the AD's website would serve the interests of various stakeholders. For instance, land developers would be able to instantly access information about cultural heritage resources found at the sites they plan to develop, showing them that they would need to carry out a CHIA to ensure that those resources are protected. Educationists and students would equally benefit from this knowledge being made available online. In addition, the information would promote tourism by informing people about the valuable and unique heritage in Tanzania that would be worth visiting.

7.0 Summary and Conclusion

It is worth noting that a discussion on the contribution of the cultural heritage sector to attaining sustainable development has featured prominently in several national and international fora, which has led to various multinational strategies being formulated for

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[402] Ichumbaki, 2015, *op.cit*.

[403] Masele, 2007, *op.cit*.

[404] Mturi, 2005, *op.cit*.

[405] Myers, 2012, *op.cit*.

achieving socio-cultural and economic development. In particular, the *United Nations Sustainable Development Goals* (UN-SDGs 2015-2030)[406] require all nations to "strengthen efforts to protect and safeguard the world's cultural and natural heritage" (*Target 4*) in order to "make cities and human settlements inclusive, resilient and sustainable" (*Goal 11*). Likewise, *Aspiration 5* of the African Union's '*Agenda 2063: The Africa We Want*' calls for member states to utilize cultural heritage to "learn from the past, build on the progress now underway and strategically exploit all possible opportunities available so as to ensure positive socio-economic transformation within the next 50 years" (African Union, 2015).[407] This paper posits that these positive aspirations will only be realized if the cultural heritage resources of this country are properly identified, systematically registered, and well conserved.

It is inconceivable that Tanzania, a country spanning an area of 945,087 km² with a multi-cultural society of over 120 ethnic groups and an unbroken record of human bio-cultural evolution dating back 3.6 million years, has only 131 registered heritage assets of national significance. This number is much lower than that of other countries, for instance, the United States, which has more than 93,000 listed properties representing 1.8 million resources,[408] or South Africa, which has over 3,718 sites.[409] This reveals that the government agency responsible for conserving the heritage in Tanzania has not done enough.[410]

This paper is aware of several important heritage sites in Tanzania that are not registered despite having been extensively researched and reported. Three examples are the *Nasera Rock Shelter* - a site renowned for well-stratified and continuous evidence of human bio-

[406] United Nations General Assembly. "Transforming our world: The 2030 agenda for sustainable development" (2015). Retrieved from undocs.org/A/RES/70/1.

[407] African Union. "Agenda 2063 Vision and Priorities" (2013). Retrieved from http://agenda2063.au.int/en//vision.

[408] https://www.nps.gov/subjects/national-register.html

[409] https://sahris.sahra.org.za/declaredsites

[410] P. Schmidt and E. Ichumbaki. "Is there hope for heritage in former British colonies in Eastern Africa? A view from Tanzania." *Journal of African Cultural Heritage* 3, no. 1 (2020): 26-51.

cultural evolution from the Middle Stone Age, circa 30,000 BP to the Iron Age,[411] *Rugomora Mahe/Katuruka* - one of the oldest-known evidence of complex iron-smelting technology in sub-Saharan Africa, dating to 500 BC[412]; *Kimu* - a site showing unique evidence of palaeocatastrophe along the Swahili Coast, circa AD 900 – 1100, attested to by dozens of human remains.[413] The list can be extended to cause someone to ask why, for instance, the famous pre-colonial 'underground bolt holes' that were used as refuges by the Chagga of Kilimanjaro during pre-colonial inter- and intra-ethnic conflicts have not found space in the heritage register but the grave of 'unknown' German soldier somewhere in Lindi region has.

This paper is a reminder that because the creation and maintenance of the heritage register in Tanzania is a legal requirement, failure to do so is a breach of law and it allows the country's cultural heritage resources to disintegrate due to natural and anthropogenic factors. Their disappearance denies present and future generations knowledge of their past, thereby contributing to the erosion of national identity, pride, social cohesion, peace and economic gain that are connected to heritage resources, as envisioned and well-articulated in the constitution of the United Republic of Tanzania, *United Nations Sustainable Development Goals* 2015-2030, and *African Union Agenda* 2063: *The Africa We Want*. This paper has therefore proposed some solutions to the problem of the national heritage register not having been upgraded. What is most important is that the AD, in collaboration with other stakeholders, must develop detailed guidelines and procedures for servicing the register.

The AD should be proactive in facilitating a country-wide heritage survey to update the national register, otherwise important examples of heritage resources will continue to be

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[411] M. Mehlman. "Excavations at Nasera Rock, Tanzania." *Azania: Journal of the British Institute in Eastern Africa* 12, no. 1 (1977): 111-118.

[412] P. Schmidt and D. Avery. "Complex iron smelting and prehistoric culture in Tanzania." *Science* 201, no. 4361 (1978): 1085-1089.

[413] Mjema, 2018, *op.cit*.

omitted. To illustrate the current negligence of the AD, two significant assets, namely the Nkrumah Hall at UDSM (2015) and Mikindani Historic Town (2017), were registered recently purely due to the initiative and struggle of their owners, without any influence and assistance from the AD. For instance, UDSM took the initiative to have the Nkrumah Hall registered as a national monument as part of marking its 50th Anniversary. Similarly, *Trade Aid* (the UK-based Foundation) took the initiative to have Mikindani Historic Town registered and protected under the Antiquities Law after renovating several buildings and turned one of them into a luxury tourist hotel (the Old Boma) and a vocational training centre, among other investments. Thus, their motive for registering the entire historic town was to ensure the renovated buildings get legal protection from any kind of encroachment that would jeopardise the investments.

It is vital for the central government to commit sufficient funds for the development and maintenance of the register. Capacity building should be given a priority, and collaboration between heritage institutions in the country and beyond should be prioritized to facilitate the sharing of resources and expertise. Tanzania's cultural heritage legislation should be revisited to address several issues relating to heritage management, with the examples from South Africa and Australia being used as a guide. One major lesson is the grading of heritage resources based on their perceived significance and value, which helps assign resources to the appropriate level for their management and administration. Heritage resources could also be registered and managed at different levels involving various parties. Tanzania could opt to have a national register exclusively for heritage resources of 'outstanding national value', a register of assets of 'outstanding regional value', and those of outstanding value at district level. Each of these could be administered in accordance with their perceived significance and value. Alternatively, the government could opt to have one comprehensive register of all heritage assets countrywide, but each asset assigned its own caretaker – whether the central government, regional or district authorities. Whichever option is decided on, the AD would need to

coordinate it and empower local communities and lower-level administrative units to implement it.

To conclude, Tanzania has a good chance of continuing to be a global example of cultural heritage resources if the government and other stakeholders were to resume their role of building a comprehensive heritage register and continuously updating it. In addition to protecting the nation's heritage resources, a well-maintained online register would project it as a leading tourist destination. Obviously, some of the measures proposed have substantial cost and technical input implications, which require long-term planning. However, some measures could be implemented immediately, such as devising criteria for assessing the significance of the heritage. In the face of increasing threats to the resources in this era of ongoing economic reforms, the government of Tanzania should act immediately on the proposed suggestions, using the personnel and resources currently available.

Acknowledgements

This paper is the outcomes of the Writing Grant awarded to the author by the University of Dar es Salaam in 2018. The draft manuscript received constructive comments from Dr. Ndlovu Ndukuyakhe, Dr. Albertus Onyiego, Dr. Salvatory Nyanto, Dr. Elgidius Ichumbaki, Dr. Harun Makandi, Mr. Chachu Maligisu, Ms. Chiku Said, and Mr. Noel Lasway (R.I.P). Madame Frances Wilson edited the language. I thank them all.

Book Review

Thomas F. McDow. *Buying Time: Debt and Mobility in the Western Indian Ocean*. Athens: Ohio University Press, 2018. Pp. xii+364, paperback ISBN: 9780821422823

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The study of the connection of East African coast, the Middle East and India through the Indian Ocean has been attracting great interests from scholars for centuries. The *Periplus of the Erythraean Sea* writings in the 1st century A.D documented the connection so did Ibn Batuta and Portuguese voyage writings in the 14th, and 15th to 17th centuries respectively. Thomas McDow`s book, *Buying Time: Debt and Mobility in the Western Indian Ocean* (henceforth *Buying Time*), fits in this Indian Ocean scholarship.

Buying Time is a social history book on the 19th century interconnection through the Indian Ocean of the Western Indian Ocean World -Arabia, Zanzibar, East Africa coast and Central Africa (Congo). The author argues that the people of the region used mobility, debt, credit, time, kinship and environment to temporalize their lives.[414] Temporalization simply means strategies that individuals used to cope with the challenges of their lives. Individuals who are the centre of the work include immigrants from Oman to Zanzibar, East African coast and Congo, freed slaves who traded in ivory, sultans, Swahili elites, traders, Indians, Indo-Africans, African porters, Arab confectioners (*halwa* makers), and Arab princesses. The individuals in question needed time, which in this book has many meanings including the period a debtor was given in a given contract to repay his or her debt, the period Omani Arabs bought during share auctioning to use water for irrigation from owners of irrigation channels-*aflaj,* the period that elapsed when contracts were signed in Zanzibar in the 1840s, 1860s and 1870s and when they were registered by the British in the 1880s, and the appropriate period adopted by politicians to negotiate, ally, or rebel against a given leader.[415] The pre-

[414] Thomas F. McDow. *Buying Time: Debt and Mobility in the Western Indian Ocean* (Athens: Ohio University Press, 2018), pp. 8-9.
[415] *Ibid*., p.215.

colonial 19th century, which is the period of focus of the book, was marked by the British imperial hegemony in Zanzibar, India, and the Middle East (Oman), and the intensification of the caravan trade that was connected to the global economy with Zanzibar as its node.

The book is divided into nine chapters. Chapter one tilted "Drought and New Mobilities in the Omani interior" is set in the first decade of the nineteenth century and focuses on social, political and environmental forces at work for migration to Zanzibar of Arabs from Omani interior and its coast. The forces in question include droughts, floods and Sultan Said`s decision to move his capital from Muscat to Zanzibar in the 1830s to establish a commercial empire. The second chapter "Customs Master and Customs of Credit in Zanzibar" deals with business contracts entered into among sellers, buyers, debtors and Indian creditors. The documents, which are the central plank of the book, do not only show economic transactions but also social relations of debtors such as their social statuses, places of their birth, clans and or their tribal names. Chapter three, which is entitled "Sultans at Sea" details movements of Said bin Sultan al-Busaid between his two dominions of Zanzibar and Oman and political rivalries and intrigues arising from heirship to the throne in both Muscat and Zanzibar after his death in 1856. His death led to a civil war which led to the separation of the two dominions in 1861 and the formation of an *Ibadi* Imamate (1868-1871) in Oman. In Zanzibar rivalries to the throne pitted Said`s sons Majid bin Said al-Busaid (r.1856-70) against Barghash bin Said al- Busaid. Following the defeat of Barghash, a great number of his Arab supports migrated to the interior of modern-day Tanzania mainland. Chapter four, "Halwa and Identity in the Western Indian Ocean World" deals with mobility and changes in identity, belongings and kinship in the region among Arabs, Swahili and the Nyamwezi porters while chapter five "Tippu Tip`s Kin from Oman to Eastern Congo focuses on networks of kinship of a renown and successful trader, Hemed bin Muhammed al-Murjeb (famously known as Tippu Tip). Rather than seeing him as a self-made man, his kin who stretched from Oman to Congo helped him to his success. Chapter six " Freed Slaves: Manumission and Mobility before

1873" looks into manumission and mobility of freed slaves in the Western Indian Ocean World up to the 1850s while chapter seven "Acts for Consuls and Consular Acts: Documents, Manumission, and Ocean Travels after 1973" deals, in the context of the British establishment of a consul in Zanzibar, with manumission of slaves from 1873, documentation of British subjects namely Indians alongside registration of their business contracts, land deeds, adjudication of cases by the consuls and documentation of all travellers going to Oman and India. Chapter eight "A Dhow on Lake Victoria" focuses on a carrier of Sunguro Talib, a successful freed slave caravan route trader in the 1860s and 1870s who previously obtained credits based on mortgages on land and other properties bequeathed to him by his masters in Zanzibar. He became the first person to build a dhow on Lake Victoria. He later on became embroiled in credit and control of the Indian Ocean trade disputes with a chief of Ukerewe who eventually killed him in 1877. Chapter Nine, "Everything is Pledged to Its Time: Salih bin Ali, Debt and Rebellion in the Omani Interior," examines the rebellion of 1870 in the interior of Oman which was linked with money from Zanzibar. Salih bin al- Harthi (1834-1896), in alliance with tribal leaders of the interior, militarily challenged the authority of the Sultanate of Oman in the 1870s. His rebellion depended on money he obtained through credits from his properties and kin networks in Zanzibar. Lastly, an epilogue of the book explores the migration of Arabs from Zanzibar back to Omani following the 1964 revolution and the role of the migrated Arabs in building their homeland of Oman.

The strengths of this work lie in the fact that it links the study of the Indian Ocean with the hinterland of Oman, Tanzania, and Congo during the 19th century.[416] This link is a sharp departure from many Indian Ocean studies that mainly focus on oceanic islands and the coast. Related to this, the book adds a neglected Indian Ocean study to other bourgeoning oceanic studies namely Atlantic, Mediterranean and Pacific. Another strength of the book is that it demonstrates that globalisation in the Western Indian Ocean World was writ large in the 19th century in sharp contrast to many anthropological

[416] *Ibid*., p. 7.

and social science scholars who see globalisation of the region as the 20th and 21st centuries phenomenon. Mostly important, methodologically, the book taps into news documents namely contracts which are deposited at the Zanzibar National Archives. The author has aptly used the hitherto neglected documents to reconstruct not only the economic but also social relations of actors in the Western Indian Ocean World. The contract of 1869, for example, shows that Juma bin Salim (better kown as Juma Merikani), who settled in Eastern Congo and became a big maize and rice plantations owner and a successfully caravan trader in American cotton sheet, hence the name Merikani, migrated to Zanzibar from Nizwar in Oman, listed his genealogy as Juma bin Salim bin Mbarak bin Abdullah al- Bakri, received credits from a famous Indian financier Ladha Damji before venturing into the caravan trade which took him up to the Congo, and he promised to repay the debt worth 10,500 pounds of ivory in two years' time to his creditor in Zanzibar but never returned to pay the debt.[417]

Despite its strengths, the work, in my views, has two shortcomings. Firstly, it is a narrative of actors whose histories have been written. Indeed, one of the book`s main source comes from registered contracts deposited at the Zanzibar National Archives. This source cannot account, as the author aptly notes, for "more informal credit networks or arrangements that were never registered. Indeed, the source base is slanted toward those who relied on Indian creditors."[418] Thus, other forms of credits from informal sources and actors whose histories have not been written are not captured. The author, in my view, would have redressed this weakness by tapping into oral history in the form of oral traditions. Surprisingly, the book entirely misses this source, although it is rich in missionary, autobiographical, explorer`s and secondary works. Secondly, the southern and northern caravan routes found in modern day Tanzania mainland which were also central to the commercial nexus of the region has not been given attention they deserve. Instead, the work has given much attention to the central caravan route-Tabora, Ujiji, Lake Victoria zone and eastern Congo, One wonders, for example, who were the actors in

[417] *Ibid*., p.1.
[418] *Ibid*., p.20.

the southern route and whether there was the emergence of "outposts of Indian Ocean World"[419] in the southern routes` towns such as Lindi or in areas around Lake Nyasa or the Lake Nyansa-Tanganyika corridor akin to such worlds which had Zanzibar, Swahili and Arabian cultures in Tabora, Ujiji, and Eastern Congo.

To conclude, this book brings historical agency into the Western Indian Ocean and it is a wonderful book that will be of relevance and use to students, researchers and scholars of Indian Ocean studies in academic institutions and the general public at large.

[419] *Ibid*., p.270.