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Tanzania, Factor 15: Human Rights

Human rights is an issue that is constantly prevalent in society, in all shapes and forms. Unfortunately, it is usually thrust into public visibility when the rights of a person or group of people are being violated. Currently, there is a lot of debate about whether or not healthcare is every person's right, or if birthright citizenship is harmful or helpful. But most agree that the right to food is essential to a modern world, and no one should have the right to deprive anyone else of basic nourishment. Human rights has its stake in many issues, including hunger. Whether the powerful take away resources to elevate themselves or to hurt others, it *is* oppression, and it *does* take away lives. Land acquisition is the perfect vehicle to take food away, and denied land rights have become a problem all around the world.

Tanzania is a country located in southern Africa with rich culture and growing population. The average family size is 4.7 people (The United Republic of Tanzania) and most families rely on subsistence farming to provide for themselves. Meat is not commonly consumed; raising cattle or sheep is an indicator of high social status. Millet, sorghum, beans, cornmeal, pilaf and other starches are common in diet, along with plantains, bananas, papaya, eggplant, tomatoes, cassava and spinach (Food in Tanzania). Tanzania has very high education enrollment levels, some of the highest in Africa, with almost as many girls in primary school as boys. However, the lower secondary education rate is 30.8%, and upper secondary is only 1.9%. Retention seems to be the biggest issue; only 3 out of 10 children are able to read Swahili and 1 of 10 can read and understand English (Education | Tanzania). 67.9% of the population is below the poverty line, and most people cannot afford basic healthcare. Ever since Tanzania gained independence in 1961, health services have been focused on reaching the rural population. However, there are only 0.03 physicians to every 1,000 citizens, so local medical dispensaries in rural areas often do not have a single clinical assistant or nurse (Tanzania - The World Factbook). Villages usually only employ around 2 doctors, so most people go to traditional healers before seeking professional medical care. In fact, 60% of all those seeking medical care depend completely on traditional health services (Tanzania's health system).

44 Mha out of Tanzania's total 94.5 Mha is arable (one ha is 100 acres), but only 10.1 Mha, or 23% of the cultivable land is actually being used for farming. Most farms in Tanzania are relatively small, averaging around 0.9 ha and 3.0 ha. Cash crops include coffee, cotton, cashew nuts, tobacco, tea, cloves, sisal and pyrethrum, horticultural crops, oil seeds, spices and flowers (Tanzania - Global Yield Gap Atlas). The agriculture sector in general is becoming more and more mechanized, with more and more chemicals being used. This is improving yields, but it is also taking its toll on the environment as fertile soil is eroding too fast and washing away, impacting the rivers (Sustainable Agriculture). But as Tanzania's population continues to augment, aspirations for living increase as well; people are looking to produce greater yields to provide for more people. Environmental stability is definitely a problem; however another issue demands immediate attention: preservation of land rights. Governance of property rights have been constantly changing since pre-colonial times, when tribes and tradition dictated land tenure. When Germany colonized Tanzania from 1884 to 1916, all land was "crown land," under the Empire's control, except for few small plots legally claimed by tribes or individuals. When Britain took control of Tanzania after World War I, land rights lay with the governor and occupancy could be granted by law or deemed in accordance with native tradition. During this time, 3.5 million acres were taken from indigenous people and given to British settlers. The colonial government tried to introduce freehold land ownership just before independence was

gained in 1961 when the Tanganyika African National Union (TANU), the Tanzanian political party that took power, rejected the idea and the new president, Julius Nyerere, applied African socialism, taking rights to land away from ethnic groups and giving them instead to local elected officials and encouraging group cultivation of land, or *ujamaa*. This policy strongly benefitted health and education services, but did not promote any economic growth, compelling a gradual transition into a system that gave individual property rights while keeping the ultimate authority of the land with the president. The official policy states, "In particular the following four basic land policy tenets will be entrenched in the Constitution to ensure continuity: (a) All land in Tanzania is public land vested in the President as trustee on behalf of all citizens. (b) Land has value. (c) The rights and interests of citizens in land shall not be taken without due process of law. (d) Full, fair compensation shall be paid when land is acquired" (National Land Policy). This promoted individual cultivation of land resources and encouraged private land investment for economic profit, as well as opening Tanzania up to foreign investors, kicking off more land issues and injustice (Tanzania Country Profile).

Billions of people around the world depend on their property as a source of income, their way of living. Many take part in community-shared lands, and these are the people most at risk of losing their property, their homes and their livelihoods. Land rights are a major issue worldwide; Mansa Ram, a community leader in India whose property rights were threatened, said, "These lands are our livelihoods. From these lands we were able to harvest resources. The land belonged to us, the water belonged to us. From this, we were able to live. When we had common land we felt free." 90% of all Africa's land is undocumented, meaning that the government holds official ownership. This puts them at high risk for local governments selling their property to foreign investors. Indigenous people and local communities are especially in danger because though they protect half of the world's land, they officially have rights to only 10%. Absence of land rights also directly corresponds with Africa's high poverty rates; over half the citizens live on less than \$1.25 daily. According to Winnie Byanyima, the Executive Director of Oxfam International, there are currently "2.5 billion people around the world who rely on community lands - for their livelihoods, security and cultural identity." These are 2.5 *billion* people who will lose everything if action is not taken. When a problem of this magnitude affects this many people, it directly disobeys the Sustainable Development Goals ambition to "leave no one behind," as well as violating the Paris Agreement on climate change (Tanzania: 2.5 Billion). Land rights also have an impact on women's rights; the laws regarding women's inheritance rights are weak, women rarely have formal land titles and have little to no say in big decisions pertaining to property. They are also not usually invited to negotiations and when they are, they are in a weaker position, which can lead to intimidation and violence (Our Land, Our Lives). However, this has not stopped female leaders in Tanzania, who are at the forefront of the action currently being taken against land acquisition without community consent. The Ngorongoro district of Tanzania is home to the Maasai tribe as well as many land disputes. An especially noteworthy dispute began in the 1980's when Tanzania Breweries Ltd (TBL) acquired 10,000 acres of land belonging to the Maasai people for wheat and barley agrology through the government. Though acquisition without community consent is legal (since ultimate authority lies with the President,) they did not follow guidelines, failing to consult with the landowners or offer any compensation. But since TBL only used 700 of their acquired acres, leaving the rest to the pastoral use of the Maasai, it was not an issue until 2006, when the land was sold to Tanzania Conservation Limited (TCL) run by the American-owned Thomson Safaris. This land grab caused an eviction in 2009 that left over 2000 people homeless, prompting 600 Maasai women to march to local government offices and hand in over 1800 political party membership cards in protest. More and more have joined the fight, attending village assembly meetings and protests. Change has been achieved on a local level: government has stopped ignoring the people's concerns and officials are even agreeing with the community and attending meetings. Legal action is also being taken, with 6 natural

resource conflicts and 3 ongoing cases (Maasai v Investors). In 2013 the case against TBL and TCL was denied on technical grounds, but another lawsuit was initiated later that year, which recently came to a close with a ruling against the community. The prosecutors claimed unlawful and violent eviction from ancestral land and asked for the company's land title to be revoked, for the prevention of the land's designated use being converted to tourism and for damages to be awarded. The court did concede that part of the land had been illegally obtained but it was a small victory in the face of a much larger demand. Though the community fully intends to appeal the decision, this was a "setback not only for the Maasai, but for all indigenous peoples across Africa struggling to have their rights over traditionally-owned land recognized and respected," according to Lucy Claridge, Head of Law for Minority Rights Group International (MGR Deeply Disappointed). Over the past 10 years, global net land acquisitions have come to the size of 8 times the United Kingdom, with large countries buying land masses the size of London from poverty-stricken countries every 6 days. Most of this occurs in Africa, where a chunk the area of Kenya has been purchased by foreign investors. This area of land, in total, could feed the billion people in the world suffering from hunger. Instead this arable, fertile land is used for horticultural crops, mostly biofuels, until property values spike so that investors can make their profit. Since the demand for land is increasing due to climate change, water scarcity, carbon sequestration, production of non-food crops (eg timber, biofuels) and speculative investments, this problem will only grow (Our Land, Our Lives). But by improving regulations on land rights, over 2.5 billion people will gain food security and income security, and arable land will grow edible crops to feed a hungry world rather than feed our obsession with industry and profit. Women's rights may also improve. Tanzanian women who have secure land rights have 3 times the income of those who do not. In India, studies show a link between secure land rights and a decrease in violence. Women will also gain more respect and higher positions in society, giving them more power and less vulnerability in their communities. Climate change will also improve; undocumented indigenous property in the Amazon Basin, the Mesoamerican region, the Democratic Republic of the Congo and Indonesia alone contain the carbon equivalent of 1.5 times earth's 2015 emissions. If sold, they run the risk of being razed, releasing all that pollution into the atmosphere, raising global warming 2 degrees and causing extreme heat waves, droughts, storms and flooding (Tanzania: 2.5 Billion).

Basic human rights to land and food are being violated, and since conditions are only worsening, we need to act *now*. First, we need to legally give indigenous peoples the right to their lands. It seems unnecessary and repetitive; you would think that rights are implied when a tribe has lived and farmed on same land area for centuries, but since the lack of legality is being taken advantage of, all undocumented, unofficially owned lands must be recorded. Second, policies must be constructed to prevent governments from selling land without the consent of the communities it serves. Land rights in Tanzania have been constantly changing for decades; let's make policies for the people that will hold and last. These new policies should also protect the land rights of women; the current policies fail to give women land security equal to that of male property owners. To protect women's land rights is to advocate for the respect, equality and support of women everywhere. I propose that community-based organizations be initiated to hold meetings about land rights. Experts of land tenure will make sure everyone knows their rights and possibly draft a new policy for proposal that benefits the people as much as the establishment. The meetings would also give people the chance to compare their own experiences with others', ensuring that they do not feel alone and present an opportunity for court costs to be shared. All landowners will be encouraged to attend meetings, especially women. People who have lost their land unlawfully without proper proceedings should be encouraged to take it to court. To achieve a voice for the oppressed, as well as help with court costs, public awareness must be raised by media through individuals and human rights organizations. Global organizations like the United Nations can use their widespread voice and influence on media to raise awareness of the plight of

these farmers, especially when a mass eviction occurs. The World Bank can also assist by freezing all funds going toward land acquisition and wait until it is confirmed that there is community consent. Large organizations will serve as an amplifier, but the real action will be within the people, through communities continuing to band together in protest, first on a local level but eventually transitioning to a global level. By farmers uniting and sharing their stories with the world, change will be forced to take place. The current system regarding property rights in Tanzania benefits only the extremely powerful, like many other systems in the world. Once again, the rulers are dominant and the ruled are being overlooked. The powerful will not change the system because it benefits them, so it is up to the working class, powerless alone, unstoppable together. Like the Maasai tribe fighting together for their rights, citizens must join hands, because, “the whole is greater than the sum of its parts” (Aristotle).

Land rights are a growing issue in our world. People are being bullied, ignored, threatened and evicted from their own lives. We need to come together internationally to evolve into a place where farmers are rewarded for their dedication, where indigenous people are protected, where it is not easy for governments to take advantage of their own citizens through unfair and unjust policy. Land is not only a source of nourishment, of food; it also provides a livelihood, a sense of belonging, a home, a cultural identity, a sanctuary, something we can call our own; to take away land is to take all of this away at once. In addition, the alienated land is not even being used for food production – most is just sitting dormant waiting for value to rise while the rest is yielding non-food crops for big company profit. This industrialization fueled push towards bigger companies, bigger yields and bigger profit is harmful to indigenous people, harmful to women, harmful to the environment and harmful to food security and sustainability. It is shameful that the policies in Tanzania uphold these capitalistic values that hurt the people they govern, especially indigenous tribes. By developing more land rights and ensuring indigenous rights especially, we can protect food security, not only in Tanzania, but the whole world.

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