Land and Leviathan: Local Politics and Land Tenure Reform Implementation in Rural Tanzania

by

Jordan Alexander Guthrie

A thesis submitted in conformity with the requirements for the degree of Doctor of Philosophy
Graduate Department of Political Science
University of Toronto

© Copyright by Jordan Alexander Guthrie 2014
ABSTRACT

Land and Leviathan: Local Politics and Land Tenure Reform Implementation in Rural Tanzania

Doctor of Philosophy 2014

Jordan Alexander Guthrie

Department of Political Science

University of Toronto

Reforms aiming at the transformation of “customary” or “communal” institutions of rural property rights into systems of ownership operable through the market mechanism have gained prominence on contemporary development agendas and, since the 1990s, have been undertaken by over twenty African countries. Strategies and outcomes of these reforms, however, have varied significantly across diverse rural contexts throughout sub-Saharan Africa. The dissertation asks: How have global shifts in thinking about property relations played out within state and local institutions? How has the character of rural property rights reforms been shaped by the diverse local social and political contexts of their implementation in African countrysides? The analysis draws on institutionalist theories of state-formation, socio-cultural perspectives on agrarian change, and ten months of fieldwork in rural Tanzania to argue that differences in the organization of local authority over land within particular rural political ecologies determine the character and outcomes of property rights reforms across rural contexts within the same country and even district. Boone’s (2003) analysis of the impact of communal structures on state strategies of rural institution-building, and Berry’s (1993, 2002) arguments about the fluidity, negotiability, and contestation of African social institutions provide starting points for the analysis. Particular strategies of reform in Tanzania are situated within the country’s own historical trajectory of agrarian political economic development before their implementation is
analyzed within rural contexts differing in the relative centralization (Moshi District of Kilimanjaro Region) or decentralization (Bagamoyo District of Coast Region) of communal authority. Differences in the local organization of authority are shown to shape both the strategies of central reformers, as well as the ways in which local elites and producers have sought to contest, harness, and manage the reform process. Communal structures evolve in the face of new risks and opportunities and are argued to provide rural actors with different sets of tools in managing processes of agrarian change. Implications are drawn for understanding dynamics of rural commoditization, the character of political contestation in contemporary African countrysides, and the role not only of rural elites but of producers themselves in shaping outcomes of institutional change.
ACKNOWLEDGEMENTS

This dissertation could not have been completed without the encouragement, support, and in some cases, love of those who stood by me in the researching and writing process. Before personal acknowledgements, I would like to thank all of the smallhold farmers I met throughout my research in Tanzania. Their resilience, strength, and ingenuity are humbling, and the project would not have been possible without their help.

I would like to acknowledge the generous support provided during the course of this project by the International Development Research Centre (IDRC) and Massey College, the Department of Political Science, and the School of Graduate Studies at the University of Toronto. Thanks also go to the Department of Public Administration and Political Science at the University of Dar es Salaam for hosting me during my field research in Tanzania.

I am particularly grateful for the guidance and support of my supervisor, Dickson Eyoh. His expertise and (often very) critical feedback helped make this project what it is. Without his guidance, this dissertation would not be of the quality it is. Dickson constantly pushed me to step out of my comfort zone, think powerfully, write concisely, and get to the crux of complex issues. This was no easy task and I thank him for his patience and commitment.

Many thanks are also due to my committee members. Richard Sandbrook’s sagely wisdom and experience were a great asset in designing and carrying out my project and honing the final product. He kept me on my toes with his comments and could be counted on for theoretical and practical advice throughout the process. Antoinette Handley’s feedback and advice have also been invaluable. She always made the time to offer thoughtful guidance, and her theoretical precision and general intellectual support helped me through some of the tougher stretches during the design of the project and the writing of the dissertation. I would also like to
thank my internal reader, Paul Kingston, and external reader, Catherine Boone, for their comments and feedback on final drafts.

The completion of my research depended on the help and support of colleagues and mentors in Tanzania. John Jingu’s assistance in getting set up in Dar es Salaam and navigating the logistics of field research was priceless. I cannot thank him enough for his help and friendship. Bashiru Ally’s critical mind and friendly hospitality were invaluable during my stay in Tanzania and at the University of Dar es Salaam. I am also grateful to Amos Mhina for his mentorship and for facilitating my stay and work at the University.

My research assistants deserve especially heartfelt thanks. Oscar Mkuda’s friendship, assistance, advice, and translation were indispensable to the completion of the Coast Region cases studies. Always professional in the field, he was a joy to work with. Always fun in our down time, he was a delight to get to know and will always be a friend. I am also indebted to Oscar’s family. Their generosity and hospitality enriched my time on the Coast and will never be forgotten. Leons Kimaryo’s assistance and translation during the Kilimanjaro Region case studies were also critical to the study’s completion. His skill at navigating regional and local bureaucracy is enviable, as is his ability to maneuver his fifty-year-old Land Rover through some pretty sticky situations.

The Toronto phases of my work were made bearable and fun by the support of colleagues and friends. John MacCormick, Gordon Hawkins, Raili Lakanen, Dylan Gordon, Dane Smith, Chris Laroche, Cait Dmitriew, Joe Culpepper, Marcin Kedzior, Utako Tanebe, Michael Valpy, James McKee, Dave Cape, Abe Nasirzadeh, Kiran Banerjee, and so many others were always convivial, and always supportive. Their friendship helped me weather tough times and celebrate
great ones. There are many other friends I should acknowledge, but the list would be too long. If you have hung out with me for a drink in the last few years, this is you.

The majority of these Toronto phases were spent at Massey College, a place that has become and will remain close to my heart, not least because of the friendship and unwavering support of Master John Fraser. John was always there for me, as a mentor and friend. He and his family invited me into their home for a period and became a sort of second family. John will deny this, but I am not sure I could have gotten through this long process without his support, mentorship, and genuine friendship. All the best in your retirement, John, and do not dare become a stranger.

Love also kept me going. The love and support of my parents, Lynda and Randy Guthrie, helped make me who I am and get me where I am. I could always depend on them, whether for a sympathetic ear, a dry shoulder, or an escape from the academic bubble. Summers sailing with them were a key ingredient to my sanity throughout my studies. Just knowing they were there for me was a constant reminder, no matter how bad things seemed, of how lucky I am to have such loving support. Thank you. Thanks also go to my sister, Avery Guthrie, and her partner, John Christopoulos. Avery’s digital prowess was a life-saver in preparing the figures in this dissertation and she was always there to provide advice or just chat and hang out. John’s cooking, advice on surviving academics, and camaraderie all contributed to getting me through this project.

Finally, how much Sophie Borwein’s love and support has meant to me is beyond words. Thank you for never letting me feel sorry for myself. Thank you for helping me work through some of the trickiest parts of the writing process. Thank you for feeding me, listening to me, putting up with me, and scheming with me. Thank you for being you.
# TABLE OF CONTENTS

*Abstract*  

*Acknowledgements*  

*List of Abbreviations Used*  

*List of Figures*

## 1 States, Power, and Property: The Micro-Political Determinants of Institutional Change  

States and Property Rights in Comparative Political Economy  

Theoretical Framework: Communal Authority and the Politics of Property Rights Reform  

The Organization of the Study  

## 2 Institutional Design in Tanzania: State-Building, Property Rights, and Trajectories of Rural Development  

State-Making and Rural Property Rights in Colonial Tanganyika  

State Socialism and Uneven Development in Independent Tanzania  

Market-led Development and Rural Property Rights Reform in Tanzania  

## 3 Property Rights Reform on Kilimanjaro: Agrarian Commoditization and Risk-Management in Moshi District  

Scarcity, Authority and Property Relations on Kilimanjaro in the Nineteenth Century  

Institutional Continuity and Change on Kilimanjaro in the Colonial and Independence Periods  

Property Rights Reform in Moshi District: Contemporary Dynamics of Implementation  

Markets and Political Coalitions in Contemporary Moshi  

## 4 Property Rights Reform on the Swahili Coast: Subsistence Agriculture and Market Opportunism in Bagamoyo District  

Abundance, Authority, and Property Relations on the Swahili Coast in the Nineteenth Century
Institutional Continuity and Change on the Coast in the Colonial and Independence Periods 121
Property Rights Reform in Bagamoyo District: Contemporary Dynamics of Implementation 132
Markets and Political Coalitions in Contemporary Bagamoyo 151

5 Conclusion: The Micro-Politics of Agrarian Change 161
State Strategies and Local Structures 163
Local Structures and Reform Outcomes 167
Micro-processes and Macro-implications 172

References 178
### LIST OF ABBREVIATIONS USED

<table>
<thead>
<tr>
<th>Abbreviation</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>AMCOS</td>
<td>Agricultural Marketing and Cooperative Society</td>
</tr>
<tr>
<td>CCM</td>
<td>Chama cha Mapinduzi [Party of the Revolution]</td>
</tr>
<tr>
<td>CCRO</td>
<td>Certificate of Customary Rights of Occupancy</td>
</tr>
<tr>
<td>CHADEMA</td>
<td>Chama cha Democracia na Maendeleo [Party of Democracy and Development]</td>
</tr>
<tr>
<td>CORECU</td>
<td>Coast Regional Cooperative Union</td>
</tr>
<tr>
<td>EARC</td>
<td>East African Royal Commission</td>
</tr>
<tr>
<td>GIS</td>
<td>Global Information Systems</td>
</tr>
<tr>
<td>ICF</td>
<td>Investment Climate Facility for Africa</td>
</tr>
<tr>
<td>KNCU</td>
<td>Kilimanjaro Native Cooperative Union</td>
</tr>
<tr>
<td>KNPA</td>
<td>Kilimanjaro Native Planters Association</td>
</tr>
<tr>
<td>KU</td>
<td>Kilimanjaro Union</td>
</tr>
<tr>
<td>MKURABITA</td>
<td>Mpango wa Kurasimisha Rasilimali na Biashara Tanzania [Property and Business Formalization Program Tanzania]</td>
</tr>
<tr>
<td>MLHHSD</td>
<td>Ministry for Land, Housing, and Human Settlement Development</td>
</tr>
<tr>
<td>NALAP</td>
<td>National Land Policy</td>
</tr>
<tr>
<td>NLUPC</td>
<td>National Land-Use Planning Commission</td>
</tr>
<tr>
<td>NMB</td>
<td>National Microfinance Bank</td>
</tr>
<tr>
<td>NSSF</td>
<td>National Society Security Fund</td>
</tr>
<tr>
<td>SACCOS</td>
<td>Savings and Credit Cooperative Society</td>
</tr>
<tr>
<td>SPILL</td>
<td>Strategic Plan for the Implementation of the Land Laws</td>
</tr>
<tr>
<td>TAA</td>
<td>Tanganyika African Association</td>
</tr>
<tr>
<td>TANU</td>
<td>Tanganyikan African National Union</td>
</tr>
<tr>
<td>TIC</td>
<td>Tanzania Investment Centre</td>
</tr>
<tr>
<td>TLP</td>
<td>Tanzania Labour Party</td>
</tr>
<tr>
<td>URT</td>
<td>United Republic of Tanzania</td>
</tr>
<tr>
<td>UTP</td>
<td>United Tanganyika Party</td>
</tr>
<tr>
<td>VICOBA</td>
<td>Village Cooperative Bank</td>
</tr>
</tbody>
</table>
LIST OF FIGURES

<table>
<thead>
<tr>
<th>Figure</th>
<th>Description</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>Figure 1</td>
<td>M1 Village Land-Use Plan</td>
<td>87</td>
</tr>
<tr>
<td>Figure 2</td>
<td>M2 Village Land-Use Plan</td>
<td>87</td>
</tr>
<tr>
<td>Figure 3.1</td>
<td>M3 Village Pre-Existing Land-Use Plan</td>
<td>89</td>
</tr>
<tr>
<td>Figure 3.2</td>
<td>M3 Village Current Land-Use Plan</td>
<td>89</td>
</tr>
<tr>
<td>Figure 4.1</td>
<td>B1 Village Map</td>
<td>135</td>
</tr>
<tr>
<td>Figure 4.2</td>
<td>B1 Village Land-Use Plan</td>
<td>135</td>
</tr>
<tr>
<td>Figure 5.1</td>
<td>B2 Village Map</td>
<td>136</td>
</tr>
<tr>
<td>Figure 5.2</td>
<td>B2 Village Land-Use Plan</td>
<td>136</td>
</tr>
<tr>
<td>Figure 6.1</td>
<td>B3 Village Map</td>
<td>137</td>
</tr>
<tr>
<td>Figure 6.2</td>
<td>B3 Village Land-Use Plan</td>
<td>137</td>
</tr>
</tbody>
</table>
CHAPTER ONE

STATES, POWER, AND PROPERTY: THE MICRO-POLITICAL DETERMINANTS OF INSTITUTIONAL CHANGE

Property relations and, more specifically, relations of land tenure—those social relations governing the allocation, use, and exchange of land—have been undergoing significant shifts throughout rural Africa. Reforms promoting the transformation of “customary” or “communal” institutions of property rights into systems of individual ownership operable through a market economy have gained prominence on the agendas of international financial institutions and bilateral donors. In the last two decades, over twenty African countries have undertaken to overhaul existing institutions of rural property rights (Barrows and Roth 1990: 265; Manji 2001: 329; Boone 2007: 558). Whether emphasizing the creation of incentive structures for individual rural producers to increase investment and production (McAuslan 1998; Posner 1998; Toulmin and Quan 2000), the acceleration of rural inequalities and differentiation (Akram-Lodhi et al 2009; Watts 2009; Borras et al 2010), or the introduction of new forms of communal conflict as existing patterns of resource access are altered (Berry 2002; Peters 2004), the consensus in the literature on contemporary property rights reforms in Africa is that impacts are far-reaching for the character of development on the continent.

Promotion of the individualization of rights to rural land is part of a general response to a perceived crisis of the African state in dominant development discourses that have come to emphasize the institutional bases necessary for market-led development. African states have pursued market-oriented property rights reforms in efforts aimed at creating the institutional foundations necessary to both attract foreign investment in rural land and enhance prospects for the mobilization of property assets by smallhold farmers for investment in accelerated
production. The late 1990s saw a wave of legislation across the continent initiating these reforms. However, important questions have arisen about the capacities of African governments to alter rural property relations in contexts where state power is contested, and where central authorities with limited resources and reach must confront the complexities of diverse local struggles over land (Manji 2001: 328; Berry 2002: 653-654).

As such, recent debates surrounding property rights reform have been framed as referenda not only on the role of markets in rural development, but also on the very nature of political authority and the future of the liberal state itself in Africa (Boone 2007). Within a context of vast diversity in rural organizational structures and pre-existing local property relations across and within African states, thinking about the prospects and implications of market-oriented property rights reforms requires grappling with fundamental questions of the role of the state in fostering rural development—questions about both what states should do and, more importantly, what states can do within particular political economic contexts.

How have global shifts in thinking about property relations played out within state and local institutions? How has the character of rural property rights reforms been shaped by the diverse local social and political contexts of their implementation in African countrysides? Answers to these questions require going beyond generalizing about the necessity and impacts of contemporary reforms to investigating the nature of state power in Africa and how state action, far from exercised on an open field of play, has been contingent on the organization and contestation of authority within local power structures. Different historical and spatial balances of power across agrarian societies have shaped patterns of rural production and are critical to understanding the nature of political authority and the prospects and implications of property rights reforms for achieving market-oriented growth in contemporary African states. Rural
producers’ imaginations of a better material life are not independent of the material gains associated with a market economy, but their strategies for attaining their desires play out in the social worlds in which they live.

Influenced by trends within the “new institutional economics,” dominant approaches to the role of the state in development have shifted from an understanding of state institutions as antithetical to efficient markets (North and Thomas 1973; Bates 1981; North 1986) to one acknowledging the necessity for the state to provide the basic institutional frameworks supporting the operation of a market economy (Bates 1989, 2001; North 1990). A crucial paradox emerges from these trends: While states have been viewed as “rent-seeking” apparatuses that have hindered economic growth, imposing institutions such as private property rights that are critical to market-led development requires concerted action on the part of the state (Kahler 1990; Evans 1995). The question, then, is not one simply of what states should do, but of what states actually do in divergent contexts, and of their capacities to carry out far-reaching institutional reforms. Contemporary market-oriented reforms have been characterized as a “one-size-fits-all” project, presuming that economic growth is advanced through a uniform set of institutions (Evans 2004, 2005; Dunning and Pop-Eleches 2004; Mkandawire 2009); but the institution-building strategies employed by states have varied significantly across sub-Saharan Africa and the developing world (Boone 2003; Evans 1995). Defining rural property rights has been central to efforts by both colonial and independent African rulers to project the authority of the modern state (Boone 2007), and understanding outcomes of contemporary reforms necessitates investigating the organization of power in rural Africa and its contestation in diverse contexts.
My central argument is that differences in the local organization of authority over rural land determine the character and outcomes of property rights reforms across rural contexts within the same country and even district. To capture locally specific structures of authority and pre-existing institutions of property relations, my independent variables have been selected to reflect both the particular local ecologies that give rise to varying levels of resource scarcity, and the related social arrangements that have historically been constructed to manage rural land and resources in these specific contexts. What I call scarcity ecologies are examined in terms of the ability of local ecological conditions to support intensive agricultural production, relatively open or closed land frontiers, and concomitant population densities, while local social structures managing production within these contexts are examined in terms of the relative centralization of communal authority and the evolving nature of control over agrarian production.

Contemporary property rights reforms aim at the commoditization of rural land in state-sanctioned, legally formal land markets, and the establishment of commercial rural credit markets that allow the value of land to be mobilized for investment in intensified production. Following from this, I conceptualize outcomes of property rights reform—my dependent variable—in terms of the dynamics of land’s commoditization in these legally formal rural land and credit markets. In addition to this, my analysis allows for an explanation of the impact of reforms on the political relationships linking central and district authorities, local elites, and rural producers. Together, these dependent variables capture the economic and political implications of ongoing property rights reforms and the changing dynamics of contestation over rural authority and relations of production.

After more thoroughly situating the basic theoretical orientation of my research within broader trends of thinking regarding the role of the state in market-oriented development and the
nature of political authority in contemporary sub-Saharan Africa, this chapter sets out my own theoretical framework with a more extensive explanation and justification of my independent and dependent variables before laying out the subsequent organization of my thesis.

*States and Property Rights in Comparative Political Economy*

Dominant approaches to economic growth and industrial development during the post-war decades entailed an active role for states in managing economies. Keynesian welfare states in the Global North were still riding the post-war economic boom while structuralist approaches to national development—whether under the labels of socialism and dependency theory or capitalism and modernization theory—dominated political economic discourse and strategies in the Global South. In both contexts, large-scale planning, public investment, and government regulation were central to economic management. Many states in the Global South also engaged in rural land distribution to correct for past inequalities in access to productive resources (Barrows and Roth 1990; Mkandawire and Souldo 1999: 29). States were actively involved in promoting economic growth and social change. But a series of crises in the 1970s prompted a need for rethinking.

The end of the post-war boom and a looming inflation crisis in the advanced industrial countries combined with the global increase in petroleum prices beginning in 1973 led to questions about the economic sustainability of welfare state spending (O’Connor 1973; Gough 1979; Crozier *et al* 1975; Brittan 1977; Mishra 1984). As net importers of manufacture goods, developing countries were disproportionately affected by the oil crisis, and the failure of state-led development to jumpstart industrial growth produced increasingly odious debt burdens and deteriorating living standards (see Sandbrook 1985; Ndulu and van de Wall 1996). National
development models were brought into doubt and a critical reformulation of thinking about the relationship between states and markets became necessary.

The theoretical vacuum opened up by these real-world crises was quickly filled by advocates of the new institutional economics who, drawing on neoclassical traditions, waged an attack on activist states. Building on rational choice assumptions that individuals always act to maximize their self-interests, scholars of new institutional economics turned attention to the political and economic institutions that establish the rules of the game and define the strategies individuals employ in pursuit of their goals. Specifically, formal institutions of property rights were viewed as critical mechanisms for reducing transaction costs—uncertainty and incomplete information in exchange relations—standing in the way of cooperation and economic growth (Coase 1960; Demsetz 1967; Alchian and Demsetz 1972). Clearly defined property rights were argued to most effectively economize on transaction costs, allowing for increased gains from trade, and were used to explain variations in trajectories of economic development between Western Europe and elsewhere (North and Thomas 1973). This attention to the maximization of individual interest and the inherent efficiencies of private property rights in comparison to state intervention gave rise to a “state-versus-markets” approach to development that, by the 1980s, became dominant in prescriptions for overcoming the global impasse.

North (1981) argued that rulers—themselves rational actors—design property rights regimes in their own interests, resulting in the persistence of inefficient institutions over time and showing the negative implications of state intervention in market forces. Bates (1981) extended new institutional analysis to Africa’s development impasse, similarly emphasizing rulers’ own political interests and their subsequent manipulation of market forces to bolster their own patronage networks and support bases while sacrificing economic growth. These contributions
moved away from the economistic assumptions and general presuppositions about how states work employed in earlier rational choice literature and acknowledged that market inefficiencies were produced by specific, historically grounded institutional contexts. For Bates, rulers in independent Africa used inherited institutions of economic control in the interests of buttressing urban political support while conversely destroying the market incentives understood as central to rural production and efficient allocation of resources in agrarian societies. Despite this more robust application of new institutionalism’s rational choice assumptions to African political economies, Bates’s prescriptions were in line with earlier approaches advocating the dismantling of state power to free market forces and contribute to sustained economic growth.

The state-versus-markets approach provided the intellectual foundations for a global rightward shift in thinking about the role of the state in managing domestic economies. Bates’s analysis coincided with the release of the World Bank’s Berg Report (World Bank 1981) which called for the removal of states from the economic sphere in developing countries in favour of market mechanisms—a task of “getting the prices right” involving trade deregulation, currency devaluation, and domestic market liberalization—and established the “Washington Consensus” as the new hegemonic discourse on development. With the rise of leaders like Reagan and Thatcher in the United States and Great Britain, state involvement in the economies of advanced industrialized countries too was subordinated to market forces.

During the 1980s, however, discourses on development tackled the task of explaining wide variations in trajectories of institutional change across countries of both the advanced industrialized and developing worlds and directed renewed attention to the role of states and domestic policy choices in determining how markets operate and shaping different pathways to economic growth. Scholars seeking to “bring the state back in” to the study of political economy
have emphasized the external orientations of states, the challenges they face in maintaining
domestic order, and the organizational resources that state officials draw on and deploy,
assigning causal weight to state institutions. The autonomy of states from market and social
forces was used to explain their capacities to shape developmental trajectories (Skocpol 1985: 9;

Picking up this task of taking political institutions more seriously, former advocates of
the state-versus-market approach have sought to better account for the interaction of political and
economic institutions in shaping the nature of development. North (1990: 36) emphasizes the
“pervasiveness of informal constraints” and the codes of conduct, norms, and conventions—
themselves based in social relations, business activities, and governing structures—that help
explain the relative success of different economies. Previous uncritical acceptance among
institutional theorists of the neoclassical logic, North argues, was detrimental to understanding
the character of economic development as “allocation was assumed to occur in a frictionless
world, that is, one in which institutions either did not exist or did not matter” (1990: 131).

Bates’s (1989) case study of agrarian development in Kenya also marks a distinct break
from earlier approaches and provides concrete empirical substance to institutional analyses by
putting political institutions at the core of his explanation of the character of Kenyan
development. His argument revolves around the interaction of the state and its private
counterparts. African elites, he argues, altered “traditional” law to exclude others from rights to
land, and established a new landed gentry that sought to facilitate its own accumulation of land
holdings and would later provide the backbone of the ruling class after independence. For Bates,
this dynamic led to export agriculture becoming a sort of “national estate: an endowment to be
Bates locates Kenya’s economic success in relation to other African economies in the shift of property relations from ones of lineage-based “access” to ones of “accumulation,” and emphasizes how state elites were able to strategically harness newly powerful social groups to bolster their own political authority. But while Bates does much to bring political institutions to the centre of analysis, marking a shift from a state-versus-markets to a “state-and-markets” perspective, Berry (1993a: 1058) argues that Bates retains the assumption of his previous work—that objectives of powerful leaders determine social outcomes—and overemphasizes the “once-and-for-all” transformative power of private property rights. Formalized access to land may have provided a basis for capital accumulation, but neither access nor accumulation is irreversible. Rather than a linear shift from customary systems of access to private systems of accumulation, lineage systems and customary laws were renegotiated to function as both, and did not necessarily result in land’s mobilization as a purely economic asset (1993a: 1059). Elsewhere (Berry 1993b), she argues that African social institutions are fluid, constantly subject to renegotiation in the face of political and economic change—transactions subject to multiple meanings and exchange open-ended and multidimensional rather than single-stranded and definitive. For Berry, institutions of property rights in Africa are shaped by struggles over social identities and relationships embedded in contested structures of custom and rural authority.

Debates about the role of state and social institutions in determining the capacity of central authorities to direct the course of economic change have given rise to robust comparative research on how particular state-society linkages explain variations in trajectories of national development (Migdal 1994; Kohli and Shue 1994; Evans 1995). Evans argues that states themselves are not generic and that different pathways to development across Africa, Latin America, South Asia, and East Asia are explained by variations in the relative balance struck
between states’ ties with social forces, and simultaneous abilities to make choices about the strategic direction of economic policy while insulated from such pressures. States as predatory rent-seekers are only one extreme, where leaders’ interests are embedded in narrow societal interest groups. In other cases, “developmental states” more autonomously strategize and preside over economic transformation within society (1995: 12, 43-73). The nature of the state’s role in shaping trajectories of economic development, for Evans, must be determined through empirically grounded research into the ways states balance “embeddedness” and “autonomy.”

The contributions of North (1990), Bates (1989), and Evans (1995) have contributed to a shift in dominant discourses on development towards a states-and-markets perspective. Scholars of advanced capitalism have since directed significant attention to variations in institutional linkages between state apparatuses, firms, and other key actors within society (Woo Cummings 1999; Johnson 1999; Hall and Soskice 2001; Thatcher, Hancke, and Rhodes 2007). Dominant practices of development in Africa, too, shifted during the 1990s and reflect recognition of the need to embed the economic institutions of capitalism in political institutions shaping the relationship between rulers and constituents. The Washington Consensus has been replaced by a “post-Washington Consensus” in which political liberalization, administrative decentralization, and the reform of social institutions governing access to resources are brought centre stage (Stiglitz 1998, 2007)—a new task of “getting the institutions right.” Contemporary calls for property rights reform in rural Africa are linked to this shift in emphasis. Titles to land that are contractually protected in formal law have become seen as a critical institution for capitalist growth and necessary for the market value of property to be accessed through sale or credit markets as capital to be invested (McAuslan 1998; Posner 1998; Deininger and Biswanger 1999; World Bank 1989, 1996, 2003).
These reforms are the central concern of my dissertation. Their character and outcomes are dependent on the nature of African states and their abilities to reform political and social institutions within their territories. Questions about state action and capacity in contemporary Africa require probing the particular patterns of state-formation that have shaped governance and the links between states and societal institutions on the continent. Mamdani (1996) identifies a major source of institutional variation across African states in the strategies adopted by independent African rulers focusing on either the Africanization, or “tribalization,” or the nationalization of governance structures. But for Mamdani, both of these strategies were responses to the particular mode of penetration in Africa by which colonial powers sought to stabilize racial domination through a process of tribalization. He argues that the character of the colonial state in African countrysides was critically shaped by political tensions and conflicts within rural areas as colonial rulers sought to project power via “Native Authorities” governing land and other productive resources along the lines of perceived “customary law” while remaining subordinate to colonial authority. The legacy of this “decentralized despotism” is conceptualized as an “institutional segregation”—a bifurcated legal structure within which urban centres were governed by formal statutory law, while rural relations of property and labour were controlled by customary forces and administrative decree.

Customary control over property and labour relations limited the market mechanism, and to flush these resources out of the realm of the customary required the use of force. But a crucial point for Mamdani is that the relationship between force and the market was not antithetical (1996). Force was not simply used to impose a market system. Rather, “force and market came to be two alternate ways of regulating the process of production and exchange.” There was no
fixed balance—“market relations were enmeshed with extra-economic coercion” (1996: 287). The contemporary character of the state in Africa has been shaped by this relationship.

Mamdani directs crucial attention to the historical links between state power projection and institutions governing property and production throughout rural Africa. But while he identifies variations in development strategies of independent states between conservative and radical ideologies, he does not explore the sources of these differences. Mamdani’s concern with identifying the general legacies of the colonial state in Africa leaves aside interrogation of variations in patterns of local-centre relations across and within African states. To avoid the risk of overgeneralizing the dynamics of decentralized despotism and implying a uniformity of institutional arrangements linking state and countryside it is necessary to probe the particular ways African states have sought to broadcast power over vast and variegated domestic territories.

This issue is tackled by Herbst (2000), who acknowledges that African leaders have been faced with the particular task of broadcasting power over political geographies characterized by harsh climatic conditions and populations spread sparsely over vast hinterlands. Rulers must confront the costs of expanding domestic power infrastructures (2000: 13). Herbst attempts to explain variations of institution-building within states by noting the need for rulers to control diverse populations within externally imposed borders. In doing so, rulers must contend with the power of rural elites. The power of these elites vis-à-vis central authorities is located in the former’s role in governing the allocation and use of land. Variations in trajectories of local institutional changes are explained by the fact that, “national authorities have had varying degrees of success in their efforts to supplant chiefs in controlling the process of allocation of this critical resource” (2000: 174). For Herbst, state capacity for controlling social institutions in the countryside varies inversely with distance from the seat of state power in capital cities.
While Herbst’s analysis seeks to explain geographical variations of institution-building within African states, his investigation of the costs of rural state-building does not consider the specific structures of local political organizations that prevail in different rural societies within state boundaries or how those structures impact the relative abilities of rural elites to exert leverage over central rulers. His characterization of African hinterlands as more or less uniformly economically endowed neglects variations in ecological conditions that shape the communal structures states must engage with in drawing revenue from the agrarian economy. Herbst focuses on the costs of building institutions, but less so on the costs of not.

Bates (2001) does probe the costs of not building state institutions. Noting that states must foster accumulation to support themselves, he argues that political institutions are critical to the character of development. He locates the character of European state-formation in the states’ need to supplant privately organized violence in the protection of wealth in particular ecological niches by way of public institutions that make it in the economic interests of private actors to behave in ways that enhance collective welfare. African states, however, with their borders guaranteed by international norms, and rulers supported by external patronage, are argued to have lacked the incentives to provide the public institutions necessary to move from “violence” to “prosperity” (2001: 80-81). Without markets for risk (insurance, credit) secured within credible political institutions, groups within agrarian societies must rely on kinship and private violence to protect economic interests and scarce ecological resources. Bates argues that reforms imposed on African states in the wake of the debt crisis have facilitated a move toward fostering institutions that promote widespread political participation and stable patterns of accumulation in agrarian societies, but have also introduced new insecurities for rulers needing to shore up broad-based political support outside of old patronage networks. Outcomes of reforms, then, cannot be
understood on a macro-level, but rather by situating them within the particular institutions
linking social organization in agrarian societies with central authorities faced with both retaining
power and extracting revenue from agrarian sectors.

Contemporary property rights reforms are central to this reorganization of agrarian social
structures and their integration within national market economies. Macro-level generalizations
about global economic contexts and the nature of African states provide some important insights
into the incentives confronting African rulers. But they overlook the ways in which
independence-era rulers in Africa have, in fact, made concerted efforts to establish control over
agrarian production across their hinterlands, and how these historical dynamics of local
institution-building have shaped the nature of state authority and market-oriented reform. Van de
Walle (2001) argues that African states have pushed civil society out of the political realm,
resulting in weak states paralleled by weak non-state civic associations and interest groups
unable to exert pressure for reform on central authorities. Boone (2003), however, draws on a
long line of scholarship on the impacts of different agrarian social structures on trajectories of
modern state-formation (Moore 1966; Brenner 1976; Anderson 1979) and argues that the power
of rural elites in Africa has had a critical role in shaping the strategies of central rulers. For
Boone, African political institutions are a product of local-centre bargaining. Rather than
autonomously insulating themselves from social pressures, rulers have devised strategies for
governing countrysides by actively engaging with rural elites and the configurations of political
authority prevailing in particular rural contexts.

Boone’s central argument is that, “there are significant regional (subnational) variations
in the political capacities and interests of rural societies and rural notables, and that much of the
variation we observe in regimes’ strategies in governing the countryside is attributable to this
fact” (2003: 2). African states’ need to govern people and production across diverse hinterlands has resulted in significant spatial variations in the institutional designs chosen by rulers. Centre-local relations cannot be understood through generalizations about the relative weakness of states on the one hand and social groups on the other, but rather by examining the political struggles and bargaining occurring within agrarian society between rulers, their rural allies, and their provincial rivals. The nature of these struggles is shaped by the local structures of authority that set the parameters of centre-local bargaining. Boone argues that variations in the structure of communal authority define the relative power of rural elites and determine the extent to which they can translate control over people and production into leverage vis-à-vis central authorities and influence the exercise of state power in the countryside.

In analyzing the implementation and outcomes of attempts by contemporary state authorities to transform rural property relations, I argue that the states do not exercise authority in the countryside on an open field of play. What the state does throughout its hinterlands is contingent on the organization of authority in particular contexts. Variations in ecologies and the social organizations they give rise to imbue rural actors with different abilities to both engage and resist central demands for reform and are critical to explaining the outcomes of contemporary reforms in Africa.

The existing literature on the implementation of property rights reform on the continent emphasizes this need to examine the empirical contexts of reform. Manji (2001; 2006) advocates the abandonment of the “state’s-eye-view” of implementation and emphasizes the need to examine conflicts over the reorientation of property relations at the community level and the role of individual actors within the state in advancing the implementation process. Berry (2002) too calls for attention to the complexity of reforming property relations and the diversity of struggles
over land in contexts across Africa, while Peters (2004) emphasizes processes of exclusion, deepening social divisions, and class formation and inequalities that accompany the process of commoditizing rural land. Even those who focus on larger scale processes of agrarian commoditization and trends toward corporate “land grabbing” have argued that understanding these dynamics of agrarian change requires interrogating how particular local political economies have been integrated into broader national and international economic structures as well as the impacts of transnational capital in specific rural contexts (Akram-Lodhi and Kay 2009a, b; Akram-Lodhi, Borras, and Kay 2009; Olenasha 2005; Watts 2009).

These contributions to understanding the impacts of contemporary property rights reforms in rural Africa pose important questions, but rigorous research into the particular contexts of reform implementation is largely absent from the literature. The rest of my dissertation seeks to address this gap. I lay out in the next section my theoretical framework for explaining variations in the dynamics of property rights reform implementation across local agrarian contexts in Tanzania. Drawing on Berry (1993b, 2002) and Boone (2003) I aim to capture the ways in which not only rural elites but producers themselves have shaped the reform implementation process in rural Tanzania by analyzing how state power interacts with the micro-political organization of authority and social arrangements at the local level.

Theoretical Framework: Communal Authority and the Politics of Property Rights Reform

Questions about reshaping social relationships surrounding land in rural Africa are questions about state capacities and the organization of authority across diverse social and political contexts. My central task is explaining how different local structures of political authority over agrarian resources shape the abilities of both the central state to implement institutional reforms, and local elites and producers to manage and harness reform processes
within these structures. Global context and dominant discourses of development are important to the character of reforms. But I argue that specific central strategies of reform implementation and outcomes across contexts are a function of the micro-political structures of authority that organize power and production throughout agrarian society and, ultimately determine the nature of state authority and the state’s role in contemporary development. Specific ecological conditions across agrarian contexts have given rise to different structures of local authority that evolve at critical historical conjunctures to manage people and production within changing risk environments, and shape social relations of resource access and management. In reforming property relations, states are confronted with this diversity. I analyze strategies and outcomes of reform in this strategic context.

My independent variables have been selected to capture variations in these ecological conditions and arrangements of local political authority. For Bates (2001; also see Diamond 1999) the rise of organized political authority has its source in competition over scarce resources and the need for organizational structures to manage resource access and use. In contexts where ecological conditions can support intensive agricultural production, political organization arises as a form of risk management, allowing for the establishment of rules of the game lowering barriers to social and economic cooperation. The ecological factors at play here include climatic conditions, soil types, and geographical topographies that make intensive use of available resources more or less necessary. Where ecological conditions are favourable to agricultural production and land frontiers are closed—due to geographical constraints or conflict with neighbouring populations—structures of political authority become necessary to manage the risk environments associated with resource scarcity and increasing population densities. Where conditions are less favourable to intensive production and land frontiers are open, fewer
incentives exist for such organization and resource management. In economic analyses, the “scarcity value” of land is often considered a key determinant of the efficiency of its use (Johnson 1972; Barrows and Roth 1990). Levels of land scarcity—which I measure in population densities—shape the extent to which property relations are managed within structures of local authority.

Ecologies of scarcity and population densities may be useful in explaining the presence or absence of organized authority over resource access and use but these factors alone cannot explain the specific character of local political organizations and how they impact the nature, reception, and outcomes of institutional reforms. In her analysis of land conflicts in Africa, Peters (2004) notes that even where population densities are not high, intense competition has developed over valued resources, necessitating interrogation of the particular social structures shaping the interaction of rural actors benefitting unequally from political economic change. Peluso and Watts (2001: 5) too argue that the impact of scarcity must be understood as a “site-specific phenomenon” rooted in particular local histories and social relations yet connected to larger processes of material transformation and power relations. Analysis of the evolving entitlements by which differentiated individuals, households, and communities possess or gain access to resources within a structured political economy is critical to explaining the dynamics and outcomes of institutional change in agrarian societies. For these reasons, I add to scarcity ecologies the particular structures of authority that have evolved in given localities to manage scarcity and risk and that define—and redefine at historical moments—the political and economic relationships among rural elites and producers.

I adopt the proposition that the organization of authority in agrarian contexts can be compared according to the degree of concentration or dispersion of control over persons and
resources within particular communal structures (Boone 2003: 21). For Boone, these structures vary in the extent to which rural elites exercise centralized control over settlement patterns, land tenure and inheritance regimes, and relations of cooperation, dependency, and coercive force in the organization of rural production—“in agrarian societies, these elements intertwine intimately with rules and institutions that distribute political power at the local level, govern access to land and other productive resources, and enforce social cohesion” (2003: 20-21). The relative centralization or decentralization of local political authority defines rural elites’ abilities to manage scarce resources. Where ecologies support intensive cash crop production, centralized structures of local authority enable elites to harness the market as a mechanism for production and surplus extraction and, within broader political economic structures, maintain economic independence and political leverage vis-à-vis rulers of the central state. In ecological contexts absent of cash crop production and concentrated authority, elites are more likely to be forced into economic dependence on central authorities.

The capability of the state to reshape rural social relations, then, depends on the nature of local authority over agrarian resources within particular ecological settings. But the impact of local organizations of power on institutional reform goes beyond centre-local bargaining in the design of reforms to the production of social norms and the ways in which rural producers themselves conceive of their interests and responsibilities and devise strategies in the reception of reforms. Rural authority structures provide the material basis for the symbolic economies that provide the prism through which producers understand the value of land, and give rise to social mechanisms by which land is imbued with not only economic, but also social importance. Burial practices, for instance, may depend on material scarcity, but agreed upon social norms result in particular portions of land taking on meaning distinct from its productivity or economic value.
Understanding how practices of local producers themselves shape the implementation of reforms requires investigation of land’s relation to families and lineages seeking to ensure their own reproduction and future security and of the resultant customary understandings of land that govern its allocation, use, and disposal. More than “informal constraints” on interest-maximization (North 1990), these social norms shape interests themselves and the strategies devised to manage collective resources and mitigate risk in particular contexts. Authority at the local level is not just material but also symbolic, shaping understandings of land ownership and the responsibilities entailed.

These understandings, however, are not constant. Communal structures, social norms, and interests evolve as both elites and producers are confronted with political and economic changes that alter agrarian risk environments. Colonial penetration and incorporation, independence-era attempts at state consolidation, and contemporary changes associated with agrarian market liberalization have each presented distinct challenges and opportunities for rural communities, introducing new dimensions of conflict and contestation. Risk environments are altered at these critical historical conjunctures. For this reason, I draw on Berry’s (1993) argument that while producers view political and economic changes through deeply embedded customary relationships, these relationships are also fluid, constantly renegotiated in the face of new challenges that necessitate the evolution of social relations governing productive resources. The study of agrarian change, for Berry (1993: 3), requires consideration of “the history of legal and political processes, social relations, and culturally constructed understandings which influence patterns of authority and obligation… and the meaning of exchange.” Local ecologies provide the material contexts within which communal structures develop, but these structures
must also be understood within *historical* contexts as central rulers, rural elites, and producers all attempt to secure their interests under changing political and economic circumstances.

I have selected my cases in rural Tanzania to reflect differences in scarcity ecologies and evolving organizations of rural authority. Tanzania provides an important case for analyzing these local variations and their impacts on the implementation of property rights reform. The country’s broader trajectory from colonial rule to state-led development to market-oriented institutional reforms reflects historical developments experienced across sub-Saharan Africa. Tanzania is also considered among Africa’s “star reformers” (Harrison 2001, 2008) and, since the 1990s, has initiated high-profile efforts at reforming customary property rights into a system governed by the market mechanism (Boone 2007; United Republic of Tanzania 1999, 2005a).

Moshi district in Kilimanjaro region and Bagamoyo district in Coast region are my rural case studies. I draw from district profiles and the most recent census data available to identify local ecological conditions and scarcity levels, the latter measured in population densities (URT 2002). Documentary research and initial fieldwork identified the relative concentration and deconcentration of local authority over property relations. Closed land frontiers limiting the expansion of chiefdoms, together with fertile soil supporting intensive farming, has resulted in acute land scarcity in Moshi, with population densities ranging from over 100 people per square kilometre (km²) in the lowlands to 1,200/km² in the highlands, demonstrating important variations in contextual variables even within the district. Authority in Moshi district has been historically concentrated in local chiefs and lineage leaders, with distinct roles in governing property relations underpinning intensive agriculture and, for the last hundred years, the commercial production of coffee (Falk Moore 1986; Iliffe 1979). Bagamoyo district, on the other hand, is a site of open land frontiers, less fertile soil, and a lack of intensive farming. Population
densities in the district are low, ranging between 10 and 40 people/km². The district is characterized by deconcentrated authority over rural land and resources, and control over property is vested in individual families with no centralized communal control existing over predominantly subsistence agricultural production (Jerman 1997).

The two case studies reflect significant contextual variations in local ecologies and authority structures, and are used to explain divergent outcomes of contemporary property rights reform implementation. These outcomes are my dependent variables. I have operationalized them in relation to the stated aims of contemporary property rights reforms themselves. Dominant discourses and practices of development understand the formalization of titles to land as crucial to the security of property rights, seen as requisite for increasing investment in agriculture and the efficiency of smallhold production and resource management. Contemporary property rights reforms involve the construction of a legal framework within which rural property can be mobilized as a source of private capital accumulation. Formal titles are seen within dominant frameworks of analysis as critical to the development of legally formal land markets in which land as a commodity can be sold at a market value to those capable of using it most efficiently or used in commercial credit markets in the form of collateral as a source of investment capital for the improvement of production practices and rural livelihoods (World Bank 2003; URT 2005b; also see de Soto 2000). Legally formal land and credit markets require the removal of land from the constraints of customary arrangements and its subordination to the price mechanism. To achieve this, reforms have involved a multifaceted process of land-use planning, large-scale investment facilitation, and smallhold titling. I investigate the character of rural land and credit markets through these interrelated processes of commoditization,
smallholders’ understandings of benefits and drawbacks, and their willingness to use titles to divest of land or mobilize it as collateral in commercial credit markets.

Land’s commoditization in legally formal rural land and credit markets is an explicit goal of contemporary reforms and is one way in which I analyze outcomes in divergent rural contexts. But markets in rural Africa are not just mechanisms of exchange and distribution. They are also a critical locus of political struggles over meanings and resources embedded in the organizations of local authority shaping relations of production and access to resources (Berry 1993b, 2002; Mamdani 1996). The character of rural markets is a key indicator of the success of contemporary property rights reforms in establishing the institutions of a market economy. But, recognizing the market as a locus of political struggle, I conceptualize outcomes of these reforms also in terms of their impact on the political relationships linking central and district officials, village authorities, and the producers they seek to govern. Berry notes that the interests of both elites and producers throughout rural Africa have been articulated through shifting and fluid membership in a variety of social and political organizations, from kin groups to cooperative unions to village politics. Focusing on how market-oriented property rights reforms have affected the interaction of rural actors within the political mechanisms linking state and countryside allows for investigation of the political outcomes of institutional reforms and the ways in which state power is being contested across rural contexts. How contemporary reforms have been insinuated within centre-local political coalitions is critical to understanding how local structures of authority have shaped receptions of reform and the political parameters that define outcomes and ongoing trajectories of reform implementation.

My conceptualization of my independent and dependent variables allows me to extend and refine understandings of state capabilities in altering relations of power and production in
rural Africa. The emerging literature on property rights reform on the continent has tended to emphasize the impacts—positive or negative—of reforms in and across national contexts but has neglected empirical research on how the local contexts of implementation shape the ability of state agents to carry out reforms and the ways in which rural elites and producers have sought to manage and harness the implementation process in their own interests. The implications of this focus for understanding broader processes of state-building in Africa are significant. I draw on Boone’s (2003) conceptualization of communal structure and its impact on shaping the design of reforms in particular agrarian contexts, but my concerns go beyond a focus on institutional choice and design, to how the organization of local authority shapes actual outcomes of implementation. By analyzing how not only rural elites but smallhold producers themselves have received reforms within evolving structures of communal authority, I am able to attribute an even greater role to rural actors in defining the capabilities of the central state in directing the course of institutional change, providing deeper and more textured understanding of the political economic conditions resulting from contemporary property rights reforms.

My analysis relies on a variety of research methods selected to address my particular concerns and variables. To understand the institutional character of contemporary property rights reform in Tanzania I have used historical and archival sources to examine patterns and processes of colonial- and independence-era state-building and the ways in which rulers have sought to alter rural property rights regimes in attempts at broadcasting state power and exploiting rural production across diverse hinterlands. Documentary and archival evidence has been substantiated by interviews conducted in central government ministries and agencies in Dar es Salaam between January and February of 2011 to gain insights into the design and strategies of the property rights reforms now playing out in the countryside. Approximately twenty interviews
were conducted with high- and middle-ranking officials in the Ministries for Land, Housing, and Human Settlement Development; Agriculture, Food Security, and Cooperatives; and Regional Administration and Local Government, as well as in the National Land Use Planning Commission, the offices of the Property and Business Formalization Program, and the Tanzania Investment Centre.

Between March and August of 2011, interviews with district officials in Moshi and Bagamoyo districts focused on the ways in which central and district authorities interact in the implementation of property rights reform. Approximately twenty interviews were conducted at district level councils and offices in Moshi and Bagamoyo with District Chairpersons, Land Officers, and Cooperatives Officers to investigate the character of reform implementation strategies in particular contexts. But the majority of my field research was carried out in villages currently implementing property rights reforms. Interviews were conducted with village officials (Chairpersons, Village Executive Officers, and managers of local cooperatives and credit institutions where present), elders and local notables, and smallhold farmers in six villages (three in each district) implementing reforms in order to examine the ways in which reforms had been received in local contexts. Approximately 100 interviews were conducted across these six villages. In addition, I conducted similar but fewer interviews (approximately 45 in total) in four villages (two in each district) not yet undergoing reforms. I use material from village-level interviews to analyze the ways in which rural actors have received property rights reforms within local authority structures and how related local understandings of land have shaped local trajectories of institutional change.

Contemporary property rights reforms in Tanzania are a product of a global shift in dominant development discourses and practices toward a state-and-market approach, which
seeks to establish the institutional structures supportive of capitalist accumulation and development. This institutional project has played out within national political structures themselves products of the diverse rural contexts within which state power is embedded. I argue that outcomes of contemporary shifts toward market-oriented institutional reforms are fundamentally shaped by the particular organizations of authority underpinning agrarian production in specific contexts of implementation.

The Organization of the Study

The organization of my dissertation reflects my research design. My analysis moves from patterns of state-building and the incorporation of rural political economies into the institutional framework of the Tanzanian state, to contemporary strategies of property rights reform implementation and the local structures of authority that have shaped the outcomes of these reforms throughout the countryside.

In Chapter 2, I examine patterns of Tanzanian state-building and institutional design linking state and countryside through three distinct historical periods. I argue that patterns of colonial state-building were a function of considerations of local ecologies and that the institutional design of rural property rights regimes was shaped in this period, as well as during periods of post-independence state-led development and contemporary market-led development, by attempts at broadcasting state power across rural areas characterized by distinct structures of agrarian production. I trace the evolution of nation property rights regimes in Tanzania across these three periods emphasizing political struggles playing out throughout the countryside between and among rural producers, customary authorities, and the central state and the crystallization of these struggles into institutions of central rule.
Chapters 3 and 4 extend my analysis to the particular organization of rural authority and the political dynamics that have shaped outcomes of institutional change and property rights reform in Moshi and Bagamoyo districts, respectively. Echoing the periodized structure of Chapter 2, I investigate the ways in which structures of local authority and customary understandings of land have shaped the organization of rural society and receptions of institutional change. I argue that outcomes of property rights reforms in each case are determined by contested and negotiable understandings of the role and value of land in social life, reflected in divergent dynamics of rural market-formation and the ways in which contemporary struggles over access to land have been insinuated into political coalitions linking state and countryside.

Chapter 5 concludes my analysis. I draw together findings from my rural case studies on the relationship between scarcity ecologies and structures of communal authority, and the character of rural markets and political contestation in Tanzania, and explore implications of my argument that outcomes of contemporary property rights reform are determined by the local social structures defining the parameters of strategic relationships among central rulers, local authorities, and rural producers themselves.

CHAPTER ONE NOTES

1 All population density figures are from the 2002 Tanzanian national census (URT 2002). These are the only figures available for village-level population densities.

2 Village interview sites where reforms have been implemented are represented by the following codes: villages M1, M2, and M3 in Moshi District, Kilimanjaro Region, and villages B1, B2, and B3 in Bagamoyo District, Coast Region.

3 Village interview sites where reforms have not been initiated are represented as: villages M4 and M5 in Moshi District, Kilimanjaro Region, and villages B4 and B5 in Bagamoyo District, Coast Region.
CHAPTER TWO

INSTITUTIONAL DESIGN IN TANZANIA: STATE-BUILDING, PROPERTY RIGHTS, AND TRAJECTORIES OF RURAL DEVELOPMENT

Addressing my dissertation’s central concern with how differences in the organization of local authority shape the capacity of the state and outcomes of contemporary property rights reforms requires analyzing both the design by central authorities of strategies for institutional reform, and their receptions by rural actors within different agrarian contexts. This chapter focuses on the first task and lays the groundwork for analyzing local receptions and outcomes in the rural case studies that follow.

The contemporary focus within dominant approaches to development on the individualization of rural property rights within “credible,” formal legal structures has sought to develop the political institutions underlying successful market-led development. This project has been argued by many to entail a uniform conception of institutions of “best practice” (Dunnings and Pop-Eleches 2004) or, in other words, a project of “institutional monocropping” involving the imposition of an idealized version of Anglo-American institutions under the assumption that they transcend national and local circumstances (Evans 2004, 2005; Mkandawire 2009). Countries across Sub-Saharan Africa have indeed begun to implement property rights reforms, but their strategies have varied. Some have sought the full privatization of land through individual titling in order to promote a transition from self-sufficient smallholding to capitalist farming. Others have sought to increase the security of existing communal or community rights to land management. Still others have pursued strategies of registering and titling “user rights” to stabilize the access and rights to land for smallhold farmers (Boone 2007). Explaining the strategies undertaken in particular national cases requires situating contemporary reforms within
the historical patterns of state-building that have shaped the character of institutional mechanisms linking state and countryside in particular cases.

The definition, manipulation, and adjudication of rural property rights have been critical mechanisms through which both colonial and independent rulers in Africa have sought to shore up the power of local allies, create political structures for governing rural populations, and manage productive resources across rural contexts (Boone 2003; Herbst 2000; Young 1994; Mamdani 1996). But strategies for the reorganization of rural property relations are not devised on a historically or spatially open field of play. How have considerations of local ecologies and relations of production shaped the institution-building strategies of colonial and independent rulers in Tanzania? How have these historical patterns of institution-building set the parameters of contemporary strategies for property rights reform? I address these questions in this chapter by situating contemporary institutional reforms within historical processes of state-building in Tanzania and examining the role of property rights regimes in attempts by central rulers at controlling and exploiting rural production across a diversity of local contexts. Answers are central to understanding the particular character of current property rights reforms and the institutional mechanisms linking state and countryside that help define the character of state power and its contestation within the particular agrarian societies that are the subjects of my case studies.

I analyze the design of central strategies for controlling rural property and production across three periods of Tanzanian history. Colonial authorities, independent rulers of the 1960s and 1970s, and leaders since the 1980s have each operated within distinct global contexts that informed understandings of the day concerning the role of the state in economic development. But I argue that the central design of property rights regimes and institution-building strategies
has been shaped by considerations of variations in the local ecological conditions and organizations of production underpinning particular agrarian economies across the countryside. Highlighting the uneven patterns of state-building across these contexts, my historical examination of Tanzanian property rights regimes emphasizes the institutional legacies that define the broader parameters of agrarian change within which contemporary reforms play out.

I begin this chapter by arguing that patterns of colonial state-building in Tanganyika were shaped by considerations of rural ecologies and their suitability for European settlement, and that colonial property rights regimes were designed to strike a balance between supporting a small and concentrated European plantation sector and exploiting African peasant production and labour. I go on to argue that, despite a shift in thinking about the role of the state in development by the end of the colonial era, the property rights regime established under German and British rule was reproduced in that of the independent government and continues to provide the broader institutional structure within which contemporary reforms are implemented. Throughout the chapter I emphasize the uneven nature and impact of central development strategies across rural contexts and lay the groundwork for my analysis of local dynamics of contemporary property rights reform in Chapters Three and Four.

*State-Making and Rural Property Rights in Colonial Tanganyika*

The character of the colonial state in Africa was shaped at its core by a revenue imperative—to operate a self-sufficient colonial state while securing economic advantage for the European metropole. The economic imperative of colonial rule required not only military conquest but the construction of political apparatuses capable of projecting state power and controlling relations of production across diverse territories in the interests of the state (Young 1994; Mamdani 1996; Herbst 2000; Boone 2003). In this section, I examine property rights
regimes as critical mechanisms by which both German and British colonial authorities in Tanganyika established the institutional basis for the projection of power and the management of tensions among rural subsectors. I argue that institution-building strategies in Tanganyika were shaped not simply by the generic nature of colonial states but also by considerations of particular local ecological conditions and political struggles within the diverse territory and the colonial necessity of managing economic imperatives and political contestation playing out unevenly across rural contexts.

The geographical area that became colonial Tanganyika contains extensive ecological variation. The territory is topographically characterized by a high plateau that slopes sharply to the Indian Ocean in the east and contains significant variations in altitude and climatic conditions. While the centre of the territory consists of drier plains, highlands in the north and parts of the south contain fertile and well watered lands. The eastern strip along the coast receives seasonal monsoon rains, but fertile soil is largely confined to the valleys of large river systems—Pangani in the north, Rufiji in the centre, and Ruvuma in the south (Maddox 1998; 438; Illiffe 1969: 9). This ecological variation has supported a diversity of livelihood practices and has shaped the character of local social organizations that state-builders have confronted. On the eve of colonial penetration, cultivation and livestock rearing were practiced across the territory but the particular organizations of production were shaped by local ecologies.

In the central and southern plains, wide expanses of land tended to be cultivated on a shifting, fallowing system, supporting dispersed agrarian populations and raiding communities lacking in centralized political organization. Dispersed, shifting cultivation also characterized much of the coastal area, while in the northern and southern highlands, extremely fertile but limited land supported permanent cultivation managed within complex and centralized political
systems (Kjekshus 1977: 29-48). Kjekshus argues that the land frontiers of particular communities were determined by the presence or absence of conflict over scarce resources and that where conflict was present, centralized local political organization arose to manage increasingly scarce land (1977: 27-28; also see Bates 2001; Diamond 1999). But diverse communities were connected by expansive networks linking coast and hinterland. Caravan routes linked coastal port towns controlled by Omani sultans with inland kinship communities along the way to Kilimanjaro, the western lakes, and the southern highlands. Political power and trade defined the nature of communal relationships within these networks, but Rigby (1969: 15-18) and Iliffe (1979: 8-10) note that precolonial social identities were fluid and not characterized by discrete, compact “tribes” with distinct territories, languages, and cultures. Social identity was “totally relative to the spatial position of the speaker” (Rigby 1969: 15) and “by moving his home and adapting to a new environment a man changed his identity (Iliffe 1979: 10).

It was within this context of wide variations in local ecologies and livelihood techniques, and social organizations connected by trading networks and fluid social identities, that colonial rulers—first German, then British—sought to project central authority and establish institutional mechanisms by which to control and exploit variegated rural communities and production practices. German penetration and power projection had the initial goal of securing German economic interests in the establishment of bases of European settler farming. But the patterns of penetration and the establishment of institutions governing local populations were a function of both ecological considerations, and the organization of local authority in particular contexts. In 1884, agents of the German East Africa Company led expeditions inland, the patterns of which followed pre-existing caravan networks, and signed treaties with cooperative local notables in Tanga and the Usambara mountains to acquire fertile land ideal for German plantation
settlements. The following year marked the official declaration of the German East Africa Protectorate and military expeditions inland from coastal beachheads throughout the late 1880s began the process of conquest necessary for the assertion of colonial control.

Patterns of conquest were shaped on the one hand by German interests in alienating fertile land for settlement in the north-eastern and southern highlands, and on the other by the local receptions of German rule across the colony. Control of the coast was needed to facilitate access to inland ecologies suitable for settlement. The highly organized coastal trading towns opposed Omani collaboration with the Germans and allied with dispersed and loosely organized coastal hinterland communities in armed resistance. Receptions of German authority inland were more varied and depended on local organizations of authority. Loosely organized and dispersed populations of the central and southern plains offered sporadic resistance. But where scarce land and competition over resources had produced more centrally organized political units in the highlands, rivalries among local rulers led many to seek alliances with German forces as new factors in local conflicts. This was particularly evident in Usambara and Kilimanjaro in the north and Usukuma in the south (Iliffe 1969: 14-19; Maddox 1998: 452). As Iliffe (1979: 119) notes, “the search for collaborators led to new balances of forces in each region, a rearranging of power and privilege within and between societies.” Depending on local political contexts, “stateless people were forced to accept headmen. Many chiefdoms had to accept changes in leadership. But even those who allied with the Germans generally saw them as a new factor in existing conflict, not yet as making those conflicts redundant” (Iliffe 1979: 119-120).

The conquest phase of colonial penetration had been completed throughout the territory by the early 1890s. But, while “local compromises” provided a basis for colonial political authority concentrated in the north-east, control over central and southern regions was still reliant
on military force. Young (1994) notes that conquest was a necessary condition for the initial establishment of colonial control, but exercise of central authority and the fulfillment of the colonial state’s revenue imperative required more than this. For Young, at its most basic the state is a territorial entity in that its rule is exercised over a spatial domain. In addition to the military subjugation of populations within the territory, the state requires the construction of a legal domain, “through which power is systematized, congealed, and expressed” (1994: 26-32). The legal order of the state consists of the permanent institutions of rule and involves the struggle to impose legal structures in the spheres of state security, economic action, and supervisory powers over customary law within particular segments of the state’s populations. One of the most basic ways in which colonial states in Africa began the construction of their permanent institutions of rule took the form of ordinances declaring all land within a colonial territory as state land. All production from the land became, by preemption, state goods (1994: 78), allowing central agents to exert control over economic production and social interaction within an “eminent domain.”

The German colonial state in Tanganyika faced the need to establish legal order over a vast territory containing wide variations in ecological conditions and political communities relating unevenly to colonial rulers. While local compromises had facilitated European settlement in the north-east and parts of the south, extensive areas of the country were seen unfit for settler economies and remained dominated by variegated local agricultural and livestock-rearing practices (Kjekshus 1977). The establishment of the state’s legal domain required the management of this diversity. In the wake of German conquest, an Imperial Decree of 1895 set the institutional groundwork for German authority and “merged sovereignty and property in one entity by providing that all land, whether occupied or not, was to be treated as unowned Crown land and vested in the Empire” (United Republic of Tanzania 1994: 8). The coexistence within
the colony of both settler and peasant economies, however, led to a particular configuration of property rights reflecting dual economic objectives of fostering the growth of the plantation sector while controlling and exploiting African labour and production. The Decree vested the radical title to all land in the colonial state itself, but a proviso exempted claims to ownership which private persons, chiefs, or communities could prove with written documentation. A clear distinction was drawn between ownership claims and rights of occupancy, “the former to be proven by documentary evidence while the latter by the fact of cultivation or possession” (URT 1994: 9).

Within this institutional framework, ownership of land alienated to European settlers by local rulers was to be protected under contractually secure formal legal rights while land under African cultivation was treated as unowned, subject to the economic interests of the state as ultimate landlord. The nature of state authority in areas of African cultivation was predicated on colonial control of local notables who exercised customary authority over land and production. While Mamdani (1996) emphasizes the enduring legacy of the institutional segregation of urban areas, supposedly governed by formal law and the language of civil rights, from rural enclaves governed by these “Native Authorities” under customary rights, institutions of colonial property rights in German Tanganyika reflect a legal dualism within rural societies institutionalized unevenly across local contexts. During the later period of German rule, this dualism became crucial to the maintenance of German authority and shaped subsequent patterns of institutional change across the Tanganyikan countryside.

Throughout the late 1890s, European settlement accelerated. Despite this, however, by 1901 the settler economy was depressed and the colonial state faced a revenue crisis. The solution revolved around coercion. Since the beginning of European settlement, plantations
relied on forced African labour. But in the early 1900s German authorities sought to increase revenue through inducing African cultivation of cotton. Within the dualist property rights regime, the colonial authorities ordered village leaders to establish cotton plantations in their administrative territories and to force all adult males into compulsory labour. The scheme was a failure. Increasingly brutal tactics were used to secure African labour and, by 1905, the Germans faced organized rebellion throughout large portions of the colony (Iliffe 1969: 23; Maddox 1998: 442; Kjekshus 1977: 143-151). As a result of these agrarian political dynamics, German policy was fundamentally reoriented by 1907.

Iliffe notes that rebellion was concentrated not in areas where German settlement and administrative presence was strongest, but where colonial authority relied on force (Iliffe 1969), and German policy shifted from encouraging settlement to gradually expanding and reforming African agricultural practices. The dualist property rights regime provided the institutional framework within which colonial policies balanced supporting the struggling plantation economy and, despite settler protests, encouraging the improvement of smallhold agricultural production for the market throughout an increasingly regionally differentiated economy (Maddox 1998; Iliffe 1969; URT 1994). The onset of World War I cut short the new German strategy of enhancing peasant production throughout the territory. But by the end of German rule, precolonial political and economic networks had been altered as Tanganyika became increasingly integrated into the global economy. Colonial railroads and road networks had replaced caravan routes and African trade networks as different areas of the territory were unevenly integrated into the colonial economy. Different regions provided food, labour, and agricultural and natural raw materials, while large of parts of the hinterlands remained outside the colonial economic system (Maddox 1998: 442).
When the British took over Tanganyika after German defeat, they inherited this regionally differentiated political economy. While the settler interest in Kenya was sufficiently strong to dominate the management of rural property and a lack of European settlement in Uganda produced a focus on managing African property relations through a system of customary entitlements, in Tanganyika the British were forced, like the Germans, to balance supporting a concentrated but powerful settler interest alongside a large and variegated peasant economy. Tanganyika was added to an already overstretched British East African empire and, in areas of settlement, land scarcity meant that continued alienation of African lands would be impossible without evictions and widespread resistance by affected communities. With few prospects for accelerated settlement, and facing political demands from both settlers and peasant producers, the British sought to develop their mandated territory along the lines of a distinct plantation- and peasant-based economy. The legal dualism of the German property rights regime was further institutionalized under British rule and continued to facilitate balancing support for the settler economy and reshaping peasant production.

The Land Ordinance of 1923 gave shape to the British property rights regime. The rights of settlers—previously institutionalized within the German regime—were transferred to British imperial firms and private European and Indian firms and legally retained, while British policy was also framed within the guidelines of its commitments under the League of Nations mandate system to “take into consideration native laws and customs and… respect the rights and safeguard the interests both present and future of the native population” (URT 1994: 10-11). The Land Ordinance states that, “the existing native customs with regard to use and occupation of land should as far as possible be preserved”—the rights of cultivators and “other persons claiming to have an interest in such land” must be defined in law (URT 1994: 10-11). But like
the German regime before it, the British property rights regime entailed the use of force in managing rural land. Whether occupied or not, all land remained “public lands” subject to the disposition of the Governor tasked with holding and administering these lands for the “use and economic benefit, direct or indirect, of the natives of the territory” (Shivji 2009a: 107).

The Ordinance empowered the Governor to grant tracts of land to private interests under “granted rights of occupancy” through formal contractual leases of up to 99 years. On the other hand, customary rights were to be based on the “title of a native or native community lawfully using or occupying land in accordance to native law and custom” and termed “deemed rights of occupancy” (Shivji 2009a: 107). The customary management of African lands, however, was subject to the economic interests of the colonial state. British indirect rule granted power over rural lands to customary authorities, but as one colonial commissioner noted in a circular to his agents, “Remember also that he [the chief] is your principle weapon in your work…. Chiefs must be made to understand that we are increasing their power… and that in return we expect a great deal more from them” (cited in Graham 1976: 4). Considerable flexibility was allowed on the part of colonial authorities in the disposition of land held under customary rights. The extent of security conferred on customary titles by administrative fiat continued to fluctuate with shifts in colonial economic policy (URT 1994: 12).

Shivji (2009a: 107) argues that customary rights within the British property rights regime were “permissive” and nowhere entrenched in law. The need of the colonial state to exploit African labour and agricultural production across ecologically diverse rural contexts required flexibility in the management of customary lands and resulted in wide spatial variations in colonial practice and patterns of agrarian change. Since the early 1900s, African cultivators in regions of scarcity—made more acute by the alienation of land to European settlers—had begun
intensive cultivation of cash crops, while in other regions subsistence farming remained dominant and colonial policy sought to force cultivators into labour in the plantation sector. These differences in local patterns of agrarian change lead Iliffe (1979: 311) to argue that “a new pattern of regional differentiation was replacing Tanganyika’s old division into purely geographical regions.” According to Iliffe, “Certain favourably situated areas—plantations, towns, cash crop regions—specialized in export production, around which the whole [colonial administrative] pattern focused,” while less ecologically favourable regions supplied migrant labour or food and other services.

By the mid-1920s and throughout the 1930s, the colonial revenue imperative led to British attempts at better exploiting African production through the establishment of regional cooperative associations that acted as centralized agencies for the collection and marketing of produce. The pattern of institution-building, however, was shaped by particular local conditions. Marketing systems were constructed only in regions of cash cropping, and in these areas they quickly formed the basis for African political organization. Rural notables able to establish footholds in cash crop-production sought to limit the colonial state’s ability to subvert African interests in favour of the plantation sector or colonial economic needs by drawing on cooperatives as sites of political mobilization and economic leverage. In labour and food-producing regions, no such forums were established and rural authorities remained limited in their power to manage local resources and exert demands on the colonial state (Iliffe 1979: 274-301; Eckert 2007: 104). As Boone (2003) argues, differences in the ways local notables were able to manage agrarian resources were decisive in shaping patterns of rural institution-building.

A “cash crop boom” beginning in 1945 brought about dramatic increases in the number of registered cooperative societies in Tanganyika. But their development, as well as the
implementation of educational and agricultural improvement schemes, remained concentrated in regions of ecological favourability and where colonial infrastructure already existed linking rural producers and export markets. In regional ecologies where rural elites lacked incentives to manage agrarian production and establish footholds in export-crop production, colonial labour needs trumped agricultural improvement and post-war institution-building brought few changes. Highland areas of the north experienced dramatic infrastructural development and expanded forums for rural political mobilization. Within this context, rural elites successfully mobilized against colonial proposals and settler demands for the individualization and privatization of African property rights (see EARC 1955). Areas of the coastal hinterlands and central plains, however, did not experience this political mobilization and remained peripheral to the colonial economy and political sphere (Iliffe 1979: 467-468; Maddox 1998).

The colonial state in Tanganyika, as elsewhere, was driven by its revenue imperative. But in this section I have argued that the patterns of institution-building and agrarian change in the Tanganyikan countryside were shaped not only by generic features of the colonial state but by consideration by central state-builders of vast diversity in rural contexts. Ecological conditions were decisive in shaping the spatial character of colonial institutions, and local political organizations within particular ecological niches were critical to the ways in which local communities responded to political economic change and their integration into the colonial economy. The need for the colonial state to manage the interests of both a concentrated plantation sector and a vast and variegated peasant sector led to a dualist property rights regime. While settler rights were secured in formal legal contract, those of African producers were subject to the use of force, a tool employed differently depending on colonial needs in particular rural contexts. In the following section, I argue that the legacies of colonial property rights
regimes and uneven patterns of rural development continued to set the parameters of institutional change in rural Tanzania in the independence era.

*State Socialism and Uneven Development in Independent Tanzania*

The rise of anti-colonial nationalist movements and the optimism surrounding the winning of independence was accompanied across Africa by new visions of progress, to be achieved through an active role for the state in fostering rural economic development. National development strategies varied in terms of ideological commitments to capitalist or socialist pathways and programs aimed at either conservative “tribalization” or more radical nation-building (see Mamdani 1996). Tanzanian national development strategies reflected a commitment to socialist nation-building. But I argue in this section that patterns of national institution-building and agrarian change were shaped by the institutional legacies of colonial property rights regimes and the uneven integration of local political economies into the structures of the modern Tanzanian state. The institutionalization of force in state management of rural property and the regional differentiation of local ecologies and communities in the national economy have had decisive impacts on the nature of state authority in independent Tanzania and the state’s capacities for reform across local contexts.

The character of the anti-colonial nationalist movement, embodied in the Tanganyika African Association (TAA), was itself shaped by the rural contexts in which its power was based. Although initially an urban movement asserting the interests of Africans against entrenched British and Indian commercial dominance, branches of the organization were quickly established throughout the countryside, often by individuals acting independently from urban headquarters. In particular rural contexts, “The promise of the association’s name seemed to offer aid with local problems and support for those factions within a local arena that affiliated to
Branches were recognized once officially “opened” by headquarters, and Iliffe argues that this “growth by recognition rather than initiation produced an organization lacking programme or central direction, but it enabled each branch to adapt to the local situation” (1979: 412). The institutional character of the TAA varied depending on local political contexts. In coastal hinterlands, the organization provided a framework through which rural notables allied with Africans in towns like Bagamoyo against Arab and Indian political and economic dominance. In areas of European settlement, local chiefs and planters used the TAA as a forum for resisting settler demands on local land. In Kilimanjaro, this dynamic resulted in prominent coffee growers viewing the TAA as an instrument for chiefs to secure their own economic interests in the cash crop economy and led to the formation of the autonomous Kilimanjaro Union (KU) (Hyden 1980: 70). Like the strategies of colonial state-making, the institutional character of the nationalist movement was a function of the organization of authority within particular agrarian ecologies and economies.

The Tanganyikan African National Union (TANU) replaced the TAA in 1954 and inherited its territorial framework. The first move by TANU central leadership was to centralize control over the rural branches by demanding that they formally affiliate or surrender their property (Iliffe 1979: 513). But TANU’s power remained deeply embedded in political struggles playing out among chiefs, settlers, planters, and peasants within widely varying structures of rural authority. When Tanganyika gained independence in 1961, TANU, like colonial authorities, was faced with projecting state power across this diverse political economic terrain. The strategies by which this was pursued were shaped by the use of force and administrative decree that was institutionalized in colonial property rights regimes as part of development strategies for exploiting rural production in particular ecological and political contexts. The
TANU government’s first move was to reaffirm eminent domain by nationalizing all land, making the state the ultimate trustee and ruling out any moves to privatize rural property (Hyden 1980: 70). It is important to note, however, that all land in Tanganyika has been “public” land since the inception of colonial rule (URT 1994). The most significant amendment to the 1923 Land Ordinance was the replacement of the word “Governor” with “President.”

Initial rural development strategies were congruent with late-colonial emphasis on reforming peasant agricultural practice and fostering intensive capitalist production. Within the hegemonic discourse of modernization theory—advocating public investment, planning, and large-scale development projects—TANU initially followed recommendations of the World Bank’s 1961 report, *The Economic Development of Tanganyika*, which highlighted the costs of slow improvements to peasant production and the need to drastically transform African agrarian practices. The strategy aimed at developing both peasant and pastoralist agricultural sectors by removing producers from their traditional environments and integrating them into mechanized and centrally organized model settlements producing commodities for export (Hyden 1980: 71; URT 1994: 40; Shivji 2009a: 109; World Bank 1961). This “transformation” approach was put into effect through property rights arrangements.

The Land Tenure (Village Settlements) Act of 1965 called for the resettlement of selected farmers into villages supervised by a Rural Settlement Commission, which held a granted right of occupancy and was authorized to allocate deemed rights to individual farmers subject to revocation for breaching the rules of the Commission regarding development, cultivation, and the harvesting of crops (URT 1994: 42). The rights of cultivators remained permissive and subject to the force of central administrative policy. However, the transformation approach recommended the gradual removal of agrarian property relations from the customary domain and
their eventual conversion into individual, private titles, otherwise known as freeholding (URT 1994; World Bank 1961). The government’s ability to implement these reforms, however, was limited by responses from within agrarian society. Ideas of a freeholding peasantry were widely opposed by local chiefs as an attempt at removing the basis of their authority, and by planters as privileging the interests of European settlers. Like its colonial predecessor, the capacity of the independent state for implementing agrarian reform was limited by the exigencies of projecting state power across rural landscapes with their own structures of political authority.

The need to better anchor state power in the social relations of production throughout the countryside led to a shift during the 1960s to a development approach that rejected imported notions of capitalist agricultural transformation in favour of TANU’s, and more specifically its leader Nyerere’s, understandings of African practices and their potential for fostering rural economic growth. Nyerere criticized the exploitation and uneven distribution of wealth associated with capitalist accumulation and declared the very idea of personal wealth a “no confidence” vote for the social system itself (Nyerere 1967: 162-171). Reflecting on the implications of freeholding, Nyerere argued that “in rejecting the capitalist attitude of mind colonialism brought to Africa, we must also reject the capitalist methods that go with it. One of these is individual ownership of land” (1967: 167). Instead, he advocated for rural development within the framework of \textit{ujamaa} or “familyhood,” seeking a return to traditional African customs of landholding and the harnessing of traditions of collective production and self-reliance for the betterment of the nation.

Nyerere’s writing on African self-reliance and non-alignment remained based in dominant development discourses of the day emphasizing an active role for the state in promoting rural development, but marked a leftward shift in Tanzanian strategy (Hyden 1980:}
This shift was made explicit in the 1967 Arusha Declaration, which established the basic principles of Tanzania’s brand of African socialism. The Declaration shunned ideas of private accumulation and affirmed a TANU commitment to equality among Africans, including provisions that all citizens together possess the natural resources of the country in trust for their descendents, that effective state control over the principle means of production is necessary to ensure economic justice, and that it is the responsibility of the government to intervene actively in the economy to ensure justice and equality (Nyerere 1968: 232). This active role for the state is further elaborated in a pledge of state assistance in the development of rural cooperative organizations “controlled and owned by the peasants through the machinery of the government,” and a promise to deal with foreign agencies and investors on “our own terms” (1968: 232-233).

The Arusha Declaration identifies land and agriculture as the basis of Tanzanian economic life, and in Socialism and Rural Development, Nyerere clarified TANU’s strategy for rural institution-building. Building on the concept of ujamaa, the document calls for the establishment of “ujamaa villages”—cooperative communities in which people live and work together for the common good—centred on principles of the “traditional African family” (Nyerere 1968: 337). Tanzania’s brand of African socialism was to be guided by core principles of mutual respect, common property, and an obligation to able-bodied work. Hyden (1980: 97) argues that this political agenda was designed “to hit in both directions by reducing the private economic base of the political leaders… and by centralizing the control over the social resources of the state.” Although framed in terms of socialism and justice, the strategy was aimed at subordinating local elites to the state and strengthening the institutional mechanisms by which central authorities could exploit rural production across the countryside.
“Villagization,” as it came to be known, was initially a call for rural communities to voluntarily relocate to new *ujamaa* village settlements and labour on communal plots while continuing peasant production on plots allocated to individual households (Hyden 1980). The organization of labour was to be managed on the basis of ten-household “cells,” each represented at the village level by an elected member. The new villages aimed at the facilitation of equal access to property and the means of production as well as the centralized provision of state services at the village level while integrating local authority structures into a standardized matrix embedded in the party structure. Villagization was also to be carried out under the strict supervision of the central state. The Ministries for Land, Agriculture, and Local Government, along with teams of agricultural extension officers were to guide relocation according to central plans. “Operation Vijiji [Villages]” began formally in 1969, and while some existing villages did declare themselves *ujamaa* villages, Raikes (1973) argues that the exercise was tantamount to “*ujamaa* through sign-painting.” In general, few rural producers relocated, and responses to calls for the creation of cooperative or communal production units were limited for those who did (Hyden 1980: 102). By the early 1970s, TANU took on a more active role in villagization. In 1973, it was announced that villagization would be compulsory and was to be completed throughout the country by 1976. Operation Vijiji became “Operation Tanzania.”

Compulsory villagization was a continuation of colonial and early independent attempts by central authorities to assert authority over rural communities and production. The use of force in managing rural lands and economic activity that was institutionalized in colonial property rights regimes and development strategies remained central to this process. The Rural Lands (Planning and Utilization) Act of 1973 again made explicit the president’s unrestricted power over rural land by allowing him to declare any part of Tanzania a “specified area,” and to make
regulations concerning virtually any land use within the area (URT 1994: 43). In addition to this, the military became the primary mechanism by which central authorities carried out villagization. The use of force to draw labour and land out of the customary realm and into the state economy—central to the practice of decentralized despotism under colonialism (Mamdani 1996)—was fundamental to the dynamics of villagization.

The 1975 Villages and Ujamaa Villages (Registration, Demarcation and Administration) Act sought to further institutionalize the power of the central state in local contexts by establishing standard institutions of village politics throughout the countryside. Embedded in rhetoric of participation, the act sought to more effectively anchor the party in local political matters, and established two basic organs of village politics: a Village Assembly composed of all adults resident in a village; and a Village Council of twenty five members elected by the Assembly and led by the Chair and Secretary of the village TANU branch. Both organs were subordinate to the party, and the Minister for Villages and Ujamaa Villages was empowered, at his discretion, to issue both specific directives to individual councils and general directives applying to all. The act further empowered state-appointed district officials to manage the allocation and use of village lands, with any subsequent management or disposal of allotted land subject to approval by Village Councils (URT 1994: 44). Where they existed, increasingly powerful cooperative unions were abolished and their assets transferred to government agencies, as villages themselves took on the institutional functions of agricultural marketing cooperatives under the umbrella of state-controlled regional organizations.

But just as colonial legacies of coercion influenced TANU’s development policies during the 1970s, so too did uneven patterns of institution-building in a regionally differentiated political economy. Hyden (1980, 1983), Jennings (2003) and Shivji (2009a, 2009b) all
emphasize the heavy-handedness of central authorities during villagization. But, like the state-building strategies of the colonial state, those of the independent state were shaped by considerations of regional ecologies and organizations of production. In fact, the implications of villagization varied significantly across agrarian contexts. Where ecologies of scarcity had long forced producers into densely populated and politically organized communities practicing intensive production, long-established villages were left intact and had their boundaries registered more or less unchanged. In these cases, the most far-reaching change was registration of villages as legal entities and the transfer of former estate lands and primary cooperative institutions to management by villages themselves (Hyden 1980).

Where previous land-holding patterns had given rise to unequal access to scarce agrarian resources, villagization entailed programs of land redistribution aimed at facilitating equal access to land and the subordination of local elites and wealthy producers to state authority, while also turning over estates and cooperatives to village management. In areas lacking ecologies creating incentives for centralized local political organization and intensive agricultural production, scattered populations were forcibly relocated to new settlements. Families were forced to abandon homesteads and plots and relocate to often not-yet constructed village settlements, in which structures of property rights were unclear and facilities for communal production had not yet been established (URT 1994). In still other cases where some villages already existed, populations in surrounding areas were forced to move into particular villages selected to become *ujamaa* village settlements, again having to abandon previous homes and crops and move into new communities designed by central and regional authorities (URT 1994; Hyden 1980).

Each of these scenarios is captured in my rural case studies in Chapters Three and Four. Villages in the fertile and densely populated Moshi highlands, where intensive coffee production
dominates agrarian activity, were not altered. In the Moshi lowlands, where land is less scarce but holdings vary widely in size, larger holdings were divided among villagers so that each household had access to five acres of land for cultivation. In the sparsely populated and subsistence-dominated coastal hinterlands, villagization involved the large-scale relocation of households and communities into newly created or newly designated official villages.

Strategies and outcomes of villagization demonstrated vast spatial variations within differentiated regional and local economies. Generally, however, villagization failed. For Hyden (1980) and Scott (1998) this failure must be attributed to the limits of state capacity and coercion in transforming agrarian life, and the power of local producers and social structures. Hyden notes that attempts to draw producers out of diverse “peasant modes of production” and “economies of affection” into matrices of state power failed as producers sought to retain their political and economic autonomy by exercising an “exit option.” Scott echoes this, noting that, “If people find the new arrangement, however efficient in principle, to be hostile to their dignity, their plans, and their tastes, they can make it an inefficient arrangement” (1998: 225). Chapters Three and Four further explore the character of villagization in particular agrarian contexts and the ways in which local producers reacted to and sought to manage institutional change within their particular political economic environments.

Many who did relocate to the new villages stayed there, but remained oriented toward subsistence production rather than communal labour on village farms. Others sought to escape state-regulated rural life and either returned to their original plots or relocated deep into the bush to escape the reach of state authority. Cooperative-run former estates were allowed to fallow for lack of labour and managerial capacity. Communal plots were neglected, and national productive output and economic performance declined, exacerbated by the precipitous drop in global
agricultural commodities prices and increased fuel prices of the late 1970s. The Villages and Ujamaa Villages Act was repealed in 1982 and all subsidiary legislation allowed to lapse.

Irrespective of national ideologies, the economic crisis of national state-led development was felt across sub-Saharan Africa by the 1980s and precipitated a fundamental shift in ideas, both globally and within the Tanzanian party elite, concerning the institutional drivers of growth and the role of the state in development.

*Market-led Development and Rural Property Rights Reform in Tanzania*

Dominant explanations of Africa’s crisis identified the causes as political. African states became viewed not as agents of development for the common good, but as inefficient and predatory apparatuses ruling in the interests of a narrow political base (Bates 1981; Bratton and Van de Walle 1994; Van de Walle 2001). Drawing on neoclassical economics, initial dominant approaches to addressing Africa’s crisis reflected an understanding of development in which state intervention in the economy is viewed as inefficient in comparison to market-mechanisms—a state-versus-markets approach (Bates 1981; North 1986). Initial reforms aimed at macroeconomic stabilization and market liberalization (see World Bank 1981). But by the 1990s, dominant discourses and global practices of development came to focus also on the political institutions underpinning successful capitalist economies, shaping incentive structures, and linking producers, state, and markets—a state-and-markets approach (see Bates 1989; North 1990; Herbst 2000; Boone 2003). It is in this broader context that property rights reform aiming at the individualization and privatization of rural land holding has gained new prominence on contemporary reform agendas across Africa (see Bryceson 1992; Posner 1998; World Bank 1989, 2003). In this section, I analyze the formulation of contemporary strategies for property rights reform in Tanzania. I argue that attempts at reforming rural property relations have played
out within parameters defined by the institutional legacies of previous Tanzanian property rights regimes and the state’s attempts at harnessing rural production across a regionally differentiated agrarian political economy.

Tanzania’s embrace of reforms aiming to “get the prices right” was internally generated by a split within the party leadership that led to the implementation, by 1986, of reforms focused on stabilizing the economy through currency deregulation, ceilings on government and private credit, the removal of import controls, and the dismantling of parastatal corporations and state-run agricultural marketing boards (Stein 1992: 64). By the end of the 1980s though, Tanzanian reforms shifted along with dominant discourses from a concern with macroeconomic stability to a focus on the institutions that shape relations of production and the nature of state authority in the countryside. This move to “get the institutions right” has brought renewed primacy to the political and social institutions underpinning successful rural economic growth, and led to attempts in Tanzania to broaden market-oriented reforms to political institutions.

The decision of TANU—now the Chama Cha Mapinduzi (CCM) [Party of the Revolution]—to embrace multiparty democracy in 1992 was coupled with a deeper set of governance reforms establishing new mechanisms to enhance government transparency and combat corruption, and initiating public sector and local government reforms involving the decentralization and devolution of state authority to regional and district levels of government and the extension of multiparty political competition to District and Village Councils. In response to the increasingly high public profile of land issues and concerns with improving the security of rural property rights, a Presidential Commission of Inquiry into Land Matters was appointed in 1992 and tasked with recommending a course for rural property rights reform. The Commission noted that the vesting of all rural land in the president facilitates the use of force in
managing rural lands and negatively impacts the security of tenure for agrarian producers. It called for the state to divest its “radical title” to rural land and establish a framework of participatory land management, governed by a Baraza la Wazee la Ardhi [Council of Elders] empowered to adjudicate land conflict and represent rural stakeholders in land matters, and within which Village Assemblies would be empowered to control village land (URT 1994).

Tanzania’s 1995 National Land Policy (NALAP) “incorporates the position of the Government on the [commission’s] report” and outlines the government’s approach to securing the property rights of rural producers and facilitating agricultural investment (URT 1995: ii). The reforms embodied in NALAP reflect a global shift in development practice toward establishing the political and social institutions central to capitalist development by individualizing and formalizing rural property rights and increasing incentives for producers to invest in intensified agricultural production. But while NALAP is a product of a broader shift in development discourses, its particular character has been shaped by the institutional legacies of Tanzania’s dualist property rights system as a means for the state to exploit agricultural production across agrarian contexts.

Calls for the individualization and formalization of titles to rural land are part of a general set of institutional prescriptions for growth being encouraged throughout Africa (Evans 2004, 2005; Dunnings and Pop-Eleches 2004; Mkandawire 2009), but attempts since the 1990s at reforming rural property relations have varied across cases on the continent. While Zambia, Senegal, Malawi, and Uganda have pursued Kenyan-style reforms aimed at commoditizing land through individualized titling, and reforms in Ivory Coast and Nigeria have aimed to secure claims to ownership based in customary group rights, Tanzania has pursued a distinct strategy (Boone 2007) that must be understood in terms of the country’s particular patterns of rural state-
building. NALAP cites the need to “capture gains” from commercialized farming and foreign investment, declares that “land has value,” and aims explicitly at creating markets in land. But within an institutional context historically shaped by the need to balance considerations of both plantation and peasant sectors of the rural economy, it stops short of either individualized or communal titling, and seeks to secure producers’ “user rights” through the issuing of certificates of customary rights of occupancy (CCROs) to individual households. In line with dominant approaches to property rights reform, NALAP seeks to build the incentive structures for smallhold investment in intensified agriculture by providing the legal recognition of property rights necessary for land’s use as collateral and its contractually secure transfer.

NALAP rejects calls for communal rights made by the Commission as an “unjustified departure” from pre-existing property rights regimes, and also rules out private ownership. Instead, the policy reaffirms that “all land in Tanzania is public land vested in the president as trustee on behalf of all citizens,” and retains the right-of-occupancy system institutionalized under German and British colonial rule, along with the legal separation of granted (contractual) and deemed (customary) rights of occupancy. In addition to this perpetuation of a legal dualism separating private and customary rights to land within a dual peasant and plantation economy, NALAP contains a “compulsory acquisition” clause, reaffirming the use of state force in the management of land held under customary right over widely differentiated ecological and political economic contexts.

Commitments made within NALAP to facilitating investment in rural land were institutionalized first in the 1997 Tanzania Investment Act which gives the state a central role in accelerating the creation of markets in land by attracting foreign investment in Tanzanian land and agriculture. The act establishes the Tanzanian Investment Centre (TIC), tasked with the
powers of “acquiring and holding movable and immovable property, to dispose of property and to enter into any contract or transaction” in relation to that property (URT 1997: 6). The TIC is established as a “one-stop centre for investors… and the primary agency of Government to coordinate, encourage, promote, and facilitate investment in Tanzania” (URT 1997). To facilitate the easy acquisition of Tanzanian land by foreign investors, the TIC is given granted rights of occupancy over land “earmarked” for investment and is empowered to issue to investors derivative rights of occupancy protected by formal contracts. The legal distinction between private and customary interests in land institutionalized in the colonial property rights regime has gained new significance in the contemporary era of transnational agricultural production, and Tanzanian investment reform reflects the paradox that in order to pursue market-oriented reforms, concerted action is required of behalf of the state.

NALAP and investment reform were the first concrete steps toward the reformulation of customary property rights into a commercially-oriented market model and, in 1999, the Land and Village Land Act made market-oriented property formalization law. The Village Land Act applies to all rural land, reaffirms the president’s radical title, and seeks “to ensure land is used productively and that any such use complies with the principles of sustainable development” by facilitating the “operation of a market in land”—“an interest in land has value and that value should be taken into consideration in any transaction affecting that interest” (URT 1999: 22-33).

Within the framework of Tanzania’s historically dualist rural property rights regime, the 1999 Act established legally distinct categories of land. Customary claims to “Village Land,” under the jurisdiction of recognized villages and managed by Village and District Councils, are to be secured in CCROs and mobilized as collateral for credit. “Reserve Land” is set aside for forest, park, and wildlife conservation, public works, and planning, and is managed by central
authorities. Finally, “General Land” is defined as all land which is not Village or Reserve Land, including unoccupied and unused land, also to be managed by central authority (URT 1999; Olenasha 2005: 16-17). Ultimate authority in all cases remains the president, who is given the legal power to transfer land between categories in the name of “public interest” and “development.” The creation of land markets within this framework is further encouraged in a 2004 amendment to the Village Land Act attributing value to bare land and promoting the sale of rural land to those capable of investing in it (URT 2004).

The historical need for state authorities to exploit widely varying rural ecologies and balance the interests of both a concentrated but powerful plantation sector and a large and variegated peasant sector has continued to shape contemporary strategies of property rights reform across Tanzania’s hinterlands. The distinction between General and Village Land perpetuates the legal separation of property held under contractual rights and customary rights, and further institutionalizes the use of central authority and force in managing land held under customary rights. During fieldwork conducted in Dar es Salaam in January and February of 2011, a superior official in the Ministry for Lands, Housing, and Human Settlement Development noted that the law allows the president to “take [land] if he wants it; he can take any kind of land.” This official noted that, in law, all administration of Village Land is to be conducted by the Village Council and approved by the Village Assembly, but quickly added that, “in practice, villagers are unaware,” necessitating the guiding hand of officials and professionals. Another high ranking official at the same ministry argued that smallhold farmers lack foresight and realize only too late the value of land. Village governments and villagers themselves, this official stated, are often unaware of their mandates and rights.
Tanzania’s new land laws entail an active role for the state in ushering market-oriented property rights reform, and subsequent strategies of reform reflect considerations by central authorities of the need to implement these reforms across local contexts in significantly differentiated regional political economies. Within dominant contemporary development discourse emphasizing political decentralization and participation, a 2000 policy paper asserts the government’s commitment to stakeholder consultation and the incorporation of views from the “grassroots,” while “putting into effect the new Land Act and the related regulations to facilitate the use of land as collateral for purposes of commercial transactions” (URT 2000). The government’s 2005 Strategic Plan for the Implementation of the Land Laws (SPILL) builds on this commitment and presents a comprehensive plan for decentralizing facilities for land allocation and registration to district and village levels while improving national spatial data infrastructure and processes of land-use planning (URT 2005a; Palloti 2008; Maghimbi et al. 2011: 29).

SPILL is framed as a plan to “streamline the land laws into the socioeconomic life of Tanzania,” and lays out the government’s long-term strategy for implementing market-oriented property rights reforms throughout the countryside. Developed alongside SPILL was a program aimed at the “fast-tracking” of reform implementation through village-level property formalization “pilot projects” across the country. The *Mpango wa Kurasimisha Rasilimali na Biashara Tanzania* [Property and Business Formalization Program], popularly known as MKURABITA, is an initiative directly under the President’s Office that seeks to implement reform within particular local contexts. The program frames customary assets as “extra-legal,” “dead capital” and seeks the formalization of titles under CCROs to mobilize rural assets and
allow rural producers to “benefit from all the security, organization, information, finance, capital, and the extended national market that Tanzanian law can provide” (URT 2005b: 3).

Rule of law is identified as a crucial mechanism by which the state can incentivize and profit from increased investment in agricultural production, but MKURABITA’s implementation strategy has been designed in consideration of the significant regional variations in the organization of authority over rural property. As part of Tanzania’s particular strategy of securing producers’ user rights, MKURABITA’s implementation strategy is framed within a “convergence approach” that aims to “ensure the reform proposals naturally evolve from and build upon the current and past practices of the people” (URT 2008: 18) and presents evidence from different rural communities of pre-existing written documents affirming ownership of property. To establish rural land markets, MKURABITA’s property formalization campaign seeks to protect these informal documents in law by registering them as CCROs. This registration and formalization of property is argued to improve the fungibility of rural assets by mobilizing collateral and facilitating market transactions in land.

The issuing of CCROs is MKURABITA’s primary mechanism of implementation. But formalization of individual holdings cannot occur until village boundaries have been clearly demarcated and registered and a Village Land Use Plan has been designed and implemented to promote efficient land use and the sustainability of local practices, once again entailing an active role for the state in establishing the institutional bases of a market economy. In 2007, the National Land Use Planning Commission (NLUPC) was established, with a presidentially appointed Chairperson, to guide the process of land-use planning in the course of property formalization. Tasked with coordinating, advising, and inspecting all sectors of agricultural production on “collective standards,” the NLUPC has a dual commitment to stimulating public
and private participation in land-use planning, as well as promoting the use of scientific knowledge and professional expertise in village planning (URT 2007: 141). As an arm of central authority, the NLUPC has come to play a crucial role in the property formalization process, and its use of Global Information Systems (GIS) in cataloguing pre-existing land-use practices and changes made in the planning process have become critical mechanisms by which central authorities have actively sought to manage local reforms and identify and mobilize land for large-scale investment.

Property formalization in Tanzania is part of a broader shift in dominant global discourses of development emphasizing the social and political institutional mechanisms for market-oriented growth and attracting foreign investment as a source of public revenue. Since the mid-2000s, government consultations with representatives of private industry and investors resulted in discussion concerning the construction of a “Land Bank,” under the auspices of the TIC and in parallel with property formalization, meant to ease and expedite the “delivery” of land for investment purposes (MLHHSD and ICF 2008: 1). The discussion resulted in a presidential directive to regional and district commissioners to begin identifying and earmarking land parcels to be set aside awaiting private investment. All categories of land are deemed eligible for earmarking, with land designated in land-use plans as Reserve Land referred to as “prime areas” for investment.

To property formalization and land-use planning has been added an explicit dimension of property reform aimed at the growth of a large-scale plantation sector alongside peasant production. Twin commitments to securing the customary rights of smallhold farmers to property and attracting and facilitating large-scale investment in agriculture have produced fundamental tensions between decentralized and participatory strategies of rural economic growth and the
need for central authorities to harness the efficiencies of the market mechanism. The continued reliance on central force and administrative power in managing these tensions is captured in a statement by a superior official at the NLUPC in reference to striking a balance between participatory planning and technical expertise. Rural planning work, the official noted, is “participatory in terms of decisions, not in terms of planning.” Clarifying this statement, he stated that, “participation does not mean giving villages decision-making powers,” but rather “giving villagers the right decisions to make.” A bureaucrat in the Ministry for Lands’ Registry of Titles went further when asked about private investment, arguing that the blame for private “land grabbing” lay with “ignorant” villagers for allowing themselves to be subject to “rip-offs.” The use of land-use planning to earmark investment land was seen as an effective way for central authorities to manage and guide the investment process.

Contemporary property rights reforms in Tanzania aim at fundamentally transforming rural property relations. As Boone (2007) argues, even user rights regimes that stop short of the full privatization of land entail the removal of property relations from the realm of custom and communal authority and their integration into a system operable through the market mechanism. The formalization of claims to rural property, the reform of village production practices to improve land-use efficiency and sustainability, and the facilitation of large-scale private investment in rural lands are strategies by which Tanzanian authorities have sought to use institutions of property rights to enable economic growth in a globalized economy. Contemporary reforms in Tanzania, however, have played out within parameters shaped by the institutional legacies of colonial property rights regimes and the imperatives of projecting state power across a regionally differentiated countryside. While market-oriented reforms seek to
replace a state-managed economy with the efficiency of the market mechanism, this process has required concerted effort on behalf of the state.

This chapter has situated contemporary Tanzanian property rights reforms within broader historical and spatial patterns of Tanzanian state-building. Property rights regimes are crucial mechanisms by which states seek to project power and exploit agricultural production across their countrysides, but I have argued here that national-level strategies for managing rural property and production in Tanzania have been shaped by considerations of local ecological conditions and organizations of authority. In asserting authority across these contexts, colonial property rights regimes not only institutionalized the use of state coercion in the management of rural property rights, but by constructing a property rights regime differentiating the administration of land held under contractual and customary rights, the colonial state was able to formulate strategies of rule in light of the specific local conditions shaping relations of production. Patterns of regional political economic differentiation and the institutionalization of force in the management of rural property relations have continued to shape the administration of land held under customary rights throughout the independence period despite shifts in the nature and goals of development discourses and practice.

State strategies of property rights reform in Tanzania have been formulated in consideration of rural conditions shaping production across diverse countrysides. But understanding outcomes of these reforms requires analyzing the ways in which these strategies have been articulated in relation to the particular local contexts that shape the character and capabilities of the state in implementing agrarian institutional reform. Research abounds with reference to the exclusionary and potentially destructive implications of market-oriented property rights reforms on local political and social relations, but attention has turned to the limitations on
states’ abilities to implement policy reforms across their countrysides and the political dynamics of property rights reforms in particular contexts. Manji (2006) calls for more in-depth research into the local-level political struggles and conflicts that have accompanied attempts at property rights reform, while Peters (2004) urges empirical analysis into the constraints imposed on customary negotiability by intensified rural commercialization, and the local-level winners and losers in the course of market-oriented property rights reform.

In the chapters that follow, I take up these challenges and analyze the dynamics of contemporary property rights reforms in particular localities across Kilimanjaro and Coast regions of Tanzania. I argue that state strategies of institutional reform in particular contexts are themselves shaped by local ecological conditions and the structures of local authority that manage them, and that these structures critically shape the responses of rural producers to central attempts at reforming property relations. While contemporary reforms are a product of a global context in which states must strive to harness the market as a driver of development, I show in Chapters Three and Four that outcomes of these reforms are a function of varying structures of local authority in which local property relations are embedded and land is given meaning in social, political, and economic life.

CHAPTER TWO NOTES

1 Interview: Acting Commissioner for Lands, Ministry for Lands, Housing, and Human Settlement Development, Dar es Salaam, 4 March 2011

2 Interview: Director General, National Land Use Planning Commission, Dar es Salaam, 1 February 2011.

CHAPTER THREE

PROPERTY RIGHTS REFORM ON KILIMANJARO: AGRARIAN COMMODITIZATION AND RISK-MANAGEMENT IN MOSHI DISTRICT

Contemporary rural property rights reforms are a product of a global shift in dominant development discourses toward establishing the political and social institutional bases for capitalist agrarian development. In Chapter Two I argued that the specific character of reforms at the national level is shaped by historical patterns of agrarian state- and institution-building and the nature of institutions linking state and countryside. Recent academic debates have focused on the design and implications of national level strategies for property rights reform. This is important for understanding some broader implications for the nature of contemporary state-building and agrarian institutional change, but is itself insufficient for understanding outcomes of reform in particular agrarian contexts. In this chapter, I extend analysis to specific rural contexts of reform implementation, the ways in which central authorities have tailored reforms to particular rural ecological conditions and political structures, and how these in turn have shaped local receptions and the ability of central authorities to carryout agrarian institutional reforms.

Ecological suitability for intensive agricultural production and geographical limits on extending land frontiers combine to produce an ecology of scarcity in Moshi district of Kilimanjaro region. In this context, centralized structures of communal authority have developed to manage resource scarcity and risk in the densely populated district in which local rulers and elites have harnessed market production and remained economically independent of the central state. Boone (2003) links centralized structures of communal authority to increased bargaining power for local rulers vis-à-vis central authorities in their attempts at rural institution-building, leading to her hypothesis that, “in attempts to extend state control in such areas, new rulers
would undertake intensive state-building efforts at the local level aimed at harnessing and manipulating local-level power relations” (2003: 34). Where local elites are economically dependent on the central state, Boone predicts dynamics of local-centre bargaining to result in institution-building strategies of “powersharing” between local and central rulers. But, where local elites are economically independent of the state apparatus, as in Moshi district, a strategy of “usurpation” is predicted, whereby central authorities seek to displace local rulers by establishing a dense network of state institutions in an effort to “rewire the circuits of local authority and micromanage local political process” (2003: 32).

In this chapter, I start from Boone’s hypothesis that state-building in a context of centralized communal authority and an economically independent rural elite results in state strategies of local usurpation. But, working from Berry’s assumption that custom, power, and material resources act in mutually constitutive ways to determine the course of economic and social change, I extend analysis beyond local elites to the ways in which the organization of local authority shapes the interests and preferences of rural producers and their reception of central reforms. By analyzing rural producers’ responses to central strategies of institutional reform, I go beyond explanation of these central strategies to examine local outcomes of reform, and better capture the ongoing contestation of central authority and the limits on the state’s ability to implement and achieve the goals associated with contemporary property rights reforms.

Producers in Moshi have welcomed property formalization as a mechanism for strengthening ownership claims to scarce land. But I argue that structures of communal authority as institutions of risk-management have limited the extent to which reforms have led to rural commoditization and the establishment of legally formal land and credit markets and have shaped new forms of political struggle and contestation over local resources, pitting villagers and
local leaders against district and central authorities. Usurpation in Moshi district, I argue, has failed, and market-oriented property rights reforms have brought about a situation of political stalemate and intensified struggle over rural resources.

I begin this chapter by outlining the specific ecological conditions of Moshi District and the precolonial organization of local authority that arose to manage the risks of an ecology of scarcity, establishing the district as a case of centralized communal authority. I continue by analyzing local patterns of continuity and change at key junctures in the colonial and independence periods before exploring how evolving structures of local authority have shaped the implementation and receptions of contemporary property rights reform. I conclude by drawing together the critical impacts of these dynamics on the character of markets and local-centre political relations in contemporary Moshi and their impact on the capability of the central state to carry out agrarian institutional reform.

Scarcity, Authority, and Property Relations on Kilimanjaro in the Nineteenth Century

Berry (2002: 640) argues that the significance of property rights reforms for contemporary development and governance in Africa must be understood within spatial and historical contexts. For her, “because they often involve multifaceted debates over power, precedence and entitlement, struggles over land have also varied in intensity and outcome, depending on the particular social, economic, and political contexts in which they occurred.” In this section, I analyze the ecological conditions prevailing in nineteenth century Moshi and their impact on the organization of local authority that sought to manage social and economic risk in that period. I describe structures of communal authority in the district—settlement patterns, land tenure and inheritance regimes, and relations of cooperation, dependence, and coercion (Boone
2003)—and demonstrate that, while evolving and negotiable, these structures reflect centralized authority by local rulers over property and production within a scarcity ecology.

Bates (2001) emphasizes local ecologies as critical starting points for understanding patterns of agrarian change because particular ecological conditions shape local strategies of risk-management and the nature of communal control over people, property, and production. Kilimanjaro Region is in the north-east of Tanzania Mainland, bordering Kenya to the north, Tanga Region to the south-east, and Arusha Region to the south-west. It covers an area of approximately 13,209 km², about 1.4 percent of Tanzania Mainland (URT 1998: 1). Although one of the smallest regions in Tanzania, it is ecologically diverse, containing four different ecological zones. Moshi District is on the slopes of Mount Kilimanjaro in the central-northern part of the region, and covers each of these zones.

The “peak” zone lies between an altitude of 1,800 and 5,895 m. It is uninhabitable and unsuitable for cultivation due to altitude and exposure. Below 1,800 m the district contains some of Tanzania’s most arable and fertile agricultural land. The volcanic soil and reliable rainfall of this “highlands zone”—between 1,100 and 1,800 m—provided an ideal environment for the production fruits and potatoes, as well as some wheat, barley, and beans, with banana cultivation dominating in the nineteenth century. Livestock keeping here was limited to dairy cattle and poultry. Similar production practices, augmented by maize cultivation, predominated in the less fertile “intermediate zone” between 900 and 1,100 m. The “lowlands” or “plains zone”—below 900 m—supported more variegated production practices. Maize, rice, sorghum, cassava, and vegetables were cultivated alongside open grazing of cattle, sheep, and goats, kept for both dairy and meat purposes. It is in this ecological context that the communal structure of the Chagga ethnic group—dominant throughout Kilimanjaro Region—must be understood.
Nineteenth century Chagga communities lived within closed land-frontiers. Spatial expansion was limited by Maasai dominance to the north and west, Pare and Kahe groups to the south, and the Usambara mountains to the south-east. Chagga territory on Kilimanjaro was divided into a number of autonomous mountain chiefdoms, each spanning highland, intermediate, and lowland ecologies, and governed by its own chief, or mangi. The label “Chaggaland” applies generally to highlands and intermediate zones of the local ecology, known to Chagga as the vihamba belt. But the authority of Chagga rulers over access to property and relations of local production extended into the lowlands, known as the shamba belt. Individual chiefdoms contained both vihamba and shamba land, and numbered between two and three dozen in the late nineteenth century, although Gutmann (1926) and Moore (1986) identify “substantial organizational continuity” among them.

In this ecological context of fertile land and closed land frontiers, high population densities and land scarcity were a reality in the nineteenth century, and warfare among chiefdoms for control over scarce resources was endemic. The organization of authority within Chagga communities was a product of managing this risk environment. Each chiefdom was composed of many exogamous patrilineages, including one chiefly lineage from which the mangi was selected. These powerful chiefly lineages operated within organizational structures that sought to protect against external threats and minimize the risks associated with agricultural production subject to weather variations. Cutting across all lineages in a chiefdom was a men’s “warrior age-class,” on retainer to the chief and crucial to his ability to defend control over trade routes and secure rural labour (Gutmann 1926; Moore 1986). Territory within the chiefdom was also divided into administrative subunits, mitaa, of which the local administrative heads were
appointed by and accountable to the chief for local security and the provision of foodstuffs for centralized stores to be used in times of crisis.

The mangi exercised a high degree of control over land and productive resources, and all land in a chiefdom was held with his consent (Moore 1986: 62). All lineages possessed “core” lineage land within mitaa in the vihamba belt, allocated by the mangi upon request by a lineage in the presence of a witness, and with acreage depending on the recipients’ ability to clear bush and begin cultivation. Even after land was allocated, the mangi held reversionary rights “if there was a failure of male issue and there were no other local lineage heirs.” But after allocation, management of vihamba land fell within lineages, in which a complex hierarchy governed social behaviour and access to resources. Lineage patriarchs divided core lands among individual families and presided over subsequent allocations of lineage land. The transfer of land to non-members was strictly forbidden. This practice grew in importance throughout the nineteenth century as increasing scarcity meant lineage lands could no longer be extended and had to be sub-divided among male heirs.

Within lineages, the most senior male led in ritual matters and governed internal lineage affairs. Each lineage was also represented externally by another, younger “spokesman,” gifted in oratory, leadership, judgement, and negotiation (1986: 18-19; also see Gutmann 1926: 14). Spokesmen were the representatives of their lineages to the mangi and negotiated with spokesmen of other lineages in disputes. First-born males were the primary heirs and took over the patriarch’s affairs and role upon his death, while last-born males inherited the family homestead and ensured deceased family members were buried in the family banana groves, the uprooting of which was strictly forbidden by chiefs and patriarchs. All male heirs were to be given land, though this often depended on their favour within the family and lineage and their
demonstrated ability in agriculture (Munger 1952: 181-182). Daughters were expected to marry and move to their husband’s lineage land, extending her family’s influence, and widows might be granted small plots of their husband’s land and assume some roles of the family head.

Property relations in the *vihamba* belt were governed by a complex system of customary rules, and patrilineal micropolitics were central to the designation of an heir and the distribution of scarce property and guardianship (Moore 1986: 80). While the *mangi* held reversionary rights to *vihamba* land and forbid the uprooting of permanent banana trees, communal security was also ensured by the extension of centralized control over land allocation and production to the lowland *shamba* belt. Here, chiefs divided the plains into shares allocated to each *mitaa*. *Mitaa* leaders subsequently subdivided shares into strips to be farmed by individual lineages and families. Capitalizing on rainfall patterns and harvesting seasons distinct from the highlands, cultivation in the *shamba* belt rotated among maize, beans, and millet and provided security in the face of deleterious weather variations or crop failures elsewhere in the chiefdom. Chiefly land allocations shifted annually among *mitaa*, and labour practices were supervised by *mitaa* leaders. Harvests in the *shamba* belt helped bolster the material base of chiefly power and allowed the *mangi* to draw from centrally stored resources to support retainers and distribute among subjects in times of shortage or conflict (1986: 84-85).

Communal structure in nineteenth century Chaggaland reflects Bates’s (2001) understanding of risk management in agrarian societies. Within a scarcity ecology, relatively centralized patterns of control over property and production—vested within chiefly authority and lineage political organization—served to manage the risks associated with both external threats and variations in weather. In the next section, I analyze continuity and change in the local organization of authority as the nature of accumulation and risk changed throughout the colonial
and independent periods, setting the stage for analysis of how contemporary communal structures have shaped the parameters within which market-oriented property rights reforms have played out in Moshi District.

**Institutional Continuity and Change on Kilimanjaro in the Colonial and Independence Periods**

Even where local political economies are governed by complex and centralized communal structures, Berry (1993:6) argues that “African cultures and institutions are fluid, dynamic, and ambiguous,” constantly renegotiated in the face of external changes. As colonial penetration and institution-building and independence era state-building introduced new forms of risk and opportunity, the nature of the local organization of authority in Moshi itself evolved. Property relations on Kilimanjaro have been both reproduced and restructured as rural producers have sought to manage the risks and opportunities of political economic change. These patterns of the renegotiation of property relations have shaped the political economic context in which contemporary property rights reforms are being implemented.

Before the arrival of Europeans in Kilimanjaro, the Chagga were deeply involved in networks of economic exchange with trading caravans linking coastal export hubs with hinterland economies (Maddox 1998). According to early missionary accounts from the mid-1800s, Swahili traders could be found resident as retainers of Chagga mangi (Krapf 1860: 251). Inter-chiefdom wars in the nineteenth century involved violent raids, “a long sequence of small-scale wars,” waged not over land but over labour and dominance over long-distance trading networks (Moore 1986: 19).

In this context of scarcity and conflict, the arrival of Europeans provided local rulers with new opportunities to bolster their authority and safeguard their accumulation. The first missionaries—interested in the area because of its hospitable climate and the weakness of
Islamic influence among the Chagga—were well-received, not due to any local enthusiasm for Christianity, but because they were seen as purveyors of valuable expertise. Their presence was accepted by chiefs in return for educational facilities, trade opportunities, protection from raids, and arbitration in local affairs (Iliffe 1979: 220-221). In the 1880s, missionaries introduced coffee to Chagga farmers, their adoption of which would reshape the political economy of Chaggaland as the area became integrated over the next decades into a colonial economy.

Like that of the missionaries before them, the reception of German colonial authorities—arriving by the late 1880s—was shaped by political considerations of local Chagga rulers. While the Germans faced fierce and protracted resistance from dispersed and loosely organized communities on the coast and central plains, their reception on Kilimanjaro was more complex as chiefs sought to use colonial authorities as a way of securing their own advantages over neighbouring rivals. The *mangi* in the chiefdom of Moshi—now Moshi District—is reported to have “welcomed his first German visitors and even sent emissaries to Berlin in 1889 to present gifts to the Kaiser” (Iliffe 1979: 100). The chief negotiated German military support in his ongoing war with a neighbouring *mangi*. Initial German influence on Kilimanjaro was characterized by a constantly shifting alliance game in which local rulers sought to manage the risks of scarcity and gain an upper hand in inter-chiefdom warfare. German policies on the mountain sought to undermine those chiefs reluctant to cooperate with colonial authorities while simultaneously increasing the dependence of allied chiefs on German political power.

In this way, early colonial rule altered the balance of power among mountain chiefdoms, but it was not until the early 1890s that political economic changes wrought by the area’s integration into a colonial economy began to result in a restructuring of the nature of communal authority and property relations. Although the 1895 Imperial Decree declared all land as
unowned and vested authority over it in the Crown, chiefs retained their de facto authority over allocation and use. The arrival of European settlers, however, introduced a new factor to chiefly authority. A small number of predominantly German and Greek settlers arrived by the early 1900s and as they sought to acquire land, chiefs began to use their prerogative over unallocated vihamba land to sell it to these new arrivals. The settlers capitalized on the area’s suitability for coffee cultivation and German interest in plantation farming on Kilimanjaro’s most fertile land intensified (Ogutu 1972: 280; Iliffe 1979: 144).

German military dominance on the mountain resulted in the waning of inter-chiefdom warfare and, with vihamba land increasingly pressured by generational subdivision and settler alienation, Chagga began to occupy and permanently cultivate the open border regions separating chiefdoms. Patterns of land alienation varied depending on local rulers’ willingness to use their authority to allocate land to settlers. In one chiefdom a third of the vihamba land was alienated. In others, pasture became so scarce that daily migration to other villages became necessary. But with land already allocated to lineages falling under the authority of lineage heads, by 1907 German authorities began to recognize the dearth of vihamba land for large-scale settlement and to alienate only apparently unused land in the shamba belt (Hyden 1980: 44; Iliffe 1979: 144).

This political calculus was shaped by the colonial revenue imperative and tensions between supporting a nascent plantation economy alongside the exploitation of African production (Ogutu 1972: 280). According to Iliffe (1979: 144), “the idea was to limit Chagga expansion so that population growth would provide settlers with a labour force growing in parallel with their needs.” By 1913, approximately 200 km² of arable land and 567 km² of pasture land in Kilimanjaro had been alienated to settlers, increasing pressures on land while
introducing new economic forces that would reshape the political economy of the region and the character of property relations as chiefs, settlers, and African farmers sought to benefit from Kilimanjaro’s integration into the colonial economy.

Despite increased pressures on land as a result of settler alienation and Chagga population growth, few Chagga were willing to work on plantations, precipitating acute labour shortages for settlers (district authorities in Moshi—the chiefdom was designated a district in itself under colonial rule—used force to compel those who refused plantation work to labour on public projects [Iliffe 1979: 154-155]). The situation was complicated by the fact that Chagga had themselves started cultivating coffee. While “settlers always protested at the experiments... the government refused to forbid them,” recognizing them as a key source of revenue. As one colonial official put it: “The supply of raw materials to Germany... is the object... and whether it is achieved through plantation agriculture or native cultivation is a secondary consideration” (Rechenberg 1907). Although Chagga coffee cultivation began on a small scale in the 1890s, by 1913 chiefs and allied entrepreneurs had established large coffee groves. German authorities estimated at the time that at least six Chagga had plots containing over a thousand bushes each, while many others contained several hundred (Iliffe 1979: 154). Like banana trees before them, coffee plants became viewed as a marker of land ownership and, to ensure the security of scarce lineage land, their uprooting was similarly forbidden.

By the outbreak of the First World War, the local economy of Kilimanjaro was becoming increasingly oriented towards global markets. Despite the abrupt transition to British rule after German defeat in East Africa, “all the basic processes initiated in the German period continued” (Moore 1986: 100). In fact, the pace of political economic change initiated by the
commoditization of African production intensified, opening up new political spaces and introducing changes to relations of property and production in Chagga society.

Chagga coffee-growing in the vihamba belt had exploded by the 1920s, facilitated by the improvement of rail transport and the production models inadvertently provided by settlers. From around one hundred thousand in 1916, Chagga-owned trees numbered almost one million in 1925 and over six million in 1931. Iliffe argues that this reorientation of local production increased inequality among chiefdoms, depending on their climatic suitability for coffee production, as well as among individuals. The large landholdings of chiefs and their continued control over tributary labour allowed them to disproportionately benefit from the introduction of a cash-crop economy on Kilimanjaro. Many chiefs and notables also released their retainers, re-acquiring the vihamba land where they had previously lived (Iliffe 1979: 274-275). As a result, “the chiefly prerogative which in precolonial times was essentially an administrative control over unused and unoccupied land was converted in colonial times into something more of a personal interest” (Moore 1986: 111). Although all unused land in Tanganyika had been declared Crown land under the British property rights regime, colonial officials’ need to project power through local structures of authority limited central power over land on Kilimanjaro and its administration remained the prerogative of chiefs (Griffith 1930: 63, 88).

The production of coffee for sale in the market brought about a rapid commercialization of agricultural production on Kilimanjaro and altered the organization of local authority over land as rural notables and producers sought to benefit from the nascent commercial economy—“coffee had made unoccupied land valuable, and population growth made it scarce” (Moore 1986: 111). Chiefs used their prerogatives of land allocation to amass large personal and family coffee groves. However, land already allocated to individual lineages remained outside chiefly
prerogative, its management embedded within lineage hierarchies. Like chiefs, individual producers were also eager to benefit from the economic opportunities presented by the cash-crop economy, but the expansion of individual coffee plots was limited in the densely cultivated vihamba belt by neighbouring plots and the customary understanding that cultivation imbued one with a permanent interest in the land.

The economic imperatives of rural commercialization led to new tensions within Chagga society and resulted in a renegotiation of local property relations. Like Moore (1986), Iliffe (1979: 275) argues that “unwritten Chagga law was vague, contentious, and mutable.” By the 1920s, individual Chagga farmers “rarely acquired land by allocation. Instead they encroached on their neighbours’ uncultivated plots, enclosed and cultivated theoretically communal pasture, opened new land on the cold upper slopes, or planted grain on the lower shamba land to free vihamba for coffee.” Reflecting Bates’s (2001) discussion of diversification as risk-management technique, Chagga began to migrate lower down the mountainside, eventually converting shamba land into de facto personal plots. Land also began to be bought and sold among Chagga, with many “demanding written titles and claiming that freehold tenure was Chagga ‘tradition’” (Iliffe 1979: 275). While chiefs were mobilizing their authority over land allocation for commercial advantage, the responses of peasants to agrarian commoditization simultaneously altered the terms on which rural land was acquired, managed, and transferred.

Chiefs, settlers, and African planters all sought to carve out advantageous positions in the region’s increasingly commercialized political economy. Their struggles reshaped the organization of political authority on the mountain. Throughout the 1920s, European coffee growers intensified their pressure on colonial authorities to ban African coffee production citing fears of crop diseases, price devaluation, and labour shortage (Ogutu 1972: 280; Iliffe 1979:}
276), while both chiefs and colonial authorities sought to enhance their own control over African production. The taxation of this production was critical to the health of the district treasury (Lee 1965: 36; Moore 1986: 118). Faced with the need to both exploit African production and allay concerns of settlers, a district colonial officer suggested Chagga growers cooperate to buy spraying equipment. The subsequent establishment of the Kilimanjaro Native Planters Association (KNPA) in 1925 enabled this and also provided a political platform for chiefs and farmers to promote their own interests (Munger 1952: 182; Hyden 1980: 54).

The KNPA was created to “protect the interests of the native coffee growers on the mountainside” (Moore 1986: 119) and served to bypass Asian middlemen in the production process by collecting and warehousing coffee shipment to Britain—“by 1927 the KNPA had become the nucleus of a marketing cooperative” (Iliffe 1979: 277). It also became a political battleground that intensified the restructuring of local authority. In 1928, chiefs sought to maintain their powers over the allocation of rural land by pressuring colonial authorities to ban the sale of vihamba land among Chagga, and the KNPA provided a space in which opposition was roused among farmers against both chiefs and colonial authorities. Lineage leaders, resentful of chiefly sales of land to settlers and of chiefs’ subsequent moves to assert new authority over land controlled within lineages, began to dominate KNPA meetings, with activists frequently shouting down chiefs’ representatives. Colonial authorities aligned with chiefs, demanding farmers reconcile or face the abolition of the association, which in 1930 was replaced by the Kilimanjaro Native Cooperative Union (KNCU), viewed by many Chagga as a government institution controlled by chiefs (Ogutu 1972: 284; Iliffe 1979: 277-279).

Chiefs used their status as Native Authorities to grant the KNCU a monopoly over the coffee crop, angering both growers and middlemen. By 1935 protests had erupted throughout the
mountain chiefdoms as farmers threatened to destroy local cooperatives offices. This history of the KNPA and early KNCU is “a vivid example of peasant action” and an “important advance in political consciousness” on Kilimanjaro (Iliffe 1979: 280-281). Beyond establishing the institutional infrastructure of commercial peasant production, the organization provided a political forum for struggle over the control of land and production among the colonial state, chiefs, settlers, and African planters, and laid the political foundation for the anti-colonial nationalist movement on the mountain (Eckert 2007: 105).

In contexts like Moshi, where communal authority is relatively centralized, Boone (2003) predicts an expanded local political sphere in which elites mobilize political support to engineer agricultural surplus extraction. The mass mobilization of agrarian interests on Kilimanjaro throughout the 1930s and 1940s, however, saw producers align against ruling elites as relations of property and production were renegotiated. By 1947, branches of the anti-colonial Tanganyika African Association were established in four chiefdoms to champion the interests of Chagga planters. But dissatisfied with continued chiefly influence in the local TAA and the broader organization’s detachment from local issues, the Kilimanjaro branches broke away to form the autonomous Kilimanjaro Union. The KU opposed chiefs’ authority over the allocation of some ex-German land returned to the Chagga in the late 1940s, and mobilized traders, planters, former KNPA activists, young educated men, and lineage leaders resentful of chiefly power, all in opposition to chiefs and colonial authorities (Moore 1986: 154; Iliffe 1979: 492).

When the Tanganyika African National Union replaced the TAA in 1954, it too was unable to generate a significant powerbase on the mountain. As the KU sought to expand its support beyond the Chagga to settlers wishing to protect their interests as independence neared,
it denounced TANU as a “racial party” and aligned with the multi-racial—and paradoxically government-created—United Tanganyika Party (UTP).

The organization of communal authority over property and production on Kilimanjaro underwent dramatic change throughout periods of colonial rule. The commercialization of local relations of production was accompanied by political struggles among chiefs, settlers, lineage heads, and peasants over the control of rural land. As chiefs sought to strengthen their allocative powers over increasingly scarce land, individuals were devising new ways of acquiring and protecting what was becoming viewed by lineage heads as an individual asset imbued with monetary value. Chiefly authority over rural property was being contested, but patterns of settlement, land tenure regimes and inheritance practices remained embedded in Chagga communal structures. Inter- and intra-lineage hierarchies continued to govern production and control over resources within lineages and families. Lineage heads remained the primary authority over core vihamba land and patrilineal structures continued to govern inheritance practices. As the need to manage risks associated with land scarcity led to the permanent cultivation of the shamba belt, chiefly control over communal production eroded as the vihamba tenurial system was reproduced by individual lineages in the lowlands. Concurrently, chiefly institutions of power were being supplanted by the area’s new formal political structures which provided new forums within which planters, settlers, and lineages mobilized to secure their interests.

The transition to independence in 1961 and the first decades of TANU rule brought a new set of political and economic changes on the mountain. Pursuing its “radical” nationalist strategy of state building (see Mamdani 1996) required the party to displace ethnic and “tribal” loyalties with a Tanzanian national identity. TANU did this by drawing on the concept of umoja [unity].
Politically, the party associated Chagga chiefs with the colonial regime, and was well aware that even Chagga who had participated in the independence movement had aligned with the UTP rather than TANU. Economically, like the colonial regime before it, the party faced the necessity of drawing revenue from agrarian production in the region. Among the government’s first moves on the mountain, beyond nationalizing settler farms and formalizing the prohibition on uprooting coffee plants, was the abolition of local chieftaincies. Chiefdoms were broken up into villages, with local administration to be carried on village-by-village (Moore 1986: 145). In place of chiefs, seven divisional executive officers were appointed on the mountain, and by 1964, each village had its own party-appointed Village Executive Officer and “development committee” filled by active party men (Stahl 1969: 221; Moore 1986: 147).

To reconcile local political organization with the formal structures of the independent state, TANU aimed at anchoring the party’s power on the mountain by replacing pre-existing authority structures with those of the one-party state. While Moore (1986: 147) notes that TANU membership became near universal in the region following independence, she argues that party politics tended to replicate pre-existing relationships, and chiefdoms continued to exist as de facto entities—“the strength of local traditions on the mountainside forced TANU to work through the traditional parish-like units” (Tordoff 1967: 117). The new formal institutions of local politics continued to provide new political space within which customary authorities, after the demise of chiefly institutions, sought to advance their interests.

By the 1970s, more assertive moves by the independent government to undercut local political loyalties were initiated as nation-wide villagization campaigns sought to subsume local political life and agricultural production within centrally controlled model villages. But pre-existing commercial agricultural practices and acute population density meant that wholesale
relocations on the mountain were neither feasible nor necessary for improved production. Like the colonial state before it, TANU’s strategies were shaped by considerations of local ecological conditions and social structures limiting the capabilities of the central state to enact widespread institutional change. Specific implementation strategies of villagization varied within Moshi District across the vihamba and shamba belts.

In M1, M2, and M4 villages—all sampled villages in the vihamba belt—villagization involved nothing more than the integration of local cooperatives into village administrative structures and their acquisition of former European coffee estates. Throughout the 1970s, Moore (1986) argues, authority over land in the highlands remained within the hands of lineage heads. While she acknowledges incidents of individual Chagga farmers and elders selling core lineage land in Moshi during the 1970s, Moore notes limits on land’s commoditization. These sales, she argues, tended to involve individuals disenfranchised from intra-lineage politics selling land as a symbol of protest or revenge. In her ethnographic study of a lineage in Moshi, she found that those who sold land were immediately banished from lineage lands and communal life. Despite the increasing commoditization of scarce vihamba land, practices of allocation and disposition remained embedded in lineage political structures.

Land in the vihamba belt had been subject to the authority of lineage leaders since its original chiefly allocation. But shamba land had only more recently been permanently settled. Scarcity in the highlands led families to diversify their production by sending some members to settle in the lowlands, made possible by the erosion of chief’s authority over the allocation and communal cultivation of the plains. Plots in the shamba belt came to be controlled by individual families settled among Pare and Kahe grazing communities, themselves beginning to permanently cultivate. In sampled lowland villages of M3 and M5—less suitable for coffee
production—piecemeal settlement had resulted in wide disparities in the size of holdings, ranging from hundreds of acres to a fraction of one. Land use ranged from permanent cultivation to open grazing. Although not as populous as the highlands, density in the lowlands made the creation of new villages unnecessary. But beyond transferring settler estates to new village cooperatives, villagization in the lowlands involved localized redistributive land reforms. Each household was to hold five acres of arable land, whether that involved a reduction from, or addition to previous holdings, and extension officers from the government were tasked with encouraging intensive cultivation and more efficient livestock practices among local producers.

Throughout the 1970s, the management of vihamba land remained embedded in Chagga lineage politics while the more recently settled shamba land tended to be controlled within individual families, further removed lineage authority. Land use too differed, with intensive cash-crop production in the highlands and food production and grazing among a more ethnically variegated population in the lowlands. The dynamics of villagization varied across these local contexts even within Moshi District as central authorities faced different constraints on their abilities to reshape local relations of property and production.

The broader failure of villagization across Tanzania by the 1970s, however, led to the collapse of the state-led national development project and to a new set of institutional reforms. By the 1980s, dominant discourses of development had shifted away from advocating an active role for the state in fostering economic development toward an approach in which state intervention in the economy was deemed inefficient in comparison to market mechanisms. Tanzania’s implementation of structural adjustment programs since the mid-1980s has brought about a new wave of political and economic change on Kilimanjaro.
The first impact in Moshi District of Tanzania’s rightward shift towards this market-driven approach to development was the liberalization of agricultural markets. Producers were no longer mandated to sell their crops through village marketing apparatuses, which were dismantled and replaced by independent primary level cooperative societies known as Agricultural Marketing and Cooperative Societies (AMCOS). State-subsidized agricultural inputs were retrenched, and farmers were forced to purchase fertilizers, pesticides, and implements from private markets at higher costs. Combined with a precipitous drop in coffee prices during the 1980s, this led many to abandon or uproot coffee plants.²

Economic changes associated with agricultural liberalization led to further renegotiation of property relations. Due to the existence of limited informal land sales on the mountain in the 1970s and 1980s (see Moore 1986), and the high social value attached to scarce land by the Chagga, land had de facto monetary value in Moshi long before the Village Land Act made this de jure in 1999 and 2006. As land became viewed as more of a private asset with value beyond what was planted or built on it, it had gradually become unnecessary to plant banana and coffee to mark ownership. Land in the *vihamba* belt remained under the authority of lineage hierarchies, but clear and witnessed demarcation became the norm as the economic context necessitated the opening up of *vihamba* land to a wider range of acceptable activities at the discretion of lineage and family elders. Many Chagga have replaced *vihamba* coffee with a mixture of beans and other vegetables, diversifying production in the face of increasing exposure to market volatility and indicative of what Ponte (2001) terms a shift to “fast crops” for “fast cash.”

Many who continue to produce coffee in the highlands explained in interviews in March and April of 2011 that they now voluntarily sell their coffee through AMCOS cooperatives, citing the stability of payment in comparison to volatile market prices and increasingly cartelized
private buyers. This option is available in the vihamba belt, but the shamba belt’s historical orientation toward food production and its more recent settlement mean that primary cooperatives were not established in the area. The options for producers to manage liberalization in Moshi have thus been conditioned by the area’s own ecological variations, and production practices embedded in locally specific institutions within the district.

Customary rules concerning land use in Moshi have been renegotiated in response to new pressures, but this process too has played out unevenly even within the district. Since liberalization, social relations governing more recently settled and less acutely scarce land in the shamba belt have been reorganized within parameters set by enduring customary understandings of ownership. As the five-acre-per-household redistributive land reforms of villagization were no longer enforced by state authorities, lowland farmers engaged in an intense period of extralegal land sales. According to villagers interviewed in M3 and M5 villages, however, these transactions—almost entirely among villagers themselves—reflected a return to pre-villagization plot boundaries. Respondents noted that cash was not often involved in the transactions and, where it was, it was often a symbolic amount rather than any market-determined price. The permanent settlement of the shamba belt was itself recent, but the reorganization of property relations during the 1980s played out within enduring understandings of ownership.

In the 1990s, market-oriented reforms in Tanzania were extended beyond the economic realm to the political institutions linking producers and markets. Political liberalization on Kilimanjaro introduced multiparty politics at the district and village levels. But like economic change, political change was shaped by the area’s particular historical context. Just as in the 1950s, Moshi District, and Kilimanjaro more generally, again became a hotbed of political activity highly critical of central policies. Political liberalization has seen TANU—now the
Chama cha Mapinduzi—face strong opposition from the Chama cha Democrasia na Maendeleo (Chadema) and the Tanzanian Labour Party (TLP). Party competition at district, village, hamlet, and ten-cell levels is stiff. In 2011, opposition parties held a slim majority of one seat in the Moshi District Council, but with the appointment of an opposition member as the non-voting District Chairperson it has been negated. This party competition, like opposition from the KU and UTP surrounding independence, significantly checks the CCMs ongoing ability to implement institutional change in the district.

At critical historical junctures throughout the colonial and independence period, the organization of local authority over property and production in Moshi District was renegotiated in response to new political and economic forces on Mount Kilimanjaro. But while chiefly power eroded during the early independence period and new political institutions were constructed, central efforts at rewiring the circuits of local authority failed to significantly alter the ways in which local producers managed agrarian resources. Villagization sought to assert central control over rural property throughout Tanzania, but in Moshi district, land remained under the control of lineage heads and subject to evolving rules of customary inheritance and land-use. In the lowlands, where villagization sought to reorganize less embedded landholding patterns, producers reverted to pre-existing ones as soon as villagization was no longer enforced. Finally, as multiparty political competition was introduced, Kilimanjaro’s historical opposition to the ruling party was revitalized and opposition parties have again presented significant checks on the CCM’s power on the mountain. In the next section, I analyze contemporary property rights reforms as a renewed effort on behalf of central authorities to wrest property relations from local communal structures and argue that, rather than successfully usurping local authority, these
reforms have brought about new forms of political struggle and contestation as producers seek to manage agrarian commoditization.

*Property Rights Reform in Moshi District: Contemporary Dynamics of Implementation*

Institutional reforms aiming at the removal of property relations from local structures of authority and their transformation into systems operable through the market mechanism have become central to contemporary strategies of market-led development. In Chapter Two I argued that Tanzanian approaches to market-oriented property rights reform have been designed in consideration of diverse ecological and political contexts throughout the countryside. In this section, I argue that state strategies of reform in contemporary Moshi District have been specifically tailored to the area’s ecological and political economic context, and have met with receptions by local producers that have themselves been shaped by evolving structures of communal authority managing the risks inherent in an ecology of scarcity.

Property formalization, as the reforms have become known, aims at fulfilling the 1999 Village Land Act’s goals of commoditizing rural land and mobilizing it as a fungible asset by issuing formal certificates of land occupancy that allow producers to use their property as collateral for credit or to sell it to those capable of using it more efficiently. Formalization began in Moshi in 2009 with the commencement of MKURABITA’s work in the district, and has involved interrelated processes of land-use planning, investment facilitation, and the registration of household property in certificates of customary rights of occupancy. While aspects of the reforms have been well-received by local producers, political economic outcomes within the district have been crucially shaped by structures of communal authority over property and local understandings of the role of land in Chagga socioeconomic life.
Commercial agriculture in Moshi has been long established, and limited sales of land in the area indicate that understanding land as a commodity is not new to Chagga producers. In an ecological context of closed land frontiers and high fertility, however, practices of inheritance and transfer remain embedded in local communal structures as lineage authorities seek to ensure continued access to land for future generations. Land scarcity in contemporary Moshi is acute—by 2002, population densities in the vihamba villages of M1, M2, and M4 had reached 1,134; 1,435; and 1,065 people per km² respectively while figures for shamba belt villages of M3 and M5 were lower, but still reflective of scarcity at 168 and 106 people per km² according to census figures (URT 2002). The need to manage the risks of scarcity in an increasingly commoditized rural context has shaped the calculus of local producers in their receptions of reforms, receptions that have varied even within the district across highland and lowland contexts.

Property rights reforms were initiated by visits from central MKURABITA officials to the offices of the presidentially appointed District Commissioner, during which his district land officers were informed of the procedures of property formalization. Along with MKURABITA representatives, delegates of the commissioner then met with elected Village Councils in each village selected for implementation. Village Council members—generally prominent local businessmen—as well as party-appointed Village Executive Officers were “sensitized” on the procedural details and benefits of the reforms. In interviews I conducted, Village Executive Officers and elected Village Chairpersons in M1, M2, and M3 villages discussed how they were informed by MKURABITA officials that the security of written legal documents would ameliorate boundary disputes in the densely populated district, and that these documents would embody land’s value as a commodity, allowing its use as collateral for loans.
Village Councils were directed to select villagers for work on Village Land Committees, themselves divided into subcommittees responsible for the construction of land registries, land-use management and planning, and the demarcation and measurement of village and plot boundaries. Members of these committees were hand-picked by Village Councils and presented to Village Assemblies for approval. At these meetings, villagers were also sensitized by newly educated district officials on the desirability of property formalization. Village officials in both M1 and M2 recalled villagers’ initial skepticism, noting that many expressed worries that the reforms were a government ploy to seize land or impose new forms of taxation, but that after Village Assemblies were informed of the benefits of formal titling—security of tenure and access to credit—enthusiasm built.\(^8\)

Following the confirmation of village and hamlet boundaries by measurement and demarcation subcommittees, MKURABITA’s operational procedures make village land-use planning prerequisite for the registration of individual landholdings. Under the 2007 Land Use Planning Act, the National Land Use Planning Commission is to guide the process of participatory land-use planning to ensure that, prior to the registration of holdings, existing local production practices are reorganized where necessary to encourage the most efficient use of local resources. In the highland villages of M1 and M2, however, officials acknowledged that land-use planning and the subcommittees responsible for it existed “only in theory.”\(^9\)

Existing intensive agricultural practices on acutely scarce vihamba land controlled within lineage hierarchies has severely limited the ability of—and necessity for—central authorities to alter patterns of agrarian production in highland villages. District land officers admitted that land-use planning could not be carried out to any meaningful extent in M1 and M2, and was limited to the demarcation of reserves along roads, rivers, and streams.\(^10\) Even so, village
officials and members of Village Land Committees who carried out the demarcation reported resistance from villagers whose already scarce land would be reduced as a result. Sensitization, it was reported, had allayed these concerns. Aside from these road and water source reserves, village land-use plans prepared by MKURABITA and the NLUPC make no changes to existing practices. The solid coloring of the GIS-constructed land-use plans for M1 and M2 shown in Figures 1 and 2 indicate that all land in the densely populated highland villages is mixed-use farming and dwelling space, as it has traditionally been for Chagga in the vihamba belt.

**Figure 1: M1 Village Land-Use Plan**

**Figure 2: M2 Village Land-Use Plan**
In the shamba belt, however, land pressures are less acute as Chagga only began to permanently cultivate the plains during the twentieth century. Moreover, not considered lineage land, lineage heads exercise less centralized control over lowland property. M3 is home to Chagga as well as Pare, Kamba, and indigenous Kahe grazing communities. While the latter communities are said to have adopted Chagga tenurial practices, lowland communities are subject to less uniform structures of communal authority. Land-use here is more varied, with permanent cultivation existing alongside open- and zero-grazing livestock practices. Since the settlement of M3 village, grazing has taken place on a large informally allocated hillside and, in the off-season, across cultivated plots. Figure 3.1 is a rendering of basic land-use patterns in M3 prior to MKURABITA- and NLUPC-sponsored planning. Aside from a large area around the Arusha-Moshi-Dar es Salaam highway designated for business activity and some areas for community services, all land appears as mixed-use.

Figure 3.2 is the village land-use plan produced as part of property formalization in M3, and entails distinct changes seeking to rearticulate existing practices into those compatible with commercialized production and commoditized agrarian life. Beyond the area previously designated for business activity, Village Land has been further divided and reclassified. A distinction is now made between areas where people can have residential farms, and where land must be used for strictly agricultural purposes. In addition, the hills previously used for open-grazing have now been recategorized as Reserve Land, for use by the government for road works material. A small patch of grazing land has been kept in the south-west corner of the village, but open-grazing is now prohibited outside of this zone.
Figure 3.1: M3 Village Pre-Existing Land-Use Plan

![M3 Village Pre-Existing Land-Use Plan]

Figure 3.2: M3 Village Current Land-Use Plan

![M3 Village Current Land-Use Plan]
While land-use planning in the densely populated and lineage-controlled highlands resulted in no discernible change in practice, planning in the less acutely scarce lowlands where lineages exercise less centralized control has had significant impacts on local livelihood strategies and has faced more local resistance. Every villager interviewed in M3 who practiced open-grazing emphasized that allocated land is wholly insufficient to support village grazing practices, a problem significantly exacerbated by the reservation of common hillsides. M3’s Chairperson acknowledged that the plan had negative effects, noting that any use of the hillsides for grazing or cultivation is now subject to criminal prosecution. The Chairperson also noted that much of the sensitization process in the village was focused on convincing people to halt open-grazing and was not well-received. Members of the Village Land Committee readily admitted that the grazing issue is acute, and that property formalization has exacerbated the problem. They discussed being trained by MKURABITA and district officials to sensitize grazers to the efficiencies to be gained from reducing livestock numbers and adopting zero-grazing. However, one member noted that “violations are everywhere,” while another recalled that discussion about grazing-land shortage dominated feedback from villagers.

The response of MKURABITA officials to this feedback was to continue advocating for the reduction of livestock number and their domestication. M3’s party-appointed Village Executive Officer took a similar approach, arguing that “the problem is that it [the land-use plan] is only in writing” and that producers must accept the need to change. All that is needed, he argued, was more active enforcement. While land-use planning has been framed by MKURABITA and the NLUPC as participatory and stakeholder oriented, implementation in the lowlands of Moshi District reflect the institutionalized use of force in the management of rural land as existing practices are reshaped within a market-oriented model.
Land-use planning’s encouragement of market-friendly land-use practices is closely related to central authorities’ goal of facilitating large-scale investment in rural land. According to officials at MKURABITA and the NLUPC\textsuperscript{20}, land-use plans are crucial mechanisms by which central authorities have sought to identify village land suitable for alienation to large-scale investors under contractually enforced leases (also see URT 2007). Contemporary investment in Moshi has played out within the framework of Tanzania’s historically dualist property rights regime, in which the administration of settler lands has been separated from that of African holdings, and has introduced new dimensions of political struggle between local communities and central authorities as each try to secure their interests on acutely scarce land.

While central authorities have sought to promote large-scale investment in Moshi, the exhaustion of local land frontiers and the acute scarcity of land in the district severely limit options for new investment. As in other districts across Tanzania, district officials in Moshi received presidential directives in 2009 to seek out land to be earmarked under the Tanzania Investment Center’s land bank project. Open land, however, simply does not exist, necessitating the freeing up of potential investment land by other means. Contemporary state strategies of attracting investment have been directed towards former estate land. While these lands have been managed since independence by village cooperatives, central strategies have sought to turn them over to private management. This process, like land-use planning, has played out differently in particular local contexts across the vihamba and shamba belts.

M2 village is the only sampled highland village in which local cooperatives have managed a settler estate. At independence, the cooperative was not particularly capable of running the estate and the land was allowed to fallow, often informally rented to land-short villagers for cultivation. Due to the high demand for investment land on the fertile vihamba belt
after economic liberalization, Moshi’s cooperatives—now local AMCOS branches holding former estates under formal derivate rights—were directed, by the early 2000s, to secure large-scale investors able to begin production under statutory leases and contractual agreements with cooperatives concerning rents, land use, employment, and infrastructure development. Subsequently, estate farming has regained political and economic significance on the mountain, along with the institutional segregation of land held under statutory and customary rights.

By 2003, M2’s estate farm was leased to a Tanzanian investor for a long-term agricultural project. Beyond paying rent on the farm, the investor agreed to produce coffee, grow shade trees, improve irrigation canals, and employ local labour. According to the AMCOS secretary and village leadership, however, the investor never commenced production, has neglected the canals, not produced employment, and defaulted on rent since 2007. What is more, the investor has informally subleased portions of the land to local farmers to grow temporary crops, profiting from the land while contributing nothing to village finances. The legal contract has been broken, but local authorities saw legal proceedings as too costly, time-consuming, and corrupt, noting the investor’s connections to powerful Dar es Salaam businessmen. The legal avenue of recourse was seen as a dead-end and had already failed to resolve a neighbouring (unsampled) village’s similar issues with the same investor. M2 has instead sought a political solution by petitioning the District Commissioner to take action and provide the cooperative with a new investor. The commissioner, however, has continuously failed to respond to village leaders and refused to discuss the matter in a scheduled interview.

Contemporary central strategies of development continue to uphold the legal rights of large-scale producers over the permissive rights of Africans over village land, and M2’s ongoing relationship with private investors has become a critical source of political tension and mistrust.
between appointed district officials on the one hand, and elected village leaders and local cooperative officers on the other.

Investment dynamics in M2 predate directives to earmark land for the TIC land bank project, but this more recent central drive for investment since 2009 has brought about its own tensions and struggles in other parts of the district. While land scarcity is less acute in the lowlands, there is still no open land available for investment. M3’s neighbouring village M5, however—also sampled in my study—is feeling the impact of land’s commoditization despite its non-inclusion in MKURABITA’s pilot project. Like M2, M5 contains a former estate farm. This sisal estate, according to villagers and village officials, had been a European plantation, later nationalized put under the authority of the District Commissioner. The land lay idle until the village leadership was given permission in 1994 to divide off one-acre plots to provide for ex-convicts and landless households in the area. The remainder has been over-fertilized and cannot currently support cultivation, but both villagers and village officials in M5 consider it common Village Land at their eventual disposal.²³

This story of the sisal estate is contested by the offices of the District Commissioner and illustrates the tensions between central strategies of investment facilitation and local understandings of property rights and land-use. Interviews at the district land offices revealed that, other than the limited amount of land redistributed in the 1990s, district officials have earmarked the estate to be included in the TIC’s land bank. According to district land officers, the estate is been owned by an Indian investor who fled the country following independence and a decline in global sisal prices. The land is occupied as General Land, protected under contract and secured in a ninety-nine year lease. It was mortgaged by the investor, who has defaulted on payment since leaving the country in the early 1970s. Despite this, district land officers claim
that the title was never legally revoked and that the investor is still the legal occupant of the land. By August of 2011, the District Commissioner’s office had begun the process of legally revoking the private title with the intention of transferring it to the TIC. The district considers all occupants of the sisal estate not officially granted land in the 1990s to be illegal and entitled to no compensation upon transfer.\textsuperscript{24}

But this issue did not arise in interviews in the village. When asked why this might be, district land officers admitted they did not want to inform the village of the issue until the title had been legally revoked and firmly vested in the TIC. This, the officers continued, was because they expected significant contestation from villagers and local leadership. Communal structures governing scarce land have historically sought to manage the risks of local scarcity. Facing prospects of resistance from organized village interests, district officials adopted a strategy of secrecy to achieve central goals, noting the potential tax revenue from investment and arguing that “villagers would do nothing with the land.”\textsuperscript{25}

While land-use planning and investment facilitation are key mechanisms by which central authorities have sought to re-articulate rural production practices and facilitate the creation of markets in rural land as part of the broader property formalization project, both processes have been fundamentally shaped by the historical political economic trajectories of both highland and lowland communities in Moshi District. Particular settlement patterns and property relations across the \textit{vihamba} and \textit{shamba} belts have resulted in significant differences in the land-use plans constructed in highland M1 and M2 on the one hand, and lowland M3 on the other. Intensive commercial production on scarce land managed within lineage hierarchies in the \textit{vihamba} belt has limited the state’s ability to alter land use, while more recent settlement patterns and less uniform communal control over land use in the \textit{shamba} belt has led to more
extensive changes to existing practices. Likewise, dynamics of investment have varied across these local contexts. Land scarcity in both parts of the district has limited investment to former estates, but the infrastructure provided by institutionalized marketing cooperatives has provided highland communities a political platform through which to exercise voice. Lacking this platform, lowland communities have been excluded from the management of village estate land. In both cases, however, the interests of the central state and private investors have come into open conflict with local understandings of communal authority over scarce land.

These processes of land-use planning and attracting large-scale investment in rural land have been integrated into MKURABITA’s property formalization project by central authorities as mechanisms by which to facilitate the creation of efficient land markets, and have given rise to resistance and political contestation by communities seeking to protect their livelihoods in conditions of ecological scarcity. But the overriding objective of property formalization is the registration of individual household plots as a way to formalize ownership and mobilize land as a fungible asset, capable of being used as collateral in formal credit markets or transferred to those capable of more efficient use through market transactions.

According to Village Chairpersons and Executive Officers across all three sampled pilot villages in Moshi, the registration of ownership in CCROs has been met with great enthusiasm. In M2, ninety-eight percent of villagers had applied for the documents and had their farms measured and demarcated in preparation for the issuing of CCROs. In M1, similarly high numbers have applied. At the time of fieldwork, CCROs in both villages had been processed and were being sent from district offices to village land registries and property occupants. The process in M3 has not advanced as far, but the Village Executive Officer described a “fantastic response” to registration. Seventy-six out of 300 resident households applied for CCROs as
soon as applications were available, although forms ran out quickly. Enthusiasm remains high, but at the time of fieldwork no more forms had arrived.

Individual applications for inclusion in property formalization indicate a degree of positive responsiveness among smallhold farmers. But applications themselves can be understood only as basic compliance and say little about local understandings of formalization and its potential benefits and risks. Analyzing smallholders’ perceptions of property rights reforms is critical to understanding the impact of local structures of authority over property on farmers’ planned use of CCROs and how local property relations have shaped the ability of the state to achieve its goals of formalizing land and credit-markets in Moshi District.

In interviews, smallholders in both the highlands and lowlands were unanimous in their perceptions of the most significant benefit of MKURABITA’s work, citing the explicit documentation and certification of plot boundaries. Closed land frontiers, population growth, and intensive production on acutely scarce land have given rise to endemic boundary disputes both between and within lineages. Moreover, many respondents noted an increase in these disputes as consciousness of land’s market value had risen among smallholders. Respondents stressed that while boundary disputes have not necessarily decreased tenurial security—disputes frequently arise over encroachments of centimetres—the concretization of ownership in CCROs would reduce and potentially eliminate this endemic problem. Few discussed fears of land alienation or dispossession, but many stated that they did feel more confident in their ownership of land and their ability to maintain secure boundaries amid now astronomical levels of population density.28

Some, however, chalked the real benefits of certification up to “prestige,” reaffirming de facto claims to lineage land and providing the ability to demonstrate legal rights to its value. Discussing the most significant benefits of reform, then, smallholders across Moshi viewed
property formalization not primarily as an opportunity for increased investment and intensive production, but as a protective measure against tensions resulting from a history of intensive commodity production and mounting scarcity of lineage land.

Many emphasized that registering ownership of lineage land in CCROs would safeguard future claims of lineage descendents to land, noting that the documents identify not only the immediate household head as the title occupant of a plot, but also list the names of all family members with a claim to the land. Reporting increases over past decades in intra-family disputes over inheritance as the value and scarcity of land have increased, respondents across all sampled pilot villages indicated increased confidence in the prospects for their wives and children to safely acquire lineage land in the event of misfortune or death.

These feelings were most evident among widows. While Chagga custom continues to privilege male heirs with property inheritance, if a male family head dies without a grown male heir to take over management of his property, ownership tends to pass to his widow. These arrangements, however, play out in a complex reality of lineage politics. The occasion of land being passed to a widow has often been a flash-point of intra-lineage dispute and attempts by male members to take over the land in question. Without documented titles, widows discussed members of their husbands’ families attempting to take advantage of the situation by pushing at the boundaries of the widow’s plot. Prior to CCROs, these respondents argued that they had to rely on their not-yet-grown children to represent them in conflict with lineage members. Female respondents with occupancy claims to lineage land saw CCROs as crucial mechanisms to protect their interests in land. Once again, benefits have been understood not as providing new opportunities for investment and accelerated production, but as safeguarding the interests of
families and lineages and embodying the prestige of land ownership within existing Chagga property relations.

For almost all respondents, property formalization is addressing problems endemic among smallholders in the district. For this reason, the project was viewed as one grounded in local needs and exhibiting a good degree of local ownership, despite being a central government initiative implemented in collaboration with district officials. These sentiments were expressed across highland and lowland contexts, although important differences in smallholder perceptions of the nature of local ownership over the reforms became evident across the vihamba and shamba belts. The crux of these differences comes down to the relative impacts of property formalization on established agrarian practices in each context.

Property reforms in the acutely scarce, lineage-controlled vihamba belt entailed only the legal formalization of existing property relations and involved little or no changes to established Chagga production and tenurial practices. In the shamba belt, reforms have impacted land-use practices more extensively. Members of the lowland Kahe, Kamba, and Pare communities expressed dissatisfaction, not simply due to aforementioned provisions of land-use planning, but about their combined impacts with plot registration.31 With common grazing land already significantly reduced, these respondents expressed concern that as household property registration and demarcation continues, informal practices of off-season open-grazing across farms in the village will be impossible, resulting in further scarcity of grazing land. Directives to adopt more expensive practices of zero-grazing were met with disdain from members of these grazing communities and demonstrate the ways in which formalization has entailed further reaching reforms to local practices where property relations are less unified and scarcity less acute.
Understandings of local ownership of property rights reforms in Moshi District are grounded in the evolving organization of authority over property and production in particular local contexts. Within the structure of MKURABITA’s decentralized property reforms, both Village Councils and Assemblies, as well as district authorities, are at centre stage in carrying out and managing the reform process. Boone (2003) found that the dynamics of strategic interaction among actors at different levels are determined by the social and political resources brought to bear on the process by actors involved. The strength of opposition parties at the grassroots as well as village and district levels in Moshi ensures the real possibility of voting out elected local officials in the event of perceived mismanagement, and villagers across Moshi expressed confidence in the accountability of their leaders.

To examine village level political dynamics surrounding property formalization in the district, all respondents were asked if the decisions made by their respective Village Councils reflected the interests and concerns of the Village Assembly. While council members tended to be business elites from prominent lineages, the vast majority of respondents across the district saw their Village Councils working in the interests of their constituents. Many simply noted that if council members were seen to be acting selfishly or dishonestly, they would simply be voted out of office at the next opportunity. In relation to land, village officials were generally trusted as they had never historically had much involvement in matters of land, particular in the vihamba belt. The historical management of core vihamba land within lineage hierarchies has meant that it is lineage and family elders that manage disputes rather than village officials. Boundary disputes tend to be settled by intra- or inter-lineage negotiations and do not involve village officials. Only when these mechanisms break down are cases brought to village officials in local tribunals and respondents tended to view these institutions as legitimate and reliable dispute-
resolution mechanisms. Concerning issues of corruption related to the management and transfer of Village Land, the reality in Moshi is that, with land governed within lineages, there is no open land to be corrupt over.

When, as in the case of M5, there is open land to be used, it tends to be used by village governments for mitigating local land scarcity. The strength of lineage authority structures over managing scarce land and the accountability of leaders within a historically politically vibrant area mean that trust between villagers and village officials is relatively high. With their authority over their own land vested in lineage authority systems, elected officials have little incentive to undermine this structure of communal authority and, as shown in both M2 and M5, have harnessed the legitimacy of enduring communal norms in attempts at managing the commoditization of land. Property formalization has been well-received in Moshi District as it has not involved extensive transformation of existing property relations.

These relations are key to explaining both the prospects of property formalization for achieving centrally desired outcomes of credit and land market-formation and the evolving centre-local political relationships in the district. For this, it is necessary to move beyond perceptions of reforms to analysis of smallholders’ planned use of CCROs in agrarian livelihoods. Increased tenurial security is central to Tanzanian property rights reforms not as an end in itself but as means of incentivizing increased smallholder investment in agriculture by promoting the use of CCROs as collateral for loans in formal credit markets. Formal documents are meant to provide the legal representation of land’s value in these transactions.

Producers in Moshi would seem to be well-situated to take advantage of this option as credit use has long been a strategy for smallholders to support agricultural production in the area. In addition to informal village cooperative banks (VICOBAs), highland villages in Moshi have
been integrated into cooperative marketing societies since the colonial era. With the loosening of restrictions on local cooperatives imposed under villagization, by 1993 the functions of local AMCOS branches had expanded beyond coffee marketing to include a Savings and Credit Cooperative facility (SACCOS) to act as a source of microfinance for smallholders without access to commercial banks—a district cooperatives officer noted that these banks tend to accept only farms of two acres or more as collateral. An outgrowth of an organization with an already large membership, the M2 SACCOS is well subscribed to, with approximately sixty percent of villagers in the branch’s area currently registered as members.\textsuperscript{32} Even in the lowlands where no AMCOSs exist, SACCOS branches have been established since 2000. In addition, managers at the Moshi branch of the state-owned National Microfinance Bank (NMB) also insisted that CCROs would be accepted as collateral for smallhold agricultural credit.\textsuperscript{33}

The infrastructure necessary for smallholders to access credit as holders of CCROs is present in the district. But formally secure tenurial rights and physical credit infrastructure does not automatically result in land’s treatment by producers as a source of investment capital. How smallholders actually respond to shifting incentive structures must be understood as a function of their understandings of the risks associated with using land as collateral in an ecology of scarcity. Collateral-backed loans are not new to residents, but when asked about their thoughts on the use of land as collateral, respondents offered mixed replies.

Approximately half of all smallholders interviewed across Moshi expressed favourable views of land-backed loans. Planned uses of these loans tended to be for intensifying on-farm production with improved inputs and implements as well as for the expansion of off-farm activities such as produce-trading and small business operations, many of which were already in operation. But even those excited about the prospect of easier access to formal credit were
careful to note the attendant responsibilities as borrowers, and the associated risks. All respondents willing to use CCROs for credit were well-educated on the terms and conditions of loans and aware that their land could be lost in the event of default. Those enthusiastic to use CCROs for credit tended to have livestock or off-farm income sufficient to make up for agricultural losses preventing loan repayment to ensure the retention of scarce land.

Others interviewed were far more hesitant and understood the process as simply too risky in light of particular ecological and social contexts. In M1 and M2, many of those unwilling to mobilize land as collateral cited their dependence on rain-fed agriculture in the absence of reliable irrigation. The unpredictability of rains, production levels, and market prices left many smallholders unable or unwilling to accept the risk necessary to make use of registered land as collateral. As one respondent in M3 noted, “The idea seems good, but look—it hasn’t rained this season. How am I to pay? You have to be very careful with things like this.” In general, unwillingness to use land as collateral was connected to particular forms of ecological vulnerability in a context where the loss of scarce land would leave producers, their families, and future generations without a means of agrarian livelihood.

On increasingly small family plots in the vihamba belt in particular, many saw their land area as insufficient to generate enough income to support meaningful borrowing. Most, however, simply argued that the risk of losing land—particularly core lineage land—was simply so unpalatable that they had no interest in the practice. Respondents frequently noted that they already had access to microfinance through VICOBAs and SACCOS branches, where default does not lead to land seizures, and lineage land has not been accepted as collateral, although CCROs are changing this. While VICOBA and SACCOS loans can be renegotiated with interest dropped or alternative arrangements made, this procedural flexibility does not exist with the
commercial banks, a fact made more significant when it is noted that default rates on SACCOS loans in the M2 area already hover around thirty percent.35

Formalized ownership represented by CCROs is intended to provide incentives for productive investment and efficient use of land. But if an individual is incapable or unwilling themselves to maximize efficiency on occupied land, CCROs also allow free transfer to those who are, by way of a contractually secure market transaction. If smallholders are unwilling to borrow against their land, perhaps they are willing to sell it for capital to invest in other sectors. Demand for land on Kilimanjaro and in Moshi District for both large- and small-scale investment is among the highest in rural Tanzania (ICF and MLHHS 2008). However, free transfer of land to prospective buyers requires willing sellers.

Iliffe (1979) and Moore (1986) both discuss an increase in land sales on Kilimanjaro throughout the twentieth century, but my respondents’ understanding of this reality of land as a market commodity were invariably framed within the structures of Chagga tenurial and inheritance practices and embedded practices for managing risk within the organization of communal authority. Responses to questions about willingness to sell land were ubiquitously negative, many laughing off the question as ridiculous. While some let a simple “no” suffice, others reacted more energetically, expressing an ardent unwillingness to sell. Most offered further statements, some in the form of another question: “Where shall I stay?”; “Why would I sell?”; “Where would I live? In the air?” Most responses demonstrated an understanding of land ownership not as something held by individuals, but by lineages and the family units within them. In addition to responses asking, “If I sell my land, where will my children live?” and “How can I sell my land if I have children?” many framed their responses around entrenched inheritance practices and communal livelihood techniques.
Continued communal control over land, even as the lure of land sales has become reality, was demonstrated by common statements including, “I would have to be crazy. It’s for my children and grandchildren”; “land is for my family”; “Impossible, I have a family”; “I cannot sell. It is traditionally not allowed”; and “Land is the key to life. It is a permanent asset. It doesn’t go anywhere and it is my children’s as well.” Others invoked similar arguments, noting that they could never sell homestead or core lineage land especially considering Chagga customs of burying deceased family members among the family’s banana and coffee groves. Acknowledging that sales do occur, those who knew of such cases explicitly viewed the practice with contempt—“people only sell land foolishly”—as something only drunkards, family rejects, and the destitute do, reflecting Moore’s impression of Chagga understandings of the sale of customary land in the 1980s. Not only was the practice frowned upon, but it was met with the harshest of social sanctions, typically isolation and exile from core lineage land (1986).

CCROs have established the institutional mechanism to facilitate market transactions in land. But structures of communal authority that have arisen to protect lineage access to an increasingly scarce resource have provided a lens through which the commoditization of land is understood and have critically shaped patterns of contemporary commoditization on Kilimanjaro. Economic and political liberalization have wrought far-reaching social changes across rural Tanzania, and in the course of such change customary rules and practices have evolved to confront new forms of risk. Customary restrictions on land use have been relaxed with producers’ needs to draw out their land’s productive capacity. But while renegotiated and reshaped, customary norms continue to condition local political and economic trajectories of agrarian change, and limit the impact of contemporary institutional reforms on Kilimanjaro.
Customary property relations in Moshi District have shaped the prism through which producers both understand and seek to collectively manage the risks associated with contemporary institutional reforms and to maintain access to lineage and family land. Receptions of property rights reform in the district demonstrate the continued legitimacy of communal authority over scarce land and the reproduction of social understandings of land, not necessarily subordinated to the price mechanism. Formalized user rights have not been used to safeguard land as an individual asset or increase productive investment, but to reinforce communal property relations in the face of new risks and opportunities.

In fact, although all members of a household are included on CCROs—leading Tripp (2003) to associate market-oriented property rights reforms with women’s empowerment—all respondents in Moshi stated that the documents would not fundamentally alter patrilineal inheritance regimes. Practice has shifted to often guarantee female family members dwelling space on lineage land in the event of misfortune, but it remains male heirs who inherit land on the mountain. While easily viewed as anachronistic, patrilineal inheritance remains a mechanism by which lineages seek to ensure land remains under their control in the case of divorce or misfortune and further demonstrates the impact of the communal organization of authority over land on dynamics of institutional change.

In this section I have examined the dynamics of land-use planning, investment facilitation, and individual registration—each critical components of contemporary market-oriented property rights reforms—in a context of historically centralized communal authority over scarce rural land. Despite the increasing commoditization of rural life, property relations in contemporary Moshi District remain subject to what Berry (1993) describes as the multiple and contested meanings associated with exchange and claims on rural resources. In the next section, I
conclude the chapter by drawing together specific implications for understanding variations of institutional change across space, explaining the impacts of the local organization of authority over scarce resources on outcomes of reform.

_Markets and Political Coalitions in Contemporary Moshi_

Throughout this chapter I have argued that particular ecological conditions and the social relations that have evolved to manage people and production within them have set the parameters within which contemporary property rights reforms have been implemented and received across Moshi District. Moshi’s political economy has been shaped since the nineteenth century by access to and control over agrarian commodity production in a context of exhausted land frontiers and resource scarcity. Cash crop production throughout Kilimanjaro Region began earlier than in almost any other areas of Tanzania, and along with commercialized agriculture was built an extensive marketing structure that has served as a platform for the political mobilization of peasant producers. Intensive production on scarce land throughout the district produced conditions in which land itself had monetary value long before market-oriented property rights reform. But while many commentators liken Chagga property relations to freehold tenurial structures, embedded social mechanisms for managing risk within an ecology of scarcity have defined the field of play on which contemporary reforms are implemented.

These mechanisms of risk management embedded in evolving Chagga property relations have shaped the outcomes of property formalization—understood here as the stated goals of legally formal land and credit market-formation—and the related political dynamics that continue to shape struggles over land and the exercise of central authority in contemporary Moshi District. Beyond explaining variations in state strategies of reform, the local organization
of authority over property has defined both local receptions of reforms and the political relationships linking state and countryside in contemporary Tanzania.

Despite Kilimanjaro’s history of commodity production and the resemblance of Chagga property relations to freehold tenure, findings in Moshi District suggest important limitations to the development of free and efficient land markets in the area. Property relations are intimately bound up with market activities and related decisions. Land is key to the cash-cropping that has been Kilimanjaro’s livelihood for over a century and land use has been intensified in the face of increasing scarcity and technological change. But local understandings of land as a commodity have been articulated through the lens of communal property relations. Property is recognized as economically valuable for market production, yet itself exists beyond the market, reflecting what Watt’s (2009) terms a “market-oriented non-capitalist” understanding of land. Patrilineal communal hierarchies have provided mechanisms by which Moshi’s farmers have sought to manage the risks associated with economic change within historically evolving social practices and political institutions.

Legal mechanisms are now in place to encourage land’s use as an individual economic asset, but individuals ‘calculations are made in consideration of the material risks associated with land transactions in a context of acute scarcity, and of retaining access to land for dependents and descendants. Property relations remain embedded in lineage authority structures, and Chagga burial customs physically imbue land with generational meaning, irretrievably melding the social and economic. While scarcity has forced the migration of youth to other districts and regions, homesteads are retained rather than sold as stored capital despite the fact that many are now too small to support meaningful agricultural production. Far from an economic strategy open to individuals in a changing economic context, the selling of land is associated with disaster or
social delinquency, and met with the harshest of social sanctions. One individual’s decision to sell land affects not only that individual, but the entire family and lineage’s future access to property and the means of production. Embedded social mechanisms for managing risk have restricted the formation of land markets.

Social relations of property have also limited the formation of rural credit markets in Moshi. The infrastructure for this capitalization of property assets is well-established, including local SACCOS and NMB branches. But despite this infrastructural base, the use of land as collateral is understood within the parameters of Chagga custom and strategies of risk management. The risk of default and land loss is simply too high for many producers to think seriously about mobilizing land’s market value as collateral. Particularly when the land concerned is core lineage land, the risk of its loss and the subsequent social impact on lineage and family members was enough to discourage widespread undertaking of land-backed loans and has limited the penetration of market mechanisms into practices of agrarian production.

Connections between risk management and credit, however, are bound up with broader patterns of class formation and differentiation in rural Moshi. Those with existing off-farm sources of income expressed greater willingness to consider land-backed loans and a more favourable view of credit as a means for enhancing rural livelihoods. Those without other sources of income saw the calculus differently, and felt unable to take the risks necessary for productive credit use. Moreover, while the Moshi NMB recognizes CCROs as collateral, loans tend to be engineered and issued for business purposes rather than the agricultural ones so central to the logic of contemporary reforms. Rather than invigorating smallhold production, credit markets have been used to diversify away from agriculture, leading to intensified differentiation within agrarian classes and further fragmenting the formation of rural credit markets.
The character of contemporary political coalitions linking central and district authorities, village officials, and rural producers in Moshi is critically related to these dynamics of market-formation and the limits imposed by communal property relations on the deeper penetration of market mechanisms into local agrarian life. Centre-local political relations in contemporary Moshi reflect different understandings of the imperatives of economic development and of who the key agents of policy formation and implementation are or should be. In a context of historically centralized communal control over property and production and a rural elite economically independent of central authorities, Boone’s (2003: 32) analysis predicts that central authorities would seek to displace local rulers by establishing a dense network of state institutions in an effort to rewire the circuits of local authority and micromanage local political process. State strategies for development in Moshi district reflect this. The construction of state marketing boards and cooperative structures and the abolition of chiefly authority throughout Kilimanjaro reflect central attempts at usurping local power. Contemporary strategies of property rights reforms have continued this by seeking to wrest property relations from communal control and subordinate them to the market mechanism. However, responses to central institution-building strategies by elites and producers in Moshi reflect a more complex process, with a different set of outcomes across highland and lowland contexts.

Villages in the highland vihamba belt best reflect Boone’s conceptualization of more centralized communal structure in which historical control by local rulers over people and resources has imbued these elites with significant bargaining power vis-à-vis the central state. The structure of communal authority has shifted as central authorities undercut the power of local chiefs. But the retention by lineage hierarchies of control over scarce land has preserved elements of Chagga communal authority and, with vibrant opposition politics rooted in the
history of the district, elected village officials—with their own interests in the communal control over property—are viewed with a high degree of legitimacy, accountable to the Village Assemblies and multiparty democratic processes that have filled the vacuum left by the erosion of chiefly power. While central administrators are now concerned with securing Kilimanjaro’s land for use by large-scale investors, receptions by village authorities have been such that usurpation has not been possible. Although investors who default on their local obligations are given significant leeway by state authorities, beyond limited estate land under private control property rights reforms and land-use planning have not succeeded in rewiring the circuits of local authority. Usurpation has failed. In its place is a continued struggle between two broad coalitions: Village Councils aligned with Village Assemblies, seeking to manage local development along lines of evolving communal social relations on the one hand, and district and central authorities intent on harnessing the productive potential of large-scale investment—often at the cost of smallhold production and livelihoods—on the other. Rather than usurpation or powersharing, Moshi’s highland political context is one of contestation, struggle, and stalemate.

The later permanent settlement of Moshi’s shamba belt, the disruptions to existing tenurial authority associated with land redistribution, and the area’s greater communal diversity have resulted in less concentrated structures of communal authority than in the vihamba belt. The predominant difference in the implementation of property formalization in the lowlands has to do with the less acute scarcity of land for alienation and a rural elite more constrained in its ability to control more variegated production practices. The different terms of centre-local struggle in lowland Moshi are reflected in more extensive changes made to local land-use practices in M3 and related government efforts to reorder production away from open-grazing to more market-friendly zero-grazing and intensive agriculture. But the fact that central authorities cannot usurp
local authority becomes clear in the case of M5, where district authorities have resorted to secretive backroom tactics rather than negotiation and confrontation with village authorities over the potential alienation of the local sisal estate. As in the highlands, Village Councils and Village Assemblies in the lowlands are in alignment against district and central authorities intent on harnessing investment potential. While communal authority is less concentrated than in the highlands and a situation of less acute scarcity has resulted in more concerted efforts at usurpation, local power structures are too strong to be usurped outright and neither side appears interested in the prospects of powersharing.

In this chapter, I have directed attention at the impacts of local agrarian ecologies and social structures not only on central strategies but also on local receptions of property rights reform in Moshi District, and have aimed to present a refined view of the interaction between local and central authorities in the process of contemporary institutional reform. The evolution of communal property relations within the area’s particular economic trajectory has set important limits on the extent of state-led rural market-formation and critically shaped a political environment in which village authorities and their constituents are pitted against central authorities and their appointed district representatives. Chapter Four expands my analysis to a context of open land frontiers, less ecological scarcity, and deconcentrated communal authority, exposing a different set of implications and outcomes of contemporary property rights reform.

CHAPTER THREE NOTES

1 Interviews: Village Chairperson (30 March) and individual smallhold farmers (30 March – 6 April), M3 village, Moshi District, Kilimanjaro Region, 2011.

2 General discussions in interviews with village officials and smallhold farmers, M1, M2, and M4 Villages (March), and M3 and M5 villages (April), Moshi District, 2011.

3 General discussion in interviews in vihamba belt: M1, M2, and M4 Villages (March 2011).
4 Interviews: Village Chairperson (30 March) and elder generation smallhold farmers in M3 Village (30 March – 6 April), and Village Chairperson and Village Executive Officer in M5 Village (11 April), 2011.

5 Interview: Moshi District Chairperson, Moshi Town, 15 April 2011.

6 Interviews: Moshi District Land Officer and Moshi District Planner, Moshi Town, 14 March 2011.

7 Interviews: Village Chairperson and Village Executive Officer, M1 Village (10 March), Village Chairperson and Village Executive Officer, M2 Village (22 March), and Village Chairperson and Village Executive Officer, M3 Village (30 March), 2011.

8 Interviews: Village Chairperson, M1 Village (10 March) and Village Executive Officer, M2 Village (22 March), 2011.

9 Interview: Ward Executive Officer, M1 Village, 9 March 2011.

10 Interviews: Moshi District Land Officer and Moshi District Planner, Moshi Town, 14 March 2011.

11 Interviews: Village Chairperson (10 March) and Member of Village Land Committee (21 March), M1 Village, Village Executive Officer (22 March) and Member of Village Land Committee (24 March), M2 Village, 2011.


16 Interviews conducted with smallhold farmers in M3 Village, 30 March – 6 April 2011.

17 Interview: Village Chairperson, M3 Village, 30 March 2011.

18 Interviews with members of Village Land Committee, M3 Village, 4 April 2011.

19 Interview: Village Executive Officer, M3 Village, 30 March 2011.

20 Interviews: Director General, National Land-Use Planning Commission, Dar es Salaam (1 February), and Legal Assistant (Research and Training), MKURABUTA (29 April), Dar es Salaam, 2011.

21 Interview: Secretary, Ward Agricultural Marketing and Cooperative Society (AMCOS), M2 Village, 25 March 2011.

22 The Moshi District Commissioner agreed to an interview but refused to answer any questions, Moshi Town, 13 April 2011.

23 Interviews conducted with Village Executive Officer and Village Chairperson (11 April), and smallhold farmers (11 – 12 April), M5 Village, 2011.
Interview: Moshi District Land Officer, Moshi Town, 18 July 2011.

Another interview following up on the issue with the Moshi District Land Officer was conducted 20 July 2011.

Interviews: Village Executive Officer (22 March), M2 Village, and Ward Executive Officer (9 March), M1 Village, 2011.

Interview: Village Executive Officer, M3 Village, 30 March 2011.

Interview: Village Executive Officer, M3 Village, 30 March 2011.

Interview: Manager, Ward Savings and Credit Cooperative Society (SACCOS), M2 Village, 14 March 2011.

Interview: Manager, National Microfinance Bank (NMB), Moshi Town, 19 July, 2011.

Interview: smallhold farmer, M3 Village, 4 April 2011.

Interview: Manager, Ward SACCOS, M2 Village, 14 March 2011.

These responses were from interviews with smallholders across sampled pilot villages: M1 and M2 Villages (March), and M3 Village (April), 2011.

Interview: Manager, National Microfinance Bank (NMB), Moshi Town, 19 July, 2011.
CHAPTER FOUR

PROPERTY RIGHTS REFORM ON THE SWAHILI COAST: SUBSISTANCE AGRICULTURE AND MARKET OPPORTUNISM IN BAGAMOYO DISTRICT

Property formalization in Bagamoyo District of Coast Region has involved the same broad features explored in my analysis of the process on Kilimanjaro in Chapter Three. Inter-related processes of land-use planning, rural investment facilitation, and the registration of smallhold property on the coast have aimed to establish the foundations for state-sanctioned, legally formal land and credit markets and the incentive structures necessary to mobilize land as capital in a market economy. The coast’s own ecological conditions and the local authority structures managing them, however, have given rise to central strategies and local receptions of reform distinct from those on Kilimanjaro, and to a different set of reform outcomes. In this chapter, I explore these differences and their implications for understanding the ability of central authorities to carry out institutional reforms in particular agrarian contexts.

Ecological conditions on the coast make intensive small-scale agriculture difficult, and historically open land frontiers have facilitated the migration of dispersed local communities to new plots of land as a means of securing agrarian livelihoods on soil lacking the fertility to support sustained cultivation. Without the necessity to manage risks associated with an ecology of scarcity no centralized structures of communal authority have evolved on the coast to manage people and production or to harness the market as a means of economic prosperity. Boone (2003) argues that without these structures, local notables lack bargaining power vis-à-vis central authorities in the process of rural institution-building and that in areas devoid of cash crop economies, state authorities themselves lack the incentives to establish institutions of central rule, preferring instead a strategy of “non-incorporation” into the institutional matrices of the
state. In contexts lacking centralized communal authority but home to a cash crop economy, she predicts a process of “administrative occupation” whereby central rulers construct state institutions “suspended balloon-like over” localities, and wield political and economic power at the local level (2003:33).

In this chapter, Boone’s hypotheses again provide my starting point. While she suggests a strategy of non-incorporation, I argue that institution-building strategies of the central state on the coast reflect administrative occupation in attempts to establish and promote a cash crop economy. In the absence of land frontiers and communally defined claims to open land, however, local communities had an exit option, limiting the abilities of colonial and early independence rulers to transform local production practices. Like Berry (2002: 639), I argue that more recent political and demographic change combined with shifts in global markets has introduced new complexity to local-centre relations. The terms of administrative occupation have changed and have produced a new balance of power between centre and local.

Property formalization has imbued land with market value as part of central efforts to attract investment on rural land, and increased domestic and foreign demand for coastal land has given rise to a revised strategy of administrative occupation. Central authorities have capitalized on the lack of defined ownership claims to abundant land to facilitate its alienation to large-scale commercial investors. The very local practices that contributed to the failure of earlier state strategies have facilitated far-reaching changes to local political economies and intensified the process of administrative occupation. This political economic change on the coast has given rise to new forms of conflict within coastal communities as local elites and producers seek to manage new risks and opportunities in a context lacking embedded communal structures of risk management.
In the absence of centralized communal authority over rural production, coastal elites lack economic independence from the central state and have aligned with central authorities in attempts at benefitting from an emerging cash crop economy. Local producers too have sought to secure their livelihoods in this context and have mobilized long-eroded ideas of customary ownership to assert claims to newly valuable rural land. Berry (2002: 369) notes that “conflict has not been limited to regions of acute land scarcity” and, in this chapter, I argue that rather than increasing the security of rural property and providing the incentives for increased smallhold investment, property formalization has introduced new forms of tenurial insecurity as producers have sought to harness land’s commoditization to access the resources necessary to survive in a market economy. Rural producers have come into conflict not only with local authorities aligned with central rulers, but also with other locals attempting to benefit from the rapid commoditization of rural life.

This chapter echoes the structure of Chapter Three. I begin by outlining the specific ecological conditions and the organization of authority shaping resource access and production on the precolonial coast, establishing Bagamoyo as a case of decentralized communal authority. I then analyze local patterns of continuity and change throughout the colonial and independence periods before exploring the implementation and reception of contemporary property rights reforms, this time in a context lacking centralized local authority over rural resources. I conclude by explaining implications for the character of local markets and for the local-centre political relations that have facilitated far-reaching changes in the district as a result of state efforts at contemporary property rights reform.
Basic ecological conditions on the coast differ significantly from those on Kilimanjaro and have produced a different set of material constraints on the exercise of local authority. Continuing my emphasis on Bates’s (2001) argument that particular ecological conditions shape local strategies of risk-management and the nature of communal control over people, property, and production, in this section I analyze the ecological character of Bagamoyo and its impact on the local organization of authority in the nineteenth century. I argue that settlement patterns, land tenure and inheritance regimes, and relations of cooperation, dependence, and coercion—the central features of Boone’s (2003) conceptualization of communal authority—have developed in a context of open land frontiers and dispersed populations not forced by scarcity into intensive cultivation. While fluid and negotiable, communal authority on the coast reflects low degrees of centralization over people and property.

Coast Region borders Tanga, Morogoro, and Lindi Regions to the north, west, and south, and the Indian Ocean to the east. Dar es Salaam Region is carved out of part of its seaboard. Coast covers approximately 33,539 km², about 3.7 percent of Tanzania Mainland and more than twice the area of Kilimanjaro Region (URT 2007: 1). Bagamoyo District is located in the northern part of Coast Region and covers two broad ecological zones. The “coastal belt” contains waterlogged clay soils suitable for paddy production, and the “lowland” zone along the Wami River has slightly more fertile soil. Most agricultural activity in the district has taken place in this lowland zone and, in the nineteenth century, was oriented predominantly toward maize, sorghum, cassava, and vegetables (URT 2007: 15). No defined land frontiers existed to limit the movement of populations and, to maximize food crop production on soil of limited fertility, cultivation patterns reflected a shifting and fallowing system (Kjekshus 1977: 29-48).
In this context of land abundance, Roberts (1974) argues that there was no serious competition for resources “calling for regulation by superior authority.” Jerman (1997:111) also notes that “there was little stimulus to form large-scale political units and there was no need for leaders to exercise authority over large numbers of people.” What is now Bagamoyo District was inhabited by five major ethnic groups, the Kwere, Doe, Zigua, Luguru, and Zaramo. Within none of the groups were there rulers exercising centralized authority over people and production, and no fixed territorial boundaries separated them. Instead, these communities had mutually defined “countries,” each understood through myths of original settlement. Membership in each group was defined in relation to individual lineages branching from original settlers (Brain 1961: 231). In all of these groups, land was controlled by the lineage leaders but the immediate family formed the productive unit (Mwelupungwi 1976: 39; Jerman 1997: 122). According to Kiyenze (1978: 44-45), cooperative agricultural labour often crossed family lines, but the purpose of labour organization was to satisfy the need of the immediate family, including food, local brew, seeds, and reserves.

In nineteenth century Bagamoyo, “both the instruments of labour and the work being done were within the full control of the extended family, and the family was able to control the products of its labour” (Jerman 1997: 122). Mwelupungwi (1976: 3-4) contends that there was no exploitation of labour rather than within these families, the leaders of which, according to Jerman (1997: 147) “seem to have been originally equal and independent”—“there was no centralized authority and the largest political unit was the lineage.” Lineage leaders themselves were democratically elected from within the lineage and could be replaced at any time (Brain 1961: 232), with no chiefs uniting families and lineages within a common authority structure.
Property relations in the area evolved within this diffuse structure of local authority. Each lineage within a given community was associated with a broad area of land, known as an *nchi*, the use of which was managed by elected leaders. In his ethnography of the Kwere, Brain (1961: 232) notes that “the actual area of land held by any particular lineage is hard to state with any accuracy, and is said to vary greatly, since there is no shortage of land the size depends, as one informant put it, on the ability of the women to bear children, but a rough guess is about 500 acres over which rights are claimed [sic].” An *nchi* could cover several villages, but Jerman (1997: 129) argues that it was less a territorial concept than it was a social one; “a *nchi* had a socio-economic meaning and was…defined by the activities of a social group. The territorality of these specific land spaces played, in this respect, a secondary role.”

Without acute pressures on land, no central authority was necessary to govern the allocation and disposition of rural property, and no fixed boundaries separated *nchi*. Swantz (1966: 18) argues that property relations differed little among Bagamoyo’s ethnic groups, but in the absence of a common authority structure, inheritance regimes did vary among these loosely connected communities. Lineage membership and inheritance rights among the Zigua and Doe were determined along patrilineal lines, while those of the Kwere, Zaramo, and Luguru were determined matrilineally (Brain 1961: 233). In the absence of closed land frontiers, however, it was common for young couples to simply clear a new area of bush for cultivation upon marriage. Due to practices of shifting cultivation and frequent migration to new areas the burial of family members took place not on family plots but in forested areas set aside for this purpose. Few constraints bound individuals and families to particular portions of land.

Tenurial and inheritance systems differed among the predominant ethnic groups of Bagamoyo, but processes of political and economic change during the nineteenth century led to a
redefinition of relationships among coastal communities and a renegotiation of local property
time...to unite against the enemy” (Jerman 1997: 133). Omani rulers of coastal trading
towns found their access to caravan routes threatened by the invasion and asked for help from
hinterland Doe and Zaramo communities. These groups formed a close alliance and played a
decisive role in repelling the Kamba, earning their communities material tribute from coastal
traders (Brown 1970). Intermarriage among patrilinial and matrilineal communities had already
blurred the lines of communal allegiances, and unity in the face of the invasion resulted in
further integration of coastal ethnic communities. The Kwere, Zaramo, and Luguru continue to
trace lineage on matrilineal lines, but inheritance practices came, over the course of the
nineteenth century, to reflect the patrilineal structures of Doe and Zigua custom (Brain 1961).

Interethnic cooperation also led to the integration into coastal society of previously
foreign communities. Groups of long distance traders from inland, the Nyamwezi, frequently
passed through the coastal hinterlands. Many began to permanently settle in the area and allied
with local populations during the Kamba invasion. This permanent settlement and military
cooperation assimilated the Nyamwezi into the Doe social world. Jerman (1997: 136) cites an
elder who noted that, after the Kamba invasion, “the Nyamwezi became Doe.” The integration of
caravan traders into hinterland communities increased their economic connection to trading
routes as food suppliers, but land remained abundant and no overarching political authority
developed over the food crop economy. The spread of the Kiswahili language and Islamic
religious influence along the caravan routes throughout latter half of the nineteenth century
further eroded differences among coastal communities, but communal authority remained
decentralized among lineages and families, and no structure of authority above the lineage level controlled property and production.

An abundance of land, the concentration of economic production on food crops, and the reception of tribute from coastal traders produced few incentives for hinterland leaders to establish the centralized structures Bates (2001) sees as necessary to manage the risks of scarcity and extract surplus from rural production. Prior to colonial occupation, the area of Bagamoyo had no fixed political boundaries, territorial frontiers, or common political institutions. In the next section, I analyze continuity and change in the local organization of authority as coastal communities were integrated into the political economies of the colonial and independent state and how evolving structures of communal authority on the coast have set the parameters of contemporary market-oriented property rights reform in Bagamoyo District.

_Institutional Continuity and Change on the Coast in the Colonial and Independence Periods_

Ecological conditions and demographic patterns in precolonial Bagamoyo reflect the absence of an ecology of scarcity and a lack of incentives for the development of local authority structures to manage risk and agrarian resources. Colonial penetration and institution-building and independence-era state-building introduced significant changes to local political economies in the district, and structures of authority over rural property evolved in response to new risks and opportunities. Rather than pursue strategies of non-incorporation, colonial and independent rulers sought to promote a cash crop economy via strategies of administrative occupation. But the area remained peripheral to the political economy of Tanganyika and independent Tanzania. Evolving structures of diffuse communal authority over rural land, however, have set the parameters within which contemporary property rights reforms and intensified commoditization have played out on the coast.
The initial contact of Europeans with Bagamoyo’s hinterland communities in the mid-1800s was a result of the area’s proximity to caravan routes linking the coastal trading ports and the interior. In the absence of conflict over scarce resources among coastal communities, however, Europeans were not perceived as arbiters of local conflicts or new sources of military aid and security. Missionaries arrived on the coast in 1860 and attempted to expand their influence throughout the hinterlands by travelling inland along caravan routes, but their impact was limited by local ambivalence to their presence and the by-then already established influence of Islam. Missionaries in Bagamoyo did not become a source of new knowledge and did not alter local agricultural practices as they did elsewhere.

In 1888, however, the weakened Omani sultanate that controlled coastal ports granted the German East African Company permission to collect customs, and European influence in the hinterlands intensified. German forces attempted to assert control over the caravan routes extending inland from the coast, but met with fierce and protracted resistance from Kwere, Doe, Zigua, and Zaramo communities (Nimtz 1973: 155-156). Kjekshus (1977) and Maddox (1998) argue that local compromises were struck in areas where rulers saw colonial agents as potential allies in local conflicts over scarce resources, but where no such scarcity existed, colonial forces faced resistance from dispersed communities with few incentives to welcome and negotiate with external agents. Hinterland communities on the coast aligned with urban Arab governors of the trading ports, angered that they were not consulted in the transfer of coastal authority from the sultan to the Germans, and waged a guerilla struggle against colonial rule. Kwere, Doe, Zigua, and Zaramo fought together as they had during the Kamba invasion, but much like coastal authority structures, their struggle was not centrally organized.
By 1890, superior German military force had largely crushed coastal resistance, and German authorities sought to consolidate control over local communities by ordering all leaders to travel to the German capital in the port of Bagamoyo to pledge loyalty to German rulers. With no centralized political authorities through which to exercise power over people and production in the coastal hinterlands, German officials made any compliant lineage heads permanent chiefs to serve the colonial administration (Kiyenze 1978: 83). These new chiefs had no existing political authority beyond their own lineages but, as elsewhere in Tanganyika, were used to impose and collect taxes to support the colonial revenue imperative. With Coast Region lacking the pre-existing political structures and intensive agricultural production necessary for the collection of levies on local production and livestock, in 1898, colonial authorities imposed a hut tax throughout the region.

The imposition of taxation in Bagamoyo significantly altered rural property relations and the organization of local production. Initial phases of German penetration left local relations of production unchanged, but the effects of colonial taxation were experienced immediately (Iliffe 1979: 120, 132-134; Giblin 1986: 233; Jerman 1997: 201). Taxation was incompatible with existing patterns of patronage and reciprocity within lineages and families. In a largely subsistence economy, lineage and household heads lacked access to cash resources to pay taxes for dependents. As a result, the imposition of taxation undercut what power lineage heads did exercise, and the management of rural land increasingly fell to individual households. Even within households, though, leaders lacked the ability to financially support their family members—“in this way the patronage of the household heads was more than severely threatened” (Jerman 1997: 201). Livestock, food crops, and other assets were sold, and
individuals were forced to exchange labour for cash wages. Even in times of famine, taxes were collected in-kind, and people were deprived of their scarce food reserves.

Without centralized communal structures, local leaders lacked the authority to enforce compliance among their populations and could not be relied on by colonial rulers for the collection of taxes and the exercise of rule. Instead, central administrative power was the instrument by which the colonial state sought to govern coastal populations. *Maakida*—German-educated administrators isolated from local social structures—were introduced as field agents of colonial authority on the coast to assist newly appointed permanent chiefs in tax collection. Facilitated by open land frontiers, many Zigua, Doe, Kwere, and Zaramo fled further into the bush to escape taxation while others were forced into Bagamoyo town’s urban labour market. But the movement in the 1890s of the colonial capital from Bagamoyo town to Dar es Salaam and the construction of railways linking export producing regions to this new export hub made the exercise of colonial authority over coastal hinterland communities along the caravan routes less imperative, and contributed to further marginalization of the area within the colonial economy as a source of labour and food crop production.

This trend continued after the capture of Bagamoyo by British forces in 1916. The British initially made use of the German *maakida* system on the coast, but by 1922, they sought to make more effective use of “indigenous institutions” in the exercise of colonial authority (Hailey 1951: 16; Jerman 1997: 227). Bagamoyo, however, was among those areas in Tanganyika in which “there are no traditional authorities who are qualified to act as agents of local rule” (Hailey 1951: 17, cited in Jerman 1997: 228). In attempts at creating these local authorities, the British undertook to redraw German local administrative boundaries to better reflect “tribal” differences among hinterland communities and unite each one under a chief. Bagamoyo District was created
through this process, and within district, colonial authorities sought to aggregate local communities in terms of tribal identities. This, however, was complicated by the fluidity of communal identities on the coast and the historical dynamics of communal assimilation and integration. A Bagamoyo District archival source illustrates the problem with reference to the Zigua: “Wasigua [Zigua] implied a somewhat artificial unity…it is thus seen that the Wasigua of Bagamoyo are composed of at least four tribes: Wasigua, Wadoe, Wakwere, and Waruguru” (cited in Jerman 1997: 233).

In the historical absence of territorially delimited political spaces, appointed Native Authorities could not effectively assert centralized authority within their new constituencies and, to improve the efficacy of taxation in this area devoid of intensive agricultural production, British policy came to encompass the use of land on individual household plots. Household heads were instructed to cultivate only two acres for consumption and devote at least two acres to cash crops, namely cashew nuts, or food production for sale. The policy had little effect, however, as many farmers moved deeper into the bush to escape these colonial impositions. As populations spread across an open land frontier, any lineage authority that did exist in precolonial times was made redundant and authority over land became the de facto prerogative of individual household heads.

By the 1930s and 1940s, political organization on the coast remained diffuse and decentralized, limited to ineffectual “tribal unions” struggling to define themselves in a context lacking distinct ethnic identities and boundaries, and agricultural production remained dominated by locally oriented subsistence production. No producer cooperatives were created to integrate local production into the colonial economy and communal authority continued to be exercised by household heads democratically elected form within the family. In this context, the establishment
of a Bagamoyo Tanganyika African Association branch in 1939 provided the first major political organization within which hinterland communities could express their interests. Coastal TAA activities began in Bagamoyo town to mobilize the interests of African traders against the influence of Arab merchants and governors, but in the 1940s the organization’s reach extended into the hinterlands and represented an alliance between urban and rural Africans against Arab commercial dominance.

The TAA in Bagamoyo came to be closely associated with the most dominant Islamic Brotherhood in the area, the Qadiriyya, the leader of which became head of the local TAA in 1946. Shaykh Muhammad strongly encouraged participation in the organization by hinterland communities and, by the late 1940s, their influence had largely displaced that of urban notables. The 1954 reformulation of the TAA as the Tanganyika African National Union and the replacement of an agenda of African unity with one of national unity brought more widespread popularity to the party in multiethnic and multiracial Bagamoyo District. Lacking alternative political platforms, no opposition to TANU emerged among Africans on the coast and, in 1960, a new directive further rallied coastal communities around the party by calling for greater political independence for the hinterlands of Bagamoyo from the town, and for more power to be given to the people of the district in selecting their own rulers (Jerman 1997: 259).

With no centralized structures of pre-existing communal authority governing hinterland communities, the role of Islam and the Qadiriyya was critical to political organization in Bagamoyo District. In the 1950s, the Brotherhood was the only significant village-wide organization to be found in the district, giving local *tariga* a leading role in the coastal independence struggle (Jerman 1997: 259). By the late 1950s, Bagamoyo had become a TANU stronghold, Iliffe (1979) arguing that “its radicalism was strongest on the coast.” But no
marketing cooperatives had mobilized local commercial interests in Bagamoyo, and the local economy remained oriented towards subsistence production and unincorporated into the Tanganyikan political economy beyond serving as a labour reserve.

At independence and throughout the 1960s, TANU continued to enjoy widespread support in Bagamoyo, but few steps were taken to incorporate the area into the national economy. In an attempt to facilitate the introduction of cash crop production to the coastal hinterlands, the party established the Coast Regional Cooperative Union (CORECU) for the financing and marketing of cashew nut production, but little effort was made to build CORECU’s institutional foundations and local cooperative branches were few and far between. Local producers remained indifferent toward commercialized agriculture and few actively engaged in CORECU’s marketing apparatus.

In the 1970s, TANU’s move to implement villagization on the coast as part of *ujamaa* marked the beginning of more intensive attempts at administrative occupation as the party sought to create a local political apparatus capable of facilitating intensive agricultural production and surplus extraction. But TANU faced the same obstacles to the projection of power experienced by the Germans and British. With no centralized structures of communal authority through which state authorities could attempt to manage agrarian production, TANU, like its predecessors, sought to create them.

Villagization on the coast aimed at drawing spatially dispersed populations into centralized villages in which communal labour under village level cooperative structures would provide the incentives for intensive food and cash crop production. The creation of these villages also sought to streamline the provision of state services, including educational, water, and agricultural improvement facilities to coastal communities. Within the new villages, areas were
to be designated for housing, laid out in relation to communal farms, as well as areas for individual household plots on the outskirts. As elsewhere in Tanzania, villagization in Bagamoyo was initially voluntary, but low levels of compliance led, by 1973, to a series of compulsory relocations labeled “Operation Pwani [Coast].” As this name suggests, villagization on the coast was a military undertaking to which the use of force was central. Those reluctant to relocate had their belongings seized and their crops and homes burned.

Within the new villages, land allocation, use, and management was to be under the direct supervision of presidentially appointed Regional and District Commissioners, with compliance to central directives explicitly enforced by coercion. Party-appointed Village Executive Officers replaced colonially appointed village chiefs and were directly responsible to the District Commissioner. Residents of the villages were required to devote set hours to collective farming, and any cash crop production was mandated to be sold through CORECU. The vast majority of production in the district, however, remained oriented toward subsistence and food crop production. Unlike cooperative structures in major cash crop-producing areas, CORECU remained peripheral to local production and never became an institutional forum for the mobilization or producers’ commercial interests vis-à-vis the state and its local agents.

In response to the imposition of centrally designed model villages, many producers in Bagamoyo continued to push at open land frontiers and fled deep into bush land to escape state coercion. Some who did relocate attempted to maintain plots on their traditional nchi, although their ability to do this after relocation often depended on the distance of these plots from the newly established villages. Villagization in Bagamoyo pushed many to exercise their exit option (see Hyden 1980). Many nchi, however, were abandoned as households moved to new plots in the villages. Four out of five of my sampled villages in the district were products of 1970s
villagization. But even in these villages, producers continued to prioritize subsistence cultivation on household plots and resisted participation in collective labour on village farms. State strategies in the area continued to seek the establishment of commercial cash cropping, but the combination of flight, household subsistence orientation, and reluctance to engage in collective commercial farming resulted in failure to achieve this goal. Throughout the 1970s, the area remained a source of labour and food crops within the national economy.

Interviews I conducted with residents who experienced villagization in B1, B2, B4, and B5 villages—all products of forced relocation—exposed mixed feelings about the process. Some emphasized that villagization did improve the provision of local social services as populations were brought into closer proximity, and that living in the new villages had facilitated inter-family cooperation in the event of difficulty during planting and harvesting seasons. But many argued that villagization had failed to affect any lasting improvements to local livelihoods. Deep resentment was expressed towards the use of coercion and the hardships involved in forced relocation. Elderly respondents in particular often noted that nobody just forgot about their old homes.

Perceptions of the impact of villagization among farmers in Bagamoyo, however, were functions of particular local circumstances and varied across sampled villages. B3 village already existed prior to relocations, but was forcibly disbanded in 1973, the population forced to consolidate into newly established B5 village down the road. Even before the collapse of *ujamaa*, however, a group returned to B3 in protest and succeeded in having the village officially reinstated. District and village officials noted that, by the early 1980s, almost all former residents had returned to B3. Responses to the breakdown of villagization in the Wami River valley villages of B1, B2, and B4 reflected a different dynamic. All three were products of villagization
and, while many interviewed there acknowledged some advantages provided by centralized village structures, they noted that it was common for households to return to previous land holdings while also retaining their plots within the new villages. Interviews suggest though, that the vast majority of those relocated to these three villages remained there, living in the village and cultivating household plots on the outskirts.\(^3\)

In addition to these changes wrought by villagization, in the 1970s Bagamoyo began to experience significant in-migration by farmers and pastoralists from land-scarce regions of Tanzania. These farmers brought with them their own agricultural knowledge and practices, and many adopted cashew farming. By the early 1980s, Tanzania’s broader shift to the right was felt in Bagamoyo as agricultural markets were liberalized. No longer restricted to producing cashew nuts for sale through CORECU, those farmers engaged in cash crop production began to diversify their production to adjust to volatile markets. In B3 and B5, many have planted fruit trees, vegetables, sesame, and palm for sale in local markets, while in B1, B2, and B4 favourable soil conditions and market prices have led to the adoption of pineapple farming. Many coastal residents interviewed recognized the potential for profit from these new practices and some locals had begun to adopt them. However, in the absence of developed cooperative and marketing apparatuses and land-use practices conducive to commercialized agriculture, locals have been largely unable to afford the risks and costs of associated with the transition from subsistence to commercial agriculture.

In 2001, central authorities established a Savings and Credit Cooperative Society near sampled villages in the Wami River valley to service producers in the surrounding area. But while SACCOS branches in cash cropping regions were built as branches of existing Agricultural Marketing Cooperative Societies, no local AMCOS branches have supported this
development in Bagamoyo. Without this established infrastructure and membership base, the SACCOS has struggled to expand membership. At the time of interviews in 2011, managers at the branch could count members from sampled villages on one hand. Without credit, input, and marketing facilities available elsewhere, farmers in Bagamoyo have lacked access to any form of credit and the vast majority of respondents had no experience taking or servicing loans or using modern fertilizers or equipment. The retrenchment of state education and health services during the 1980s introduced new pressures on household budgets, putting inputs necessary for intensive production even further beyond the reach of most producers.

The ability of farmers in Bagamoyo to adapt to the risks and opportunities of liberalization has been shaped by the particular historical trajectories of local political economies in the district. The same is true of the process of political liberalization accompanying the shift in national development strategies toward the construction of the political institutions underpinning market economies. The combination of the coast’s history of TANU radicalism and the absence of forums for the mobilization of political opposition has resulted in the continued dominance of TANU’s CCM successor party in Bagamoyo. At the district, village, and even hamlet levels, political leadership remains dominated by CCM representatives to the extent that decisions about who rules are made within the party apparatus rather than through local elections.

Throughout periods of colonial and independence era rule, Bagamoyo was a site of administrative occupation as central rulers pursued state-enforced agricultural commercialization in a context devoid of centralized structures of communal authority. Diffuse authority structures and open land frontiers facilitated the exit of local populations from state-controlled agrarian life and resistance to the institutional impositions of central authorities. Even as in-migration and market liberalization led to a degree of commercialization, household production in Bagamoyo
District remained predominantly subsistence-oriented and rural land had little monetary or social value. Administrative occupation in the 1970s failed to transform local production practices, but implementation of contemporary market-oriented property rights reforms in the district has marked a new wave of administrative occupation in which the same local practices that facilitated exit and resistance during previous periods have enabled rapid change to local political economies.

Property Rights Reform in Bagamoyo District: Contemporary Dynamics of Implementation

As elsewhere in Tanzania, property formalization in Bagamoyo District has been aimed at integrating local property relations into a system operable through the market mechanism and has involved interrelated processes of land-use planning, investment facilitation, and the registration of individual plots in certificates of customary rights of occupancy. In Bagamoyo, historically open land frontiers have not made the exercise of centralized communal authority necessary to manage risk and agrarian resources, and few social constraints exist governing the use and disposal of rural land. Market liberalization and property formalization, however, have introduced new forms of risk in the district. Central strategies have sought to open up Bagamoyo’s abundant land to foreign investors, and agricultural liberalization has introduced new costs to rural producers. The imbuing of land with market value has seen it mobilized by producers as a mechanism for generating short-term income through sale. As smallholders have sought to establish occupancy claims on increasingly scarce and commoditized land, new forms of conflict have arisen both within rural communities and between them and agents of the central state.

Despite previous attempts by the state to establish commercialized agriculture in Bagamoyo, few local producers have made the shift from subsistence oriented food cropping,
and understanding land as a commodity is new to the coast’s hinterland communities. In the absence of centralized local authority structures the management of rural land falls under the control of individual household units. At the time of the most recent census in 2002, land scarcity was still not a reality in Bagamoyo. Population densities in sampled villages ranged between twenty-four and thirty-six people per km² in the Wami River valley villages of B1, B2, and B4, and around ten people per km² in B3 and B5 further inland along the Dar es Salaam-Moshi highway. This abundance of land and its suitability for currently valuable commodities like pineapple and sugarcane, however, have resulted in sustained in-migration of Tanzanians to the area from more land-short regions. Bagamoyo’s ecological conditions have also attracted the attention of large-scale foreign and domestic investors eager to capitalize on Tanzania’s commitment since 1997 to facilitating foreign investment.

In this context, MKURABITA’s property formalization program is a critical mechanism by which central authorities have renewed efforts to encourage and manage agrarian commercialization. The implementation of property formalization began in Bagamoyo in 2007. Central officials from MKURABITA began by sensitizing district officials on the formalization process, and district land officers were trained by the National Land Use Planning Commission on elements of “planning expertise” and the use of Global Information Systems technology. MKURABITA officials and these newly trained land officers then continued the sensitization process at the village level, meeting with village leaders and Village Council members who then hand-selected members of village measurement and demarcation, and land-use management committees before explaining the benefits of property formalization to villagers gathered at Village Assembly meetings.
Village officials in B1, B2, and B3 all reported apprehensions among villagers in response to the potential changes associated with the reforms. Their concerns were not that formalization was a guise under which the government sought to dispossess local producers, but rather about the prospect of having to pay registration fees and taxes on registered land. Villagers, however, were assured any fees would be agreed upon by Village Assemblies themselves. More broadly, in a context of widely diverse land-use practices and low levels of commodity production the fundamental idea that property itself had value had little resonance with existing understandings of rural property. The task of sensitization in Bagamoyo was one not simply of convincing villagers of potential benefits from formally secured ownership, but of fostering new understandings of land as a productive asset in itself.

Land-use planning in this context has attempted to introduce extensive changes to existing production practices in order to integrate local relations of production into a market-oriented strategy of rural development. Bagamoyo’s dispersed population and spatially consistent low population densities combined with diverse land-use practices have made the district subject to far-reaching planning processes as central authorities have sought to impose efficient land-use practices, unchecked by rural elites who lack the local authority necessary to exert bargaining power vis-à-vis the centre. Figures 4.1, 5.1, and 6.1 are informal village plans depicting variegated land-use practices across Village Land prior to formalization in B1, B2, and B3, respectively. Figures 4.2, 5.2, and 6.2 are the land-use plans prepared by the NLUPC for the same villages during the formalization process, and illustrate central attempts at introducing strictly delimited single-use categories of land throughout the villages.
Figure 4.1: B1 Village Map

Figure 4.2: B1 Village Land-Use Plan
Figure 5.1: B2 Village Map\textsuperscript{11}

Figure 5.2: B2 Village Land-Use Plan\textsuperscript{12}
Figure 6.1: B3 Village Map

Figure 6.2: B3 Village Land-Use Plan
An abundance of bush land has historically facilitated practices of shifting cultivation among numerous plots—the use of which varied across seasons—and common usufructory claims on open land. The new plans have established spatially distinct zones for habitation and small business, agricultural activities, pastoral grazing, public facilities, and savannah, bush, and wetland reserves, and have eliminated usufruct rights on Village Land.

Planning in Bagamoyo has sought to fundamentally alter agrarian landscapes, and aims to again force producers to relocate to designated areas and reorient livelihood practices to a new set of constraints. But understanding the impacts of this process requires investigating the implementation and reception of land-use planning in these particular agrarian localities. The participation of village land-use planning committees is central to MKURABITA and NLUPC’s stated goals of preserving socially embedded patterns of land use while improving local production. Members of these committees, however, characterized their roles not as advising planners on pre-existing practices, but as students of central experts. In B1, committee members described their role as “learning from MKURABITA to be experts and making sure that new practices are continued,”\textsuperscript{15} and in B2, they understood their position as one “at the receiving end of directives.”\textsuperscript{16} In B3, too, committee members noted their role was to be “given knowledge and expertise.”\textsuperscript{17} Instead of advising, committee members in coastal villages described spending most of their time receiving directives and convincing villagers of the need for the new plans.

Land-use planning in Bagamoyo reflects a renewed strategy of administrative occupation in which state officials have attempted to wield power from the centre and impose reform on local populations. In fact, village officials and land-use management committee members across the district noted that village land-use plans had already been designed by the NLUPC when
MKURABITA officials initially arrived in the villages. The Village Chairperson of B2 further described how “even by-laws to govern land use were brought by the government.”¹⁸

While the new plans had to be ratified by Village Assemblies, many villagers in pilot villages admitted to having not actually heard of the plans. Those who had, described Village Assembly votes as a rubber stamp on proposals that would be implemented either way.

Among these smallholders, the most prominent complaint about the plans concerned their lack of consideration of existing land-use practices and boundaries, an issue that has produced new tensions within coastal communities. Members of land-use management committees themselves acknowledged dissatisfaction among villagers concerning inconsistencies between customary practices and the new plans. In all sampled villages in Bagamoyo, cases exist of land previously used for cultivation being categorized for use by pastoralists, or as other types of Reserve Land. Pastoralists too complained of plans requiring them to confine their activities to particular parts of villages. Respondents in B1 discussed both cultivated and uncultivated land being redesignated, and were upset about the lack of flexibility afforded by the land-use plans. One elder was quite frank about his feelings towards the planning process, stating that, “if something tears this village apart, it will be the land committee itself.”¹⁹ Customary boundaries, according to this elder and others in the village, had been ignored by MKURABITA and the NLUPC as pastoralists had been allocated land under cultivation by smallholders who now refuse to move. Planning, he explained, had made farmers poorer as those whose land is redesignated must now purchase more food crops in markets as their land has been diminished.

Responses to land-use planning by smallholders and pastoralists alike reflect increased competition for rural land over which ownership claims have not been previously well defined. The influx of pastoralists to Bagamoyo, particularly since the 1990s, has resulted in the
emergence of land-use conflicts between these pastoralists and smallhold farmers. Attempts by planners to allot and demarcate specific zones for pastoral activities have intensified these tensions and increased animosity between the two groups. Many smallholders insisted that pastoralists—with easier short-term access to cash—must have bribed members of the Village Council and implementation teams to allocate more land for pastoralism than had previously existed.

These tensions were even greater in B2. As in B1, pastoralists had acquired land previously under cultivation, but a discrepancy between the land-use plan and the actual markers demarcating different zones had produced profound suspicion among smallholders that both pastoralists and Village Council members were taking advantage of the formalization process for their own interests. In addition to a large area designated in the plan specifically for grazing, a swath of land in the north of the village had been marked for pastoralist use when demarcation stakes were erected. In the land-use plan this area is explicitly designated for cultivation and also contains a dam that is vital to the village’s water supply, now tainted by cattle. Smallholders willing to discuss the issue noted that those marking land-use zones on the ground were familiar with the plans and existing boundaries, and insisted that the only explanation was collusion between members of the Village Council and pastoralists willing to pay for increased access to village land.20

Unchecked by clearly defined communal structures of authority defining ownership claims to rural property, village elites and council members were subject to deep suspicion by smallholders in all sampled pilot villages regarding the management of Village Land. According to villagers in B2, village leaders began attempting to profit from land’s commoditization as soon as land was legally imbued with market value. At the time of fieldwork, the village had
recently experienced a turnover in village leadership related to a land-related graft scheme. The previous village Chairperson and his allies on the Village Council had facilitated the acquisition of Village Land by a Tanzanian investor and had agreed in the Village Assembly on a per-acre price of Tsh 150,000. It was later revealed that the investor had paid the Village Council Tsh 200,000 per acre, the difference skimmed by the Chairperson, the Village Executive Officer, and some members of the Village Council. Angry villagers took the issue to the District Commissioner who punitively removed the Executive Officer, prompting the Chairperson and his allies to resign from the village leadership in protest. The new council members and Chairperson—a pastoralist—were seen by those sympathetic to the old leadership as seeking retribution for past grievances by altering the land marked for pastoral use in the land-use plan. The Chairperson himself is said to have increased his own grazing area. Following this conflict, local governance in B2 ground to a halt as those opposed to the new leadership boycotted Village Assembly meetings.

Discussions with smallholders here reflected a divided village. Respondents were keen to point blame at others while whitewashing the actions of their own allies as smallholders, pastoralists, and village leaders all sought to carve out advantageous positions as previously undefined property relations were being formalized in the land-use plans. Dynamics of land-use planning implementation across sampled villages in Bagamoyo reveal an increased politicization of land use and the undermining of local accountability mechanisms as opposing interests strategically engage the reform process in their own interests.

The facilitation of large-scale investment in rural land is closely related to land-use planning and reflects another dimension of contemporary administrative occupation in Bagamoyo. A relative abundance of open land and a local ecology suitable for producing raw
materials useful in biofuel production—most significantly sugarcane used for ethanol production—have drawn the attention of both foreign and domestic investors. Land-use planning and the facilitation of investment in this context have become inextricably intertwined as central and district officials attempt to identify and establish authority over rural property suitable for alienation to investors seeking to capitalize on the coastal ecology. Like the planning process, investment dynamics in Bagamoyo reflect attempts by central authorities to assert direct control over local political economies, unconstrained by local communal authorities and elites economically dependent on the state.

Large-scale investment in B1 since the implementation of property formalization reflects this dynamic. In 2010, President Kikwete himself introduced the owners of Tanzanian firm Wami Sugar to Bagamoyo district authorities and instructed them to facilitate the acquisition of land for a sugarcane plantation. District authorities then accompanied the investors to B1 for discussions with the Chairperson and Village Council, at which point district and local officials began the process of identifying suitable Village Land to earmark for the project. Land-use plans were already in place in B1 in 2010, and the GIS data used to construct them provided the topographical legibility necessary for the identification of alienable land. The parcel selected for Wami Sugar’s project came entirely out of land categorized in the land-use plan as mbuga [wetland] Reserve Land, located in the north of the village along the Wami River. Asked why this was the case, an official at MKURABITA’s central offices in Dar es Salaam responded simply that “Reserve Land is easier to take” from villagers as it is legally under the direct custodianship of national government departments.

Village officials were quick to note that the transfer of land was approved by villagers in a Village Assembly meeting. However, smallholders interviewed emphasized that the decision
had already been made from above. They were told by district and village officials of the benefits of large-scale investment—local employment opportunities, better market access, and improved road, health, and educational facilities—and on the day of the assembly vote, representatives of Wami Sugar hosted an elaborate party where food and refreshments were provided in a festive atmosphere. During the meeting, village leaders are reported to have instructed villagers how to vote, and their wetland reserve was redesignated as plantation land on the condition that the project would bring employment and infrastructure improvement. At the time of fieldwork, the land had been transferred but no production had begun. Many respondents were quick to emphasize that the same company had been operating elsewhere under the name Mtibwa Sugar and has been accused of violating its similar contract with host villages, a situation common across Tanzania.

In all, B1, B4, and three other villages in the Wami River valley have lost among them a total of 50,000 acres to Wami Sugar. The acquisition has come entirely out of Reserve Land with the exception of the B4 portion, where the ongoing construction of a village plan has explicitly labeled the land as privately occupied General Land. The case of Wami Sugar demonstrates how the land-use planning associated with property formalization has been employed not simply to ensure the sustainable management of local resources but to facilitate the alienation of Village Land to large-scale investment. Mbuga reservation had been agreed to by villagers in the planning process in consideration of the need for land for environmental preservation and future village expansion. In practice, central authorities’ need to secure land for investment has trumped NLUPC’s stated commitment to stakeholder participation and disregarded local apprehensions toward large-scale investment.
A similar dynamic is playing out in a village nearby B1, home to a former state-owned cattle ranch. The ranch has been fallow since the collapse of villagization in the 1980s, at which point some villagers began to cultivate on the land. In 2010 the 50,000-acre ranch was earmarked as part of the Tanzania Investment Centre’s Land Bank project and plans were made to transfer the farm to a Swedish biofuel company, Eco Energy. Despite demonstrating long-term occupation and use, occupants of the ranch were forcibly removed without compensation. While Eco Energy (formerly known as SEKAB) had to shut down operations in Rufiji District in the south of Coast Region due to protracted conflict with local communities, TIC and central officials have enthusiastically sponsored the company’s return to the region and its acquisition of the ranch land.

Bagamoyo District has become a prime site of large-scale investment following the commencement of property formalization, and central officials and their local agents have capitalized on previously poorly defined ownership claims and a lack of local communal controls over rural property for their own political economic advantage. Smaller-scale investors have also sought to take advantage of this dynamic. In-migration from other regions has led to a rise in demand for plots of land ranging from fifty to a couple hundred acres and small-scale investors have employed their own strategies of land acquisition in attempts to profit from land’s commoditization.

Smallholders throughout Bagamoyo associated this rise in investment activity with the perception that property formalization would increase the legal security of land purchasers. The 1999 Village Land act seeks to prevent land grabbing by limiting individual purchases to fifty acres or less without the involvement of district officials and the approval of an investment plan. But residents in B3 emphasized that many outside investors have employed “dirty tricks,” often
in collaboration with village leaders, to circumvent this rule. Many cited the example of a particular man who had just bought 125 acres of land in the village by reportedly splitting the allocation among several family members. As was the case with larger-scale investment, Village Council members were suspected of facilitating this acquisition for personal gain.28

Respondents were also quick to note that no cultivation had begun on the plot, alluding to another strategy by which even small investors have sought to selectively benefit from property formalization. The 2006 amendment to the land laws confirms that bare land in Tanzania has market value but to ensure land’s most efficient use, strictly prohibits speculation in land markets. Cases of speculation, however, have become rampant in Bagamoyo since 2007.

Smallholders in B3 discussed another case, in which a man who, after hearing that the National Social Security Fund (NSSF) was planning the construction of a training facility along the highway passing through part of the village, bought twenty acres of land along the road for Tsh 20,000 per acre in 2007. In 2011, the land remained vacant and uncultivated, and the man sold it to the NSSF for Tsh 700,000 per acre. According to a member of the village land-use management committee, “villagers saw this and want to mimic.”29

Just as investors have sought to take advantage of the property formalization process, local smallholders themselves have attempted to manage reforms. Their strategies have been selective. In a context of historical land abundance, local property relations have not evolved to manage pervasive risk and vulnerability, and smallholders have not viewed the securitization of ownership claims to property as a necessity. Almost four years into the property formalization process in the district, only sixty percent of residents in B2, and only forty percent in B1 had applied for CCROs. Local officials cautioned that even these numbers are likely to overestimate the extent to which land has been registered as many household have opted to register only one
Boundary disputes among farmers dispersed over wide areas are relatively few, and respondents expressed overwhelming confidence in the security afforded by existing property relations. In fact, concerns about tenurial insecurity tended to be related to changes made during the property formalization process itself, predominantly related to changes associated with the land-use plans.

The concern that dominated discussion with smallholders across Bagamoyo was the recent increase in land-related conflict between farming and pastoralist communities. While many saw the potential for land-use planning to alleviate these tensions by clearly demarcating grazing areas, they were dissatisfied with how the plans were created and implemented and hesitated to register plots that may be on land subject to redesignation in plans made “from above” that ignored local practices. As village, district, and central officials have sought to assert control over local production and attract investment on Village Land, smallholders have sought to retain household control over plots not by registering them, but by hedging on the process and keeping some plots out of view from central officials. Those farmers and pastoralists whose land has been identified as contravening the plans have resisted official demands to relocate and expressed deep suspicions and resentment toward local leaders they saw as self-interested hands of central authorities and unconcerned with village welfare.

Respondents in B1, B2, B3, and B4 all accused Village Chairpersons of simply failing to hold Village Assembly meetings after villagers pressed them on the activities of the Village Councils in relation to planning and investment. In B2, villagers had begun orchestrating walkouts of those meetings that were held to protest the lack of accountability and transparency pervading the administration of Village Lands. Official avenues for addressing disputes tended to be viewed with suspicion. Many respondents argued that established village tribunals require
fees upwards of Tsh 50,000 to meet concerning specific cases and that their decisions are often determined by connections and favours rather than the merits of the case. The historical dominance of TANU and the CCM has stifled opposition politics in Bagamoyo and, in the absence of a competitive political arena, leadership candidates for local office are selected within the CCM party apparatus. Once in power, local leaders tend to be seen as obedient extensions of central and district authorities.

Property formalization has produced new political tensions as national, district, and village authorities, investors, pastoralists, and smallhold farmers have all sought to strategically engage the reform process. General receptions of formalization among smallholders interviewed in Bagamoyo were largely critical. However, they have also attempted to profit where possible from the formalization of ownership claims to newly commoditized land and the opportunities provided by CCROs. One of the major benefits of CCROs communicated to smallholders in the sensitization process was their potential use as collateral for loans, facilitating improved access to commercial credit markets and allowing even poor households to access the capital needed to intensify agricultural production. The absence of commercialized agriculture and established rural credit facilities in the district means that credit has been beyond the reach of most, and the prospect of using CCROs to open up new avenues of access to financial resources elicited enthusiastic responses.

The vast majority of able-bodied respondents in sampled villages saw the use of CCROs as collateral as a viable strategy for accessing resources at a time when the costs of inputs, education, and healthcare are steadily rising. Many expressed interest in using loans not only for generating income by investing in farming inputs and small businesses, but also to cover school fees and healthcare costs. Asked about the risks of default, respondents tended not to be
concerned, explaining that they would take loans small enough that they would only lose a portion of their land, or that they would find some way to service the loan in the event of trouble.\textsuperscript{33} Few had previous experience with borrowing and the vast majority were uninformed about potential sources of credit or the terms, conditions, and rates applicable in commercial credit markets. In a context where historical land abundance has limited the risks and vulnerabilities faced by local producers, few approached credit markets with caution, and enthusiasm ran high despite low awareness of lending procedures and risks associated with the use of commercial credit.

Bagamoyo’s historical lack of commercial agriculture and rural credit institutions, however, means that, despite this enthusiasm, the infrastructure necessary for farmers to access credit is weak. No primary AMCOS facilities provide an institutional foundation for effective local SACCOS institutions and, although a SACCOS branch was established in the Wami River valley in 2001, only a small fragment of farmers have used the service. Moreover, SACCOS loans and those available from the state-owned National Microfinance Bank in Bagamoyo town are issued only for small business ventures due to the risks associated with agricultural lending in an area of inconsistent rains and low yields. Still, default rates at these local banks, according to managers, exceed sixty percent.\textsuperscript{34} The lack of existing infrastructure means access to commercial credit for agricultural investment and poverty reduction in the coastal hinterlands remains limited, and an uninformed clientele means that commercial credit has the potential to undermine rural livelihoods.

Effectively mobilizing land as collateral for credit may be difficult in Bagamoyo, but if a producer is unable to make use of credit to maximize productivity on his or her land, property formalization seeks to provide the means by which that land may be transferred via market
transaction to someone who is. Existing property relations have shaped perceptions of this option and its employment. Where centralized communal authority has not been necessary to govern the allocation and disposition of rural land, land holdings have been easily acquired or expanded. Additionally, shifting cultivation, and communal burial areas have limited the strength of the connections between households and particular plots of land. The new understanding that land has value and the exponential increase in the price of land since the initiation of property formalization has resulted in a great volume of land sales, unchecked by communal constraints.

Much like rural credit, the sale of land has come to be seen by smallholders across Bagamoyo as a key strategy by which to generate the financial resources necessary to access educational and health facilities and to afford increasingly expensive farming inputs. The sale of plots, in part or in total, has become commonplace—even rampant—throughout the district, respondents consistently noting the increased frequency of these transactions. Some acknowledged that they had, in fact, already sold sizeable portions of their own land.35

The idea of land having monetary value in itself is new in Bagamoyo, but smallholders have been quick to adjust their thinking and have begun to employ old ideas in their strategies for asserting ownership claims over newly valuable land for the purposes of selling it to the many outsiders who continue to migrate to the area. While lineages and households used to claim rights to large swaths of land—sometimes covering several villages—claims over these nchi waned first with the colonial imposition of hut taxes and later with the relocations of the ujamaa period that forced many households into village settlements. Many households have remained in these new villages, but since the initiation of property formalization in the area many villagers have sought to reclaim ownership rights over bush land in their customary nchi—now known popularly as kitongo land—after decades and generations of absence. In many cases, these
renewed customary claims conflict with occupancy claims of people who have since begun cultivating or settling that land in the interim, leading to contested ownership among two or even more parties.

District and village officials noted that the sale of *kitongo* land has tended to occur in informal land markets, and saw formal titling as a way of mitigating conflicts arising from the sale of land over which ownership claims are contested.\(^{36}\) However, CCROs seem to have had little bearing on selling practices. While registered land can fetch a higher market price, administrative delays in the issuing of certificates has meant that many who did apply for them have wound up selling their land before the processing of the CCRO, creating administrative confusion in settling ownership claims and calling into question the security afforded by these new documents. Smallholders have tended to register their homesteads, but many have sought to maximize their abilities to profit from other plots of land by hedging their bets in informal markets.

Historically low levels of commercialization have not hindered—and may have even facilitated—the rapid commoditization of land during the course of MKURABITA’s property formalization project in Bagamoyo. In B2, the Chairperson lamented that “people don’t care what MKURABITA says. They just want land.” According to him, “the root cause of the problem is the *kitongo* issue.”\(^ {37}\) Even in the absence of centralized structures of authority over rural land, dynamics of property rights reforms in Bagamoyo demonstrate the renegotiation of ownership claims and property relations in the face of political and economic change and the ways in which historically embedded but fluid understandings of land shape the strategies by which producers have sought to manage and harness contemporary reforms in their own interests.
Central strategies of property rights reform on the coast have involved renewed efforts at administrative occupation as central authorities have sought to wield power from the centre in attempts at managing the process of agrarian commoditization. But smallholders in Bagamoyo have sought to harness these reforms in their own interests, drawing on old understandings of ownership claims to secure short-term monetary gain in a context where such claims have been historically weakly defined and subject to no communal constraints. The result is a paradox. While property formalization aims at improving the security of tenure necessary for long-term investment in agricultural production, many smallholders interviewed expressed worry for future generations’ access to land in Bagamoyo. Youth are finding themselves landless after their parents have sold family land and investment and land-use planning has closed once open land frontiers. According to many, tenurial insecurity has been introduced, not mitigated, by property formalization as central authorities, their local agents, investors, pastoralists, and smallholders have all sought to harness reforms in the absence of effective communal management of increasingly scarce land.

*Markets and Political Coalitions in Contemporary Bagamoyo*

Particular ecological conditions and the organization of local authority that has evolved within them have shaped both central strategies and local receptions of contemporary property rights reform in Bagamoyo District. The coastal political economy has been defined since the nineteenth century by open land frontiers and the ability of local communities to expand and diversify land holdings in response to constraints related to soil fertility and climate. In a context of land abundance, shifting cultivation practices and local migration rather than intensive agricultural production have been historically dominant in securing agrarian livelihoods, and no centralized communal authority was necessary to manage risk in the absence of scarcity.
Commercialized agricultural practices did not emerge from within the local political economy and land was not understood as a scarce or valuable asset. Property formalization has changed this understanding of rural land as central authorities have attempted to reshape relations of property and production, but embedded local understandings of rural property have set the parameters within which property rights reforms have played out.

Central authorities have sought to promote commercialized agriculture through the establishment of legally formal land and credit markets and, unhindered by local communal structures imbuing rural elites with bargaining power vis-à-vis the centre, have exercised central power to facilitate the reorganization of local production and the acceleration of large-scale investment on sparsely populated land. Local ecological conditions and authority structures explain the character of central reform strategies in Bagamoyo, and have also shaped local receptions of reforms and the nature of contemporary political relationships linking state and countryside on the coast.

Individualized and formalized property relations are at odds with local practices in ecological conditions that have made the clear definition of ownership claims to land unnecessary, and the idea that land has monetary value is new in an area historically lacking commercialized agriculture. However, the existence of large areas of open land in Bagamoyo has resulted in the district becoming a prime target for external actors seeking to acquire land for large-scale, capital-intensive agricultural projects. This trend has been accelerated by the area’s climatic suitability for pineapple and biofuel production and the current demand for these products in global markets. Rural elites cannot rely on structures of communal authority as a source of political or economic power and have positioned themselves as agents of the central state in attempts to benefit from agrarian commoditization. An influx of foreign and domestic
investment, both large- and small-scale, has accompanied property formalization as investors have sought to capitalize on land’s availability in the district. Land has become economically valuable and is being rapidly commoditized as a market asset.

The character of land markets in Bagamoyo, however, has not been defined by outside investment alone. Responses to property formalization by local producers, themselves attempting to harness reforms in their own interests, have factored significantly into land’s commoditization. Facing new risks and opportunities, local property relations have evolved. Smallholders discussed accessing land in the past by cultivating bush land or acquiring land—often at no monetary cost—from a “friend.” Since property formalization began, the price of an acre of land in sampled villages across the district has risen from literally nothing aside from “unexhausted improvements” to between Tsh 400,000 and Tsh 1,000,000. Particular plots of land have had little social value in a context of open frontiers and land abundance, and as economic liberalization has made cash-in-hand necessary to access social services, land sales have become a crucial mechanism by which subsistence-oriented smallholders have sought to access resources and survive in a commoditized agrarian economy.

Increased demand for local properties has facilitated the rapid marketization of rural land as its monetary value outstrips its social value. Property relations are being transformed, but the ways in which smallholders have attempted to establish ownership claims over now-valuable land are embedded in local understandings. Decades and generations after the local concept of an nchi had ceased to function as an ownership claim, individuals have attempted to reclaim ownership rights over kitongo land and mobilize it for sale to a growing supply of outside buyers. Even without providing ownership claims defined and enforced within communal
authority structures, local understandings of land have shaped the ways in which producers have sought to manage reforms.

These strategies by which smallholder have sought to manage and harness reforms, however, have themselves contributed to new forms of conflict and insecurity. While respondents across Bagamoyo District expressed confidence in their tenurial security under pre-existing property relations, the rush to assert ownership rights over open land with the onset of property formalization and related instances of overlapping and conflicting claims to particular areas of land have led to an increase in conflicts within coastal communities and decreased confidence in tenurial security. Moreover, as individuals sell off plots of land for short-term monetary gain, family members and in particular youth are increasingly finding themselves landless, with no source of agrarian livelihood, and are forced into the urban labour markets of Dar es Salaam. Property formalization aims at establishing incentive structures for producers to increase investment on rural land by securing ownership claims in legal documents but, in Bagamoyo, the process has paradoxically introduced new forms of tenurial insecurity.

New insecurities related to land’s commoditization are not limited to its sale or expropriation. The mobilization of land as collateral in commercial credit markets too has introduced new risks in a context where the disposition of land is subject to few communal constraints. Producers’ access to credit has historically been extremely limited on the coast where a lack of commercialized agriculture has produced weak financial infrastructure. The notion of mobilizing the new market value of land as credit in the formal banking sector has been well-received by producers struggling to access resources, and the vast majority interviewed saw the practices as a great potential benefit. Many economically disadvantaged farmers discussed credit as an effective way to stave off financial misfortune but, rather than using it to invest in
intensive agricultural production, many discussed borrowing as a short-term strategy for covering rising school fees and medical costs, or to build improved housing. While potentially productive in the long run, these practices raise important questions about the viability of credit as a means of economic improvement.

Few respondents demonstrated informed knowledge about the terms, conditions, and rates that may apply. Many could not say where they would access credit and one respondent noted he would go with his CCRO to “anywhere that would take it.” Few were familiar with the risks associated with collateral-backed loans and many were unaware that default could lead to dispossession. One respondent insisted that banks would “be nice” and offer flexibility in the case of difficulty servicing a loan, while others simply said they would sell land in efforts to pay. Enthusiasm is high for credit access in Bagamoyo, but facilities are weak, and the high potential for default risks exacerbating the insecurities introduced by land’s commoditization while undercutting the base of the region’s subsistence economy.

Both state strategies for reform and their receptions among local producers have been shaped by ecological conditions and the local organization of authority that has evolved within them, and are critical to explaining the character of markets in contemporary Bagamoyo. These dynamics also help explain the nature of contemporary political coalitions in the district as central, village, and district authorities, investors, pastoralists, and smallholder farmers all attempt to harness rural commoditization in their own interests. Where no centralized communal authority exists over rural property and production and rural elites lack economic independence from central authorities, Boone (2003) predicts central strategies of non-incorporation or administrative occupation, the former where no cash crop economy exists and the latter where authorities have attempted to bring cash cropping under central control by constructing state
institutions “suspended above” localities to wield power at the local level. While a cash crop economy has been historically absent in Bagamoyo, central authorities have employed strategies of administrative occupation to promote one. State-building in the *ujamaa* period reflected this as centrally designed villagization was imposed on local communities coerced into model village settlements, but dispersed populations made use of open land frontiers to evade this assertion of central power.

Property formalization has marked renewed attempts at administrative occupation and the same local conditions that hindered the implementation of villagization have facilitated attempts at imposing rural commoditization. Land-use planning has been employed by central authorities to identify open land suitable for large-scale investment, and local elites unable to marshal political and economic power are anxious to collaborate with central authorities to secure their own interests. The weakness of opposition parties in Bagamoyo means local leaders are selected within the central party apparatus and remain unaccountable to the demands of local communities. Lacking bargaining power vis-à-vis the centre, local elites are on the receiving end of central directives but have sought to secure personal benefit from the influx of investment to the area.

In this context, villagers have come to view local political structures with contempt. Village Assembly meetings are seen as futile endeavours as leaders have been unreceptive to suggestions and complaints from the assemblies. In the historical absence of ecological scarcity forcing communal management of agrarian resources, elite interests are not embedded in collective ones, and just as these elites have pursued their own interests in the course of property formalization, so too have villagers themselves. A scramble to assert ownership over rural land not previously subject to clearly defined claims has resulted from villagers’ attempts to profit
from newly valuable land and has introduced a new dimension of conflict not simply between villagers and local leaders but among villagers themselves. Frantic attempts by smallholders and pastoralists alike to secure their interests in a rapidly changing agrarian context has given rise to emerging trends of competing ownership claims over single areas by multiple smallholders, as well as intensified land-use conflicts between smallholder and pastoralist communities.

Alongside increasing conflicts between villagers and local elites has occurred a deterioration of social relations among local populations themselves. Bagamoyo lacks clearly defined structures of communal authority to manage risk and define local property relations, and as central interest in exploiting the district’s arable land has intensified, central authorities and their district and local agents have aligned with investment interests against local constituents, themselves becoming more and more politically and socially fragmented.

I have argued in this chapter that dynamics of property rights reform in Bagamoyo have been shaped by parameters of the area’s own ecological conditions and structures of communal authority. Property relations in the area have been rapidly renegotiated in the face of political and economic change. Rather than securing local property rights, property formalization has introduced new risks and insecurities where few communal mechanisms are capable of managing them, resulting in new forms of conflict as rural elites and producers all seek to harness reforms to protect themselves in an agrarian context subject to rapid commoditization.

CHAPTER FOUR NOTES

1 General discussions with elder generation smallhold farmers, B1 (23 – 29 May), B2 (30 May – 7 June), B4 (20 – 21 June), and B5 (22 June – 27 June) Villages, Bagamoyo District, Coast Region, 2011.

2 Interviews: Village Executive Officer, B3 Village (13 June), and Bagamoyo District Land Officer, Bagamoyo Town (3 May), 2011.

3 General discussions with elders, B1 (23-29 May), B2 (30 May – 7 June), and B4 (20 – 21 June) Villages, 2011.
Interview: Bagamoyo District Assistant Cooperatives Officer, Bagamoyo Town, 10 August 2011.

Manager, Ward Savings and Credit Cooperative Society (SACCOS), near B1, B2, and B4 Villages, August 2011.

Interviews: Bagamoyo District Land Officer, Bagamoyo Town (3 May) and Director General, National Land-Use Planning Commission (NLUPC), Dar es Salaam (13 May), 2011.

Interviews: Village Executive Officer and Village Chairperson, B1 Village (23 May), Village Executive Officer and Village Chairperson, B2 Village (30 May), and Village Executive Officer, B3 Village (13 June), 2011.

Figures 4.1, 5.1, and 6.1 have been altered to remove specific place identifiers. Village and hamlet names have been redacted, along with specific place markers.


Group interview with Members of Village Land Committee, B1 Village, 23 May 2011.

Group interview with Members of Village Land Committee, B2 Village, 30 May, 2011.

Interview: Member of Village Land Committee, B3 Village, 13 June 2011.

Interview: Village Chairperson, B2 Village, 30 May 2011.
Interview: smallhold farmer, B1 Village, 27 May 2011.

Only approximately half of smallholder respondents in B2 were comfortable discussing the issue in interviews, B2 Village, 30 May – 7 June 2011.

General discussions in interviews with smallhold farmers and discussions with pastoralists, B2 Village, 30 May – 7 June 2011.

Interviews: Director General, National Land-Use Planning Commission, Dar es Salaam (1 February), and Legal Assistant (Research and Training), MKURABITA (29 April), Dar es Salaam, 2011.

Interview: Bagamoyo District Land Officer, Bagamoyo Town, 3 August 2011.

Interview: Legal Assistant (Research and Training), MKURABITA, Dar es Salaam, 29 April 2011.

Discussions in interviews with Village Chairperson and Village Executive Office (23 May), and smallhold farmers, B1 Village (23 – 29 May), as well as with Village Chairperson (20 June), Village Executive Officer (21 June), and smallhold farmers (20 -21 June) in neighbouring B4 Village, also containing land acquired by Wami Sugar, 2011.

Interviews: Director of Surveys and Mapping, and Global Information Systems (GIS) Officer, Ministry for Lands, Housing, and Human Settlement Development (MLHHSD), Dar es Salaam (1 August), and Director of Policy and Planning, NLUPC, Dar es Salaam (2 August), 2011.

Interviews: Director for Surveys and Mapping, Ministry for Lands, Housing, and Human Settlement Development (MLHHSD), Dar es Salaam (1 August), Director of Policy and Planning, NLUPC, Dar es Salaam (2 August), and Bagamoyo District Land Officer, Bagamoyo Town (3 August), 2011.

Interviews: smallhold farmers, B3 Village, 13 – 18 June 2011.

Interview: Member of Village Land Committee, B3 Village, 13 June 2011.

Interviews: Village Executive Officer, B1 Village (23 May), Village Executive Officer, B2 Village (30 May), 2011.

This was a common response from smallholder respondents across sampled pilot villages: B1 Village (23 – 29 May), B2 Village (30 May – 7 June), and B3 Village (13 – 18 June), 2011.

General discussions in interviews with smallholder respondents, B2 Village, 30 May – 7 June 2011.

General discussions in interviews with smallholder respondents across sampled pilot villages: B1 Village (23 – 29 May), B2 Village (30 May – 7 June), and B3 Village (13 – 18 June), 2011.

Interviews: Manager, Ward SACCOS near B1, B2, and B4 Villages (August), and Manager, Bagamoyo National Microfinance Bank (NMB), Bagamoyo Town (24 June), 2011.

General discussions in interviews with smallholder respondents across sampled pilot villages: B1 Village (23 – 29 May), B2 Village (30 May – 7 June), and B3 Village (13 – 18 June), 2011.

This issue was particularly evident in B1 and B2 Villages. Interviews: Village Chairperson, B1 Village (23 May), Village Chairperson, B2 Village (30 May), Bagamoyo District Land Officer, Bagamoyo Town (3 May), 2011.

Interview: Village Chairperson, B2 Village, 30 May 2011.
38 Interview: smallhold farmer, B2 Village, 30 May, 2011.

39 Interview: smallhold farmer, B1 Village, 23 May 2011.
CHAPTER FIVE

CONCLUSION: THE MICRO-POLITICS OF AGRARIAN CHANGE

State power is not exercised on an open field of play. The local organization of power across agrarian contexts has shaped not only the institution-building strategies of central states but also their receptions by local elites and producers. This recognition is crucial to understanding what states do and, more importantly, their capacities to implement central designs. Market-oriented property rights reforms are part of a general response to the perceived crisis of the African state and have been implemented across the continent since the 1990s in attempts at establishing the institutional bases for market-led development. Dominant development discourses identify these reforms as one element in a set of “best practices” to be pursued regardless of particular national circumstances. In reality, however, there is no such thing as “one-size-fits-all” institutional reforms. They play out differently depending on particular trajectories of national development and the local contexts that have historically shaped the institutional mechanisms linking centre and local in African political economies.

I have argued throughout my dissertation that local ecological conditions produce risk environments that give rise to different forms of rural political organization managing varyingly scarce agrarian resources. Ecological contexts and the relative concentration or deconcentration of local political authority within them have shaped the construction of national property rights regimes and the central strategies for implementing them in particular agrarian locales. Local organizations of authority also provide the frameworks within which both local elites and producers receive and seek to manage and harness institutional reforms in their own interests, critically impacting the capacity of the state to implement strategies of agrarian transformation. Market-oriented property reforms are referenda not only on the role of markets, but also on the
very nature of political authority and the character of the state in contemporary Africa (Boone 2007). I have attempted here to substantiate this claim by investigating the implementation and reception of these reforms in two agrarian localities in Tanzania, and the impact of different local political contexts on the character of markets and political contestation in the contemporary countryside.

My aims have been twofold: to extend Boone’s (2003) analysis of African state-building strategies in the decades following independence to the contemporary era of market-led development, and to go beyond central strategies to their implementation and receptions in local contexts. Together, these concerns lead to refined analysis of market-led development by identifying how the organization of local power has continued to shape the ways in which the central state has sought to affect agrarian transformation and how receptions at the local level explain the capacities of state authorities to carry out far-reaching institutional reforms.

I have built on Bates’s (2001) analysis of the ecological conditions that give rise to centralized structures of communal authority to manage risk in particular ecological contexts. But while Bates’s story is one of a linear transition from violence to prosperity and from property rights regimes of access to accumulation (also see Bates 1989), I have drawn on Berry (1993a; 1993b; 2002) to examine the ways in which such transitions are not necessarily linear. By analyzing how property rights reforms have played out within local structures of authority, I have shown that agrarian property relations have acted as regimes of both access and accumulation, and have shaped the nature of contestation in the course of market-oriented reform. Implications are extensive. Examining the limitations of state power in contemporary countrysides exposes broader limitations to the use of macro-level analyses for understanding
what states do, their capacities to do it, and the nature of contestation and accumulation in contemporary rural Africa.

In this concluding chapter I draw together my findings and their implications. I show that contemporary reform strategies are not entirely new but build on previous attempts by central authorities at rural institution-building, and that outcomes of reforms are a function of the structures of authority that manage agrarian resources at the local level. I identify the implications of my analysis for understanding the nature of markets and accumulation, and the local-centre political relationships that define the character of the contemporary state. I conclude by extending implications to the analysis of macro-processes of state-formation, agrarian commoditization, and institutional change, arguing that understanding these processes requires situating analysis in the empirical realities of the rural contexts in which state power is anchored and contested.

State Strategies and Local Structures

Dominant approaches to development focus on what states do and, more specifically, what states should do to facilitate economic growth in agrarian societies. These approaches have evolved from emphasizing an active role for the state in managing economies during the 1960s and 1970s to promoting the retrenchment of the state to facilitate the operation of free and efficient markets by the 1980s. Since the 1990s, however, this states-versus-markets approach has given way to a states-and-market approach, in which attention has turned to the political and social institutions necessary to underpin market mechanisms. Each of these approaches proposes a specific set of imperatives guiding state involvement in the economy, but the reality is more complex. States are constrained in their abilities to implement prescriptions of dominant development discourses by the particular institutional arrangements that have historically linked
state and countryside and the rural political structures in which state power is locally anchored. Questions about the implementation of prescriptions emanating from dominant discourses are questions about state capacities. Directing attention to states’ attempts at projecting power across diverse hinterlands highlights implications for strategies for reform at the national level as well as strategies for implementing them in particular agrarian contexts.

Far from a uniform process of “institutional monocropping” (Evans 2004, 2005; Dunning and Pop-Eleches 2004; Mkandawire 2009), national strategies for market-oriented property rights reform have varied considerably across African countries. While Zambia, Uganda, and Malawi have pursued the full privatization of rural property rights and Côte d’Ivoire, Senegal, and Niger have sought to strengthen communal rights to land, Tanzania has pursued a strategy of institutionalizing user rights by securitizing occupancy claims of smallholders without pursuing the full privatization of ownership (Boone 2007). Tanzania’s unique strategy of property rights reform is explained by the country’s own historical experiences with institution-building and the particular spatial contexts in which rulers have sought to extract surplus from agrarian economies.

The Tanzanian user rights regime is a product of the historical need for central authorities to draw revenue from ecologically diverse rural contexts, each characterized by a different balance among peasant and settler agrarian sectors. Colonial rulers constructed a dualist rural property rights regime in which settler rights in areas ecologically suitable for plantation economies were enshrined in legally and contractually secure property rights, while the rights of peasants were informal and governed by administrative fiat, allowing colonial authorities to manage African property relations depending on the economic needs of the state in particular contexts. Markets and force were two sides of the same coin, and the dualist property rights
regime was inherited “lock, stock, and barrel” (Shivji 2009a) by independence rulers themselves faced with the need to balance commercial and peasant sectors across a diverse countryside. The institutional legacies of Tanzania’s colonial and independence era property rights regimes have set the framework within which contemporary reforms have been designed. The rights of large scale investors continue to be contractually protected under formal law, while smallholder rights are governed under a distinct set of rules still subject to the ultimate authority of the state.

This particular institutional arrangement governing property rights in contemporary Tanzania has continued to facilitate variations in the way central authorities have sought to exert power in different local contexts. Boone’s (2003) analysis of how particular local authority structures have shaped the state-building strategies of rulers in specific agrarian localities explains well the dynamics of institution-building in early independence Moshi and Bagamoyo Districts. I have extended Boone’s framework to contemporary property rights reforms and the ways in which previous strategies of local state-building have set the parameters of these ongoing reforms. In Moshi, central authorities of the early independence era attempted to usurp local authority by subsuming a dense network of local marketing institutions into the state apparatus while abolishing chiefly authority over the allocation of rural resources. These efforts, I argue, failed to displace communal authority over rural property, and property relations remained governed within local power structures. Property formalization is a renewed attempt at usurpation, this time seeking to wrest authority over property out of communal control and anchor it in market mechanisms. Established marketing institutions have been mobilized in an attempt to facilitate land’s use as a commoditized asset in commercial credit markets as well as to transfer former estate land into the hands of large-scale investors for capital-intensive agricultural projects.
In Bagamoyo, independence era state-building reflected state strategies of administrative occupation whereby central authorities sought to exercise direct power over rural communities and production to promote the adoption of intensive and commercial farming where none existed. Not having to contend with established structures of communal authority, central authorities directed the construction of model villages in which producers would be forced to engage in commercial agriculture on village farms under the direct supervision of agents of the central state. This strategy, too, failed as producers made use of open land frontiers and a lack of communal authority over land allocation to exercise their exit option from state-governed agrarian life. Those who complied with state directives retained their subsistence orientation and central attempts to promote collective work on commercial farms were unsuccessful. The terms of administrative occupation, however, have changed with Tanzania’s economic liberalization. Dispersed populations and land abundance have provided an ideal location for central authorities to earmark open land for large-scale investment in attempts to benefit from transnational agricultural production while reordering local populations and production practices by way of central directives, made possible by an absence of effective communal authority and clearly defined claims to rural property.

Strategies of property rights reforms at both the national and local levels in Tanzania have been constructed within the institutional frameworks established by previous property rights regimes and the need to exercise central authority over rural contexts differing in ecological endowments and the organization of rural authority. These central strategies are a critical element for understanding the nature of contemporary property rights reforms in Tanzania but alone are insufficient for explaining the realities of reform on the ground. The same structures of local authority that have shaped central strategies also provide rural actors with
different resources for managing the reform process in their own interest and different capacities to shape reform outcomes.

*Local Structures and Reform Outcomes*

The recent literature on the implementation of property rights reform in Africa emphasizes the need to examine the local dimensions of reform and the diversity of struggles and conflicts associated with altering property relations in particular contexts (Manji 2001, 2006; Berry 2002; Peters 2004). My dissertation has taken up this task. Going beyond central strategies of reform, I assign real analytical weight to role of local communal structures in providing both the material power and the symbolic economies that together define the frameworks within which local elites and producers receive and manage the reform process, and ultimately shape reform outcomes on the ground. Property rights reforms in Tanzania have sought the commoditization of rural land in state sanctioned and legally formal land markets, as well as the mobilization of land’s value as collateral in commercial credit markets. The receptions of reforms by producers within local communal structures have shaped the character of these markets and the forms of contestation resulting from central attempts at promoting agrarian commoditization.

In ecologies of scarcity, the organization of local authority is a response to the need to manage risks associated with scarcity and competition over resources. The embedding of property relations first within chiefly and subsequently within lineage authority structures in Moshi District is a form of security provision, defining claims to land and other scarce agrarian resources. Contemporary property rights reforms have been received within these evolving structures of authority that have provided a framework within which reforms have been selectively employed and limited in their impacts by rural producers. The formalization of
ownership claims to rural property has been well-received as smallholders are eager to protect land-holdings in the face acute scarcity and endemic boundary disputes, and the impacts of land-use planning have been limited by high population densities and intensive agricultural practices making far-reaching reforms to local production practices unnecessary.

While smallholders in an ecology of scarcity have jumped at the opportunity to secure ownership claims with legal documentation, communal structures of risk management have conditioned the use of formal documents by individual producers. Ideas of using land as collateral for commercial credit and of disposing of land-holdings through market mechanisms have been understood through lenses shaped by the organization of local authority and collective concerns over the retention of land held within lineage structures. The risk of losing land as a result of credit default or sale is seen by most to outweigh the potential benefits of these options. Even as commercialized agricultural practices have resulted in understandings of land as an economic asset, the need to ensure access to scarce land for future generations has resulted in authority over property remaining embedded in lineage hierarchies. Property relations in Moshi District do not exist in isolation from markets—market value is high and sales are known to occur—but where communal structures of authority have arisen to manage the risks of scarcity, formalization does not necessarily lead to land’s mobilization as an individual economic asset.

Where populations are dispersed over abundant land and open land frontiers facilitate adjustment to ecological conditions and political or economic risks, structures of communal authority are unnecessary for managing agrarian resources, and receptions of property rights reforms have led to considerably different outcomes. In Bagamoyo District, ecological conditions and land abundance have not forced producers to intensify production, and subsistence orientation predominates. Shifting cultivation and patterns of local migration have
meant that particular parcels of land are not imbued with social value or, until recently, economic value. As economic liberalization has introduced new risks and pressures to producers who now need resources to pay for social services and farming inputs, the imperative has not been to protect land from market forces, but to mobilize it to generate new avenues for access to economic resources. In the absence of communal risk management mechanisms, individual producers face few constraints on the disposition of land and have sought to profit from land’s new economic value and high demand from in-migrating Tanzanians and large-scale investors.

Open land exists, and local production not managed within local authority structures has facilitated the state’s use of land-use planning as a tool for reordering production practices while identifying areas of land to be alienated for capital-intensive commercial agricultural investment as global market trends and domestic demographic shifts have led to an influx of foreign and local investors. The associated increase in demand for land in this context has led to a sharp spike in the per-acre monetary value of rural property. But while central authorities and investors have sought to capitalize on property rights reforms, so too have smallholders, themselves seeking to benefit from previously poorly defined ownership claims. These local producers have attempted to profit from property formalization by selling newly valuable land for cash-in-hand or mobilizing it as credit, regardless of the risks involved. Registration has been selectively employed as smallholders have registered small homesteads—in many cases because formal documentation can increase the value of a plot—while asserting claims to unused land in attempts at profiting from its sale before these often contested claims can be confirmed. In the absence of local authority structures to manage risk, agrarian commoditization has been rapid as locals, investors, and agents of the central state all seek to profit from opportunities arising from economic change.
The character of rural land and credit markets and the ways in which local elites and producers have attempted to manage and harness reforms have shaped how contemporary property rights reforms have been insinuated into local politics and local-centre relations. Property formalization is a mechanism by which central authorities have encouraged rural commoditization and sought to establish the incentive structures necessary for facilitating large-scale investment on rural land. Communal structures of agrarian risk management within ecologies of scarcity have provided the frameworks through which local elites and producers have attempted to protect their own interests during this process. The authority of elites in such contexts is embedded in these structures. Their own ownership claims and strategies for mitigating risk are defined within existing local property relations and their economic independence from central authorities results in incentives for elites to maintain the communal bases of their political authority and economic livelihood.

In these contexts, the implementation of property formalization has introduced new tensions between two coalitions, each with a distinct set of interests and reflecting different ideas about imperatives of economic development and who the key agents of policy formation and implementation should be. On the one hand, the interests of central authorities and their district-level agents, seeking to enhance state revenue, align with those of foreign investors intent on generating access to scarce fertile land for capital-intensive commercial agricultural production. On the other hand, local elites and smallhold farmers have aligned in attempts at protecting their common interests in communal structures of risk management that help to ensure continued access to scarce agrarian resources. They have resisted the transfer of local land out of the hands of village authorities and into those of private investors. Central authorities have attempted to usurp the power of local elites by removing property relations from the customary domain and
subordinating them to market mechanisms. However, centralized structures of communal authority have provided the political means for local elites and producers to mobilize against the central state in attempts at retaining local control over agrarian resources. In usurpation’s place are new forms of centre-local contestation and conflict.

Attempts by the state to promote agrarian commoditization have also impacted local political relationships and centre-local relations in contexts where centralized communal authority has not been necessary to manage agrarian resources, but the character of political coalitions here is distinct. Local elites have no basis of authority over people and production and find themselves economically dependent on the central state. As central authorities have sought to capitalize on the existence of open land by facilitating its transfer to large-scale investors, local elites have attempted to secure personal gain from the process, unencumbered by concerns of collective risk management where abundance, not scarcity, has been the historical norm. Local producers too have attempted to protect their own interests, taking advantage of poorly defined pre-existing ownership claims to rural land by asserting new claims to open land as a means of accessing financial resources in a context of increasing demand and scarcity.

Political coalitions here reflect forms of contestation and conflict different from those experienced where a more centralized organization of local authority has provided the means for local communities to effectively manage the reform process. Local elites have aligned with central and district authorities in attempts to profit from increased demand for land associated with the influx of investment and in-migration. This local-centre relationship has produced new conflict between local leaders and rural communities. Smallholders and pastoralists have attempted to protect their own interests, but their strategies, too, have given rise to new forms of conflict between and within these communities. The scramble to assert ownership claims over
newly valuable open land has led to increased land-use disputes between farmers and pastoralists as land scarcity increases, while smallholders’ attempts at asserting claims to long unused plots have introduced tensions within farming communities as conflicting and overlapping claims have become common. Property formalization has introduced new dimensions of agrarian risk and, in the absence of well-defined understandings of property ownership and mechanisms of risk management, local communities are becoming increasingly fractious. The interests of local leaders conflict with those of their constituents, and rural communities themselves are faced with new internal tensions as individuals seek to profit from agrarian commoditization as land frontiers are closing and rural land scarcity is becoming reality.

While political cohesion within centralized structures of communal authority has allowed local leaders and communities to manage agrarian commoditization and assert their interests with a unified voice vis-à-vis state authorities, increasingly fragmented interests within communities lacking a well-defined organization of local authority have pitted local leaders against rural producers, themselves divided in their interests, as commoditization has accelerated in the absence of cohesive organization and resistance. Receptions of property formalization in distinct agrarian contexts have shaped the character of the state at the local level and the nature of local political dynamics that predominate in contemporary African countrysides. Implications for broader understandings of agrarian change on the continent are significant. I conclude in the next section by exploring them.

Micro-processes and Macro-implications

Market-oriented property rights reforms are central to dominant discourses of development that aim to establish the political and social institutions underpinning successful capitalist economies, and are being implemented in over twenty African countries as one aspect
of “best practices” for achieving market-led development. They are a product of macro-level understandings of the nature of the state and its appropriate role in fostering economic growth in globalized economy, but their implementation has varied considerably both across and within African states. In reality, macro-processes play out in micro-political contexts. The character of state authority, state capacities to implement far-reaching institutional reforms, and the nature of economic accumulation are critically shaped by the local political arrangements that set the parameters within which political power is exercised and economic change is managed. The micro has macro-implications. Questions about state power and economic accumulation are empirical questions, the answers to which must be grounded in local realities.

Macro-level typologies of the character of states—their embeddedness and autonomy, their developmentalism or predation—must consider the ways in which state power and capacity is defined by the local organization of authority in particular spatial contexts within a state’s territorial domain. Embeddedness is a function of centre-local relations that differ across space according to the arrangements of local authority seeking to mitigate risk and protect agrarian livelihoods under specific ecological conditions. Autonomous decisions at the centre are not made in isolation of considerations of the periphery, and their implementation is checked by local interests and the strategies by which agrarian communities attempt to manage and harness political and economic change in particular empirical realities. Developmentalism assumes state capacity, but capacity is not uniform. State power is not exercised on an open field of play, but on one that’s topography varies across space and on which the players and teams are constantly renegotiated. Predation is met with contestation, the nature of which depends on the resources—material and symbolic—marshalled by predator and prey.
Attempts by central authorities to transform rural property rights aim at the commoditization of agrarian property relations. For Bates (1989, 2001), the individualization and formalization of property rights reflects a shift from regimes of access to the regimes of accumulation requisite for sustained capitalist development and rural economic prosperity. The impact of the organization of authority in local contexts on the capacities of states to implement institutional reforms, however, has far-reaching implications for the nature of this shift and the character of contemporary agrarian accumulation. Berry (1993a, 1993b, 2002) argues that the move from regimes of access to those of accumulation is not linear. In the face of new risks and opportunities, she argues, property rights regimes are renegotiated to function as both. Where property relations function as part of social arrangements that manage the risks associated with scarcity, the extent to which rural land is commoditized has been limited by the attempts of agrarian communities to protect land from the volatilities of a market economy and to ensure continued access to scarce land for future generations. Here, the securitization of titles has not automatically led to land’s mobilization as an individual economic asset, but has instead offered new assurances for sustained access to rural livelihoods.

The impacts of property rights reforms on dynamics of agrarian accumulation have been different in contexts where social arrangements for managing risk have been historically unnecessary. Where scarcity has not led to intensive agricultural production on land subject to clearly defined ownership claims, property rights regimes have been renegotiated to facilitate not sustained accumulation or access, but new forms of short-term resource access. Commoditization has not been checked by structures of communal authority, and low social value attached to particular portions of land has led to a dynamic whereby individuals have sought to profit from the commoditization of rural property by disposing of it in land markets. Confronted with new
risks associated with economic liberalization, individuals have mobilized land’s newfound market value for access to monetary resources. Access to land for future generations has been sacrificed in favour of short-term survival in a market economy, and new forms of conflict have emerged among and within local communities as claims are asserted over newly valuable and increasingly scarce land. Here, the formalization of property ownership has not securitized claims or facilitated sustained investment, but has introduced new insecurities as individuals attempt to unlock land’s value for short-term gain.

Implications of the impacts of the local organization of authority on states’ abilities to implement institutional reforms and promote market-led development also go beyond the nature of local accumulation to global dimensions. Research abounds with reference to the increasing power and reach of global capital, and implications in African countrysides as transnational corporate actors have sought to secure swaths of rural land for capital-intensive agricultural export projects (Akram-Lodhi and Kay 2009a, 2009b; Akram-Lodhi et al. 2009; Borras et al. 2010; Olenasha 2005; Watts 2009). “Land-grabbing” has been framed as a ubiquitous threat to rural livelihoods, but the ability of corporate actors and cooperative central governments to alienate rural lands is not simply a function of macro-level increases in global corporate power, but also of the political resources brought to bear by local communities strategically interacting with central authorities and their corporate allies. Clearly defined structures of local authority over scarce land imbue local communities with the ability to exercise political power in the negotiation of corporate access to local resources and to limit impacts on rural livelihoods. Those communities lacking such defined communal structures, however, are unable to similarly manage the process of commoditization and have been subject to dispossession, increased local conflict, and the deterioration of agrarian livelihoods.
In my analysis of the local determinants of institutional change in Tanzania, I have sought to refine understandings of the impact of regionally variegated political economies on pathways of agrarian transformation in Africa. The designs and goals of property rights reforms vary across African states, and central strategies of their implementation diverge even within single countries. Institution-building strategies of central rulers are devised in consideration of the vast diversity of rural hinterlands, but these strategies are not passively received as rural elites and producers seek to secure their own interests within parameters set by evolving social institutions. Outcomes of contemporary property rights reforms are a function not only of differences in central strategies, but also of the local social arrangements which imbue rural actors with different sets of resources to themselves shape dynamics of rural accumulation and trajectories of agrarian transformation.

Future research must continue to confront these politics of regional and local variation in Africa. On the one hand, further attention needs to be directed at explanations of comparative differences in the central design of property rights reforms across African countries to better understand what drives states to pursue options as distinct as the full marketization of property relations, the legal protection of communal rights to land, and the securitization of smallholder user-rights. My analysis has traced the historical and institutional geneses of Tanzania’s user-rights regime, but cross-country comparative analysis is needed to explain how the character of agrarian society in other cases has produced distinct national strategies of reform. On the other hand, comparative analysis must also delve deeper into the local. I have highlighted the ways in which the implementation and outcomes of reform have been shaped by particular agrarian contexts across and within districts of the same country, but deeper understanding can be achieved through more textured comparative and anthropological analyses of particular villages.
and the ways in which specific lineages, individuals, and social groups have directed the course of reforms within them. Individual local bureaucrats, political leaders, lineage authorities, and producers have the capacity to facilitate, obstruct, and co-opt decentralized institutional reforms and more attention is needed to these individual actors to continue moving beyond the “state’s eye view” of contemporary reform implementation.

Macro-considerations of state power and capacity, rural accumulation, and global processes of agrarian change cannot be understood in isolation from the micro-political contexts in which they play out. Local realities of state power and market forces are forged by the particular social structures within which political and economic change is harnessed, managed, and contested. At critical historical conjunctures, the rules, teams, and arenas of contestation are reshaped and mechanisms of social protection are renegotiated, changing the terms of the game and redefining the parameters and possibilities of agrarian transformation.

Agrarian change is not a uniform process. Its pathways are cleared within social realities each endowed with different sets of tools. Africa’s agrarian transformation is constituted by myriad struggles. Its nature is contested. These contests are local; their implications global.
REFERENCES


Rechenberg, A. (1907), Correspondence to Methner in Reichskolonialamt, Potsdam: Deutsches Zentralarchiv.


United Republic of Tanzania (URT) (1998), Kilimanjaro Region Socio-Economic Profile, Dar es Salaam and Moshi: Government of Tanzania and Regional Commissioner’s Office.


**Figure References**

Figure 1: Rendering of M1 Village Land-Use Plan, Halmashauri ya Wilaya ya Moshi, “Kijiji cha [M1] Mpango wa Matumizi Bora ya Ardhi, 2010-2020.” Original courtesy of Moshi District Land Office, Kilimanjaro Region, Tanzania, March 2011.


Courtesy of MKURABITA Central Office, May 2011.


Figure 6.1: B3 Village Map, “Ramani ya Kijiji-[B3]” in Ofisi Waziri Mkuu, Jamhuri Muungano wa Tanzania, Tawala za Mikoa na Serikali Mitaa, Halmashauri ya Wilaya ya Bagamoyo (2007), Mpango wa Matumizi Bora ya Ardhi ya Kijiji cha [B3], Bagamoyo: MKURABITA, Bagamoyo District Council, and National Land Use Planning Commission.
Courtesy of MKURABITA Central Office, May 2011.

Figure 6.2: Rendering of B3 Village Land-Use Plan, Original: “Kijiji cha [B3]-Mpango wa Matumizi Bora ya Ardhi” in Ofisi Waziri Mkuu, Jamhuri Muungano wa Tanzania, Tawala za Mikoa na Serikali Mitaa, Halmashauri ya Wilaya ya Bagamoyo (2007), Mpango wa Matumizi Bora ya Ardhi ya Kijiji cha [B3], Bagamoyo: MKURABITA, Bagamoyo District Council, and National Land Use Planning Commission.