

**OXFAM GB'S LAND ADVOCACY WORK IN  
TANZANIA AND UGANDA: THE END OF AN ERA?**

by

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This article will focus on Oxfam GB's recent land advocacy work in East Africa, with particular attention to Tanzania and Uganda. This work falls squarely within the 'one programme' approach, in which development, emergency and advocacy are conceived of as a integrated whole, rather than as separate parts. It has been carried out by programme staff, rather than specialists, and is based on an ability to develop and sustain a sophisticated understanding from a *national* perspective and hence to be able to engage creatively and knowledgeably with national governments. That has long been a 'distinctive competence' of Oxfam's; the World Bank endeavours to do the same with its country analyses, but with rather greater resources. Many now fear that the approaches adopted in East Africa in the past, and described below, may be seriously threatened if Oxfam GB's current, seemingly ideologically-driven move towards the abolition of country offices as a concomitant of regionalisation is not checked and repulsed.

*The context: the new scramble for land*

Why land advocacy work anyway? In brief, access to land by the poor in many parts of Africa is currently seriously threatened by a combination of privatisation and unrestricted market forces; by governments desperately seeking foreign investment including for tourism; and by greed and corruption by the rich and powerful. All this amounts to a new land grab, comparable in many respects to the first 'Scramble for Africa'. Particularly at risk has been land held under some form of community control or ownership. So, for example:

- Vast areas of common grazing lands, once accessible to pastoral communities, have been fenced off and privatised by the well-connected in many parts of East Africa, Botswana and Namibia.
- Chunks of land have been sold or leased for tourist ventures throughout East and Southern Africa, notably the spectacular concession of the whole Mozambique coastline south of Maputo to the American millionaire (and former Renamo backer), James Blanchard III.
- In a modern version of the Great Trek, white South African farmers are taking up land in Niassa Province, northern Mozambique, giving rise to fears that this is just the beginning of a new recolonisation.

In response to such threats, local communities, local NGOs and Oxfam GB have been moved to mobilise. Since 1995 land coalitions have emerged in Uganda (the Uganda Land Alliance), Tanzania (the National Land Forum) and Zambia (the Zambia National Land Alliance). In South Africa, the umbrella National Land Committee has a long and effective history of mobilisation. There are recent signs that *de facto* land alliances are emerging in Mozambique, Zimbabwe and possibly Kenya, while in Namibia NANGOF (the Namibian NGO Federation) has been in the forefront of land campaigning. Attempts have been mooted to link up these fledgling organisations into a regional network, but the obstacles to this are proving great. It is in this context that Oxfam GB's land advocacy work needs to be set.

*The pattern of events*

There is a pattern of events in Uganda and Tanzania which has been echoed in a number of countries in Southern Africa. At first there is a process of consultation (generally narrow, though in Tanzania uniquely broad), sometimes by presidential commissions, sometimes by donor-funded foreign researchers. Then governments formulate national land policies or start to amend the constitution. Next land bills are drafted, which are generally designed to open the door to privatisation and greater foreign ownership of land. At some point, often late in the day, local NGOs start getting together to respond, forming coalitions, protesting about the land bills and demanding wider debate. Oxfam GB, recognising the serious long-term implications of these land bills, lends its support to these endeavours. Frequently its staff are intimately involved in the creation of these alliances.

### *The Tanzanian style*

The Oxfam Tanzania style of advocacy is not one that is easily recognisable to Westerners. This is because it is in many respects the polar opposite of the current headquarters style characteristic of Oxfam GB and comparable agencies. Since 1984, when Odhiambo Anacleti was appointed Country Representative (the first African to be appointed by Oxfam at this level), advocacy has been conducted exclusively by Tanzanian staff, rather than foreigners. This has given it a particular shape and character which:

- is characterised by quiet diplomacy rather than public exposé;
- follows the path of dialogue rather than confrontation;
- is essentially verbal rather than written;
- uses the access and relationships which have been carefully nurtured over time;
- is conducted through partner organisations;
- rests on the credibility of Oxfam's country programme and its legitimacy to speak on behalf of the poor;
- is generally quiet, low key, almost invisible, and is thus in harmony with local cultural norms;
- proclaims no victories, but allows others to take credit;
- is based on a deep and sensitive understanding of the changing dynamics of Tanzanian politics;
- has earned the respect of people across a broad political spectrum.

More widely, many would consider the Tanzanian country programme as a whole, built on the virtues of exceptional staff continuity and the employment of national staff, to be one of the jewels in Oxfam GB's crown.

### *Tanzania*

In the early 1990s Professor Issa Shivji, a distinguished and internationally renowned scholar and writer, based in the Law Faculty of the University of Dar es Salaam, approached Oxfam. He had just been appointed Chair of the Presidential Land Commission of 1991-2 in the wake of growing land disputes throughout the country following the retreat from the villagisation programme (*ujamaa*) of the 1970s. Shivji rejected the proffered World Bank funding for the Commission's work and sought funding elsewhere to protect the commissioners' independence of action and judgement. (Funding for the Commission's internal taking of evidence came from the Tanzanian Treasury). Alive to the key importance of the land issue, Oxfam was keen to respond to Shivji's approach and did so in a variety of formal and informal ways. There was also important support from IIED, the International Institute for Environment and Development, which was - and is - particularly concerned with pastoralist land issues.

Oxfam's support included funding visits by some of the commissioners to Zimbabwe, Kenya and Botswana (the latter two focusing on pastoralist issues), paying for a Kiswahili translation of the Commission's Report to be made and for its publication costs and, later, for dissemination of the Report's findings through workshops involving Oxfam partners and key decision makers. Oxfam also forwarded papers of the 1991 Namibian National Conference on Land Reform and the Land Question. Unusually, Shivji invited Oxfam itself to make a submission. Oxfam in turn approached the Oxford academics Gavin Williams and Judith Heyer, who together had a wealth of East African experience. They produced a paper which brought much evidence to bear showing that it was in Tanzania's interests to develop a land allocation and holding system which positively favoured smallholders rather than large-scale enterprises, in terms of both economic development and equitable social development. They also looked at the land titling and registration programme in Kenya and concluded unequivocally that this had been expensive, ineffective and inequitable, in terms of both the poor in general and women in particular.

For a variety of reasons, the Land Commission did not provoke the national debate on land which the Commissioners, and Shivji in particular, had hoped for. Recognising from a very early stage that this might well happen, Shivji approached Oxfam with the idea of supporting an independent think tank which would be able to carry out campaigning and advocacy work on land. Oxfam concurred with Shivji's analysis and agreed to support what eventually became Hakiardhi or (in English) LARRRI, the Land Rights, Research and Resources Institute. This was set up in 1995 'to advance, promote and research into land rights of small peasants and pastoralists'. Shivji conceived it as 'a local body with some national vision on issues of land which should be able to generate a debate and a discourse on larger policy issues and trends of development *from below*.' Workshops on land organised by Oxfam in 1995-6 encouraged and enabled LARRRI to establish links with the grassroots. In recent years LARRRI has been in the forefront of land advocacy work, especially since the final version of the National Land Policy in 1995 went against many of the key recommendations of the Land Commission. Oxfam has supported many of its workshops and other activities and, with IIED, sought to influence the debate on the National Land Policy against the USAID-funded Tropical Research and Development, which had been brought in to assist in the drafting of the policy.

In May 1997 LARRRI called a conference, with Oxfam again providing the funding, which led to the formation of a National Land Forum (NALAF), a loose coalition of NGOs which is currently calling for a proper national debate on land before the proposed land bill is passed. NALAF subsequently issued a declaration, *Azimio La Uhai*, which was published as a pamphlet in English and Kiswahili and then posted on the Internet by Oxfam. The creation of NALAF prompted many Tanzanian NGOs to work more than they would otherwise have done on land. All the while Oxfam has continued to engage discretely with northern donors to move them towards its views and to help LARRRI and NALAF develop closer links with the grassroots and hence strengthen their impact. Problems of coordination remain, often exacerbated by patterns of donor funding which do little to encourage NGO cooperation, but there can be little doubt that awareness of land issues in Tanzania has grown significantly and that Oxfam's role has been crucial in this.

### *Uganda*

By their own admission, Ugandan NGOs have been slow to mobilise around land issues. Oxfam GB's advocacy work in Uganda began when the 1990 *Africa Make or Break Campaign* sparked

off what became a long-term campaign for debt relief which has served to raise Oxfam GB's profile in Uganda and has entailed very close working relations with a number of ministries. The *Basic Rights Campaign* of 1995 led to a meeting with 60 NGOs with government and donors to discuss basic rights, including debt, access to education and livelihoods. The latter clearly involved land and led to the formation in 1995 of the Uganda Land Alliance, comprising national and international NGOs with some academics. In practice Oxfam staff were in the forefront of getting the Alliance up and running and have continued to offer strong logistical and other support, including regular contact with its programme staff. The context, as in Tanzania, was a threatened new land bill, expected in March 1998. The Alliance sought to:

- lobby for a moratorium on land acquisition and registration, pending enactment of a fairer law;
- publicise the new draft land bill for debate from the grassroots upwards and carry out education of the general public in order to promote further this debate;
- lobby to ensure that the new land tenure arrangements protect the rights of vulnerable and disadvantaged groups and individuals.

An early draft of the land bill implied the promotion of an entirely free market in land through the transformation of the whole country into individually-owned leasehold and freehold estates. Liz Wily, a Nairobi-based independent land adviser called in by the Alliance, described it as one of the harshest transformations into western tenure yet seen in Africa, which would open the door to rapid accumulation and land speculation.

From a slow and acknowledged Oxfam-dominated beginning, the Land Alliance has gradually gathered strength and momentum and has conducted a series of workshops in many parts of the country. After initially being treated with disdain by the Technical Committee on Land, the Alliance has managed to consolidate and escape its initial legal focus and to force recognition of its concerns on behalf of the poor. It has engaged and continues to engage in dialogue with the Ministry of Lands. It is an uneasy dialogue, including the sharing of platforms at workshops, but as the Alliance has grown in strength and developed the confidence to come out with new ideas, it has forced the Ministry onto the defensive. Oxfam GB's Deputy Country Representative, Judy Adoko, has been a key and highly committed member of the Alliance throughout, regularly writing on land issues in the newspapers, circulating MPs and writing a series of position papers and short pamphlets. Additional advice and support have come from myself as Land Policy Advisor, Africa - a post denoting Oxfam's commitment to land issues. After some sensitive lobbying, a key breakthrough occurred in September 1997 at a workshop in Kampala, which the Alliance and Oxfam had long been pushing for.

The workshop was open to the public and extremely well attended, with nearly 300 people there, some of whom arrived two hours early to get seats. The Prime Minister was present, as was the Minister of Lands and several MPs, representatives from the World Bank and DFID, and the British High Commissioner. It was an important opportunity for the Alliance and Liz Wily to make public their critical views of the bill and for Klaus Deininger of the World Bank to present a paper he had written with his colleague and fellow land specialist, Shem Migot-Adholla. This represented current, more flexible Bank thinking rather than its earlier, dogmatic pro-titling views. Those earlier views have clearly continued to influence strongly thinking within the Ugandan Government. There was heated debate and many conflicting views, but some very positive outcomes:

- the Prime Minister agreed to hold a public debate on land, something which had been previously resisted, and which the World Bank is now also committed to;

- the new land bill was declared a public document and so was open to comment;
- there was clearly a great deal of support for looking at poverty issues;
- the government announced that it would not be taking land from the people for foreign investment, as it already has enough land for this.

Following this breakthrough, the Alliance, which currently has around 15-20 active members, has been taking the issues to the grassroots in a series of workshops. It is hoping to secure as much change as it can in the bill and hence plans to target MPs in March 1998. It then intends to study the implementation of the bill for a year after which, if need be, it will lobby MPs again to change it further. The Alliance has found the Ministry's concept of consultation highly circumscribed and limited, which led to difficulties with donors anxious to keep on good terms with the Government. Hence its switch to targeting MPs. Oxfam meanwhile believes it will have opportunities to influence national policy on poverty and land issues through the forthcoming PPA (participatory poverty analysis) within the Ministry of Planning. It been asked to take the lead in this programme which implies that government policies will continue to be examined in the light of their impact on poverty elimination. Both Oxfam and the Alliance continue to lobby the World Bank and DFID, the Alliance arguing that it does so because these donors are engaged with Government, but are afraid of offending it, and so need to be kept up to the mark.

The biggest stumbling block confronted by the Alliance, however, is the landlords. Most politicians are landlords. Others include the vested interests of those within the Ministry who have worked on land in the past; MPs defending their own interests; the general lack of understanding of land issues; and continuing external pressures. Meanwhile other lobby groups, who want the Bill passed as is in order 'to free up' land, are beginning to mobilise. The struggle is just beginning.

#### *A luta continua*

If this were a boxing match, the NGO coalitions and Oxfam may have scored some useful points in the early rounds, but there is still a very long way to go and there are absolutely no guarantees of easy successes, simply a long hard road ahead demanding capacity, time, and a keen eye on the ball - or the opponents' gloves. For land will always be a hugely controversial and contentious issue, since it is primarily about power and it involves unequal struggles between vested interests and the weak. Privatisation now offers very rich pickings for the rich, both domestic and foreign. Those who struggle on behalf of the poor have to confront both lack of power - peasants do not typically overthrow governments in Africa - and lack of information - a culture of secrecy all too often surrounds government activities on land. The NGO/Oxfam argument for the need for national debates and proper consultation is perhaps beginning to be won. But that may in part be because the donors, in particular the World Bank and DFID, have also become persuaded of this. But that is only the beginning. Conducting such consultations will be difficult and time- and resource-consuming, as it involves thinking things through in detail in advance, involving governments and broadly-based, representative groups, and guiding and structuring in ways that ensure consultees send a clear message Who is to do this and how remain fundamental questions.

When land bills are finally passed, there then exists the huge task of explaining them to the people and of making communities aware of their legal rights. This is something the Mozambican national NGOs, ORAM (Associação Rural de Ajuda Mútua) and UNAC (União Nacional de Camponêses) have now committed themselves to with the new *Lei de Terras*,

again with Oxfam support - this time in the form of a funding coalition of all the Oxfams working in Mozambique. The need to be 'with the people', to cite the title of a Zimbabwean political autobiography, remains greater than ever.

What does Oxfam have to offer to these still weak and fragile NGO coalitions? In essence:

- support and solidarity;
- a wide network of offices, contacts and communications;
- extensive experience of land issues, direct and indirect;
- wide advocacy experience;
- political sensitivity;
- its reputation;
- money.

From an Oxfam GB perspective, sensitive management from Oxford, contrasting with current top-down and highly directive trends, has thus far allowed East African *country* offices to continue to determine their own styles of advocacy in response to their own sensitive understanding of local dynamics. That understanding does not come quickly, easily or neatly packaged. It resides principally in East Africans. One can only hope that this situation, which benefits alike Oxfam GB, its partners and the poor, will be allowed to continue. If advocacy work of the kind described above is to survive - and the land issue and the threat to people's land are certainly not about to disappear - then it is absolutely crucial that structures and *people* are retained to enable this to happen. Oxfam GB staff in East Africa, all too aware of what has happened elsewhere recently, are fearful that a priceless asset may be about to be discarded.