



**Land Policy in Tanzania:
Current Issues and Social Aspects**

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**Land on Earth – a limited resource: Global social aspects
on land policy issues**

**Denys Correll
Executive Director
International Council on Social Welfare**



ICSW C/O MOVISIE - Netherlands Centre for Social Development
Telephone: +31 30 789 22 26
P.O. Box 19129
3501 DC Utrecht
The Netherlands
Fax: +31 30 789 21 11
Email: icsw@icsw.org
Internet: www.icsw.org

"Land lies at the heart of social, political and economic life in most of Africa. Land and natural resources are key assets for economic growth and development. Agriculture, natural resource use and other land-based activities are key to livelihoods, income and employment of the majority of Africans, and land is the basis of shelter in urban and rural areas. In addition land has major historical, cultural and spiritual significance" (AU 2006 page 2).

In preparing for this seminar I was intrigued to find extensive evidence of moves by countries with insufficient agricultural capacity to buy or lease that capacity. Both governments and private enterprises are buying access to land. In a policy brief by the International Food Policy Research Institute (von Braun 2009) the authors tabulated media reports of land investments for food supply in the period to 2006 to 2009. There were 49 reports. Of those, 32 were reports of land acquisitions in Africa including four in Tanzania.

For this paper I have used a definition of land access from the Food and Agriculture Organisation of the UN. "Land access is broadly defined as the processes by which people individually or collectively gain rights and opportunities to occupy and utilise land (primarily for productive purposes but also other economic and social purposes) on a temporary or permanent basis" (Quan 2006 p.1).

The issue of land use and ownership has become a greater global issue since the food price crisis of 2007-08. Countries that are rich in capital but do not have sufficient farm capacity to feed their populations are the major sources of land acquisitions. Predominant are the Persian Gulf States, China, South Korea and India. (The Gulf States import 60% of their food. Japan and Korea are respectively the largest and second largest importers of corn) (Knaup and Mittelstaedt 2009). In addition to governments obtaining land, global food companies are leasing or purchasing land for agricultural use.

The food price crisis of 2007-08 had the effect of forcing up farmland prices. In 2007 farmland prices rose 15% in Brazil, 31% in Poland and 15% in the US Midwest (von Braun 2009). While land prices have risen the cost of land in Africa is much less than in the developed world. The current moves to buy or lease land have caught many societies unprepared. The language that is being used in the media of "land grabs" is indicative of unpreparedness by governments and societies. Concern regarding foreign control of land has been exacerbated by the introduction of workers from the countries that have gained control of the farmlands.

Farmland acquisition is not necessarily bad. It can result in increased capital investment, new technologies and employment for local people. Longer term advantages could be the expansion of production of food for a global market.

An alternative view is that it is just another step by rapacious governments and private sector investors to weaken an already weakened and impoverished farming poor. Formal land titles do not necessarily exist thus making it possible to evict untitled farmers from land they have worked for many years. The investors tempt governments by emphasising their ability to maximise the productive capacity of the land in contrast to the inefficient use of land by subsistence farmers.

Individual small farmers have little power when confronted with the might of government or large global private enterprises. But if the farmers combine their forces, they have a chance.

This is a global issue and experiences in Tanzania are mirrored in other parts of Africa and the world.

In 2007 25,000 Indian protestors arrived in Delhi with the intention of shaming the government into keeping its promise to distribute land. The farmers did not have deeds to the land they worked. This was their predominant issue (Randeep 2007). They saw their poverty worsening as their land was grabbed by local mafias and corrupt officials.

In Uganda despite a 1998 law that recognised traditional or customary ownership of land the situation for women and their right to land seems to be getting worse. The Land and Equity Movement in Uganda say the majority of widows face attempts by neighbours to

grab their land (Adoko 2009). The situation is complicated with a confusion of customary law and the formal justice system. The formal justice system acknowledges titled land but ignores land held under customary rights. Added to the disjunction of customary and formal law is the strength of the land grabbers who are both persistent and aggressive.

The issue of land rights has been taken up by the African Union (AU). In an AU issues paper the authors state "Secure property rights provide not only the necessary certainty to do business but also, when held in the form of transferable land titles (can be) used as collateral, enable access to credit and contribute to the development of financial systems" (AU 2006 p. 2). The AU issues paper sees the security of property rights as benefiting both the small farmer and large scale operators.

Investors have spotted agriculture as a sure risk investment. "Food is becoming the new oil. Worldwide grain reserves dropped to a historic low at the beginning of 2008, and the ensuing price explosion marked a turning point, just as the oil crisis did in the 1970s" (Knaup 2009).

We are witnessing a new form of colonialism that reminds me of the British in India or the Dutch in Indonesia or the Portuguese in Brazil. The difference with this new colonialism is that it is undertaken with the willing involvement of governments. Countries with shortages of arable land are entering land acquisition agreements with governments with agricultural land they consider available. Global companies operating under the protection of national and international law are acquiring land throughout the world and particularly Africa.

The acquisition of large tracts of farming land raises new issues for governments, civil society organisations and citizens. To what degree do foreign owners or leaseholders require control of production, control of land and control of the water supply? Investors expect a return on their investment which encourages the farming companies to quickly exploit the land. This militates against the use of existing "low tech" farming in favour of intensive farming with high technology.

Quan in his paper *Land access in the 21st century: Issues, trends, linkages and policy options* (Quan 2006 p. 3) draws a link between land and poverty alleviation. He says "land is a capital asset offering opportunities for social and economic empowerment and thereby a springboard from which to escape from poverty. Secure rights to land are a basis for shelter, for access to services and for civic and political participation; they can also provide a source of financial security furnishing collateral to raise credit, as a transferable asset which can be sold, rented out, mortgaged, loaned or bequeathed." This is the nub of the argument about land and the part it plays in poverty alleviation. Misused land creates poverty

The solutions to land policy are multilayered. At the top level is the need to reverse the effects of global warming that are lessening the ability of land acquiring nations to feed their populations. In addition the melting of Greenland's ice sheet will submerge large areas of current arable land including the major rice growing fields in the deltas of the Ganges and the Mekong (Barkham 2009). This is a massive challenge as the consuming nations are not recognising the degree to which they have to change their behaviour to stop global warming.

Countries with high birth rates face problems of feeding the next generation. Between now and the middle of the century 2.4 billion people will be born in countries where the natural supports for agriculture are failing. Water tables are falling, soil is eroding and temperatures are rising in India, Pakistan, Ethiopia, Nigeria, and Mexico (Brown 2009). The collapse of the water tables must not continue. Ways to slow the decline in access to water include replacing crops that consume too much water with more water-efficient crops and using more efficient irrigation methods. More wheat, less rice.

Conclusion and solutions, (with thanks to von Braun and Meinzen-Dick 2009). The first requirement in managing land acquisition is to have transparent negotiations. Governments need to keep local landholders and civil society informed and involved. Attention is needed to protect the rights of indigenous and marginalised groups who are particularly vulnerable.

Second, governments must respect existing land rights regardless of whether they are legal documented or customary rights.

Third, governments must test whether the local community will benefit or lose from foreign investments. Here von Braun and Meinzen-Dick advocate leases over purchase because it provides an ongoing revenue stream. Contract farming is preferable to wholesale take over of land as it leaves small holders in control of their land.

Finally, governments need to undertake thorough environmental impact assessments and monitoring to ensure the foreign investor is using sustainable production techniques that prevent the depletion of soil and do not divert water from other essential uses.

It is possible that this phenomenon of "land grabbing" need not become as much a scourge to Africa as blood diamonds, oil and other mineral resources. But this will need governments to truly care for their citizens.

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