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EDITOR'S NOTE

We have included in this issue a review of 'Summons', a collection of poems written in English by Tanzanian poets and published by the Tanzanian Publishing House. In the dust cover to this volume it is explained that 'the poets in this collection are young people brought up in the ferment of the policy of socialism and self-reliance. Their poetry is therefore, as would be expected, about the problems of building socialism... They are also about ordinary human questions and about the search of the poets for personal happiness and meaning in their lives'.

Despite economic difficulties, publishing in Tanzania goes on. In 1980 the Tanzania Publishing House published the two volume novel by Aniceti Kitereza, 'Bwana Myombekere na Bibi Bugonoka', which was reviewed in Bulletin No. 16. Meantime, the University-based journals 'The African Review', 'Utafiti' and 'Taamuli' have resumed publication. Among recent books that we hope to review are 'Debate on Class, State and Imperialism', edited by Professor Y. Tandon, 'Mass Communications and the Development of Socialism in Tanzania' by Nkwabi Ng'wanakilala and 'Some aspects of Education in Tanzania' by E.A.K. Meena.

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Editor

THE LEGAL PROFESSION IN TANZANIA

The legal profession in Tanzania can be divided into three sections: the Bench, the Private Bar and the Public Bar. The Bench is composed of at least 5 Court of Appeal judges, at least 15 High Court judges, and several Resident, District and Primary Court magistrates. The Private Bar is composed of the advocates engaged in private practice in law while the Public Bar is made up of State Attorneys who act on behalf of the Government and are employed in the Attorney General's chambers, and the Corporation Counsel employed by the Tanzania Legal Corporation who act on behalf of public corporations.

(1) The Bench:

(a) The Court of Appeal:

The 1979 amendment to the Constitution of Tanzania establishes a Court of Appeal which is the final Court of Appeal in Tanzania. It is manned by at least 5 Judges of Appeal appointed by the President of the United Republic. The Chief Justice is the head of this Court. The Constitution also provides for the office of the Registrar of the Court of Appeal. The holders of these offices must have the qualifications laid down under the Constitution and have normally been appointed from among the senior members of the Bench.

(b) The High Court:

Section 60 of the Constitution provides for at least 15 Judges of the High Court. These are appointed by the President after consultation with the Chief Justice. The President may also appoint Acting Judges if he is advised by the Chief Justice that the work of the High Court at a given time is such that an additional number of judges is required on a temporary basis. The Acting Judges normally act as such only for the period stipulated in their appointment (which may be extended) although a number of them have been confirmed as Judges of the High Court in the past. In addition, the Magistrates' Courts Act empowers the Minister responsible for legal affairs, after consultation with the Chief Justice and the Attorney General, to invest any Resident Magistrate with jurisdiction ordinarily vested in the High Court. These magistrates are commonly known as Resident Magistrates with Extended Jurisdiction and while exercising such jurisdiction are deemed to be High Court Judges. The appointment of magistrates with extended jurisdiction is normally made for the remote areas of the country so as to facilitate the hearing of appeals from District Courts and the supervision of these courts. The Order appointing such magistrates normally specifies their tenure.

Under the Constitution, High Court judges are appointed from among people who are eligible for registration as advocates of the High Court of Tanzania and have held these qualifications for at least 5 years. However, the President is empowered to waive the latter qualification if he is satisfied that a person who otherwise would have qualified is suitable to hold the office of a judge of the High Court.

The judges of the High Court are guaranteed security of tenure. Once appointed, their office cannot be "abolished" until they attain the compulsory retirement age of 55 years. However, judges can, with the consent of the President, take voluntary retirement at the age of 45 years, or can go on working after the age of compulsory retirement until they attain the age of 62 years if the President considers that it is in the public interest for them to continue working. They can be dismissed from office only on disciplinary grounds in which case the judge concerned must be impeached before a Commission of three judges appointed from any British Commonwealth countries.

Although the Chief Justice (an appointee of the President) is the head of the judiciary in Tanzania, the running of the High Court is left in the hands of the Jaji Kiongozi (Principal Judge) who is appointed by the President after consultation with the Chief Justice.

The Constitution also provides for the office of the Registrar and Deputy Registrars of the High Court which are manned by officers appointed by the President and with similar qualifications as those held by judges.

(c) Magistrates:

There are two classes of magistrates: professional magistrates comprising the District Magistrates and Primary Court Magistrates. The District Magistrates are normally promoted Primary Court Magistrates and the Primary Court Magistrates are appointed after a short training mainly in procedure and criminal law at the Institute of Development Management at Mzumbe.

Like the judges of the Court of Appeal and the High Court, the magistrates are appointed by the President. The Constitution establishes a Judicial Service Commission composed of the Chief Justice as its Chairman, one High Court judge nominated by the President after consultation with the Chief Justice and another member appointed by the President. Members of Parliament and people barred by law cannot be members of the Commission. This Commission is the disciplinary body for magistrates.

(2) The Bar:

(a) The Private Bar:

The Private Bar is composed of private legal practitioners known as advocates. The Advocates Ordinance requires the Registrar of the High Court to keep a Roll of Advocates. Any person who has the qualifications prescribed by the ordinance is entitled to be registered. These qualifications are: either a law degree of the University of Dar es Salaam (formerly the University of East Africa) or such other University or legal training institution as recognised by the Council for Legal Education; or the applicant must be a legal practitioner with a right of audience before any court of unlimited civil and criminal jurisdiction in any Commonwealth country or any other country designated by the Minister for Legal Affairs; or a Solicitor of the Supreme Court of England, Northern Ireland or the Republic of Ireland; a Writer to the Signet; a Solicitor of the Supreme Court of Scotland and holders of other legal offices in the United Kingdom. In addition, the applicant must satisfy the Chief Justice that he has adequate knowledge of the language of the court which is English and must also produce testimonials of character. A person wanting to be registered as an advocate in Tanzania must petition the Chief Justice.

The Private Bar in Tanzania is the one which is engaged in assisting and representing private individuals in both criminal and civil proceedings before the court. Its members perform the functions which are performed by both barristers and solicitors in England. The division which exists in England between the two functions does not exist in Tanzania.

However, the number of advocates is far from adequate. The slow development of the Bar before independence, the exodus of many advocates of foreign origin in the 1970's and the fact that most Tanzanian graduates in law are employed in the public sector have contributed to the small size of the Bar. Also there are fears that private practice in law will be abolished and so some lawyers are hesitant to start private practice.

The few advocates who exist are centred in urban areas - Dar es Salaam and Arusha taking the largest proportion. Most of them are engaged in individual practice. Partnerships in legal practice in Tanzania are exceptions rather than the rule. Criminal practice takes a large portion

of the advocates' time. It was observed by the Tanzania Judicial Systems Review Commission that very few people benefit from the services of the Private Bar, because the advocates are so few and very expensive. Most cases in Tanzania are conducted by the parties themselves. There is no comprehensive legal aid programme, so even in criminal cases there is no right to legal aid unless the case falls within the provisions of the Legal Aid (Criminal Proceedings) Act, normally one involving offences carrying the death penalty.

(b) The Public Bar

This comprises the lawyers who are employed as State Attorneys in the Attorney General's Chambers. They are mainly engaged in advising the Government and in public prosecutions under the direction of the Director of Public Prosecutions. They appear on behalf of the state in appeals before the High Court and the Court of Appeal.

Another group of lawyers belonging to the Public Bar are the lawyers who are employed as Corporation Counsel by the Tanzania Legal Corporation. This corporation was established in 1971 under the Tanzania Legal Corporation (Establishment) Order with the purpose of providing legal services to public corporations. Although the Order has been amended to enable the Corporation to provide legal services to the public, the Corporation has so far played no significant role in cases in which private persons are involved because of the small number of lawyers employed by the Corporation.

The Tanzania Legal Corporation is headed by the Chief Corporation Counsel, who is appointed by the President, Senior Corporation Counsel, Assistant Corporation Counsel and Corporation Counsel. All these officers are people who are qualified to be registered as advocates, but in practice they are not registered as such. Their right of audience before the Courts accrues from their employment.

Although the Corporation has not played a significant role in private litigation, it has been providing lawyers to represent people who fall within the provisions of the Legal Aid (Criminal Proceedings) Act.

Conclusion

It may have been seen that the President of Tanzania has very wide powers of deciding the composition of the Bench at every level, except in the case of Zanzibar, which is not governed by the Constitution of the United Republic of Tanzania in this respect. In fact, the Constitution preserves the right of the High Court of Zanzibar to exercise jurisdiction concurrently with the High Court of Tanzania. The existence of such wide powers vested in the President has led some commentators to question the independence of the judiciary in actual practice.

M.R.M. Lamwai

AGRICULTURAL POLICY

Between May and October, 1982, a Government task force undertook a major reappraisal of agricultural policy and its implementation in Tanzania with the object of defining alterations to existing policy and new priorities for the nineteen eighties. The results of that exercise are contained in two documents published by the Ministry of Agriculture- the report of the task force itself, "The Tanzania National Agricultural Policy (Final Report)",

dated October, 1982, and the official statement concerning future agricultural policies, "The Agricultural Policy of Tanzania", dated 31st, March, 1983.

The intention of these notes is to summarise briefly the key changes in agricultural policy set out in the documents and also to provide some comment on the proposals within the context of agricultural development in Tanzania over the preceding decade.

The task force on national agricultural policy was chaired by Professor Simon Mbilinyi, formerly Personal Economic Assistant to the President and now Principal Secretary to the Ministry of Agriculture. It was composed of roughly 15 members drawn from relevant Government agencies and from the University of Dar es Salaam. Its terms of reference were broad and its final report is extremely wide ranging, encompassing for example the organisation of agricultural production, land tenure, land use planning, agricultural research and extension, agricultural technology, agricultural marketing and prices, agricultural inputs and the problems and prospects of individual crops. With respect to each of these, as well as other topics, the report (which, incidentally, runs into 240 pages) contains both a detailed interpretation of past performance and a set of policy recommendations for the future. It is clear that most of the task force recommendations were subsequently accepted by the Government as components of the new official agricultural policy, since the March, 1983, document is essentially a re-statement of the task force policy proposals with only minor amendments.

The task force report recognises various defects in previous agricultural policy, especially in the areas of motivation for production, agricultural marketing, agricultural input supply and extension. Within each of these areas heavy emphasis is placed on improving incentives, increasing efficiency and rationalising institutional arrangements. The outcome appears to take the form of a perceptible shift towards permitting more market criteria to enter the practical implementation of agricultural policy. However, considerable ambivalence surrounds this intention, since the report also contains a commitment to the existing apparatus of state controls and planning, such that it is difficult to envisage how some of the proposals will achieve their intention (on which more later). Some main policy shifts and the thinking which seems to lie behind them are summarised as follows:

1. The problems for agricultural production in some locations of village size (distance to fields) are recognised. The proposed solution is the concept of Central Service Villages, which would act as the focal point for satellite settlements located closer to production areas. The size of such satellite settlements is not specified in the task force recommendations.
2. Increased security of land tenure is strongly emphasised for all private forms of agricultural production, including the so-called 'homestead shamba', the family plot on the village 'block farm' and private commercial farms. A minimum leasehold of 33 years is proposed for all such farming in order to give tenants sufficient security to maintain and develop the long-term productivity of their land instead of carrying out short-term, soil-exhausting agronomic practices.
3. The formation of new, private commercial farms is to be encouraged, especially for the production of export crops, or crops needed as raw material for domestic industry. There seems to be a hint here of attempting to promote a new frontier spirit in Tanzania (including for outsiders) to take up the 'challenge' of private development under conditions of acute shortage of foreign exchange. ('The whole of Canada and USA was opened up for grain production before the invention of the internal combustion engine.')

4. The high costs and inefficiencies of the former parastatal crop marketing system are recognised. Proposals include:
 - (a) a reduction of the status of the export crop parastatals to marketing boards concerned principally with the sale, where possible by auction, of export crops;
 - (b) the concomitant reintroduction of Regional Cooperative Unions as the purchasing agents for all designated crops from Primary Cooperative Societies (villages, or groups of villages). This decision actually pre-dates the task force, but is integrated into its recommendations;
 - (c) for export crops a target proportion of 75% of the export price to be passed back to farmers. This compares with proportions which fell to as low as 30% for some export crops during the nineteen thirties;
 - (d) the encouragement of food crop transfers between Primary Cooperative Societies and between Regional Cooperative Unions to meet local variations in food self-sufficiency and to avoid the necessity of centralised procurement of all food crops by the National Milling Corporation;
 - (e) the associated limitation of National Milling Corporation functions to the delivery of urban food supplies, management of the Strategic Grain Reserve and food processing, especially for urban markets.
5. Some of the defects in the past implementation of producer prices policy, especially the relative neglect of export crops and the failure to adjust agricultural prices in line with inflation are recognised. It is proposed that producer prices should be biased towards export crops with a high net foreign exchange earning capacity and towards food crops, which minimise foreign exchange expenditures in their production, that is, minimise imported inputs. It is also proposed that the price fixing procedure should take account of changes in the cost of living index. In addition, it is recommended that annual farm management surveys are undertaken in order to obtain up-to-date and realistic estimates of production costs.
6. Both the supply of agricultural inputs and the organisation of agricultural extension are recentralised in the Ministry of Agriculture. This recognises the waste and duplication, as well as poor implementation, of the previous decentralisation of those functions to individual crop parastatals and other Government distribution agencies. The new agricultural policy thus represents an ambitious attempt to correct deficiencies in the past implementation of agricultural policies both by correcting perceived weaknesses in existing institutions and by once again modifying organisational arrangements. It also contains a strand of improved private incentives and greater market orientation. The new policy does not, however, challenge the most important implicit assumption of the Government approach to agriculture in Tanzania over the past two decades, which is that comprehensive state controls and planning in every sphere of agricultural activity is necessary in order to achieve centrally-determined targets and objectives. For example, one of the recommendations concerning agricultural production is that every single village in Tanzania should prepare two Master Plans, one on village residential areas and the other on economic activity, showing agricultural production targets, and so on. This may seem reasonable until it is pointed out that there are over 8,000 villages in Tanzania, making for 16,000 proposed Master Plans, and it becomes legitimate to conjecture how exactly the information generated by these plans is to be analysed and assimilated for policy purposes (perhaps each village should have a microcomputer?). Another example in the sphere of agricultural marketing is the reintroduction of cooperative societies and unions without actually abolishing the crop parastatals. It is difficult to

see how unit marketing costs are to be dramatically reduced by this proliferation of marketing agencies. It has only to be recalled that one of the major reasons given for the previous abolition of the cooperative unions was their spiralling costs and losses.

7. The problem with extensive Government intervention in a country like Tanzania is that comprehensive controls down to the level of individual village or household require an immense diversion of resources in order to maintain the required administrative apparatus. The magnitude of this cost burden is usually out of all proportion to the gains, which are supposedly made in information and planning. The new agricultural policy unfortunately does not tackle or escape this dilemma. The policy contains numerous sensible suggestions for improving agricultural policy implementation, but there exists a considerable danger that good intentions will be lost in the maze of bureaucratic intricacies which surround them.

Frank Ellis

SADCC— A WAY TO INDEPENDENCE

In May, 1979, the foreign ministers of the five Front Line States meeting in Gaborone decided to call a larger meeting in Arusha (SADCC 1) in July of that year to try to evolve a strategy for broadly-based cooperation in southern Africa. At the Arusha conference in addition to the Front Line States nine bilateral and a number of multilateral aid organisations (World Bank, Commonwealth Secretariat, European Community, African Development Bank and a number of UN organisations) took part as observers. The conference was united in forming the SOUTHERN AFRICAN DEVELOPMENT COORDINATION CONFERENCE (SADCC). The transport and communications sector in the region was considered to be particularly crucial and demanded immediate attention. Consequently, the decision was taken to establish the SOUTHERN AFRICAN TRANSPORT AND COMMUNICATIONS COMMISSION (SATCC) with headquarters in Maputo. Other important questions discussed at the conference dealt with energy, soil and water conservation, training and food production, with the special purpose of reducing dependence on imports from South Africa. As a contribution to the section on agriculture the INTERNATIONAL CROP RESEARCH INSTITUTE FOR SEMI-ARID TROPICS (ICRISAT) in Hyderabad, India, offered to start a branch in the region, or, to be more exact, in Botswana. In its research and development projects, the Institute is to investigate the special agricultural problems faced in the extensive dry areas of the region.

The discussions in Arusha were concluded with the endorsement of a proposed declaration containing four principal goals for cooperation within SADCC:

- (1) to reduce economic dependence on South Africa in particular, but also on other countries;
- (2) to institute a true and just integration of the states in the region;
- (3) to mobilise resources for national, international and regional projects; and
- (4) to act together towards securing financial and technical assistance within the framework of a strategy for economic liberation.

Action Programme and Financial Provision

The Arusha conference was followed in April by a summit meeting in Lusaka, the first meeting at which all nine member states took part, including Zimbabwe, which had just become independent. The summit endorsed unanimously the Lusaka Declaration, a formal presentation of the proposed main objectives of SADCC, which in turn emphasised the following spheres of activity:

- (1) transport and communications;
- (2) agriculture;
- (3) training, especially within the transport and agriculture sectors;
- (4) industrial development; and
- (5) energy.

Within the framework of the action programme it was calculated that 1.5 milliard dollars would be needed during the eighties for the regional projects. It would be impossible to generate so much money within SADCC. To maintain the momentum of the development programme it would be necessary to be assured of considerable external financial support. Consequently, it was decided that at the next plenary meeting, which was to be held in Maputo in November, 1980 (SADCC 2), the problem of funding should be the main subject. Thirty governments and bilateral aid organisations together with twenty multi-lateral and international bodies were represented at Maputo. The result was that the donor organisations undertook to support the regional projects within SADCC to the extent of 650 million dollars spread over a five year period from 1980 to 1985.

The SADCC projects were set in motion and at the Blantyre conference in November, 1981, the time had come for the first evaluation. It transpired that the greatest progress had been made in the transport and communications sector and that many projects were in full swing. Even within the agriculture and food sectors as well as within the industry sector progress had been made. Less satisfactory was the position with energy and land conservation. The main question before the conference was finance. One year after the Maputo conference only 273 million dollars out of the promised 650 million had actually been committed in legally binding agreements. This factor had obviously reduced somewhat the tempo of development. Delays in obtaining the release of funds can in part be attributed to bureaucratic sluggishness, but it is unfortunately true that in some cases political problems were associated with the delays. In January, 1983, a new meeting with various donors was held in Maseru, where about 200 million dollars were promised.

Unanimous decisions at all levels

Sir Seretse Khama, at that time chairman of SADCC, stated in his opening address to the summit meeting in Lusaka in 1980 that cooperation within SADCC should be built on 'concrete projects and specific programmes rather than on grandiose schemes and massive bureaucratic institutions'. This motto has since then characterised the manner in which SADCC has attacked regional cooperation. A decentralised model and a decision-making process requiring unanimity at all levels was decided upon. A limited number of institutions have in the meantime been developed and formalised in a Memorandum of Understanding of the SADCC, which was adopted at a summit meeting in Harare in July, 1981.

The Summit is the highest authority in SADCC with responsibility for general policy and for the control of activities. The summit consists of the chiefs of the member states and it meets at least once a year. All decisions must be unanimous.

The Council, which consists of one minister from each member state, is responsible for overall planning, general coordination, control of the organisation's various institutions and supervising the implementation of programmes. The Council approves the work programme of SADCC and appoints the member state charged with the coordination of activities within a particular area of work. The Council meets at least once a year and all decisions must be unanimous.

Sectoral Commissions can be set up for programmes within particular areas of activity. The Southern African Transport and Communications Commission (SATCC) is such a commission. It is possible that similar commissions will be set up within the energy, agriculture and industry sectors. The Commissions report to the Council.

A Standing Committee of Officials responsible to the Council has been established. It also must meet at least once yearly and its decisions must be unanimous. Finally, a small Secretariat has been established in Gaborone, which is responsible for serving the various SADCC institutions. The Director of the secretariat is responsible for and rapporteur to the Council. The Council also occupies a key position in respect of planning within SADCC with sectoral commissions, a permanent committee of officials and a secretariat as executive organ. Outside this structure are the annual conferences (SADCC 1, SADCC 2, etc.) to which the various aid organisations are invited.

Distribution of responsibility

The ongoing work is in large measure decentralised. Each member state has been allocated its special sphere of responsibility. Angola is responsible for coordination in the energy sector. Botswana has been given development research and activities connected with cattle diseases. Lesotho shares with Zimbabwe responsibility for land conservation and land use. Malawi coordinates the conservation of fish and wild animals. Mozambique, on account of its central situation in the region, has been allocated the coordination of the important transport and communications sector. Swaziland is responsible for the coordination of manpower development and training. For the time being it is also responsible for the health sector. Tanzania has special responsibility for industrial development. Zambia is responsible for the Southern African Development Fund and for the mining sector. Zimbabwe, finally, has been given the foodstuffs sector, land conservation and development (jointly with Lesotho) and the printing of securities (currency, cheques, state bonds, etc.).

SADCC can be characterised by concepts such as pragmatism, decentralisation and unanimity in decision-making. It deals with limited, concrete projects within the region and works towards increased cooperation in line with its principal common goals. The decentralised mode of operation has both advantages and disadvantages. The advantages are that bureaucratisation is avoided and money is saved. The main drawback may be deficient coordination between sectors. A system requiring unanimity in decision-making at all levels (in contrast to majority decisions) assumes as a prerequisite that unanimity between such different states will generally speaking be attainable. The member countries are of course most dissimilar in respect of size, resources, stage of development and political aims. The disadvantage of this model may well be that progress is slower when all the time it is necessary to aim at the lowest common denominator. But with a 'speedier' model based on majority decisions and a supranational organisational structure, the organisation might all the time be threatened with collapse.

During the short time that the organisation has existed, it seems that SADCC has made relatively good progress. Development has got furthest in the transport sector. The South African regime clearly sees SADCC as a threat and

conducts an aggressive destabilisation policy against its neighbours- a policy, however, which rebounds upon it and threatens its own commercial interests in the region.

Maria Jerkland Åberg

Note: The above article is translated from the Swedish and omits the first part, which describes the present economic geography of southern Africa. The article, in turn, constitutes a summary of 'Dependence and collective self-reliance in southern Africa: the case of the Southern African Development Coordination Conference (SADCC)' by Arne Tostensen (Scandinavian Institute of African Studies, Uppsala, 1982).

NOTES ON CURRENT ISSUES

Agreement on the distribution of the assets and liabilities of the East African Community and the opening of the border between Tanzania and Kenya

The three East African Heads of State met at Arusha on 16th. November and reached agreement on the division of the assets and liabilities of the former East African Community. This meeting and the agreement which followed are evidence of significantly improved relations between Tanzania and Kenya.

The East African Community collapsed in 1977 after a period of disintegration marked by the blockage of fund transfers, the expulsion of staff not belonging to the country of residence and the progressive appropriation of Community institutions for national purposes. The problems of the Community were exacerbated by the deteriorating international economic climate and the seizure of power in Uganda by Idi Amin. The central problem of the Community was the economic predominance of Kenya and in 1967 an effort was made to rectify this imbalance by transferring to Tanzania and Uganda some of the Community's institutional headquarters, including the headquarters of the Community itself to Arusha. A Treaty for East African Cooperation allowed for the protection for a limited period of infant industries by the imposition of transfer taxes. In 1970 the situation deteriorated greatly as a result of the import of cheap consumer goods, hitherto purchased from Kenya, from China in payment of local costs incurred in the building of the Tazara railway. The Kenyans resorted to various obstructive measures and in 1975 Tanzania closed the trunk roads of the country to Kenyan lorries used for trade with Zambia; in the following year the border between Tanzania and Kenya was closed.

The exceptionally complex task of valuing the assets and liabilities of the East African Community was given to a mediator, Dr. Victor Umbrich, and the agreement is the result of his years of patient work. The political climate for the agreement was improved by the removal from office of the former Kenyan Attorney General, Charles Njonjo, who had long been a bitter critic of Tanzania and an obstacle to improved relations between the two countries.

The agreement provides that the Community assets should be divided in the proportion of Kenya 42%, Tanzania 32% and Uganda 26%. As a result, Kenya and Tanzania will pay Uganda compensation in the sum of 191 million US dollars. Payment will be in convertible currency, the provision of goods and services and the offsetting of existing claims. The agreement also covers the pensions of former employees and a mechanism for settling disputes.

It is encouraging that some of the East African Community services have survived and will continue as joint East African institutions. They are the

Soroti Flying School, the East African Development Bank, the East African Inter-University Committee, the Eastern and Southern African Management Training Institute and the East African Community Library Services.

Following the agreement on the East African Community assets and liabilities, Kenya and Tanzania agreed to open their border immediately for movement by people subject only to normal immigration requirements. The Presidents of Kenya and Tanzania instructed their ministers responsible for trade, transit traffic, air transport and tourism to meet without delay and to reach speedy agreement on these matters.

Commentators on the agreement believe that it will result in a sharp reduction in smuggling and illegal marketing. What is less certain is the extent to which the conditions which produced the original dispute have changed. Tanzania has, at considerable expense, established its own airline and telecommunications system, but it has not succeeded in persuading major tour operators to use Kilimanjaro airport and few of its industries are in a position to exploit the potential of the Kenyan markets. It remains to be seen whether Tanzania can now meet the challenge of dynamic Kenya and whether the grim economic prospects for Africa will stimulate mutually advantageous collaboration.

Political debate goes public

In Tanzania real political debate outside Parliament has been largely confined within the Party (Chama cha Mapinduzi) and the books and other writings of the staff of the University. In 1981 the National Executive Committee of the Party, meeting in Dar es Salaam, adopted a body of guidelines entitled 'Mwongozo 1981', which contained among other matters a series of recommendations on constitutional reform. In the spring of 1983 these proposals were elaborated in a public document, which was distributed for discussion throughout the country in Party cells, churches and other voluntary organisations and the reactions and proposals of these bodies and of individuals were invited. This shrewd move by the Party allowed for the expression of worries and questions that have been building up over five years of persistent economic crisis. People responded enthusiastically to this opportunity and the press and radio have been printing and broadcasting large numbers of letters, some asking for significant changes in the Union Constitution. The most frequent requests have been, first, for the Members of the National Assembly to make more effective use of their power to question Ministers and to call them to account for the actions and omissions of their Ministries and, secondly, for a choice of candidates in Presidential elections. A more detailed account of this important public referendum and its consequences will be given in a forthcoming issue of the Bulletin.

The Government's campaign against economic saboteurs described in Bulletin No.17 of July, 1983, has also stimulated public debate. After the early successes in uncovering hoarded goods, doubts began to be expressed and fears that the investigations were beginning to hinder legitimate activities while not reaching some of those with the greatest responsibility for malpractices. In July, the level of disquiet persuaded the President to intervene and it was announced that he would reply to questions from journalists at a public meeting, which would be broadcast live. This kind of meeting was new to Tanzania and excited wide interest. The questions were those that were most frequently asked in the letters reaching the press and Radio Tanzania.

Reactions to the meeting and the broadcast were varied. Some of the older, more conservative Party Members were outraged that the President should be subjected to such questioning, but other people, including some

of those most committed to the President's policies, welcomed the innovation and hoped that the example of more vigorous questioning would be followed by the National Assembly.

Official denial of alleged oil deal with South Africa

The Tanzanian Government has issued a categorical rejection of the allegations made in the 'Observer' of 13th. November, 1983, that there had been a secret oil deal between Tanzania and South Africa and that two Tanzanian leaders had been involved in an improper commercial relationship with an oil company. The statement goes into considerable detail with regard to the deal with the company Marcotrade, to which the allegations refer. This deal involved a supply of crude oil from Angola of a type that could not be refined in Tanzania and therefore had to be exchanged for Iranian crude. This exchange was arranged in a manner which minimised the foreign exchange costs to Tanzania. All letters of credit specified the origin and destination of the imports and exports and did not include South Africa.

However, even before the Observer article was published, the Tanzanian Petroleum Development Corporation had discovered that Marcotrade had attempted, as part of the package deal, to import a cargo of refined petrol originating in South Africa with documents giving the origin as Singapore. The Tanzanian Government views this attempt to evade its ban on trade with South Africa with grave concern.

A second vessel was named in the Observer report and the statement lists the destinations of its five voyages from Dar es Salaam. Its only calls at South African ports were for repairs following mechanical breakdown.

The two leaders named in the article, Ndugu Al Noor Kassam, the Minister for Water and Energy, and the General Manager of the Tanzania Petroleum Development Corporation, have instituted legal proceedings against the Observer.

Increases in prices offered to agricultural producers

As part of the policy to increase foreign exchange earnings, producer prices of key export crops- coffee, cashewnuts, pyrethrum, cardamon, cocoa and tea- have been increased by about 40%. The price of maize has been increased for producers by between 39% and 82%, with the highest increases in the major producing areas. This difference presumably reflects lower costs of collection and is also intended to encourage production in the areas most suited to maize. The producer price for cotton has been increased by up to 50% and there are also increased producer prices for castor oil seed, millet and sorghum.

The Government has decided to accord priority in the allocation of foreign exchange to export-oriented institutions. Firms and commercial farms, including those in the private sector, are being allowed to retain a proportion of their export earnings in external accounts for the purchase of machinery and other necessary foreign inputs. This will greatly simplify their purchases from abroad by bypassing the normal allocation machinery. A special allocation of foreign exchange will likewise be reserved to enable peasant farmers, whether producing for export, for industry, or for food supplies to purchase necessary equipment abroad.

Tazara railway

The Chinese Government has agreed to a postponement of repayments of the loan for the building of the Tazara railway. Repayments of the principal

should have begun in 1983, but will not now start until 1993. The repayment of the loan for locomotives will begin in 1987 instead of 1980. The Chinese have provided a further loan of shs.180 million for the purchase of spares for the Railway and 250 Chinese personnel working for Tazara are to stay beyond the original date intended for their return home.

As reported in Bulletin No.16, the Tazara railway has been beset with operating problems and has been working far below its full capacity. The low level of operations has clearly made it difficult to generate the revenue necessary to start to repay construction costs. The leader of the Chinese delegation to the negotiations, Madame Chen Muhua, made a diplomatic, but none the less revealing, statement: 'I share the views of President Nyerere, it was difficult to construct a railway, but more critical to manage it well'. The Tanzanian Minister for Transport and Communications promised that strong disciplinary action would be taken against Tazara employees who did not obey operating instructions.

John Arnold

THE PRESIDENT'S PRESS CONFERENCE

As indicated on page 11, President Nyerere gave a press conference to the Tanzanian newspapers and Radio Tanzania in the Diamond Jubilee Hall, Dar es Salaam, on 28th. July, 1983, before an assembly of leaders. The proceedings were relayed over the Kiswahili service of Radio Tanzania. The following summary is based on a monitoring record of the broadcast.

Although this event appears to have been an innovation, it has been the President's practice in recent years to visit the University of Dar es Salaam and to reply to questions put to him by the students. But these were essentially private occasions. On this occasion, the questions put to him by representatives of the media were based on letters that they had been receiving and therefore reflected the misgivings and uncertainties of the literate and largely urban minority; the views and feelings of the rural majority were inevitably largely unrepresented and are very much more difficult to ascertain.

The questions were put by the Daily News, Radio Tanzania, SHIHATA (the Tanzanian News Agency), Uhuru and Mzalendo. The large majority of questions were concerned with the working of the law against economic sabotage (see Bulletin No.17, pp.14, 15), at that time only a few weeks old. The action had started on 24th. March and the first legislation was signed by the President on 4th. May. The misgivings expressed were that the most powerful economic saboteurs were escaping the penalties of the Act, or were not being caught, and that the Government's commitment was declining. Questions were asked about the basis on which clemency was granted, or suspects released by the special tribunal, and about the separate committees which, it was alleged, were dealing with the cases of Party and Government leaders and the heads of parastatals. On the other hand, one questioner asked whether there was a danger of hard work and its rewards being misconstrued as economic sabotage and whether it was right to hold suspects in detention awaiting an appearance before the tribunal after the expiry of the 60 days prescribed by law.

Questions were also raised about the alleged ownership of certain trading corporations by Government and Party leaders, the factors hindering the reopening of the border with Kenya (it has since been reopened), the danger that the removal to their homes of unemployed persons under the Human Resources Deployment Act, 1983, might lead to an increase of tribalism, the proliferation of special committees in Government and Party, the failure of

enquiries into the expenditure of Government and public corporations to report within the allotted time of nine months and the apparent re-employment in top jobs of Government leaders who had been retired or dismissed after making gross mistakes.

Many of these questions remained unanswered in the President's replies. He began by referring to two matters brought to his attention by Uhuru. First, if Lonrho had indeed been guilty of collaboration with South Africa and if its operations in Tanzania had been harmful to trade, why had it been decided to compensate Lonrho for the confiscated assets of this company and even to consider allowing it to resume operations? Secondly, why following the earlier opposition of the Government to the demands of the International Monetary Fund (IMF) for currency devaluation has the currency nevertheless been devalued? The transcript is incomplete and contains no indication of the President's views on the first of these questions, but on the matter of devaluation he seems to have suggested that the change in policy had come about because of a new understanding of 'how things work'. The IMF had recommended an increase in exports and a reduction of imports and this was being done. As regards devaluation, the Government's objection was not against devaluation per se, whether to 15, 20, or 30 shillings per dollar, but against the manner and timing of the devaluation proposed. The IMF sought immediate devaluation from shs.12 to shs.30 per dollar. The Government were not objecting to the devaluation itself, but to the speed of implementation as requested by the IMF. There was a speed of devaluation that would cause very great problems.

Turning to the questions on economic sabotage, the President first addressed himself to the charge of a loss of momentum. This charge he rebutted and said that it had never been promised that there would be no releases. Some people had been wrongly arrested and it was right that they should be released. He hoped that they would forgive. He was unable to give numbers, but said that when people were released the fact was given publicity in the papers and on the radio. Many people had been released on bail pending a hearing of their cases, but all had been taken back into custody by the police, or on presidential orders. There were, however, others against whom the charges had been withdrawn.

People arrested under the special legislation fell into four groups. First, there were those against whom the police held sufficient evidence to bring them to trial. Secondly, there were those who had committed crimes that were then found to lie outside the scope of the new law. They would be brought before the ordinary courts. Thirdly, there were those against whom the evidence was not very good, but whose known character and records showed them to be 'big economic saboteurs'. If on the day of the clampdown no evidence could be found, they would have been released by the tribunal. In such cases of known saboteurs the police would ask the President to detain them- presumably under the presidential powers in the Preventive Detention Act. The fourth group consisted of party workers, members of the public service and the staff of parastatals, where the evidence was not weighty enough to secure a conviction before a tribunal. In such cases, their names were referred back for consideration under the disciplinary provisions of their employment.

The President said that all those against whom the evidence was clear would go before a tribunal, be they Party leader, Government leader, or ordinary businessman. But in the case of leaders, whether or not the evidence was sufficient for charges before a tribunal, they would also be considered by the disciplinary organs of Party or Government.

366 people had been arrested and released because there was no evidence to justify keeping them in custody. He himself had released two people,

one of them being Edward Barongo, the former Regional Commissioner of Kilimanjaro Region.

On 22nd. August, it was announced that Barongo had been rearrested after the discovery of a large amount of money and goods imported from abroad at his house in Bukoba. Other sums of money were discovered at his house in Moshi. The President explained that his previous decision to release Barongo had been based on the minor character of his infringements known at that time. He had not then been aware of the major new evidence against Barongo.

REVIEWS

Demand for Modern Family Planning in Tanzania: reflections and some evidence from three Regions: by I.S.L. Sembajwe, Institute of Resource Assessment, University of Dar es Salaam, 1981.

This research report was written in 1981 and is based on a survey carried out between November, 1979 and May, 1981 in 11 villages in Morogoro, Kilimanjaro and Mara Regions involving a sample of 773 women. This 19 page research report, which includes 10 statistical tables, sets out to examine whether there is in fact a demand for modern methods of family planning in Tanzania.

From the information obtained by means of answers to questionnaires, it seems clear that socio-economic conditions play a considerable part in determining the desired family size. In Kilimanjaro Region, where a larger proportion of women had received formal education and where there was a higher overall household income, the desired number of children was between 4 and 6, whereas in Mara and Morogoro Regions, where family income was much lower, the figure was an average of 7 to 8. It would, therefore, appear that the higher the standard of living, the greater the likelihood there is of the breakdown of the traditional socio-economic system and a change in the traditional attitudes towards family size.

One of the interesting pieces of information that emerged from this survey is the difference in the level of fertility among a sample of women in the three different areas. In Kilimanjaro the desired family size was generally achieved, or even exceeded, whereas in the poorer areas there seem to be certain factors which inhibit the desired number of children. These factors are discussed in some detail and the conclusion is reached that the most important reason for low fertility is probably pregnancy-wastage- miscarriages and abortions- due to the social, economic and environmental conditions in which people live. The high proportion of childless women in the villages of Mara and Morogoro Regions included in the sample- 27.6% and 33.5%, compared with 4.45% in Kilimanjaro Region- may also be attributed to the same poor socio-economic conditions.

The report also touches on the sensitive issue of the need for pre-marital contraceptive advice and emphasises the double standard which applies (in other countries also!) to attitudes towards pre-marital sex. In view of the breakdown in tribal customs, especially initiation ceremonies, it is felt that one priority of the Maternal and Child Health Family Planning programme should be a programme of sex education, including a knowledge of

modern contraceptive methods.

But the main conclusion of this report is that greater emphasis should be given in the family planning programme to the positive side of the work, to enable families to achieve the desired number of children, as this will have beneficial socio-economic consequences, which in turn will increase the demand for modern methods of family planning. It has, however, to be remembered that the treatment of infertility requires a great deal of skilled medical competence and laboratory equipment, which may not be easy to obtain. Perhaps the solution of this problem lies not only with the Family Planning Association of Tanzania (UMATI) and the Maternal and Child Health Services, but also with those who are trying to improve the general social and economic conditions of the country.

Julia M. Carter

Summons: Poems from Tanzania: coordinated by Richard S. Mabala: Tanzania Publishing House, Dar es Salaam, 1980.

In the last poem of this collection of Tanzanian verse, Eric Shikujua Ng'amaryo suggests in his last three lines that-

One is tempted to
Step aside
And judge things more soberly.

After a reading of all these poems from the beginning to the end and from the end to the beginning, it must be said that those of the fourteen contributors who have fallen to this temptation have far and away fared the best as poets. These Tanzanian verses for the most part have not found the voice with which to express, in a centred kind of way, their feelings of impotence about the continuing revolution in this cruel world.

We want to cry,
Wail out in anguish,
For we feel so impotent,

writes O. Kibuta.

Blindly he hit me,
Eyes closed,
Releasing the squashed anger within his breast,
Muttering oaths against the world,

writes Richard Mabala of a wife being beaten. It is not infrequently that this awkward phrase 'squashed anger' seeks resolution in words. And who, so many ask, is to blame for the world being so cruel, for 'unheeded tears' leading to suicide (Freeman Lwamba), for the loneliness of being-

A lone tree
Standing in a vast expanse of indifference?

Here we are with a lost, lone and impossible to swallow phrasing:

I have to urgently
Incantate your magic name
In order to balm my corroding self,

wherein our friend Eric Shikujua, alas, has not fallen into his own temptation 'to step aside' before writing. Indeed, it is for the reader to cry 'to the barber with your verses', for, like Bottom, they are marvellously hairy. And should this anthology be read in schools by the 'cadres of the future', as the preface by Richard Mabala hopes, may there be someone at hand to speak of the sweet economy of language, so that these unknown persons may at least hesitate when confronted by the 'inmagnanimity of man', where husbands are-

Ruthless owls, engorging the blood of weakened rats,

where-

The whole world is a marshy field
That may suck me down,

and where-

Thinking is prohibited,

to take a selection from several poems. We are back with Chairman Mao and are reminded by Richard Mabala of his doctrine that the aims of art are properly for 'popularisation' and the 'raising of standards'. Thus, when Mao writes harmlessly-

On our tiny globe
A few flies smash into the walls,
They buzz, some loudly complaining, others weeping,

the official commentary would have us understand that the world is 'tiny' in the eyes of the revolutionary, who is capable of changing it by his actions. The walls are said to be those of true Marxism-Leninism, against which the flies of 'imperialism' hurl themselves in vain.

In all art one searches for coherence and truth, which implies an unforced interpretation of experience and not writing for effect. But there are coherent moments in the collection and some of Mabala's longer poems preserve a Mao-like consistency of metaphor. Even Wordsworth found it hard to express the thoughts of inarticulate peasants, but to stir them 'to intone our song', as does Sengendo Mvungi, 'to the staccato of machine guns' is indeed to put thoughts into their heads that might cause them to question whether they really wish to be revolutionaries. 'Our aim', writes Mabala in the preface, is 'to provide a spark', but it is questionable whether the Tanzanian 'quiet peasant' will prove particularly responsive 'powder' and will rise up against the 'dinosaur', that globe-trotting politician and his richly endowed Ministry, on these terms.

Nevertheless, among the coherent moments in the collection is a poem by Eric Shikujua entitled 'One Fine Morning' that, as far as one can tell, does not have any overt political connotation. It is about a bee imprisoned in a stuffy room and urgently wishing to escape to the freedom of the air and sunshine he sees through the window,

Before I finish myself here
And join the corpses of my fellows
Down there, on the sill.

Hugh Dinwiddy

SOME ITEMS OF NEWS

Transport

The first phase of the new Dar es Salaam International Airport built with French help has been handed over to the Government.

Trade

Barter arrangements have been made with China and East Germany. Tanzania will provide China with cement, cashewnuts and timber in exchange for spare parts and raw materials; and East Germany with coffee, cotton, tea and tobacco in exchange for 10,000 bicycles.

Education

The Tanzanian Government has announced plans to establish a university in Zanzibar. Meantime, the Faculty of Agriculture, Forestry and Veterinary Science of the University of Dar es Salaam in Morogoro is due to become a separate Agricultural University on 1st. July, 1984.

Agriculture

A plague of army worms attacked crops of sorghum, millet and maize in central, coastal and northern Regions early in January.

Cultivation of pepper is to start on Zanzibar to reduce the island's over-reliance on the clove crop.

On 12th. January, President Nyerere opened a clove oil distillery plant at Wawi, four miles east of Chake Chake on the island of Pemba. Some 24,000 hectares in Pemba are under cloves and 8,000 hectares on Zanzibar island. The plant, which has been built by a French firm and partly financed by a French Government soft loan, is expected to go into full operation later this year and to employ 200 people. It produces at present some 540 kilogrammes per day and when fully operating is planned to produce 1,000 kilogrammes of clove oil per day.

Livestock

A ten year plan for the development of livestock was announced at a seminar in Arusha by the Director of Livestock Development. The Government plans to invite private interests to participate in setting up large scale cattle farms and land will be made available for this purpose. Dairy plants are planned for Morogoro, Mbeya, Shinyanga, Dodoma and Mwanza Regions and existing dairies are to be upgraded. Thirteen heifer units are to be set up. Addressing the seminar, President Nyerere said: 'Tanzania has the third largest stock of cattle in Africa, but is far from self-sufficient in beef and milk. We need to eradicate tsetse fly and turn reclaimed land into ranching areas and to take measures to combat rinderpest and foot and mouth disease. Small farmers should be encouraged to improve stock quality'.

Tourism

Shs. 15 million have been allocated for the improvement of several access roads on the northern tourist circuit. The Minister for Natural Resources and Tourism, Ndugu George Kahama, is seeking funds from overseas to tarmac the road from Makuyuni to Fort Ikoma, which passes through Ngorongoro and Serengeti.

Imports of Salt

Tanzania is expecting to obtain 10,000 tonnes of salt from Sri Lanka and Ethiopia to deal with the shortage of salt resulting from a drop in production. The Minister for Minerals, Ndugu Paul Romani, said that domestic production of salt was continuing to improve. The average requirement in a full year for domestic consumption is 80,000 tonnes and for industry 10,000 tonnes. Production was rising at the Uvinza salt mine and in several coastal areas.