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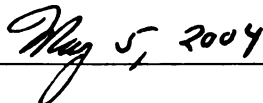
MEGAN G. PLYLER

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of the requirements for the

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Date

THE POWER OF CONNECTIONS:
AGENCY, INEQUALITY AND HUMAN RIGHTS IN TANZANIA

By

Megan G. Plyler

A DISSERTATION

Submitted to
Michigan State University
in partial fulfillment of the requirements
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DOCTOR OF PHILOSOPHY

Department of Anthropology

2004

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ABSTRACT

THE POWER OF CONNECTIONS:
AGENCY, INEQUALITY AND HUMAN RIGHTS IN TANZANIA

By

Megan G. Plyler

This dissertation emerged from two distinctly different yet intimately intertwined periods of fieldwork (1997-98, 2000), and is, first and foremost, an examination of violence in Tanzania, focusing on the categories, victims, perpetrators, and actors. I address the relationship between 'social' violence, the state, community, and human rights in Tanzania. My work does not focus on violence explicitly identified as political in nature and intent. Instead, it centers on violence that is quite literally labeled *apolitical* by both the Tanzanian state and much of society. I thus trace expressions of violence, examining violence that is, on the one hand, quasi-legitimized, and on the other, unacknowledged or dismissed as purely 'social' or 'domestic' in form. I investigate two forms of everyday violence in urban Tanzania: gender-based violence (with an emphasis on domestic abuse) and collective violence (namely mob justice and vigilante militias called *sungusungu*). I explore understandings, explanations and responses to such violence by individuals, communities, state institutions, and state agents.

This study takes place within the context of rapidly shifting social, political and economic realities in Tanzania. In the early 1980s, Tanzania transformed from a state predicated on African socialism to one based on privatization and capitalistic principles of accumulation. In the mid-1990s, Tanzania again made a monumental shift, but this

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The analysis in this dissertation takes place primarily in the context of two urban centers: Dar es Salaam (1997-98) and Mwanza (2000). I chose to pursue a multi-sited ethnography in order to acquire a multiplicity of perspectives. While I have endeavored to include many of those voices in this dissertation, I make no claim that my research represents the lives of all Tanzanians, nor do I want to imply that Tanzanians are especially violent. However, having gathered both ethnographic and secondary data, I find common patterns to such violence and its victims. The threads of violence are interwoven between various class, religious, gender, ethnic and age identities and – like my study – are 'multi-sighted.' Thus, it is in the context of these two urban centers that my research on, and understandings of, violence has taken shape.

To my Tar

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To my Tanzanian friends and neighbors for so graciously sharing your lives with me;

and

To my family, Sam, Diane and Cris Plyler for all your love and support;

and

To Amy Larson (1972-1995), whose light was extinguished too soon. You always said that I was your inspiration, but now, through this work, you are mine.

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committee for their brilliant counsel and efforts on my behalf. First and foremost, I wish to thank Dr. Bill Derman, my dissertation advisor, for more reasons than I can enumerate in these acknowledgements. For his collegial support, friendship, mentorship, and for always believing that I can do a little better, and for knowing when to go easy and when not to – I am deeply grateful. Dr. Anne Ferguson provided instrumental readings, critiques, camaraderie, and an arena for constructive debate. She also deepened my understanding of the complexity of gender relations in Africa. Dr. Judy Pugh proved invaluable for her engaging lectures, critical mind and theoretical acumen. Dr. Deo Ngonyani, from the Department of Linguistics and Germanic, Slavic, Asian and African Languages, shaped and challenged many of my views and provided critical commentary, friendship and helpful suggestions. I also wish to thank Dr. John Davis, the newest member of my committee, for his unwavering faith in my abilities and willingness to provide direction and advice. Additionally, I wish to thank Dr. Fred Roberts for convincing me that MSU was where I wanted to be and for believing in my work from the earliest stages. Dr. Laurie Medina read and commented on several drafts of my proposals and, along with Dr. Beth Drexler, gave much needed advice on my work. Dr. David (and Anabel) Dwyer offered many words of encouragement and led by example. I also wish to thank Gail Barricklow, Nancy Smith and Peggy Medler for all their hard work, kind words, and moral support. On many occasions, they made my day a little easier; a little brighter.

I am indebted to the many fellow graduate students who shared my journey and provided a supportive, intellectually engaging and warmhearted community. Special thanks to my close friends and classmates in the Department of Anthropology: Dr.

Heather VanWormer, Dr. Trish Redeker-Hepner and Dr. Heather Howard-Bobiwash. We spent many a night indulging in w(h)ine and laughter. For their friendship, company and for always "having my back," I am forever grateful. Additionally, Jennifer Brewer, Jill Rowe-Adjibogoun, Sue Schneider, Keri Brondo, Dawne Curry, Kim Smiddy, Michael Walker, and many other graduate students contributed greatly to my positive experience at MSU. I would also like to send a 'shout out' to my "dissertation support group": Rebecca Christoffel, Seung-Yeon Lee, Ramona Fruja, and Yuan Ye. Yuan and Ramona gave me a new appreciation for punctuation, Rebecca could catch a wayward comma in no time flat, and Seung-Yeon asked all the right questions. This dissertation (and my life) greatly benefited from their commentary, editing, and friendship.

I wish to thank the faculty and staff at the African Studies Center (ASC). Dr. David Wiley and Dr. Yacob Fisseha created a welcoming atmosphere, a sense of community, and offered helpful counsel. The FLAS fellowship funding, administered through the ASC, was instrumental to my fieldwork and coursework. Dr. Mungai Mutonya, my Swahili instructor, Gaudence Kayitesirwa and Dr. Georges Rwamasirabo, my Kinyarwanda tutors, were outstanding teachers, mentors and friends. To *dada* Gaudence, in particular, I am grateful for her friendship and her informed viewpoints on history, culture, politics and society in both the U.S. and Africa.

Dr. Tom Carroll and Dr. Scott Whiteford enthusiastically supported my work and provided feedback on a number of proposals. Dr. Barry Stein, from the Political Science Department, demonstrated an enthusiasm for my topic and a willingness to accommodate my theoretical perspectives. Dr. John Metzler and Dr. Anne Schneller deserve special mention for their friendship, humor and encouragement. I will always cherish the

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providing intellectual and emotional succor and unconditional love. I feel that this dissertation is not just my product, but is our product – the first of many. Thank you for being you and for expecting me to be no more or less than I am.

While this dissertation was influenced in numerous ways by the friends, loved ones, mentors and colleagues mentioned above, any shortcomings in this work are entirely my own.

LIST OF FIGURES

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ABBREVIATIONS

AI	Amnesty International
ANC	African National Congress
CCM	Chama Cha Mapinduzi, The Revolutionary Party
CEDAW	Convention on the Elimination of All Forms of Discrimination Against Women
DSM	Dar es Salaam
GOT	Government of Tanzania
HR	Human Rights
ICCPR	International Covenant on Civil and Political Rights
ICESCR	International Convention of Economic, Social and Cultural Rights
IMF	International Monetary Fund
MP	Minister of Parliament
NGO	Non-Governmental Organization
OAU	Organization of African Unity
SAP	Structural Adjustment Program
TACEMER	Tanzania Centre for Men's Rights
TAMWA	Tanzanian Media Women Association
TANU	Tanganyika African National Union
UDHR	Universal Declaration of Human Rights
UDSM	The University of Dar es Salaam
UN	United Nations
UK	United Kingdom
USSR	United Soviet Socialist Republic
WHO	World Health Organization

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Chapter 1

The Powers that Be:
'Social' Violence, Structure, Agency, and Human Rights

Introduction

This dissertation emerged from two distinctly different yet intimately intertwined periods of fieldwork (1997-98, 2000) in Tanzania, and is shaped by innumerable conversations with colleagues, informants and friends. It is, first and foremost, an examination of violence in Tanzania, focusing on the categories, victims, perpetrators, and actors. I address the relationship between 'social' violence in Tanzania, the state, community, and human rights. My work does not focus on violence explicitly identified as political in nature and intent. Instead, it centers on violence that is quite literally labeled *apolitical* by both the Tanzanian state and much of society. I thus trace expressions of violence, examining violence that is, on the one hand, quasi-legitimized, and on the other, unacknowledged or dismissed as purely 'social' or 'domestic' in form. I investigate two forms of everyday violence in urban Tanzania: gender-based violence (with an emphasis on domestic abuse) and collective violence (namely, mob justice and vigilante militias called *sungusungu*). I explore understandings, explanations and responses to such violence by individuals, communities, state institutions, and state agents.

This study takes place within the context of rapidly shifting social, political and economic realities in Tanzania. In the early 1980s, Tanzania transformed from a state predicated on African socialism to one based on privatization and capitalistic principles of accumulation. In the mid-1990s, Tanzania again made a monumental shift, but this time from single-party to multi-party politics. Such changes in economic and political

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After briefly describing the setting within which the research took place, this chapter outlines the methodology for the research. I then cover the nature of 'apolitical' or 'social' violence, followed by a section detailing structural violence, and subsequently move to an introductory discussion of the relationship between the Tanzanian state and such violence. Next, I discuss the utility of a human rights approach for addressing and preventing future episodes of 'social' and structural violence, followed by a section on the role of anthropology in understanding human rights and violence. I end the human rights discussion by locating collective and gender-based violence within a human rights framework. In the concluding sections, I enumerate my main questions and describe the dissertation's organization.

Urban Life: Dar es Salaam and Mwanza

The analysis in this dissertation takes place primarily in the context of two urban centers: Dar es Salaam (August 1997 to December 1998, January 2000) and Mwanza (February to October 2000). Tanzania occupies an area of approximately 945,000 square kilometers (378,000 square miles) and has a projected population of 34.5 million people. A large majority of its residents reside in semi-rural or rural areas; urban areas account for 23 percent of its population (Government of Tanzania 2002). Dar es Salaam, Tanzania's largest city and its capital, has a population of roughly two and a half million

and is located on the central eastern shore, next to the Indian Ocean. Its inhabitants are primarily Muslim (estimated at 60 percent), although Christians, too, are well represented. The peoples residing in Dar es Salaam come from most of its more than 120 ethnic groups and recent figures indicate that 61 percent of the city's inhabitants live below the poverty line (Silberschmidt 2001).

Mwanza is Tanzania's second largest city with nearly half a million people and an annual population growth rate of 11 percent (Lockhart 2002). It is situated in northwestern Tanzania – bordering Lake Victoria – and is characterized by picturesque rock formations. Historically, Mwanza has been a center for the movement of both peoples and goods, since its location next to Lake Victoria provides easy access to neighboring countries. Its inhabitants are primarily Christian or practice traditional religions, although there is also a thriving Muslim population. Mwanza is largely peopled by the Sukuma ethnic group, but many members from other ethnic groups also share its environs.

In both locales I chose to live in diverse neighborhoods. They were varied in terms of socio-economic standing and religious, racial and ethnic affiliations. In Dar es Salaam, Muslims and Christians resided side by side, as did indigent and 'middle-class' refugees, Asian-Tanzanians, and Indigenous-Tanzanians. I use 'middle class' in quotes because even those who were relatively well off (e.g., owned their own home, had cattle or goats, or were in possession of an SUV or other luxury trappings) faced financial uncertainty, heavy debts and potential ruin.[1] Additionally, the idea of 'class' is doubly

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[1] For example, one relatively wealthy Tanzanian friend developed severe financial difficulties when his bank suddenly shut its doors permanently (with all his money inside) and he was concurrently required to pay back a large business loan in full to a South African firm. Although he had the money in his bank account, he was unable to access any of it until the courts settled the accounts several months later.

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complicated in Tanzania due to its shift from socialist principles of economic equality and egalitarianism to consumer and market-driven objectives. Although petty crime was high in my neighborhood, violent crime was still unusual in 1998. This has significantly changed with break-ins and local shops being held up by armed bandits by 2000.

In Mwanza, my neighborhood was not as diverse in terms of socio-economic standing, ethnic, racial and religious affiliations, although variation still existed in large measure. Families were predominantly Christian (though of many different denominations) or practiced traditional religions or some combination of both. My neighbors were mostly from the Sukuma ethnic group, but several other groups were present. Socio-economic status also was not as marked, with more neighbors on the brink of poverty than in my neighborhood in Dar es Salaam. However, there were several families that did possess many of the trappings listed above. Violent crime was generally more prevalent than in my neighborhood in Dar es Salaam and petty crime was widespread. I attribute this, in part, to an illegal bar that served a homemade, potent liquor that was frequented by many who sought to drink on the cheap. Numerous episodes of violence occurred in the vicinity of the bar, from drunken fights, to rape, to beating and sometimes killing potential thieves. The extent of the violence was such that local militia (*sungusungu*) could often be found after dark patrolling the environs.

I chose to pursue a multi-sited ethnography in order to acquire a multiplicity of perspectives. While I have endeavored to include many of those voices in this dissertation, I make no claim that my research represents the lives of all Tanzanians, nor do I wish to imply that Tanzanians are especially violent. However, having gathered both ethnographic and secondary data, I find common patterns to such violence and its

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Methods in Violent Situations

This section describes the process of coming to 'know what I know.' Researching identity, violence, power, agency, vulnerability, and structural inequalities in Tanzania was challenging and at times perilous. Such obstacles informed my methodology and ability to collect and have access to certain kinds of information. Additionally, my methodology, although meticulously mapped out upon my entrance to 'the field,' necessarily shifted with the circumstances in order to protect those who so generously shared their lives with me. It is with safety in mind that I chose to use pseudonyms or refrain from identifying the speaker. In some cases, I have changed certain personal details to preserve my friends and neighbors' confidentiality.

When I began my fieldwork, I did not plan to have violence be such a central component of my research. I intended it to be relegated to a 'sub-category,' a necessary evil to be addressed, but not focused on. I was primarily concerned with identity issues and notions of Self and Other. I, perhaps naïvely, did not anticipate how much Self and Other would be defined through violent means. At that time, I believed that Tanzania was a relatively non-violent nation where ethnic, religious and other identity-based conflicts would play the silent partner to larger nationalist concerns. On the surface this seemed accurate, but I concurrently found that categorical victims of 'social' violence

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acted as the *silenced* partner (Other) to claims of peace, unity and national identification (Self). On a global and regional scale, Tanzania *is* a comparatively peaceful and unified country where genuine attempts are made to strengthen the formal legal system and uphold human rights mandates. Yet, the disjuncture between the 'political,' 'apolitical' and 'social,' and who is, or can be, systematically labeled as victimized/evil Other is also what makes such violence in need of critical, scholarly understanding. Situated at the nexus of anthropology and studies of Africa, gender and violence, my study of 'social' violence in Tanzania participates in larger multidisciplinary dialogues on what constitutes rights, community and violence.

To gather ethnographic information, I engaged in focus groups, semi-structured interviews, life histories, and participant observation. I also relied on documentary evidence, such as media sources and government, international and other scholarly reports. These methods proved invaluable for conceptualizing international, national and local concerns and for analyzing larger structural frameworks and Tanzanians' active engagement at all levels of society.

Focus groups were useful for identifying major themes, group interaction patterns and specific vocabulary. They also lent greater insight into why certain opinions were held (Krueger 1994). The questions were open-ended and were used to generate descriptive data. In all focus groups, the participants were either women or included both men and women. Each focus group contained between 4 and 16 participants and were structured or, on occasion, impromptu. The data gathered in these focus groups was followed by semi-structured interviews in Dar es Salaam (1998, 2000) and Mwanza (2000). I interviewed Tanzanians and non-Tanzanians (i.e., refugees and development

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and aid personnel) from various ethnic, religious, gender, age, and socio-economic statuses. Although I interviewed a number of men, my primary focus remained on women's lives and experiences. Informants were located from several sources: my neighborhoods and volunteer work, and through friends and established social and economic networks within Dar es Salaam and Mwanza.

Recording life-histories was a means for gathering in-depth information from a few key informants, as well as providing a link with the larger community through the lives of a few select individuals. Life-histories were used to elaborate on themes that were identified in the interviews and through participant observation. I carried out a small number of life histories in Dar es Salaam (1998, 2000) and Mwanza (2000). I divided the life histories equally between women and men and selected different age, ethnic and economic groups. I particularly tried to collect women's stories and solicit their comments. The life histories contained a series of 'prompter' questions followed by a free flow form whereby participants were able to focus on issues that they deemed important.

Documentary evidence provided critical historical, political and social context and introduced me to policy papers, legal documents, journal articles, and local researchers' work. Policy papers, journal articles and legal documents highlighted government and civil society's priorities and tensions. Media accounts were especially useful for indicating social, political, economic, and legal change over time and for gauging public attitudes toward collective and gender-based violence.

From the start, I wanted participant observation to play a major role in my research because I felt that it offered a depth that other methods (when used alone)

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lacked. It would be disingenuous to say that I expected it to be my primary method, since I intended to have focus groups, interviews and life histories serve at least as large a role as participant observation. However, I quickly discovered that formal interviews or focus groups concentrating on eliciting information about violent situations and contexts could be dangerous or remain 'surface' oriented. Friends, neighbors and other informants often refused to be publicly quoted or interviewed, but were more than willing to share their perspective on the violence, victims and related issues, provided that we did so in the privacy of my (or occasionally their) home. Strict confidentially was absolutely necessary to protect my informants and was not without personal consequences (see the Afterword for a discussion of some specific outcomes). For example, in Mwanza, I was required to leave my fieldsite prematurely when my safety became at issue. My early departure will be discussed at length in a forthcoming article, addressing what Behar (1996) terms "the vulnerable observer."

Throughout my fieldwork, I became immured in, and inured to, the everydayness of collective and gender-based violence. In both Dar es Salaam and Mwanza there were several key informants who provide many of the voices heard within the following pages. Through my own observations and experiences, I also witnessed firsthand the effects of 'social' violence on the communities I chose to study. Thus, informal conversations, firsthand accounts and my fieldnotes (all key components of participant observation) provide much of the ethnographic information found in chapters 4 and 5. In many instances, the insights gained were serendipitous, since acts and discussions of 'social' violence were generally of the moment and largely unpredictable. Accurate risk assessment and pragmatism were essential commodities.

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Political and Social Violence

Caroline Moser readily draws a distinction between political and social violence. Political violence, according to Moser (Moser and Clark 2001:36), is the "commission of violent acts motivated by a desire, conscious or unconscious, to obtain or maintain political power." Manifestations of political violence can be guerrilla conflict, political assassinations, armed conflict between political parties, rape as a political act, and of course, genocide. Alternatively, social violence is the "commission of violent acts motivated by a desire, conscious or unconscious, for social gain or to obtain or maintain social power." Instances of social violence are interpersonal violence (i.e., domestic or child abuse) and sexual assault.

Yet, as many students of political violence have noted, the concept of what constitutes 'the political' is in itself inherently a political and social question. Not only is the distinction difficult to maintain in practice, but the differentiation of the political from the apolitical becomes a key resource for legitimizing or delegitimizing violences and modes of oppression. States often link social and economic spheres to the political one in order to justify their intrusion into the everyday life and activities of their citizens. This same rationale can excuse states' non-interference in violence that they choose to label apolitical. As Carole Nagengast (1994:116, 117) asserts:

> ...the state is not just a set of institutions staffed by bureaucrats who serve public interest. It also incorporates cultural and political forms, representations, discourse, practices and activities, and specific technologies and organizations of power that, taken together, help to define public interest, establish meaning, and define and naturalize available social identities...In most states, the struggle for consensus is not ordinarily contested in the realm of politics but rather in that of social life where consensus is built.

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My research demonstrates that the distinction made between political violence and social or apolitical violence in Tanzania is an important one. Violence that is labeled apolitical, social or domestic has been described by one Tanzanian man as "not real violence," and by another as "better left to the community or family than the state." Such violence is often not taken seriously by the Tanzanian state, because it is either seen as outside the state's purview or as quoted above – a family or community issue. By its very passivity, the state becomes complicit with such violence through lack of action, prosecution, deterrence, and protection on the part of state agents toward victims. By labeling such violence as apolitical or social, it overlooks the structural aspects of power, domination and privilege among and between women and men, social actors, perpetrators, and victims. The division between 'political' and 'apolitical' also underscores the Tanzanian state's primary denial of accountability for such violence. These assertions are demonstrated throughout the dissertation, but are especially evident in chapters 4 and 5. Moreover, Tanzania's perceived low level of political violence, lack of military involvement in international conflicts and relatively high rating by Amnesty International conceals and redefines instances of violence that are labeled apolitical, domestic or social. Yet, these very categories of 'non violence' are indicative of processes of structural violence.

Structural Violence Within States

In order to understand and engage expressions of social or apolitical violence in Tanzania, it is imperative to recognize the more nebulous and nefarious processes of structural violence. Structural violence operates within societies, such as Tanzania, but also between states in a globalized state system. The production (and acceptance) of

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differential access to resources generates inequalities in economic, social and political status and life chances among citizens, non-citizens and states alike. Structural violence is rooted both within the social structures of a society and within the larger sociopolitical system of states. Structural violence acts on and affects groups, as opposed to individuals exclusively, and it is intimately linked with distribution and access to resources. Johan Galtung (1969:168), credited for first recognizing the importance of structural violence, argues that it is "those factors that cause people's actual physical and mental realizations to be below their potential realizations." Unlike other forms of violence, there is not always evidence of direct physical force or even specific perpetrators, but "...social structures kill and maim as surely as the bullet and the knife. The term structural violence may be rejected, but its contents will reappear under other names: discrimination, exploitation, injustice" (Hoivik 1977:59). Accordingly, structural violence can take one of several expressions from direct violence, to repression, to alienation (e.g., denial of dignity or 'higher' needs), to poverty (Khan 1978; Uvin 1998).

Within a state, inequities in allocation of economic, social and political resources lead to differential life opportunities such as: inadequate versus adequate nutrition, substandard versus safe living conditions, illiteracy versus literacy, glass ceilings versus uninhibited opportunity, or poor-quality versus state-of-the-art health care. These disparate prospects, then, produce noticeable variations in the quality and length of life among social groups in society. James et al. (2003) indicate that mortality and morbidity statistics, coupled with differential rates of incarceration among groups in a given society, are the most evident signs of structural violence. Differences in pay, education and legal status are other prominent indicators.

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State institutions create, reinforce and redefine these categories and groups. The nature of states indicates that inequality in any given state society is inevitable, but which inequalities are accepted and to what degree varies by state. Some states accept high levels of social, economic and political inequality. Others do not. Most contemporary states focus on eliminating specific types of inequities, but rarely target social disparity more generally. For example, states influenced by Marxist theories of inequality attempt to minimize class and economic differences. These same states do not necessarily address gender, sexual, racial, ethnic, age, or religious inequities. Other states attempt to provide equal access to political processes (e.g., voting), while having minimal interest in attending to vast differentials in wealth between citizens. However, states do not innocently neglect such inequities and,

> these inequalities are not the result of freedom of choice by individuals
> and groups who are victimized, but rather are the consequence of the
> more powerful group's use of coercion, which has become
> institutionalized into legal systems, and justified through mythology,
> religion, philosophy, ideology and history (Hoffmann and McKendrick
> 1990:20, cited in Uvin 1998:104).

Structural violence, then, is perpetuated though state institutions, legal norms, community mores, social actors, and by those with vested interests in maintaining the status quo. As James et al. (2003:130) further elucidate, structural violence is,

> ...a set of relations, processes, and social conditions that embody and
> produce other types of violence, and encompasses the conscious and
> nonconscious view, attitudes, and action that create everyday social
> realities...[structural violence] enjoys sanctions of the ruling authorities
> and is reflected in the law, media, education, religion, work relations, the
> environment, cultural and material arrangements. Although there is
> neither a clear single source of oppression nor a distinct oppressive force,
> the social system is constructed and operates automatically in such a
> manner that the oppressed engage in their own destruction. In essence,
> structural violence is built into the fabric of society based on norms and
> traditions that subjugate one group in favor of another.

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Accordingly, structural violence and its power relations are often subtle, flow in many directions concurrently and become naturalized elements in any given society. While ubiquitous, certain groups experience everyday and structural violence disproportionately – usually women, the poor and marginalized (Das, et al. 2000). Power and structural relations are embedded in society and are largely self-perpetuating, but social agents can, and do, resist, accept, reformulate, and solidify (often simultaneously) these relations with differential success. Within states, citizens actively engage in struggles over resources. The terrain of struggle, however, is frequently not of their choosing (Bourdieu 1977; Giddens 1984; Long and Long 1991). Agency and power are dynamic, dialectical processes embedded within specific social, economic and political contexts and constructions. Emphasizing the contextual, embodied and often contested nature of structure, agency and power relations as historically constructed ideological practices indicates such an interplay. Social structures (social relations, institutions and discourse) are seen to shape peoples' actions, but social agents also actively participate, strategize, resist, reproduce, and interact within these structures.

How power and structural relations play out may vary substantially from one society to another, but I argue that understanding structural inequalities and violence forms a foundation for identifying: first, when and what types of state (sponsored) violence are legitimated; second, who the victims of such violence are likely to be; and, third, the prevailing justifications for violence toward targeted social groups. Within Tanzania, illuminating existing avenues for structural violence draws attention to the

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inequalities in social relations and the unmarked,[2] legitimated expressions of 'social' or 'apolitical' violence that are right before our eyes and, yet, are frequently the most difficult to perceive. Focusing on structural violence draws our attention to individuals' and groups' unequal life chances and makes the unmarked visible.

Structural Violence Between and Among States

Tanzania is one state within a global network of states. All states are not created equal, whatever the international legal instruments may indicate. Disparities in economic, social, political power and connections differentiate individual states from one another, in much the same way as states internally discriminate against societal groups. Similar, too, is the way the globalized system of states naturalizes these categories so that those on top and bottom of the hierarchies remain unmarked.

Since states are the universally recognized sociopolitical entity for mediating and responding (locally and globally) to other states, vertical and horizontal connections between such entities produce differential 'life chances' for nation-states. Analogous to domestic conditions, internationally, certain states benefit from support by governing bodies which then are reflected in legal and policy agendas, international labor, economic and industrial relations, immigration/emigration proceedings, and the dominant material and cultural landscapes. The hierarchies of states within a global system take several forms: first, disparities in wealth and access to wealth; second, inequalities in coercive, negotiating and instrumental power relations (including violent and non violent means); third, vertical aid networks that promote and maintain dichotomies between 'developed' and 'underdeveloped' countries – simultaneously supporting elites' positioning in both

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[2] By 'unmarked,' I do not mean invisible in the sense of hidden, but, instead, that which is unmarked is in full view and, yet, unseen or unobserved because it is simply taken for granted.

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societies and increasing structural divides; fourth, the unequally weighted power of states on top to define 'universal human rights' and violations, as well as those categories of states (i.e., the bottom) to which such rights violations are primarily applied; and, fifth, disparity in the defining terms of the international system more generally, and, specifically, what constitutes a successful state.

While states are the main sociopolitical entity globally, they are individually and discriminately held to international legal standards. Pursuing individual states calls attention to some states, leaving others unmarked but decidedly visible. Put another way, if we held the larger state system (and large multinational companies or organizations, such as the World Bank) to the same standards that individual states must meet, the naturalized and unequal mechanisms and application of the global system becomes evident. If states in their international relations, or the Bretton Woods institutions in their aid, had to uphold the right to food, water, health, livelihood, and were held accountable for denial of these rights, their modus operandi would necessarily alter substantially, as would the contemporary social, political and economic terrain.

By continually (re)defining the naturalized system of states so that some profit at others' expense, we can begin to understand the external constraints that a heavily indebted and aid dependent state such as Tanzania faces. In this case, structural violence is useful to understand how "…strong states and economic actors can achieve their will over weaker countries, classes, groups and individuals without recourse to weapons" (Cockburn 2001:17). It also provides a framework for balancing external and internal obligations, conflicts and negotiations. In chapters 2 and 3, I expand my discussion of the importance of states within a global network of nation-states, and turn my attention to

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analyzing Tanzania's place within such a network and, especially, within the context of internal(ized) violence. Before proceeding into these chapters, a discussion is warranted of Tanzania's positioning in human rights debates, followed by the importance of an anthropological perspective understanding of human rights and violence. In addition, I will outline my central questions and the organization of the dissertation.

The Purview of Human Rights in Tanzania

The discourse of human rights by the Government of Tanzania (GOT) is best understood through the rhetoric of unity, equality, democracy, and social progress. Such expression plays on a suite of attributes strongly associated with national pride and larger conceptions of 'Tanzanian identity.' The GOT portrays itself as actively producing, 'Africanizing,' advancing, and upholding fundamental human rights principles. Indeed, for 2003, the United Republic of Tanzania received an overall rating by Amnesty International (AI) of "not bad" (UN Integrated Regional Information Networks 07/16/2003). AI's rating lends credence to some of the state's claims, although there are many internal and external critics.

The United Republic of Tanzania is also a signatory on numerous international treaties and conventions. These treaties and conventions have the potential to shape understandings of, and platforms of action against, structural and 'social' violence. Such documents and engagement with rights provide a framework to hold the state accountable for its role in perpetuating patterned instances of violence and victims. International relations, local initiatives, and (trans)local and international advocacy groups can produce positive changes in both intensity and extent of 'social' and structural violence.

Alternatively, while human rights may offer resources and avenues of action in the future, it presently does not widely affect incidences of 'social' (or structural) violence in Tanzania. Partly, this can be attributed to confusion on the part of most Tanzanians about the difference between rights and privilege. The two concepts are often equated so that empowering one group is believed to be at the expense of another. This means that many see human rights as exclusionary and discriminatory. Additionally, 'social' violence is often equated with the 'private,' while human rights are normatively seen as 'public.' Clearly, the public/private distinction, much as the political/apolitical dichotomy, has little veracity and obscures state culpability. Moreover, widely held attitudes that argue some forms of societal violence are unavoidable and innate to human nature can hinder the effectiveness of a rights-based approach. This strand of argument has most commonly been employed to justify gendered, racial, religious, or ethnic discrimination. Both local and international human rights groups are actively attempting to change these perceptions in Tanzania, but it is a lengthy process.

My research also indicates that many Tanzanians simply do not resort to formal state or international solutions to solve their problems – especially when it involves violence in the family or against women more generally. To many, such solutions seem out of reach and unrealistic. For example, in a conversation in my women's development group in Mwanza about domestic violence, a few of the older, married matriarchs insisted that all husbands beat their wives and dismissed my disagreement as naïve. They laughed when I asked whether any of them had ever approached the police or another public official for help. As Mama Ima commented, "For what? Do you think he [policeman] doesn't beat his wife?" Another woman opined, "Why make my husband

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more angry? He could kill me and then what would my children do?" A third remarked, "Yes, yes, exactly! That's how it is. It's better to stay quiet; we endure." For these three women, who were of different ethnic, religious and socio-economic backgrounds, family, neighbors and friends were the preferred source for respite and resolution. Human rights (and Tanzania's formal legal sector) remain, in a practical sense, beyond their grasp due to social, economic and structural constraints.

Corruption within Tanzania's formal justice system also constrains victims' options. For instance, an article in The Sunday Observer (Kigwangallah 02/02/2003) reported that a Kariakoo resident, Eman Issa, attempted to file a complaint with the police when her husband beat her. Although she lived only a few meters from the police station they refused to go arrest her husband until she paid them a 'fee' for transport and their effort. In the same article, another Karikoo resident, Abushir, states, "It is a disgrace. It is as if policemen rely totally on us for their survival. This is the situation all over the country. They sometimes even become violent, and if you refuse to cough up, they beat you." Such incidences are all too common. However, these hindrances do not entirely negate nor make irrelevant human rights instruments since they articulate principles and strategies for equitably addressing 'social' and structural violence. These frameworks also increasingly promote access to basic needs such as food, water, health and education, which fall under the rubric of civil and political rights, as well as cultural, social and economic rights.

Ethnography, Violence and Human Rights

Appreciating the lived realities, constraints and agency of urban Tanzanians illuminates how rights are understood, subverted or supported. Anthropology as a

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discipline, ethnography as a technique and violence as a topic, has much to offer broader human rights discussions. Instead of merely utilizing a human rights approach to violence, I examine how people draw on and conceptualize human rights. By addressing issues that repeatedly fall outside of mainstream human rights conceptions, I provide a nuanced understanding of rights. I take such rights seriously by suggesting that violence is the worst form of coercion and perhaps the strongest barrier to realization of human rights. I use an anthropological lens as a way of critiquing, reshaping and extending human rights dialogues through a prism of everyday violence.

Scenarios of violence (e.g., political versus social) produce differential outcomes and show the limitations of a single universal human rights framework. Such frameworks are frequently predicated on narrowly defined attributes that assumes a foreknowledge of peoples' needs without a genuine understanding of their realities. My research demonstrates that social violence complicates realization, maintenance and definitions of rights. Examining variations in what constitutes rights, who they are applied to, and the tension between competing rights frameworks is central to successful and far reaching implementation of human rights measures. Anthropological approaches that combine context and commitment to basic human rights principles provide possible avenues for achieving meaningful rights-based goals.

Human Rights and Collective and Gender-Based Violence

While Tanzania is a party to many conventions and treaties, I only consider the international human rights principles and instruments that have direct relevance to gender-based and collective violence in Tanzania. The international frameworks relevant to the analysis (Figure 1.1) are as follows:

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1. Universal Declaration of Human Rights, 1948
2. International Covenant on Economic, Social and Cultural Rights, 1976
3. International Covenant on Civil and Political Rights, 1976
4. The African Charter on Human and Peoples' Rights, 1986
5. Convention on the Elimination of All Forms of Discrimination Against Women, 1985

Figure 1.1: Selected Human Rights Instruments to which Tanzania is a Signatory

Collective violence, whether by vigilante groups or through impromptu community actions, is targeted at particular groups in society – in most cases, thieves, witches or other social undesirables. A lengthy discussion of collective violence, its causes and consequences is presented in Chapter 4, but for the purposes of this section a few human rights principles are particularly relevant: first, the right to equal protection under the law; second, the right to a fair and impartial trial; and, third, the right to be assumed innocent until proven guilty.

Until more recently, acts of violence among individuals – assuming they were not state agents – were not categorized as human rights issues because the state had little obligation to do so. This meant that 'common-crime' issues such as domestic violence, rape or murder – say of suspected thieves – were not strictly in the purview of international human rights legislation or theory. Today, social theorists, legal experts, human right groups, and governments widely recognize a state's obligation to deter violence, prosecute assailants and protect its citizens *equally*. This obligation is covered in Article 7 of the Universal Declaration of Human Rights (UDHR), whereby "All are equal before the law and are entitled without discrimination to equal protection of the law." The African Charter of Human and Peoples' Rights (Article 3.2) and the International Covenant on Civil and Political Rights (ICCPR, Article 26) also incorporate equal protection into their doctrines.

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Legal studies of contemporary nation-states (Tanzania included) have generally found that many states – through inaction, intimidation, overt or covert support of assailants – systematically disadvantage one or more groups of their citizens, while concurrently privileging others. Thus, what was once regarded as beyond the scope of a state's directives has become central to international human rights agendas. The failure to uphold equal protection forms the intersection where mob and vigilante justice, the Tanzanian state and larger human rights conceptions collide.

In view of the fact that the *sungusungu* militia and mob justice operate outside of the rule of law and the liberal legal system, there are ample reasons for the Tanzanian state to intervene. Yet, as I demonstrate in Chapter 4, the state, while having an admittedly ambivalent relationship to the *sungusungu* and mob justice, has not fulfilled its end of the social contract toward those who are victimized through such actions. Moreover, *sungusungu* actions and mob justice are in violation of Articles 10 and 11 of the UDHR. Article 10 states, "Everyone is entitled in full equality to a fair and public hearing by an independent and impartial tribunal, in the determination of his rights and obligations and of any criminal charge against him." This same obligation is echoed in the African Charter on Human and Peoples' Rights (Article 7.1d) and ICCPR (Article 14.1)

UDHR Article 11 adds that "Everyone charged with a penal offence has the right to be presumed innocent until proven guilty according to law in a public trial at which he has had all the guarantees necessary for his defense." Likewise, both the ICCPR (Article 14.2) and African Charter on Human and Peoples' Rights (7.1b) support such rights. Collective violence contradicts these principles. When the community becomes the

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police, judge, jury, and executioner, whether through *sungusungu* militia or by acts of mob justice, the Tanzanian state has the responsibility to protect the targeted groups and prosecute the vigilantes. The state's low prosecution and even lower conviction rate against collective violence members indicates the state's breach of the social contract and deeply implicates the state as it sidesteps its obligations.

Gender-based violence and discrimination, like collective violence, is widespread in Tanzania. In Chapter 5, I discuss at length the modes, instances and understandings of gender-based discrimination and violence in Tanzania. Since 1998, the government has made a concerted effort to pass legislation protecting and promoting women's access to land and inheritance. The legislature has also passed resolutions to criminalize sexual abuse, rape, and female genital cutting, although age of the victim seems to greatly influence prosecution and conviction rates. As with perpetrators in the *sungusungu* and mob justice, perpetrators of gender-based crimes and, more specifically, domestic violence, repeatedly go unpunished, under-punished or unobserved. Even though some measures have been adopted by the Tanzanian state to prohibit and punish perpetrators, the state colludes and condones such violence through lack of systematic action, prosecution, prevention, and protection on the part of state agents toward victims.

In addition, governments are required to assure, without regard to sex, basic human rights and equality before the law. This obligation is embedded in the Convention on the Elimination of all forms of Discrimination Against Women (CEDAW, Article 3), International Convention of Economic, Social and Cultural Rights (ICESCR, Article 2.2), International Covenant of Civil and Political Rights (ICCPR, Article 2.1), African

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Charter on Human and Peoples' Rights (Article 2), and the Universal Declaration of Human Rights (UDHR, Article 2).

Further, some human rights advocates are attempting to place gender-based violence, especially domestic violence, within the category of torture or are embedding it within discussions of health-as-a-human-right. The African Charter of Human and Peoples' Rights (Article 5), ICCPR (Article 7) and the UDHR (Article 5) all prohibit torture or other cruel, inhuman or degrading punishments. The African Charter of Human and Peoples' Rights (Article 16.1), UDHR (Article 25.1) and the ICESCR (Article 12.1) all advocate "the right of everyone to the enjoyment of the highest attainable standard of physical and mental health." These arguments are discussed at the end of Chapter 5.

Central Questions

My central questions thus are:

1. What are the particular features that define Tanzania's state? How have these attributes changed historically and in what ways? What are the effects of political, economic and social changes in the last twenty years on 'social' violence? Have these changes, more generally, impacted violence in Tanzania, and if so, how?

2. What are gender-based and collective violence and why is it important to examine them? What role(s) does the Tanzanian state play in such violence? Where do violence and the state intersect, collude or conflict? What are the structural constraints to preventing or seeking redress from violence? How do victims/perpetrators maneuver within these constraints?

3. Who are the main victims of violence and how is it justified? Who are the primary perpetrators? What societal forces impact the frequency and likelihood of violence? What are victims' responses to violence?

4. How can we understand the interaction between society, larger human rights discourses and violence?

Organization of the Dissertation

Chapter 2 is primarily an exploration of the different theories and understandings of the state. In part 1, I begin with a discussion of the features and processes that are found in all states and then proceed to review theories of contemporary states, including the realist and liberal paradigms. I also discuss approaches to African states and patrimonial systems more generally. In part 2, I outline and define characteristics of nation and its relationship to the state and to Othered societal groups. In the final section, I highlight structural and acute violence and, specifically, sex differences and race as emergent forms of structural violence. Key themes in this chapter include: changing relationships between states and their citizens; links between European racialization, sex differences, colonialism and structural inequalities; nations, nationalisms and their links to violence; and, (re)creation of marginalized states, groups and societies. This chapter provides the basis for an extended discussion of the Tanzanian state and nation in the next chapter.

In Chapter 3, I extend the discussion of contemporary nation-states, focusing on Tanzania. I make connections between current understandings of Tanzania's state with its colonial history and illustrate how modernist thought, belief in unilinear development and progress are central to the state. By drawing on concepts gleaned from Chapter 2, I analyze the production and maintenance of Tanzanian nationalism and argue that the definition of 'the political' includes management of the economy, societal groups and their access to the state. By connecting social, moral and economic spheres to politics, the Tanzanian state inserts itself into the everyday life and activities of its citizens. Additionally, I analyze affective, metaphorical and socio-historical constructions of the

nation and how such constructions aid in delineating group identity, while concomitantly inventing Others who privileged groups and individuals then define themselves against.

In Chapter 4, I address collective violence and its connection to the Tanzanian state. I illustrate how many men and women cope with high crime rates and an unresponsive and overtaxed legal system. Collective violence is thriving due to its successful reduction of certain types of crime in several areas of the country, and in spite of an ambivalent and at times openly hostile relationship to the state. I examine two varieties of collective violence: organized vigilante groups, known as *sungusungu*, and mob justice. After defining collective violence and vigilantism, I examine the context of this violence. I divide this chapter into three parts: first, I address the overarching concerns, theories and understandings of collective violence and vigilantism; second, the context and specifics of the *sungusungu*; and, finally, I focus on mob justice and its victims.

In Chapter 5, I consider gender-based violence, especially domestic and partner violence. My research has shown that a dominant gender ideology promoting inequality, violence, male authority, and the oppression of women is still very much a part of men and women's daily experience in Tanzania. International and local human rights initiatives, as well as national legalistic responses have been only partially successful at addressing gender-based systems of inequality and violence against women. Responses of state agents to gender-based violence and discrimination have varied, but lack of systematic efforts to alter patriarchal and economic relations deeply implicate the Tanzanian state. This chapter is divided into three parts: first, I addresses definitions, theories and understandings of gender-based violence, discrimination, patriarchy, and

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masculinity, even as I make connections between such concepts and the Tanzanian state; second, I offer the context and specifics of domestic violence and discuss the prevalence of such violence in Tanzania; and, third, I examine the utility of human rights frameworks for preventing and punishing domestic and gender-based violence.

In Chapter 6, the conclusions, I summarize the main arguments and findings in this dissertation and offer some reflections on the findings. In a brief afterward, I discuss some of the ethical dilemmas faced in my fieldwork.

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Chapter 2

Nationalizing the State (of Violence)

This chapter provides an overview of current debates and understandings of states and nations. The ideas debated herein provide context for subsequent chapters. In the first part of this chapter, I discuss the rise of states and indicate which features and processes are found in all states. Next, I analyze contemporary constructions of states, such as the realist and liberal models, arguing that how one understands a state (and its functions) depends on the framework utilized. I also point out that there is a contradiction between definitions of contemporary states (as peacemakers) and the actual prevalence of violence in states. I discuss how these understandings and contradictions have been applied to African states, which places most at a distinct advantage. I support a context-driven approach to African states.

In the second part of this chapter, I investigate the construction of nation and nationalism, and its relationship to the state. I conclude with a larger discussion of structural and acute violence. In specific, the relationship between violence and Otherness is explored, as well as the role of gendered European racialization as an evolving form of structural violence. This chapter provides the basis for an extended discussion of the Tanzanian state and nation in Chapter 3.

PART 1: THE STATE

The Rise of States

Historically, states are simply one type of social organization that have existed alongside many other social systems. Archaeologists have long theorized state rise and

decline, and studies of archaic and contemporary states have shown that there are sets of interlinking processes found in state level societies. Some of the primary characteristics and processes that identify these types of social organization are: urbanization, territorialization, stratification, centralization, craft specialization, agriculture, monumental architecture, expansion based on linkages between resource extraction and trade, creation of bureaucracy, non-kin based allegiance, cycling (i.e., emergence, expansion, fragmentation), and government based on the rule of law (Flannery 1999; Stanish 2001; Wright 1977). Although no definitive characteristic or process categorically separates states from other forms of social organization (e.g., chiefdoms, bands or the international community), taken together, these processes identify state level societies.

I highlight the processes and archaeological contributions to state studies because archaeologists focus on the *material indicators* found in all states, without assuming that state organization is 'natural,' inevitable or even that all states must share all the same features in the same way. This is in contrast to much of the current political science debates, which naturalize particular ideological constructions and categories as givens. As Spruyt comments,

> For many years, the study of the state and its origins has been relegated to secondary status. Neo-Marxist arguments, world systems theory, and structural functionalist perspectives accounted for the rise of the state as a response to macro structural changes. Linear and teleological in nature, such theories pictured the modern state as the logical endpoint in the evolutionary development of politics (2002:128).

Such trajectories obscure nation-states' socially constructed nature, which are layered with particular meanings, power, negotiations, and identifications that create and maintain hierarchies of difference within an ideologically defined state system. As a

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cultural anthropologist, I am concerned with the social, economic, political, and instrumental utilization of such a social construction to delineate 'the state.' It is thus critical to understand how states (and a state system) are defined, who (re)creates them, and how some states systematically reap benefits, while other states are concurrently disadvantaged from the same definitions.

(A)historical Paradigms: The Realist, Liberal and Contemporary State

The emerging nation-state system originated from political transformations in Western Europe in the mid-1600s. The transformations, out of diverse forms of social organization, occurred slowly and with much contestation. Also corresponding with the rise of modern nation-states came philosophies about the nature of the state. Conjectures about human nature and its potentials became key to understanding the role and existence of the modern state.

The realist school of thought is one paradigm that has analyzed the connections between nation-states and human nature. It is a composite brainchild of many eminent social theorists. In part, it is a response to influential Hobbesian suppositions that human beings are inherently grasping and covetous of others' symbolic and material goods (Spruyt 2002; Turner 1998). In this context, violence is seen as endemic to human nature. The state, therefore, mediates acquisitive desires and violent behaviors among individuals. It is seen as a positive force that harnesses human potential and capabilities. The state provides order and peace in what would otherwise be a chaotic and violent world. Key assumptions of the realist paradigm are: states are the ultimate form of social organization – they supercede all other larger and smaller forms of regulation; states (and their agents) are rational and seek to maximize their fitness; states desire

power and act according to this interest (Turner 1998:27). The realist state, in addition, is predicated on international and domestic recognition of its sovereignty (Spruyt 2002). Accordingly, states are understood as essentially amoral – first, both law and morality derive from the state and, as Hobbes (1985 [1651], cited in Turner 1998:27) states, "where Law ceaseth, Sinne ceaseth;" and second, the ends justify the means. In other words, if states use violence (the means) to subdue and order their populations (the ends), the violence itself is discounted and seen as legitimate – as long as the ends are achieved.

In apparent contradiction to the state-as-peace-keeper, realist paradigms posit that violence is an essential feature of states. Externally, since states seek to maximize their influence and power, international relations are always tinged with violence or threat of violence. Internally, the avariciousness and innate aggressiveness of human nature make necessary the use of (legitimized) violence by the state to uphold a disciplined society. In essence, states make violence orderly so that only certain types and categories of people or states are targeted. Instead of a free-for-all bloodbath (the assumed outcome of natural human tendencies), the state organizes and harnesses 'legitimate' violence, which, in theory, is only used when necessary to keep society orderly. Weber (1958 [1946]:78) adds to Hobbesian suppositions by defining the modern state as "a human community that (successfully) claims the *monopoly of the legitimate use of physical force* within a given territory." Weber's definition effectively entwines violence, legitimacy and states.

Yet, after World War I, the international community was faced with the realization that states have enormously violent potentials. This view was solidified during World War II. Instead of assuming that states were naturally benign and parental toward their citizens, the possibility arose that states were or could be internally

predatory. While some philosophers and social theorists had suggested this long before

World War II, the Holocaust provided an indisputable illustration of horrifically

systematic violence perpetuated by particular states toward their citizens.

In response to World War II and the violence unleashed by states, an alternative

paradigm, liberalism, took new prominence. Liberalism developed and expanded in the

1800s, along with socialism and conservatism. These ideologies were different responses

to the same suppositions, namely, that political changes are inevitable, and the belief in

sovereignty of the people (Wallerstein 1997:183).[1] Socialism promotes rapid and

ubiquitous change to realize the peoples' sovereignty, while conservatism, as its name

suggests, focuses on preserving the status quo, and only changing when absolutely

necessary, and even then only with the greatest caution and to the smallest degree.

Wallerstein (1997) argues that liberalism recognizes the inevitability of change, but tries

to control that change through careful, rational action. Wallerstein (1997:185) states,

> [Liberals] sought to perfect the system, not transform it, because in their
> view the world of the nineteenth century was already the culmination of
> human progress...if we are living in the last epoch of human history, then
> naturally our primary (indeed our only possible) task is to perfect the
> system...

Liberalism, then, relies on ideas of unilinear evolution and progress to understand states

in a state system. Consequently, some states represent the culmination of progress, while

others fall far short of the ideal.[2] Liberalism does not currently provide an avenue to

describe states on their own terms – it assumes the state. Indeed, almost all the peoples

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[1] Wallerstein (1997) attributes these principles to changes emerging from the French Revolution.
[2] Even though some states are cited as exemplars of the liberal state, these, too, are interpreted through partial lenses that benefit select interests. Some states closely mirror the liberal ideal, some (powerfully) claim to represent the ideal, some unsuccessfully maintain they represent the ideal, and others acknowledge (or are forced to acknowledge) that they do not measure up.

of the contemporary world have been incorporated into states – the universally recognized dominant form of sociopolitical organization.

Liberal formulations of states, unlike those of the realist, are predicated on the belief in a social contract between states and their citizens. States are viewed as potentially predatory and violent, and in theory, a social contract guarantees citizens certain protections from the state and this includes protection from illegitimate violence. A social contract grants a state a monopoly on force in exchange for providing security and protection for its citizens. Individual freedoms are relinquished and a social order established whereby the state is the only lawful source of force – whether constraining or enabling. While the state is seemingly allowed to use force legitimately, not all force is seen as legitimate. States can, and do, overextend their use of violence. In theory, the contract acts as a safeguard against state aggression toward its citizens (or groups of citizens). International legal measures (e.g., the Universal Declaration of Human Rights, the Convention for the Elimination of all forms of Discrimination Against Women) have been implemented to differentiate between legitimate state force and illegitimate state violence. Human rights, then, are based on the belief that states are violent more often and to a higher degree than citizens. Paradoxically, states are also the recognized entity for implementing and adhering to human rights principles; the perpetrators are asked to defend victims' human rights.

Wallerstein offers an even more cynical interpretation of the social contract. He (1997:188) argues that, "the political project of the nineteenth-century liberalism in the core countries of the capitalist world-economy was to tame the 'dangerous classes' by offering a triple program of rational reform: suffrage, the welfare state, and national

identity." The aim was to keep ordinary people content with the trickling down of social,

economic and political resources, in order to prevent them from actualizing their full

human rights. Suffrage, the welfare state, and national identity become instruments of

structural violence, maintaining differential life chances among groups and nations.

Wallerstein (1997:196-197) adds,

> If all humans have equal rights, and all peoples have equal rights, then we
> cannot maintain the kind of inegalitarian system that the capitalist world-
> economy has been and always will be. But if this is openly admitted, then
> the capitalist world-economy will have no legitimacy in the eyes of the
> "dangerous" (i.e., the dispossessed) classes. And if this system has no
> legitimacy, it will not survive.

In other words, liberalism is built on a contradiction between the promotion of rights and

concurrently the non-realization of such rights for most people. One example of

Wallerstein's claim can be found in the early understandings of the Universal Declaration

of Human Rights (UDHR). In 1948, the UDHR was adopted by the United Nations

General Assembly. Human rights were to ensure that 'civilized' nations acted in

'civilized' fashions. It was not until 1960 that the UN adopted the Declaration on

Granting Independence to Colonial Countries and Peoples. Colonial peoples did not

generally meet the criteria for either 'civilized' states or 'civilized' populations. These

states and their peoples were to be held in trust until such time as they become adequately

civilized. Consequently, even after independence movements swept the globe, structural

inequalities remain embedded in most former imperial-colony relations.

The liberal school of thought, like the realist and conservative (and ironically the

socialist), acknowledges the state as the primary unit of social and political organization.

Conversely, it seemingly attempts to check the unbridled power of the state and insert a

moral code. Supporters of the realist paradigm see state violence as a necessary

component of social life and chafe at the restraints and moral order imposed by international legislation. Ultimately states (and their agents) negotiate this complex terrain with varying degrees of success.

The Failed State of African Politics

In sub-Saharan Africa, negotiation has been especially complex between political, social and economic forces and realities, both internationally and domestically. African states existed long before European colonial intervention into the continent. However, colonialism altered the face of Africa literally and figuratively. During the Berlin Conference of 1884-85, Africa was divided into colonial spheres of influence. These boundaries did not consider ethnic or kin dispersal and redefined territory according to individual colonial powers' interests. During the 19th and into the 20th century, African states were produced en masse from diverse populations. These states were designed to make resource extraction (whether people, labor or raw materials) more efficient. Unlike patterns seen in earlier empire expansions, the connections between resource extraction and trade were fundamentally altered during colonial rule. Instead of trade involving an exchange of raw or finished materials between polities, it now became a one-way parasitic transaction with imperial centers extracting raw material from their colonies. When materials were brought back to the colonies, they were *sold* back as expensive manufactured goods.

After independence, most African states were left with colonial infrastructures that poorly reflected the needs of the fledgling countries. Politically and legally states had been created, but they lacked the more stabilizing elements (e.g., favorable terms of trade, development of social services, manufacturing capabilities, technology, and other

internal supports) associated with the dominance of many contemporary European nation-states. Additionally, ideological understandings of what a state should resemble, did not reflect the reality of most newly independent countries. Not only were their political systems seen as less developed, but many African states found themselves parasitized by their former imperial centers because they lacked the economic infrastructure to become completely self-sustaining. While some countries had abundant natural resources, only a few had the infrastructure to produce finished products. Many still had only the low priced raw materials with which to trade. These countries faced environmentally deterministic realities (i.e., finite amounts of resources) and market-driven forces which were generally not in their favor. Yet, even so, African states were pressured to model themselves after European ones, without a thorough examination of what kinds of states were actually present and sustainable.

Approaches to the African State

During the Era of Independence, there were high levels of optimism about Africa's 'new beginning.' Many politicians, academics and African peoples celebrated this period as a time of nation-building and freedom from colonial rule. African politics during this era centered on charismatic African leaders (following Weberian, Durkheimian or Parsonian models), 'big man histories,' functionalist approaches to the state, and the unlimited potentials of African states and peoples. This was a time of idealism and hope for the African continent (Stark 1986).

Throughout the 1970s, such emphasis changed to a more Marxist perspective of the African state and its relations to the larger global economy. The inflated optimism of the 1950s and 1960s was replaced with a concern for the harsh constraints faced by many

African countries. The hope of the Independence Era was replaced with pessimism and suspicion of neo-colonialism, world systems and class-based oppression. Alavi's (1972) conception of *overdevelopment*, Gramsci's (1971) notion of *hegemony*, and Althusser's (2001[1971]) concept of *ideology* became central analytical concepts.

In the 1990s, another dramatic shift in African politics occurred. A newfound interest in civil society, a profound disillusionment with African states and a recognition of the need for broader analysis displaced the state as the primary actor in African politics (Munro 1996). While such a shift produced a plethora of information on civil society, reinserted human agency into political formulations and created an interest in democratization movements, Munro (1996:113) comments, "...these shifts are disquieting because they draw attention away from the fact that the state is pivotal to the political future of African countries." Moreover, profound disillusionment and unfulfilled potentials have caused many to question whether Africa's states have in fact failed.

Chabal and Daloz's (1999) collaborative writings place a new spin on such debates. The authors argue that most African states have not failed per se – in fact, they are essentially empty concepts. If one regards the state as the Weberian liberal ideal, then indeed African states are failures. However, as Chabal and Daloz explicate, by removing the liberal standard and notions of unilinear historical development, the context of African political development and change becomes visible. They opine that,

> What all African states share is a generalized system of patrimonialism
> and an acute degree of apparent disorder, as evidenced by a high level of
> governmental and administrative inefficiency, a lack of
> institutionalization, a general disregard for the rules of formal political
> and economic sectors, and a universal resort to personal(ized) and
> vertical solutions to societal problems. (1999:xix)

Their argument hinges on what they term the "political instrumentalization of disorder." Unlike many analysts of African politics, they do not mean disorder in the sense of failure or delinquency. Chabal and Daloz (1999:xix) argue that disorder should "also be seen as a condition which offers opportunities for those who know how to play that system." With disorder comes uncertainty that can have both costs and benefits to various actors. Moreover, knowledge or the ability to control (or predict) uncertainty becomes a key political commodity. In this way, African politics remains primarily informal, with patrimonial networks taking precedence over more formalized features of the state.

Such networks, Chabal and Daloz (1999) assert, keep African states essentially vacuous since "the exercise of central political power has not been emancipated from the overriding dominance of localized and personalized political contests...it has not become structurally different from society" (Chabal and Daloz 1999:1-2). In their framework, African states are not being compared to European ones because they argue that holding African states to the same ethnocentric standard as European or Asian "Tiger" states places Africa at distinct disadvantage and is analytically inaccurate. Africa is developing differently – not necessarily better or worse. While they in no way claim that African states should be exempt from accountability or criticism, they argue for an approach that goes beyond notions of (European) progress embedded in constructions of the liberal state. Instead, they advocate understanding what is truly 'African' about these states and then analyzing the results – both positive and negative – without the assumption that the

state must resemble a particular structure.[3]

Chabal and Daloz are correct to assert that applying formulations of the 'modern' liberal nation-state to the complexity of African socio-political systems is irresponsible and inaccurate. However, they are misguided to discount the state as a central organizing principle of social and political life in Africa. They assume patrimonial networks negate the state, but, in fact, the state is undoubtedly present. Many of Africa's states differ from the liberal ideal, but the important question becomes how such states then operate and what outcomes are likely produced. As Wright (1977), Flannery (1999) and other studies of archaic states demonstrate, modernist conceptions of states are only one recent form of state. Characteristics and processes inherent in both archaic and contemporary states are unquestionably embedded in Africa's states. Whether and when these states use primarily patrimonial or institutionalized networks remain important questions as both forms can, and do, exist historically in states.

Patrimonial Systems

Bratton and van de Walle (1997:61) iterate that in patrimonial political systems,

> ...an individual rules by dint of personal prestige and power; ordinary
> folk are treated as extensions of the 'big man's' household, with no rights
> or privileges other than those bestowed by the ruler. Authority is entirely
> personalized, shaped by the ruler's preferences rather than any codified
> system of laws.

Accordingly, some defining features of patrimonialism are its personalization of power (i.e., presidentialism), use of state resources for political legitimacy and its redistribution of such resources to recipients (i.e., accountability to clientele).

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[3] Although their attempt to move away from developmental and functionalist models of the state is insightful, problems remain in their conceptions of culture and what it means to be 'truly African.' They tend to make sweeping generalizations about 'African culture,' although they point out that there is much variation within Africa.
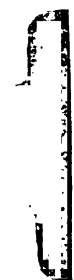
In patrimonial systems, legality-illegality should not be the defining matrix. A patron's actions can be seen as legitimate, even if not legal, as long as they fulfill obligations to their network. "There has always existed in Africa a wide range of activities (such as corruption) which, although illicit from a strictly constitutional or legal point of view, have been regarded as patrimonially legitimate by the bulk of the population" (Chabal and Daloz 1999:79). In fact, formal and informal patrimonial networks frequently demonstrate a high level of effectiveness for gaining preferential access to resources commonly distributed and maintained by a state. Successful patrimonial networks, according to the authors, keep African countries from creating more institutionalized forms of governance and perpetuate personalized access to power and resources. However, in times of economic hardship and stress, patrons may have more difficulty meeting obligations, and violence is more likely to be utilized to achieve the desired outcome. When patrimonial networks cease functioning effectively,

> ...there is inevitably a tendency to link politics to realms of increased
> disorder, be it war or crime. There is therefore an inbuilt bias in favor of
> greater disorder and against the formation of the Western-style legal,
> administrative and institutional foundations required for development
> (Chabal and Daloz 1999:162).

Embedded in their conception of patrimonial networks is the use of violence as a means to secure particular resources. Violence can also become prevalent when such networks lose influence. High violent crime rates or theft are two such indicators of the ineffective management of insecurity. Where weak networks exist, violence is scattered throughout individual and group reactions and responses. Where strong patrimonial networks exist, violence is patterned around the patron's abilities to garner resources (i.e., the patron has – more or less – a monopoly on violence). Whether or not these acts of violence are seen

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as legitimate depends on the particular circumstances surrounding the violence, as well

as the outcome.[4] Successful patrons must not only provide recipients in their networks

with profit or benefits, but must also protect them from harassment and violence by

others' networks. They must be able to deter violence, but also return violence with

violence (Chabal and Daloz 1999). Without formalized mechanisms to regulate and

moderate these networks, the potential for violence toward particular societal groups

(e.g., ethnic, religious, gendered) increases. Additionally, while Chabal and Daloz

provide a valuable critique of current shortcomings in conceptualizing African political

life and African states, they do not address a key network of patrimonialism: the nation.

PART 2: THE NATION

Demarcating Nation and Nationalism

Defining nation has proved a challenging task for social theorists and other

academics (Anderson 1991[1983]; Banks 1996; Eriksen 1993; Gellner 1983; Malkki

1995). Jackson and Penrose (1993:7-9) speculate that this difficulty in definition is due

to terminological confusion. They identify three distinct conceptions of nation which are

utilized by nationalists, scholars and the larger public. First, nation has been used to

represent a people ('peoplehood') or a unified cultural unit. This version of nation

emphasizes perceived shared values, language and social functions. It can loosely be

likened to 'a culture' or ethnic group and sometimes to a 'racial' group. At times, this

group can also represent a collectivity living within a state (i.e., citizens who share sets of

beliefs and values).

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[4] Chabal and Daloz acknowledge other forms of violence, but are principally concerned with its
instrumental forms and how it affects African politics. However, since they make the argument that
politics cannot be separated from society in the African context, a more detailed discussion of violence,
especially structural violence, seems warranted.

Second, nation has been used as synonymous for a circumscribed territory or country. It implies a physical place with boundaries and, sometimes, a state. Finally, a nation has been defined as "a political entity embodied in the state" (1993:9). According to Jackson and Penrose, this idea stems from Jean Jacques Rousseau's (1712-1778) theory of popular sovereignty.[5] Rousseau believed that people inclusively should govern society, as opposed to a small cadre of elites. In practice, his ideas were applied in a narrowly political sense. While culture was still incorporated into this conception, "...it did so in a way that subordinated culture to politics. Political units became the 'given' and culture was adapted or created to unify and legitimize their human component" (Jackson and Penrose 1993:9).

Following Giddens (1987:116), I define nation as a "collectivity existing within a clearly demarcated territory, which is subject to a unitary administration, reflexively monitored both by the internal state apparatus and those of other states." I privilege Giddens' definition because he entwines essential features (i.e., people, territory and governance) of the above conceptions. Additionally, Anderson (1991[1983]:6) adds that a nation,

> ...is an imagined political community...imagined as both inherently
> limited and sovereign. It is imagined because the members of even the
> smallest nation will never know most of their fellow-members, meet
> them, or even hear of them, yet in the mind of each lives the image of
> their communion.

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[5] This is in slight contrast to Wallerstein's (1997) emphasis on the French Revolution more generally.

It is the ideational quality and ability of human beings to imagine or construct their

community and to attach meanings to it that can make the nation such a close ally of the

contemporary state.[6]

There are some key features embedded in nations which deserve further

discussion. First, there is nothing 'natural' about the nation. It, like a state, is a social

construction that is often alleged, especially by nationalists, to be an innate, ahistorical

(and yet historicized) fact of social life.[7] Nations, therefore, are not organically occurring

categories, but arise from historically, economically and politically specific

circumstances. Nagengast (1994:118) adds,

> Nation and nationalism are in Europe and North America terms of
> modernity, offspring of the Enlightenment, colonial expansion, religious
> wars, rationalism, and liberal capitalism that serve as ideological
> justification and political legitimation for certain notions of territorial,
> political, and cultural unity enforced by the hegemony of liberal thought
> and organization.

Today, most scholars acknowledge the active construction involved in all human

societies. As Medina (1997:761-762) asserts, "...national, racial, and ethnic forms of

peoplehood are all historical products of human agency, cultural categories which

organize experiences, define relationships, and orient actions." Even so, she cautions,

"many influential constructions of peoplehood obscure the human agency, historical

contingency, and power involved in their making and remaking, defining them as

'natural' affiliations grounded in a 'natural' order outside of society and history"

(Medina 1997:761-762).

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[6] The relationship between state and nation, however, is not always a benign one. Examples abound of
competing nationalisms within a state. At times nationalist sentiment can create spates of unsanctioned
violence, destabilize state structures and even lead to genocide.
[7] Giddens (1987:212) defines *historicity* as "the controlled use of reflection upon history as a means of
changing history."

A second prominent feature of (successful) nations is that they must have nationalist groups who have emotional attachments and identifications to them. These attachments are principally psychological, but also incorporate political and social identifications (and sometimes economic as well). Giddens (1987:116) defines nationalism as "the affiliation of individuals to a set of symbols and beliefs emphasizing communality among members of a political order." Anderson (1991[1983]) articulates that nationalist ideologies derive their power from political legitimization and through affective responses. Without nationalist sentiment, nationalism and the nation would hold little long-term appeal. The nation relies on affective attachment to keep group cohesion. While states can enforce directives, monopolize violence and perform administrative functions (e.g., tax collection), states in and of themselves cannot induce affective responses such as loyalty, sense of belonging or love. Love and devotion to one's country and its ideals comes from the social terrain of the nation.

Third, nations and nationalisms as we know them today, are essentially modern creations (Anderson 1991[1983]; Giddens 1987; Smedley 1999). Although a relatively recent invention, nations often promote themselves as products of older structures and traditions (Eriksen 1993). Nations and nationalists thus construct, manipulate, embrace, and reproduce history as a means for understanding group identity, group formation and for justifying boundary maintenance. As Shetler (1995:72) articulates, "The past is remembered because it defines internal relationships, but those internal relationships also define how the past is understood and remembered."

A fourth element prevalent in nations and nationalist movements is the use of cultural symbols and metaphors. Symbols and metaphors clearly demarcate who belongs to the group and who does not. As Nagengast (1994:117) comments:

> arbitrary symbolic systems are created in a dialectic of official hegemony and popular resistance that both divide and unite and that are naturalized so that they are both part of taken-for-granted daily life and flexible enough to respond to changing political and economic circumstance. The agreed upon identities imply closure on other modes of being by disrupting, diluting, sometimes even denying the possibility of alternatives.

They also express affection and support for the nation. Cultural symbols can take many forms, from flags to tombs, to monuments, to particular clothing or hair styles. Cultural symbols can also be phenotypic features, such as skin color, eye color, height, or body shape. Other symbols take the form of creative expressions, such as art, dance, music, and culinary delights. Nationalist metaphors often rely on the natural world as a source of inspiration, or on notions of kinship. The family tree metaphor, in particular, holds salience in many nationalist campaigns. As Ngonyani (2000:4) iterates:

> Metaphors perform various functions in political discourse. As political discourse often involves persuasion, metaphors are an indispensable tool…metaphors, like all other forms of discourse, are not neutral representations, but deeply ideological with far reaching consequences on cognition and attitude towards the reality represented.

Finally, nationalist identification is dependent on an Other from whom nationalists differentiate themselves. Nationalism is always relational and exclusionary. This may seem quite obvious, but its implications are worth reiterating since difference can only be salient if there exists something or someone to provide a contrast. There can be no definition of 'us' without a corresponding 'them.' States, like nations, need this contrast – a point made earlier by Wright (1986) and Flannery (1999). As will become

evident in subsequent sections, the relational nature of nations and states is closely

connected to internal violence and inequality.

Nations, States and the Nation-State

The nation-state is "a bordered power-container...the pre-eminent power-

container of the modern era" (Giddens 1987:120). It combines the administrative

capacities, internal pacification and hierarchical arrangements of states with the affective,

imagined, symbolic, and socio-psychological attachments of nations. To better

understand and analyze the ideology and structure of a specific nation-state, one must ask

a set of interlocking questions (Giddens 1987:211-216). Together, these questions

provide insight into how a particular nation-state defines and legitimates itself.

The first question asks: what is defined as *political* and thus justifies state

interference or control; as pertaining to the *general interest* of its citizens, as opposed to a

small cadre of elites; as *history* – who writes it and what it is meant to reflect (Giddens

1987:211-216). The second addresses the nation explicitly and ask: what is the *political*

character of the nation and what is the nature of its links to the state; how is it connected

to economic and social *inequality*;[8] what are the *psychological* elements; and what is its

symbolic content (1987:211-216). These questions, accordingly, aid in identifying who is

a likely target of state violence, what forms the violence is apt to take and how the

violence will be legitimized by the nation-state. I would add that analyzing nationalist

sentiments toward, and categorization of, different social groups lends insight into the

historically constructed, ideational character of nation-states.

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[8] Giddens' original formulation of this question probes nations' links to industrial capitalism and class domination. However, Tanzania's multifaceted relationship to both capitalism and socialism warrants a more general look at inequality and other mediating influences.

Such questions also illuminate those who are 'imagined' as part of the nation and those who are not. Nagengast (1994:109) adds,

> Among the primary goals of the modern, post-Enlightenment state are assimilation, homogenization, and conformity within a fairly narrow ethnic and political range, as well as the creation of societal agreement about the kinds of people there are and the kinds there ought to be.

The goal may be the state's, but the method is in the nation:

> Hegemonic strategies, at once material and symbolic, produce the idea of the state while concretizing the imagined community of the nation by articulating spatial, bodily and temporal matrixes through the everyday routines, rituals, and policies of the state (Alonso 1994:382).

Nations, however, do not produce states. States, as Nagengast comments, generate nationalism, which in turn produces nations. Nationalism, then, is effectively the mechanism that legitimates states' sovereignty, defining and redefining those who have a claim (or not) to internal power. The unique relationship which the nation and nationalism have to the state enables it to wield or contest state power (both creative and repressive) in a way that ethnic, religious or other social groups are not always able to do. Nationalism is not simply an instrument of the elite classes, however, since nationalist sentiment, symbols, "dangerous classes," history, and its 'naturalness' must all resonant with the larger public. It is a dialectic process between groups of citizens, nation and state.

Nation-States' Relationships to Other(ed) Societal Groups

It is difficult to examine concepts of nation and nationalism without looking at other markers of identity which complement and compete with it – sometimes simultaneously. Geiger (1997), Ranchod-Nilsson (2000) and Moghadam (1994), for example, argue that the nation is inherently gendered. Other scholars, such as Alonso

(1994), Malkki (1995) and Medina (1997) center on the link between ethnicity and nationalism.

The relationship between a state, its agents and citizens is multifaceted and frequently contradictory. States and their agents use nationalist frameworks in their dealings with diverse social groups. Such nationalisms identify generally how nation-states react to ethnic and other forms of diversity. Medina (1997), following Bolland (1987), thus describes three positions (hegemonic, synthetic or pluralistic) which nationalist projects commonly take in relation to racial or ethnic hetero- or homogeneity within a state. Furthermore, these same categories are applicable to other social groupings (e.g., religious, political, gendered).

Hegemonic nationalism is when "a dominant segment of the population works to attach its own identity exclusively to the nation" (Medina 1997:760). This kind of nationalism represents one ethnic (social, political, gender) group as the nation, where those who fall outside of this category are likely marginalized or excluded from full participation in and access to the nation; unless they embrace dominant group identity there is a glossing over of marginal groups so that the nation is falsely represented as homogeneous. *Synthetic nationalism* attempts to produce a national culture piecemeal from various existent groups and traditions, synthesizing these qualities into a new representation of the nation. Within synthetic nationalism "Members of the nation are then encouraged to set aside their ethnic affiliations and embrace the new national culture and identity to which all are supposed to have contributed" (Medina 1997:761). This strategy advocates homogeneity, but through mass inclusion in the nation-building project. *Pluralist* forms of nationalism attempt to have multiple groups and interests

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represent the nation. While difference is readily apparent, it is not considered to be a threat to nationalist agendas; rather it is an asset (Medina 1997). The relationship of the nation-state to its social groups and the use of nationalists strategies establish the terrain on which non-violence, legitimate violence and illicit violence must compete.

PART 3: VIOLENCE AND THE NATION-STATE

Rationalizing the State of Violence

Giddens (1987) contends that two primary differences between archaic and contemporary states are current nation-states' expanded surveillance capabilities and their greater control of the means of violence.[9] Contemporary nation-states' abilities to successfully monitor social and political boundaries are significantly aided by technological advances in transport, communication and supervision capacity. These same developments have contributed to a more effective reach (and hence policing) by 'ordering' bodies such as police, military and other state-sponsored agents. This, in turn, means that modern states are generally more successful at "internal pacification" (1987:120). Media, education, material and symbolic arrangements, political language and legal measures add ideational support and legitimacy to this objective. Through improved surveillance and communications and the increased control of violence, structural violence "generates its consequences through the state, its social institutions,

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[9] Giddens is specifically addressing differences between archaic and contemporary western European nation-states. It remains unclear whether he would make a similar argument for most African states. I posit that many African states share similarities with contemporary western European states, but that these states also significantly diverge from western Europe because of their colonial relationship and function. Such states were often created and 'invented' in such a way as to prohibit unity, increase extraction potentials and require minimal imperial investment and infrastructure. This has meant that many of these former colonial states (although certainly not all) at the time of independence did not have the resources or infrastructure that have characterized western European states. Accordingly, not all African states have the capabilities (financially, institutionally or technologically) to have extensive institutionalized surveillance of citizens and non-citizens. I suspect that this would then make the use of more direct coercion and violence necessary to maintain state control. This same phenomenon would also lead to higher potentials of state-sponsored or state sanctioned violence (where the state has minimal ability to act directly). See chapters 4-5 for discussions and examples of state-sponsored and sanctioned violence in Tanzania.

and through the collective psyche" (James, et al. 2003:130). As a result, contemporary

nation-states have more control within their borders and usually need to use less *direct*

force to maintain their dominance and legitimacy than do archaic states.[10]

Otherness and (Structural) Violence

While contemporary nation-states are not exempt from the use of overt violence:

> ...the goal of state violence is not to inflict pain; it is the social project of
> creating punishable categories of people, forging and maintaining
> boundaries among them, and building the consensus around those
> categories that specifies and enforces behavioral norms and legitimates
> and de-legitimates specific groups (Nagengast 1994:122).

These categories of punishable people, in turn, become the emblematic and tangible

Other which the nation and its patriots define themselves against.

A state, conversely, cannot always openly exercise its power and will to do

violence. Any violence must be seen as justifiable to give legitimacy to the state.

Nation-states commonly use "inoculations of evil" in order to create unity among the

larger population (Nagengast 1994, following Barthes 1972), while concurrently defining

Othered groups as 'social problems.' Inoculations of evil – those marginal, or

considered vile by society – provide a means for the state to express socially sanctioned

violence, whether it is forced removal, imprisonment, torture, death or ignoring these

groups and their needs entirely. By actions taken, or not, a state is able to achieve certain

outcomes, resulting in justifying, reinforcing, explaining, or creating violence and

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[10] To reiterate a point I made earlier in this chapter, ideational forces can be incredibly successful at promoting adherence to the objectives of a nation-state (and their agents) without resorting to overt coercion. Such forces are intimately associated with structural violence which result in vast inequities in life quality and length among groups. Banks (1996:122) adds, "By focusing on nationalist ideology employed by the state we can no longer consider the state to be an abstract and neutral force or nexus of interests. It becomes an agent..."

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inequality. Such de-legitimized, marginalized scapegoats can represent particular ethnicities, genders, age sets, peoples, or religious groups.

A key feature of such groups is the imagined or real potential for violence toward, or 'infection' of, the larger social body. These images are, in turn, reflected and reified in popular culture, media, political speeches, education, and music. As Nagengast (1994:122) articulates,

> It is largely underclass status that makes certain people(s) susceptible to violent abuses and it is their ambiguity – as both less-than-human brutes and super-humans capable of undermining the accepted order of society – that allows elites to crystallize myths about the evil they represent, hence, justifying the violence perpetuated against them.

If such vilifying of one societal group becomes extreme a genocide may result (e.g., Rwanda). The genocidal process shares many of the same features of nationalism and patriotism (i.e., classification of self and Other, symbolization, hierarchies of difference). Shifts from a positive affirmation of belonging to a negative affirmation of who does not belong does not always require radical changes. While nation and nationalist sentiment can be a powerful unifier of diverse peoples and agendas, it can also, by its exclusionary nature, perpetuate large-scale violence and inequalities that affect particular individuals' and groups' life chances.

A Step Back: Structural Violence, Sex Differences and the Race to Conquest

Although structural violence is pervasive among and between states, its expressions vary historically within states, as well as toward groups in particular state societies. With Western European colonial expansion and the advent of the contemporary nation-state, structural violence in numerous colonies became ordered around two principles: sex differences and race. European colonization altered

relationships between 'varieties' of peoples and also fundamentally changed male-female relations in many subject populations. Moreover, gender hierarchies were implicit in racialization. Social relations among and between men and women changed, as did material and economic relations. For example, in many subject countries women's rights to own land were abolished and their ability to inherit family assets reduced or eliminated. Hierarchical relationships were established whereby colonized women often legally became minors. 'Womanhood,' like race, was seen as a progressive state with subject women not as civilized (i.e., morally, socially or developmentally) as their European counterparts. Jackson and Penrose (1993:4), referring to race, add, "In general, notions about the social hierarchy of human 'races' served the interests of mercantile and industrial capitalism as it moved into its expansionist phase through the development of overseas empires." 'Pseudo-scientific' and biblical ideas about women's and Africans' inferior place evolutionarily, socially and intellectually became rooted in imperial-subject, male-female and Occidental female-Oriental female relations.

Justifications for colonial intervention and economic exploitation, while varied, commonly relied on beliefs of (western) European racial and cultural superiority. Although differing colonial powers implemented divergent strategies of rule (e.g., direct, indirect), the shared goal of efficient resource extraction remained a defining feature of colonialism. For many colonized countries, state infrastructure (indeed, the state itself) derived from external policies supporting exploitation of resources and capital. Inequalities between imperial centers and their colonies were not based solely on economics, but incorporated sexist and racist ideas about human variation and capabilities. Sex and race became a way of ordering inequality, and consequently, a

justification for inequality. Structural violence in many colonized societies was reflected in the sex and racial (and hence economic, social and political) divide between colonizer and colonized. Colonization and gendered racialization, notably, were not uniform, unilinear processes, but were systematic enough to create vast differentials in wealth, health, power, and prestige between the imperial centers and their colonies. These processes, nevertheless, should not be oversimplified to "the West versus the rest," especially in light of the variation of opinions and actions within both colonial and subject states. Similarly, the pervasiveness of structural violence, through beliefs and policies promoting sex and racial inequality, cannot be ignored.

Defining Race and Sex Differences

Race as a biological construct has been debunked in recent years (Brace 1996; Livingstone 1964; Sauer 1992), but it still retains salience as a term for categorizing people according to some recognizable and immutable essence (whether by blood or DNA) which is assumed to be heritable from one generation to the next. Smedley articulates the disjunction between contemporary scientific views on race and the reality of race in everyday society:

> For most people, race is a given, a biological reality that does not require great leaps of consciousness or intellect to comprehend. They see it...in the phenotypic variability experienced in interactions with heterogeneous populations like those in the New World. Moreover, even scientists who have taken the no-races position are very much aware of the social reality of race in Western societies. Even as they deny its existence, they cannot avoid it. There is, then, a great disjunction between the no-races position of modern societies on the matter of biological races and the social parameters of race by which we conduct our lives and structure our institutions (1999:20-21).

Similarly, the projection of social, intellectual and moral capabilities onto sex differences has been critiqued by feminist scholars (Hubbard 1990; Lorber and Farrell 1991). Sex

and race need to be placed in their specific historical, social and political contexts to recognize and understand the Eurocentric nature and colonial application of the term. Peoples of the South and New World were disadvantaged by sex and racial categorizations, which ultimately provided a justification for their subsequent subjugation.

The ranking of races was further sustained when scientists, physicians and other academics, such as Samuel Morton (1799-1851), attempted to 'scientifically' quantify race-as-a-worldview by measuring the cranial volume of several different groups (Smedley 1999; Taylor 1999). His results were also utilized to support the belief in women's inferior intellect, since sexual dimorphism between the sexes demonstrated that women generally had smaller craniums. His findings strengthened popularly held racist and sexist claims by providing 'scientific' legitimacy and demonstrating that 'sex and race matters.' These assumptions about sex and race are based on a broad pseudo-scientific ideology that Smedley (1999:28) explicates and critiques in the context of race in the United States, but which in addition has relevance to both sex-differences-as-a-worldview and East Africa as a region. According to this ideology: all humans can be classified into discrete groups; these groups are inherently unequal and need to be ranked; group characteristics are heritable; phenotypic types represent a mirror to moral, intellectual and temperamental character; each distinct group was created by God (or nature) and thus boundaries between groups are immutable. Embedded in this ideology are ideas about progress and innate capabilities, which were expanded on by influential theorists, such as Lewis Henry Morgan (1818-1881). Morgan wrote on the evolution of mankind and society. He created an elaborate classificatory system that linked stages of

human development, societal development and technological advance. Morgan devised a

ratio of human development which categorized peoples, societies and technologies

according to an unidirectional scale of development: savagery, then barbarism and,

finally, civilization. As with race-as-a-worldview and sex-differences-as-a-worldview,

these categories reinforced beliefs in particular groups' innate superiority or inferiority.[11]

The emphasis on the nation-state as the primary unit of governance, both

internationally and domestically, coincides with the advent of race-as-a-worldview and

European colonial sex and gender ideologies. Linking racialization and the nation-state,

Jackson and Penrose (1993:9) comment,

> The nation-state is a crucial locus for the articulation of racist ideologies,
> because of the extent to which it embodies the idea of 'race' and
> legitimizes it through the granting or withholding of citizenship, the right
> to enter and remain within a country, and a host of other entitlements.

Parpart and Staudt (1989:1), likewise, link gender and contemporary states:

> Gender, as we see it, is central to any and all efforts to conceptualize the
> "modern" state, whether it be its historical origins, current composition,
> or management of the extraction and distribution of resources. Whether
> in its indigenous, colonial or modern forms, the state has been
> overwhelmingly controlled by men; this control has translated into laws,
> policies, and spending patterns which not coincidentally benefit men.
> Women's seemingly personal, everyday experiences are structured by
> policies, most of which are apparently "gender-neutral." But these
> policies are in fact experienced very differently by men and women.

Additionally, many state policies conceal these strategic differences through claims of

gender-neutrality, but on occasions where these inequalities are challenged they are

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[11] It is no coincidence that colonial powers generally classified themselves as already having obtained civilization, while their subject peoples had not. Other categories which have been misused are: bands, tribes, chiefdoms, and states. While these categories anthropologically are meant to reflect varying types of social organization (i.e., with no form being better or worse), quite often they are (mis)used to indicate a unilinear trajectory moving from bands, the lowest form, to states, the highest, and ultimate, form of organization. This misconception is still embedded in many contemporary theories of the modern state.

subsequently justified by intentional (mis)understandings of sex differences and capabilities.

Chapter 3 extends such discussions by analyzing inequalities and categories of difference within the colonial and post-colonial Tanzanian context. During the colonial period, such dangerous classes were generally acknowledged to be the subject peoples, as well as other marginalized groups within the imperial centers. In the Tanzanian case, race, ethnicity and gender became key divides in determining access to economic, social or political resources. After independence, Tanzania's hierarchies of difference were translated into a nation-building project. Some categories were effectively dismantled; others were created, remade or strengthened.

Chapter 3

Tanzanian Context

This chapter extends the discussion of contemporary nation-states, focusing specifically on the Tanzanian context. I use the Tanzanian case to exemplify shortcomings of current political understandings of states and argue for a more context-driven approach. I make links to earlier colonial periods and illustrate how modernist thought, notions of progress, belief in unilinear development, and 19th century gendered racialization influence current understandings of the Tanzanian state. I submit that the perceptions of Tanzania as a peaceful and unified country, where ethnicity and religion play the silent partner to larger nationalist agendas, makes it an exemplary case in which to examine and critique current debates on the 'nature and nurture' of states, nations and their use of violence.

In Chapter 1, I introduced Giddens' framework for understanding nation-states and their use of ideology. In this chapter, I utilize this framework to analyze the makings and remakings of the Tanzanian nation. I argue that the definition of political includes management of the economy, as well as societal groups and their access to the state. As Giddens points out, defining an event or process as political in turn justifies state interference and control.[1] By linking social, moral and economic spheres to politics, the Tanzanian state and its agents have ensured the state's access into the everyday life and activities of its citizens. I also posit that ideas about the nation, the importance of non-capitalist orientation and rhetoric (even after liberalization takes place), and the concern with 'social problems,' become identified as public interest. Additionally, I analyze

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[1] Likewise, defining an event or process as apolitical justifies states lack of interference and action. In the case of collective and gender-based violence in Tanzania, the definition of political/apolitical becomes a key resource for the state to deny responsibility in such cases.

affective, metaphorical and historical constructions of nation and how such constructions aid in defining group identity, while concurrently creating Others which privileged insiders then define themselves against.

PART 1: TANZANIA'S STATE THROUGH TIME

The Race to Statehood

To understand the construction of the nation-state in Tanzania, it is imperative to look at the gendered racialized worldviews held by differing colonial powers in the 19th century. This dominant classificatory system was based on perceived innate inequalities between peoples, ideas about progress, development, and the subsequent ranking of peoples on the Great Chain of Being. I argue that these concepts are well grounded in the contemporary ideology of the Tanzanian state, and much of Africa in general.

In the Tanzanian case, there is a colonially diverse history to consider – first a German, and after 1918, a British presence. During colonial occupations in East Africa, beliefs in race, development and progress achieved major prominence with colonial administrators, anthropologists, missionaries, and among the colonized. As I will explicate, a gendered racialized worldview, predicated on the belief in natural biological differences and Social Darwinism, greatly influenced the direction and thrust of the colonial state in Tanzania.[2]

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[2] Social Darwinism, according to Jackson and Penrose (1993:4) is where "biological ideas about competition for survival *between* species were extended into social and political debates about conflict *within* species. Ideas about human achievement, social development and 'progress' all became entangled with biological notions about classification, selection and hierarchy...[theorists] became interested in the potential of genetic experimentation (eugenics) to prevent the 'degeneration' of human populations."

German Colonization and Race

Categorizing people according to race became commonplace, especially in areas held by Germans, most of whom believed in 19th century gendered racialism. The Germans' dominant worldview imbued all interactions in their African colonies with gendered racial overtones and implications (racialism), yet German attitudes toward Africans varied greatly.[3] One common racial perception, the 'Great Chain of Being,' stratified races on a moral and intellectual basis.[4] Some races were believed to be inherently more intelligent, have a higher moral essence and to be more progressive than others. Not surprisingly, Caucasians hovered at the top of the chain (right below God and angels), whereas Asians, Native Americans and especially African peoples were somewhere near the bottom (right above non-human primates). This naturalized ranking order, coupled with 'scientific' verification, clearly indicated that Western European groups were superior to Africans. Not only did the Great Chain of Being provide a justification for colonialism, but it provided new impetus for civilizing missions by missionaries and other 'good-hearted' colonial officials. The idea of progress, rooted in inequality, produced dichotomies between the primitive (African) and the modern (European), the savage (African) and the civilized (European), and the pagan (African) and the Christian (European).

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[3] German administration and German settlers were often at opposing ends of the spectrum, with settlers believing that Africans were always on the verge of revolt and that, "The African is a born slave, who needs his despot like an opium addict needs his pipe" (Carl Peters, quoted in Iliffe 1979:150). German administrators, on the other hand, were more concerned about the lot of Tanganyikans and to a limited extent tried to minimize the German farmers' exploitative and sometimes violent practices. Iliffe, in part, attributes such friction between settlers and colonial administration to settler dependence on political power as a means to distort economic forces to their advantage.

[4] The Great Chain of Being, paradoxically, was also used to argue against the notion of race. Humans, as a group, could be viewed as one link in the chain, below God and angels and above all other animals.

Notions of development, like progress, encompassed more than a colonially influenced politico-economic system. Human development, based on ideas of gendered racial inequality, became an ideological feature of emergent African states. Accordingly, some countries (Western European) claimed to have already reached the pinnacle of progress and development, while others (African) were seen as lacking and in sore need of guidance. Many of the colonized peoples were even condescendingly referred to as godless, immoral and less intelligent than Europeans, or as Iliffe (1979:150), citing numerous historical accounts, writes as "...marked by savagery, laziness, cunning, and repulsive ugliness, but also by loyalty and obedience to a master who was just but firm."

British Colonization, Race and Ethnicity

While a racialized worldview impacted Tanganyika (the mainland of colonial Tanzania), it did so differently from other Great Lakes countries. The majority of Tanganyikans were classified under one racial category, Bantu, so that ethnicity became a more salient way to divide one African group from another. Primordial conceptions of culture, instead of biological explanations, provided the framework for analyzing difference between Tanzanians. However, race (and its hierarchies) was still an overarching framework for interactions among the German and British colonists, the Asian and Arab 'middlemen,' and Africans.

Ethnic divisions were created to distinguish between particular groups within each racial category. For example, ethnonyms became commonplace to distinguish between Rwandan and Burundian Tutsi, Kenyan and Tanzanian Maasai, and Ethiopians, who were

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all thought to be Hamitic peoples.[5] In colonial Tanzania, while 'tribes' were still

assumed to be primordial in nature, the hierarchy of one 'tribe' over another was not as

significant as in some other countries (e.g., Rwanda, Burundi). This is perhaps owing to

the large number of ethnic groups which were dispersed over a very large area, and more

importantly to the primacy of peoples racially labeled Bantu. Additionally, German

influence and its impact in Tanganyika varied; some areas experienced heavy colonial

intrusion, while others experienced relatively little.

When the British assumed control of colonial Tanzania, they held similar stances

to the Germans about races and their innate capabilities.[6] They stratified the perceived

races with Europeans at the top of the hierarchy, Asians occupying the middle position,

and Africans at the bottom.[7] Access to government positions, education, and many

business opportunities became dependent on racial and 'tribal' designation, which, in

turn, created drastically different life chances between groups (i.e., high levels of

structural violence). Moreover, Iliffe (1979) argues, the British made a colossal mistake

by assuming that the Germans had completely dismantled the indigenous social and

political systems in Tanganyika. The British believed that the key to effective

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[5] The term 'Hamitic' derives from the story of Noah. From this account a few European travelers and scholars produced the Hamitic Hypothesis - a mixture of pseudo-science and religious ideology, referring to Noah's son Ham who disobeyed his father's commands so was cursed by God (Taylor 1997). Ham and his descendants (i.e., Hamites) were then doomed to become the slaves of Shem, one of Noah's other sons. This pseudo-scientific belief actually governed German policy decisions in some of its colonies (Prunier 1995). Moreover, an early Africa explorer, John Henning Speke, pronounced that superior races conquer and often replace inferior races, drawing his evidence from the Bible and personal observations. Despite spurious evidence to prove this hypothesis, his views became widely accepted and applied by colonial administrators and missionaries in East, Central and South Africa. Not only were Africans compared unfavorably to Europeans (and the South African Boers) and to Asian and Arab 'middlemen,' but Africans were further separated into distinct and unequal races. Hamites, Bantu (Negroid) and Pygmoid were three such racial designations. Hamites were generally considered a superior African race, with Bantu beneath them, and Pygmoids, the lowest of the low, only a half step above apes.
[6] See Smedley (1999) for a more in-depth discussion of British views on race in North America.
[7] Asians (and often Arabs as well) were amalgamated into one overarching category. This did not take into account the different socio-economic positions of many Asian groups, their points of origin, or their religious and ethnic divisions.

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governance was to understand what 'traditional' institutions resembled before German intrusion and then re-indigenize them. This is akin to what Hobsbawm and Ranger (1983) have called the 'invention of tradition,' both by colonial officials and Tanganyikans clever enough to manipulate the 'rediscovery' of these 'indigenous traditions' to their own advantage. The British unwittingly propagated German beliefs about race and ethnicity by placing 'tribe' at the heart of Indirect Rule. Iliffe (1979:323) writes,

> ...tribes were seen as cultural units possessing a common language, a single social system, and an established customary law. Their political and social systems rested on kinship. Tribal membership was hereditary...tribes were related genealogically, so that Africa's history was a vast family tree of tribes...Many Africans had strong personal motives for creating new units which they could lead. Europeans believed Africans belonged to tribes; Africans built tribes to belong to.

In Tanganyika, the emerging emphasis on 'tribe' instead of other forms of identity resulted from socio-economic and policy changes associated with the transition to, and introduction of, British rule (Iliffe 1979). This policy was Indirect Rule, which attempted to incorporate indigenous political systems and leaders into the colonial administration, in order to more effectively administer the territory and to disguise the yoke of colonialism. Iliffe iterates that indirect rule was not simply a 'divide and rule' tactic, but it strove to create particular identifications and a basis for African political development that was distinctly non-national. In 1925, this policy was fully instituted by Tanganyikan Governor Donald Cameron. As Jackson and Maddox (1993:264) note:

> Where stratified societies existed, colonial officials played upon and strengthened existing political or ethnic divisions in order to prevent the subject peoples from uniting and overwhelming the colonizers...where non-stratified societies existed, colonial officials frequently created political entities to facilitate governance.

Ethnic identification (or what the British labeled 'tribalism') often resurrects and re-legitimizes race divides, but through socio-cultural, instead of biological, constructions of difference. Much contention still exists in the literature about the actual meaning of the term ethnicity, as well as its usefulness as an analytic category. Smedley (1999:31) defines ethnicity in the context of race debates arguing that ethnicity refers to "those traditions, customs, activities, beliefs, and practices that pertain to a particular group of people who see themselves and are seen by others as having distinct cultural features, a separate history and specific socio-cultural identity." She continues by emphasizing that ethnicity has no biological basis. Ethnic categorization, notably, does not necessarily eliminate or contradict prejudices inherent in race, but can actually foster these beliefs through the 'impartial' lens of culture. Ethnicity has still been amenable to primordialist arguments (from academics, colonizers, to the Othered groups themselves) about the essential essence or characteristics of a group, only these are now based on static cultural features, not biological ones. The static features, then, have often become the object of anthropological and historical inquiry, thereby reifying cultural and cognitive maps and, ironically, removing them from the realm of culture and history into a naturalized order.

Sex Differences, Colonialism and the (Re)Creation of Womanhood

Like race and ethnicity, German and British colonial powers reshaped gender relations through their understandings of sex differences and men and women's innate capabilities. Tellingly, there are strikingly few colonial documents which specifically concentrate on Tanganyikan women and gender relations. In instances where women are specifically mentioned in colonial records, they are referenced almost exclusively in one of two ways (Geiger 1987). In the first instance, women are identified as the 'problem.'

Women's sexuality and reproduction were particularly noteworthy. Issues such as adultery, bride prices, impregnation of single women, marriage and divorce laws and customs, and control of prostitution were common themes. The concern of the colonial administration was to produce highly gendered, disciplined subjects.

The second area where women are referenced is under the rubric of women's development and domestication. Programs were instituted to teach women how to sew, clean house and cook. Additionally, courses were offered on 'proper' hygiene and childcare to transform Tanganyikan women into 'homemakers.' Domestication entailed the replication of the idealized British middle-class model of the mid-20th century. Such roles increased women's dependency on male providers and undermined their access to household resources. Development and domestication also served as a means to an end (i.e., creation of gendered, disciplined subjects).

Sex and gender differences were also manifest in public/private dichotomies that were structurally maintained and reproduced. In many areas of Tanganyika, labor and migration laws and cash crop production forced colonized men to have extensive contact with colonial authorities, structures and laws. Women, by contrast, were not generally hired in the formal economy and were pushed, by legal means if necessary, into new (and usually ill-fitting) gendered categories. While their role in the formal economy was curtailed, many women actively participated in the informal sector (e.g., selling beer, foodstuffs, working as house-help in affluent homes, prostitution). It was these women, who engaged in market activities despite colonial resistance, that were the documented 'problem.'

Even though women's rights and access to land, household resources and inheritance often shifted quite dramatically under British rule, their lack of direct engagement with, and dependency on, the colonial administration proved a benefit in the independence struggle. Geiger argues (1987:18):

> Far from being detrimental to their strength as nationalist mobilizers, women's relative lack of direct and daily contact with the colonial regime through wage labor relations, as well as their lack of experience with direct control, contributed to their ability to accurately perceive and analyze colonial conditions.

In contrast, colonized men were perceived to be the primary threat that warranted direct control by the colonial administration. It was thought that colonized women, too, needed direction and management, but by Tanganyikan men, not the colonial government. This was akin to a gendered version of indirect rule, except the unit to be controlled was the household, not the state. The legal sphere undoubtedly supported men's dominance in the domestic sphere, but the affairs of the household were to be handled and regulated (with full support of the colonial authorities) by husbands and male relatives. 'Customary' and 'traditional' forms of law also frequently supported these aims. In groups where patriarchy, paternalism and control of resources were not the norm, codes, traditions and customs were redesigned to better fit the (colonial) domestication project. Moreover, colonial officials and Tanganyikan men shared an ambivalence toward urban women since they experienced much more freedom than women based in rural areas (Geiger 1987; Geiger 1996; Geiger 1997). Freedom translated into less control for both husbands and colonial authorities, and ultimately provided women avenues to successfully mobilize toward independence.

Women's Struggle for Independence

Tanganyikan independence was achieved through the Tanganyika African Nationalist Union (TANU), the nationalist party, and through the hard work of many of its members and leaders, such as Julius Nyerere, Bibi Titi Mohammed and Oscar Kambona.[8] Tanganyikan women's pivotal roles in organizing, leading and financially contributing fueled and sustained the push for independence. Women's participation in TANU began in 1955, when Bibi Titi Mohamed became the leader (and first member) of the Women's Section. She was recruited by her brother-in-law on short notice. Until then, TANU did not include a women's section. Bibi Titi, a popular singer in a dance group (*ngoma*), was a zealous recruiter for TANU. Her first recruits were women who were close friends or relatives. Such women quickly became very active in TANU and sought to join its male leadership. Before Bibi Titi joined TANU, its membership ranks consisted of roughly 2,000 card carrying members among an urban population of 100,000. Within three months (June to September), she had enrolled 5,000 new women members in TANU (Geiger 1987:2).

In an interview that Geiger conducted with Bibi Titi (09/10/1984), she explains how she began her campaign of mass mobilization. Bibi Titi comments, "...I went to the Ngoma groups. First of all, I went to their leaders. The leaders got together in a meeting, and after I spoke to them, they agreed to call all their people so I could come and talk to them about TANU." Her strategy was extremely successful and, within a short time, such women began filling in the membership ranks, and participated in

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[8] For more information on Julius Nyerere see his various writings; for Bibi Titi Mohammed see Susan Geiger's book, *TANU Women: Gender and Culture in the Making of Tanganyikan Nationalism, 1955-65* (Portsmouth 1997); for Oscar Kambona see John Iliffe's, *A Modern History of Tanganyika* (Cambridge 1979).

buying and selling membership cards. They also passed nationalist messages through

song and dance. *Ngoma* groups competed against each other producing songs and

dances to convey messages of freedom and to draw in new members. They also had

cooperative relationships and these organizations were already multi-ethnic and multi-

religious in character. Such dance groups, much like TANU's vision of nationalism,

rejected distinctions based on ethnic, religious or racial chauvinism. Geiger (1996:471)

relates, "…women's dance associations did not simply 'prepare' women for nationalism;

they *expressed* and so *produced* nationalism, not only through song and dance but

through the relationships between and among the societies and women in them."

The colonial administration overlooked the transformation of *ngoma* groups into

complex and highly politicized networks. Through these dance groups, women were

able to exchange information, announce TANU rallies and fundraise for the party – all in

plain sight of the colonial administration. Narrow gender ideologies led the British

colonists to believe that women's groups could not really mobilize public support or

even act in itself as a form of anti-colonial struggle. In this view, men were the potential

freedom fighters; the potential nationalists. Given these obstacles, women's

participation in the anti-colonial struggle was both remarkable and pivotal in the struggle

for self-rule. Women participated in rallies, raised money and contributed from their

own accounts, hosted TANU representatives, passed messages through intricate

networks, wore clothing with TANU's insignia, and provided the main body of

membership within the party.

Even with men's concern for women's behavior, women's overt support for

TANU and its objectives was initially more public than that of Tanganyika's men. This

can partially be attributed to the gender division of labor under British colonial rule.

Men who participated in TANU risked losing their employment and faced possibilities of

heavy fines and even imprisonment. They were much more vulnerable to the colonial

decrees. Tanganyikan women, in contrast, had little fear of losing positions in the formal

sector, since with a few exceptions, they were not widely integrated. Such advantages,

however, are not the only reasons women were a powerful force in the anti-colonial

struggle. Many husbands disliked their wives involvement and tried to stymie their

activities. TANU, however, needed their support and encouraged women to stay

involved. Many women went against their husbands' or families' wishes and joined or

kept participating in TANU, even though this frequently meant serious (and sometimes

violent) repercussions.

Perhaps predictably, given the gendered perception of women as non-political,

the majority of nationalist women were divorced (sometimes multiple times) and usually

in their late twenties to mid thirties. These women were generally not as economically

dependent on men for their livelihood and had their own economic activities in the

informal sector. Most participated in *ngoma* groups and were thought to be 'common'

women by the administration. Moreover, Muslim women, with only moderate formal

education levels, made up the majority of women nationalists in Dar es Salaam. Geiger

attributes this to the restrictive gender roles under which Christianized African 'elite'

women lived. Such women were characterized as 'modern' and 'progressive.' In fact,

there were socially and morally quite conservative in comparison to most of Dar es

Salaam's population. These women were models of domesticity and were usually too

dependent on husbands and male relatives to participate in the movement, even if they

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had so desired it. In contrast, Muslim women who were widowed, divorced or separated had more social and economic freedom to join the movement. These women enjoyed social freedoms that would have been unacceptable for young, unmarried Muslim women. These 'older' women also saw distinct benefits to do so. Geiger argues that women nationalists knew the difference between colonial and gender oppression. For many women the nationalist movement offered possibilities to realize gender equality. As Mwasaburi Ali (09/10/1984), an active participant in the anti-colonial movement, relayed to Geiger,

> The women had no say. We had nothing to say, and whatever we might have wanted to say, we had to follow…We had no freedom at all. We were considered useless people. A woman was regarded as a useless person because she was a woman. That's why we put in more effort, after learning the saying "all people are equal," we understood well what that was supposed to mean and we said "we shall see if all people are equal; we must cooperate if this saying is to become true."

Therefore, it was not solely independence from external rule that such women were seeking; they were also seeking independence from restrictive gender ideologies.

Defining the Independent State

Tanzania's independence was achieved, by referendum, in three steps: the 1961 Independence of Tanganyika; the 1963 Independence of Zanzibar; and Tanganyika and Zanzibar, in turn, merging in 1964 to become the United Republic of Tanzania. German and British colonization left a newly fashioned Tanzania with a host of inherited problems, including a state based on extraction of resources, gendered racialization and a poorly developed state infrastructure. For example, the Tanzanian state was sorely lacking road systems, social services and the ability to control its borders. Other problems, incurred from Indirect Rule, included the inequitable distribution of resources,

reshaping and strengthening of patrimonial ties and networks, and failed attempts to create and solidify a rational-legal (i.e., liberal) model of the state. Divide and rule tactics promoted identification at the level of 'tribe,' as opposed to nation. Nationalism and unity were decidedly not the goal, since the British saw such sentiment as a threat to their control. They codified laws and created an elaborate bureaucracy, but the foundation on which such laws were built was still based on personalized power and vertical networks.

Even after Tanzania's independence, the British and other international donors pursued large-scale development and modernization projects that were ill-equipped to cope with rising corruption and an essentially patrimonial state. The British and other donors' belief in progress and unilinear development did not dissipate when colonial presence in East Africa abated. Many of the underlying assumptions about development and modernization stem directly from earlier notions of human variation and capabilities. For instance, a primary assumption that permeates most of development and modernization thinking is that the state has a particular evolutionary form. African states are not at the pinnacle, like Western Europe and the U.S., because they are often heavily reliant on patrimonial networks. In evolutionary terms, states must move from personalized power (lower form) to one based on institutions and codified rules and norms (higher form). As argued in chapters 1 and 2, not only is this view inaccurate and ethnocentric, but it is ultimately self-serving. It also represents and reproduces the same flawed reasoning found in earlier formulations of race.

The First State of Business: Undermining Racialization and Colonial Connections

Independence altered Tanzania's base of identification from ethnic, racial and religious allegiance to nationalist concerns. TANU, which later merged with the Afro-Shirazi Party and was renamed *Chama Cha Mapinduzi* (CCM),[9] was from its inception multi-ethnic, multi-racial and multi-religious in character. Its express aim was to create a national organization that would provide a basis for nationalist identification.

Julius Nyerere, TANU's leader since 1954, saw TANU as a vehicle for promoting non-racial, non-ethnic, secular African self-rule and unity, as well as promulgating a moral order which re-incorporated egalitarian principles into Tanzanian government and society. In this way, Nyerere saw politics as a means to realize social and moral agendas. Politics was not kept in the realm of bureaucracy, regulation and governance, but also incorporated explicit social and economic crusades and, therefore, justified state interference and involvement in all aspects of life.

Nyerere's egalitarian stance was not universally accepted. Many Tanzanians felt that race (i.e., Africanization) needed to remain a prominent feature in defining citizenship and access to state resources. Specifically, the African National Congress (ANC), a rival nationalist party, believed in "Africa for the Africans." The ANC wanted to implement laws that distinguished between indigenous peoples and other races (especially Asian and Arab populations) residing in Tanzania. The ANC believed that race should still be a defining feature of the Tanzanian state, but now the discrimination should occur in reverse. Eventually, Nyerere and TANU's non-racial vision of society prevailed. As Aminzade (2003:47) iterates,

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[9] *Chama Cha Mapinduzi*, translates as the 'Revolutionary Party'.

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Julius Nyerere's 1964 declaration that Africanization was dead and that Asians and Europeans would be allowed to join TANU generated intense protest, including an abortive military uprising...The socialist project rejected the tripartite racial order that had underpinned colonialism and called on all citizens, regardless of race, to help build the new nation. Public expressions of racial nationalism were prohibited and the ruling party justified this suppression by the need to maintain national unity.

Soon after independence, *Mwalimu* Julius Nyerere became Tanzania's prime minister and then the first president.[10] *Mwalimu* Nyerere, a Roman Catholic teacher and one of the few Tanzanians to be educated in Europe, dismantled ethnic, racial and religious networks' ability to gain preferential access to the state. His administration, for instance, made many attempts to equalize Muslim-Christian relations. His efforts included building schools in predominantly Muslim areas, adding more Muslims to his cabinet, and choosing a Muslim vice president, Ali Hassan Mwinyi, who later became president of the Republic. These policies were partially successful, but inequalities still persisted in access to higher education and posts in government.

The Nyerere administration's policies and attitudes toward racial, religious and ethnic diversity most closely reflected *synthetic* nationalism, where a myriad of symbols were incorporated into the nation and the state downplayed differences in favor of a unified national identity. Tanzania, however, goes beyond the scope of, and distinguishes itself from, *synthetic* nationalism. Campbell (1999:108) remarks, "...the party increasingly took up the idea of nation-building...rather than creating a homogeneous national culture as the basis for garnering public support for its policies and programmes." It was more important to create an attachment to an idea (nation-building)

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[10] *Mwalimu*, means 'teacher' in Kiswahili. This has become a title of respect and acknowledges Julius Nyerere's role as educator and progenitor of the contemporary Tanzanian nation.

than to cobble a national culture out of diverse groups. While religious and ethnic groups were free to exist and reproduce their cultures, foods, music, dances, and rituals, such expressions must not threaten the political stability of the nation-state. Tanzania has sought to safeguard itself from *political* expressions of ethnic and religious difference, although *cultural* expressions of difference were tolerated.

During *Mwalimu's* presidency there was a strong snap away from colonial racialized beliefs. In this way the Nycrere administration diverged from the 'divide and rule' strategy employed by British colonizers. He pursued very conscious strategies of nation-building in order to unify a diverse population, as well as protect the fledgling state from external dependency. He felt that only through unity and self-help could Tanzania remain economically and politically independent. As Wallerstein (1997:187) comments,

> Once subjects became citizens, these citizens in turn had to be actively transformed into 'nationals,' that is, persons whose loyalty to their state would take priority over other social loyalties. This transformation was not easy, but it was essential if the exercise of popular sovereignty were not to result in presumably irrational intergroup conflict.

The Gendered State of the Nation

Similar to race and ethnicity debates, a lot of rhetoric surrounded women's equality with men and their critical role in the nation-state after independence. Conversely, TANU quickly passed legislation indicating that citizens must be literate to participate in government – especially parliament. This law effectively eliminated the majority of women nationalists' aspirations (as well as a high percentage of Muslim men) for government positions, and indeed their hopes of gender equality. Most of these

women could not read, had little formal education and were now proclaimed to be lacking the skills needed to build a nation.

Ironically, the small, conservative cadre of Christianized 'elite' women now assumed these positions. The focus of women's issues once again shifted to domestication. Educated Christianized women formed the backbone of the Ministries of Social Welfare and Community Development and sought to teach sewing, home economics and other 'necessary' skills (Geiger 1987). Moreover, women nationalists' roles have been reduced to peripheral ones in the history books. Freedom and unity became concepts produced by men, recounted by men, for men. The struggle for gender equality has also been written out of such accounts. Granting women's rights is increasingly interpreted as taking away men's rights and hard-earned privilege.[11] The leveling of economic, racial and ethnic hierarchies was a central cornerstone of the new state, but calls for gender equality were circumvented by claiming that nation-building was more important and through it, women would achieve parity with men. Thus, some inequalities were considered central, while others peripheral, to the new state.

A New Strategy, An Old Structure

Strikingly enough, whereas *Mwalimu* Nyerere vigorously pursued nation-building projects and seemed to recognize the socially constructed terrain, he went even further than most of his compatriots by questioning the assumed value of Western models (i.e., liberal, realist, socialist) of the nation-state. Nyerere, like Ghana's Kwame Nkrumah, believed that all Africans should politically unite in a Pan-African union. This, Nyerere felt, would enable Africans to separate financially, politically and socially from the former colonial powers. Pan-Africanism would also challenge Eurocentric notions of

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[11] A further discussion of women's rights is discussed in Chapter 5.

'primordial ethnic loyalties' and racialization by demonstrating Africans' desire and capabilities to live and work together peacefully. Additionally, not all African countries had won their independence in the 1960s – South Africa, Zimbabwe, Namibia, and Mozambique were still products of white minority rule. Nyerere believed that it was the duty and moral obligation of all Africans to help fellow Africans break the yoke of colonialism. Tanzania was instrumental in southern Africa independence movements, providing much needed financial support, military training facilities and a safe haven for political dissidents and freedom fighters. Nyerere's vision of a Pan-Africa (modeled after the United States' federation) did not hold sway. Many fledgling African rulers saw a political union as undesirable, as it would negatively affect their sovereignty and power bases, but did support a loose economic union. In the end, the economic vision of Pan-Africanism, lead by Prime Minister Alhaji Abubakar Tafawa Belewa of Nigeria, triumphed (Schraeder 2001).

Nyerere was left with a nation-state in a growing state system. In trying to undo the inequalities from the British colonial system, Nyerere, nonetheless, kept intact key elements of Western nation-state ideology (i.e., the social contract, notions of development and progress, territoriality, and state sovereignty).[12] Even though the Tanzanian state alternated between capitalist and socialist political, economic and moral agendas, the nation-state became the cornerstone for implementing these ideals and organizing its citizens. Ironically, while Nyerere effectively debunked race as an

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[12] Realistically, even if Nyerere had thought outside this ideological box, there would have been large structural obstacles to creating a new form of social organization. At the time of independence most African states were poor and had limited human resources to truly move their countries onto a fundamentally different path. They also would have faced great resistance internationally. It remains noteworthy that most African leaders did not even question certain key ideological components of colonialism, such as the nation-state – Nyerere tried to do exactly this, but he still could not get away from ingrained ideas of progress, historical evolution and development which were found in both radical (socialist) and realist/liberal views of the state.

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ordering principle, he could not rid the newly independent state of all vestiges of a racialized worldview. He was unable to confront the idea that a nation-state needs to be developed in a certain direction – whether capitalist or socialist. In other words, the state should resemble a particular kind of (evolutionary) structure.

Even the Organization of African Unity's (OAU) Charter, while explicitly opposing colonialism, makes it clear that the territorial integrity of African states (created during the Berlin Conference of 1884-85), should remain fundamentally unchanged. Whether pursuing capitalist or African socialist ideals, ideas of progress, territoriality, and human, economic, and political development infused the production of the Tanzanian state. Additionally, states, whether archaic or contemporary, are fundamentally forms of social organization that incorporate inequality and violence into their innate structures. His administration, therefore, inherited a violent and inegalitarian system. Paradoxically, Nyerere strove to reduce inequality and violence – through development and modernization initiatives – via this same system.

Nyerere, His-story and African Socialism

Although a socialist at heart, during the first five years of his term in office, Nyerere's administration pursued economic programs steeped in modernization and capitalist concerns. This can be seen in his attempts to modernize Tanzania's economy through heavy investment in industrialization technologies and a strong market orientation. One of his most immediate goals was to form a unified, educated nation, but this achievement, he felt, could only be realized through modernization of the agricultural sector and from externally funded, high input industrialization.

Politically, TANU and Nyerere advocated a one-party state. In the first elections held in October 1960, TANU took all of the seats on the Legislative Council – which was charged with negotiating the Marlborough House independence constitution with Britain. Rival political parties were completely excluded from these dialogues. TANU, on the basis of the election results, argued that it had received the peoples' mandate and therefore Tanganyika should become a one-party state (Baregu 1997:54). Nyerere agreed with the other leaders of TANU because he felt that a multi-party system would be divisive and could weaken or topple the fledgling state. Nyerere did not want political parties to organize around particularistic sentiment (as advocated under indirect rule) and so he supported internal democracy through a one-party state. Baregu (1997:59-60) offers a more cynical explanation for the transition,

> The party itself was highly hierarchical, although it boasted a mass
> base...The enactment of the repressive laws under Rashidi Kawawa's
> stewardship...and the adoption of a republican constitution with a strong
> presidency at the end of 1962 suggest that the goal of rebuilding the party
> politically had been abandoned in favour of strengthening it
> institutionally. Nyerere, the Rousseouian had succumbed to Machiavelli.

In December 1965, Tanzania officially became a one-party state and adopted a one-party constitution. Baregu (1997:55) concludes that TANU "...impose[d] a political regime that had a greater interest in social control than in the pursuit of social and economic development, despite rhetorical claims to the contrary." Additionally, TANU's exclusive connection to the state undermined rational-legal, bureaucratic ideals and resulted in elaborate patrimonial networks. As Bratton and van de Walle (1997:62) remark, "...although neopatrimonial practices can be found in all polities, it is the *core* feature of

politics in Africa...”[13] Consequently, the one-party state, instead of providing unity and undermining particularistic identifications, simply (re)created a new and elaborate system of clientelism that was inclusive of ethnic and religious identities.

By the end of Nyerere's first five years in office, he recognized that the growing dependency on foreign aid, a swiftly increasing debt burden, and a growing rural-urban divide were products of his first efforts to steer Tanzania toward being a 'modern' nation-state. He felt that the failure to have people-centered development was attributable to state-centered, donor driven development (Mukandala 1997). Given these burgeoning problems, Nyerere chose to pursue an alternate vision of Tanzanian development. Fearing external dependency, he implemented African socialism to encourage self-reliance and to avoid neo-colonial relationships. He also promoted nation-building to create unity from within – something he saw as impossible under a capitalist system.

With the signing of the Arusha Declaration in February 1967, Nyerere's administration outlined some basic principles for social and economic transformation. This strategy was founded on the premise of state control of the means of production, exchange and allocation of resources, and the encouragement of economic growth through the expansion of, and investment in, the public and agricultural sectors (Government of Tanzania 1997). Primary capital investment was now to be internally driven to reduce Tanzania's dependence on foreign monies. Nyerere sought to retreat from high input, capital intensive industrialization.

The Arusha Declaration was not just a politico-economic document but embodied the moral and cultural values of the day. To achieve such an idyllic vision, Nyerere

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[13] Bratton and van de Walle (1997:62) define neopatrimonial states as, “those hybrid political systems in which the customs and patterns of patrimonialism co-exist with, and suffuse, rational-legal institutions.

instituted *ujamaa*, or African socialism.[14] He likewise instigated mandatory rural relocation schemes, which he called *vijijini* (villagization), to promote more efficient development in the agricultural sector, as well as to increase the reach of governmental services (e.g., medical, educational) to Tanzania's citizens.

While Nyerere pursued socialist and nationalist agendas, problems began to surface by the early to mid 1970s: namely, that nation-building was too abstract for many Tanzanians to fully grasp; there was a shortage of personnel to carry out nation-building activities; and, TANU was more effective in legitimizing itself than in encouraging development (Mukandala 1997). Government policies were directly contributing to stagflation of the economy and a growing dependence on foreign aid resurfaced.

To combat these problems, the Nyerere administration sought to decentralize so that more decision-making power could reside at local levels. Development at the regional and district levels was still unequal, with the northeast and northwest receiving the majority of inputs. It was assumed that decentralization policies would create greater equality of inputs and would promote more efficient coordination of projects. However, changes were only made within government institutions and not within the party, which, consequently, became further entrenched. Even though power was shifted from the center to regional or district locales, it had the unintended effect of removing any accountability at the lower levels and actually decreasing popular participation (Mukandala 1997). These problems were compounded further when Tanzania went to war with Uganda increasing an already heavy debt burden and doubling dependency on foreign donors.

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[14] *Ujamaa* literally means 'familyhood' but it is often translated as 'African socialism.'

End of an Era

By the mid to late 1980s, Tanzania's economy was in desperate shape. During this period, an ideological rift between Nyerere and his successor, Ali Hassan Mwinyi, emerged (Black 2001). Nyerere wanted to reform the party by opening up political avenues for alternative parties. He believed that multi-party competition would re-invigorate CCM and lessen corruption within it. Nyerere was against the economic liberalization supported by the World Bank, International Monetary Fund (IMF) and some of his political rivals. He still firmly adhered to the principal that government should own and regulate the means of production. Mwinyi, conversely, supported economic liberalization, but was hesitant to implement political reforms. "Although much more supportive of capitalist or business interest than Nyerere, he believed that the emergence of pluralism would pull apart the fragile social fabric of unity along ethnic and religious lines" (Black 2001:12). The political and economic differences between Nyerere and Mwinyi divided CCM into two distinct camps. Eventually, Mwinyi and his supporters prevailed and they implemented new policy initiatives.

Such policy initiatives were in response to the end of the cold war, the desperate shape of Tanzania's economy, and expansion of the global order/economy. Accordingly, Tanzania had to shift rapidly some of its goals, purposes and policies to acclimate to these changes. This meant a fundamental overhaul of once sacred economic principles toward a market-based economy and a linking of this new economic rationale with social welfare reform. Changes also resulted from the aforementioned economic crisis in the late 1970s and early 1980s, which subsequently caused a reevaluation of the Arusha Declaration and the implicit assumptions upon which it was founded. Nyerere was a very

good architect of nationalism, but a poor architect of the state. He understood nationalism, but he failed to recognize the impossibility of eliminating the inequities embedded in states and particularly the larger state system.[15] Yet, Kaiser (1996:231) asserts that through all of the economic adversity and failed policies "… the potentially divisive array of social groups achieved a degree of cohesion that surpassed each and every neighboring country."

Post-Nyerere: Shifting Economics

The year after Nyerere left office, a Structural Adjustment Programme (SAP) was implemented, and this produced large structural divides (i.e., male/female, urban/rural, rich/poor, Asian/non-Asian) and economic hardships. Kaiser (1996:231) writes that,

> [Nyerere's policies] did not achieve the intended results of agricultural, economic, and industrial self-reliance. Indeed, during the final years of the *ujamaa* era: basic consumer goods were rarely available; the transportation infrastructure was collapsing, and the government was unable to provide many of the basic health-care and education services that were promised… (emphasis added)

Accordingly, in 1986, newly elected President Ali Hassan Mwinyi, with the urging of foreign powers, agreed to such fiscal policy changes. Structural adjustment is "a conscious change in the fundamental nature of economic relationships within a society. The government changes who the primary economic decision-makers are and the mechanisms that determine what is produced and how" (Sparr 1994:1). Structural adjustment, therefore, is a blueprint to radically restructure economies. In the contemporary context this entails a shift toward free market economies, where less

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[15] This is not meant as a harsh critique of Nyerere. He chose a socialist path for Tanzania as he believed that it was the most likely form of state to reduce social and economic inequalities. He repeatedly went against prevailing international pressures to liberalize Tanzania's economy because he felt (correctly) this would lower national unity, increase dependency and create large divides in wealth among citizens. His inability to move away from a state system – in which inequality and structural violence are inherently embedded – was primarily the product of international and domestic pressures. His own shortcomings should be understood within this larger historical context.

government interference into the economy and peoples' lives is the ideal. For much of

Africa, structural adjustment is a consequence of dwindling donor monies after the end of

the Cold War, coupled with stagnant domestic economies that are in need of external

funds (Sparr 1994).

The implementation of structural adjustment in Tanzania and elsewhere in Africa

followed on the heels of a shift to the political right in the United States and United

Kingdom. Both the U.S. and U.K. have weighty influence in the policies pursued by the

World Bank and IMF. During the 1980s, both countries, the U.S. under the leadership of

Ronald Reagan and the U.K. under Margaret Thatcher, zealously advocated free market

economies (neo-liberalism) and trickle-down economics (Sparr 1994). After the collapse

of the former United Soviet Socialist Republic (U.S.S.R.) during the late 1980s, socialism

was decreasingly seen as a viable long term option. Tanzania not only lost donor funding

from the U.S.S.R., but was under increasing pressure from capitalist countries to change

its economic system to fit with U.S. and Western European interests.

Implementation or adherence to structural adjustment policies has not always

been voluntary, but is often a prerequisite for receiving aid or loans from Bretton Woods

institutions and other foreign banks. As Musah (2002:921) states,

> [T]he policies of the international financial institutions (the World Bank
> and the International Monetary Fund) have become a case study in
> contradictions. On the one hand, they incorporated pro-active roles in
> conflict prevention in their dealings with conflict-prone societies by
> demanding 'good governance' and 'human rights' as yardsticks for
> engagement. On the other hand, through cure-all structural adjustment
> programmes, they have put excessive pressure on the already anorexic
> state to further slim down by selling off state assets, and cutting down on
> military expenditures and subsides on essential social services.

Although Tanzania must abide by human rights and good governance in order to receive loans, the World Bank and International Monetary Fund are under no obligation to do so. They can, without repercussion, promote policies that undermine states' abilities to provide clean water, health services, education and livelihood. In effect, structural adjustment places many states in a double bind: to get the funds, they must divest from their social sectors, devalue their currency and remove staple subsidies; to meet human rights standards, they must not deny their citizens food, water, health, or other key rights. Opponents of structural adjustment have accused such policies of increasing inequalities and representing a form of structural violence.

Supporters of SAPs argue that economics is about creating, not redistributing, wealth and that eventually the benefits of income generation will trickle down to the masses (Sparr 1994). Accordingly, SAPs advocated: devaluing Tanzania's currency so that exports would be cheaper for foreign buyers; removing subsides from social sectors and agriculture; freezing government salaries; ending import restrictions; privatizing state-owned enterprises; and increasing bank interest rates to encourage savings.

The SAP has had some distressing effects. By cutting funds to Tanzania's social sectors it magnified growing socio-economic inequalities. Women and the poor have disproportionately suffered under these policies. Women's unpaid labor and contribution to gross domestic product have not been valorized in market calculations or development programs, and their burdens and work times have generally increased. Jobs in the formal sector are growing ever more scarce, with many men forced into the informal sector where they compete with women for meager returns. While scarce resources are skimmed from the top, very little trickles down to the poor, and allocation of scant

resources within households fall along gendered lines (Campbell, et al. 1995). Moreover, violence against women is widespread and greatly desired social services are generally unavailable to those most in need.

Since 1986, Tanzania's social sectors (e.g., health, water, education) have been on the verge of collapse. Churches, mosques and other non-governmental organizations (NGOs) have struggled to provide these services to their communities in lieu of the state. This has been no easy task for a country with rapid population growth and increasing numbers of poor.[16] Campbell (1999) asserts that religious conflicts which have risen to the surface in recent years are products of socio-economic decline, corruption and mismanagement of the single-party state apparatus (CCM), subsequent proliferation of new political parties, and differential access to education and employment.

Long submerged racial tensions between indigenous Tanzanians and Asian-Tanzanians have also returned to the fore. Under neo-liberal economic policies, the Asian 'middlemen' minority in Tanzania have disproportionately benefited. The growing financial and social divides between poor indigenous Tanzanians and prosperous Asian-Tanzanians have caused many politicians to revive earlier Africanization arguments (Aminzade 2003).[17] SAP policies, which had only economic considerations in mind, failed to support or even acknowledge fundamental social pillars upon which Tanzania's unity was built (Kaiser 1996).

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[16] According to the World Development Report, at the turn of the 21st century 25% of the world's poor are found in Africa (World Bank 2001).

[17] Aminzade (2003) offers a very informative summation of contemporary race and indigenization debates in Tanzania.

PART 2: THE POWER OF NATIONALISM

Nation, State and Society

Tanzania's 'official' nationalism historically has been a very dynamic and overt

process. During Tanzania's independence movement, the unifying message was one of

freedom from external oppression. The desire to be self-governing effectively

amalgamated diverse groups of people into a strong anti-colonial movement. Moreover,

possibilities for, and promises of, gender equality induced women's active and massive

participation (Geiger 1987; Geiger 1997).

After independence, the fledgling state and party were left with a dilemma – how

to unify a diverse and generally poor population and forge lasting connections between

society and the new African state. Nation-building and national identification were seen

as viable solutions and became intentional strategies of the state to reduce divides and

accomplish such relations after independence. The key was to transform a desire *against*

external control into a desire *for* a nation. Nyerere indisputably played a large part in

such a process. His single-minded pursuit of egalitarianism, unity and, eventually, a

socialist economic system based on African 'familyhood,' shaped the role politics,

society and history were to play in a newly independent Tanzania.

After an initial failed attempt at a market-oriented, modernization approach to the

state, Nyerere instituted African socialism. He found that a capitalist, modernization

model did not create – either internally or externally – the economic, political or social

benefits he envisioned. *Ujamaa*, he felt, would better address such needs. To do this,

Nyerere relied on the state to administer and control the modes and means of production.

Such control meant that there was heavy state intervention, and not just in the economic

sphere. Nyerere and the ruling party saw politics as a means for achieving social, moral and economic goals. Thus, politics was broadly defined to enable state intervention at all levels of daily life. For instance, rural citizens were (forcefully) relocated into villages, state decrees limited ethnic and religious groups' access to formalized political authority (paradoxically, by making such groups politically charged), and the state administered social services and nationalist education, which in turn promulgated ideals of good citizenship, 'familyhood' and self-help. Additionally, the state controlled the media, violently put down trade union movements and banned the proliferation of any other political parties except CCM/TANU. Government and state intervention, regulation and control became commonplace in all areas of everyday life. Nyerere even 'imagined' the ideal type of citizen for independent Tanzania. Campbell (1999:108) writes,

> Nyerere's moral exhortations, together with policy pronouncements were clearly aimed at realizing a society based around a 'new man': anti-capitalist, egalitarian, a hard worker and responsive to moral rather than material incentives.

Nyerere was preoccupied with limiting external dependency, as well as with restraining differentials in class standing and wealth accumulation by citizens. He recognized early in his tenure that in order to create a successful state, he needed to have Tanzanians' support and approval. He saw nationalism as a way of realizing his utopian ideals. Nationalist sentiment would promote citizens' acceptance and support of the innovative state. Public interest would be defined as anything which aided such goals. Nyerere envisioned an egalitarian world where such agendas were not only for a small elite, but echoed larger societal needs. Nyerere explicitly linked the nation, national sentiment and notions of public interest to the bureaucratic and administrative capacities of the state. Ideologically, rhetoric of public interest was reflected in development

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projects, nationalist education and discourse, self-help initiatives, agricultural production, and the single-party state. To accomplish his aims, Nyerere used the media, national education system and potent metaphors to signify unity and define national identity.

Affective and Metaphorical Content

Nyerere believed that education was the key to garner widespread support for his socialist policies. According to Campbell (1999:107),

> ...on the one hand, education policy was intended to provide the training
> necessary to transform agriculture; on the other hand, transformation was
> to be accomplished through inculcating the basic tenants of citizenship
> and national identity as envisaged by Nyerere.

With this in mind, *Mwalimu* established a non-racial, secular, public education system, where primary education was free and vocational training available. He further created an exchange system whereby teachers were cross-posted to other parts of Tanzania, in an attempt to more fully integrate them into the nation and limit ethnic affiliations. In 1969, legislation passed that nationalized private schools and standardized curricula to meet the goals of Nyerere's 'Education for Self-Reliance,' a document outlining Tanzania's educational philosophy. This document promoted vocational instruction and, as Campbell (1999:107) notes, "increased party control over access to higher education." Education quickly assumed prominence as an effective tool for disseminating socialist and nationalist ideals. Other avenues for nation-building were expressed by state-owned newspapers and state-funded brochures that advocated African socialism, hard work, loyalty to the nation, and promoted social and moral codes.

Part of the nation-building project also involved the use of Swahili as the language of politics and education, in order to foster pride and national identity. Swahili became the national language in 1968. Whereas Blommaert (1996) argues that Swahili

was not as far reaching it as might have been expected, Campbell emphasizes the areas that Swahili effectively integrated itself into: sports, film, theater, political education classes, and the Tanzanian Youth League. Swahili was advantageous to the nation-building project because it facilitated communication across language and ethnic groups, while undermining the power of the colonial language (English) for communication purposes. Moreover, Swahili does not come from any large ethnic group, as for example, Kichagga or Kihaya. When instituted as the language of nation-building, Swahili was spoken as a first language only by 1% of the population, although many people spoke it as a second or third language. This was advantageous to nation-building because no single ethnic group had a primary claim on the language (i.e., have an advantage over others because of proficiency).

Under the Nyerere administration, Swahili became a powerful symbol of national unity. By leaving behind ethnic sentiment, Tanzanians would "adopt a new national culture as represented in part Kiswahili" (Campbell 1999:108). Nyerere drew extensively upon Swahili metaphors of the nation-as-family and the nation-as-a-body (see Figures 3.1-2). African socialism or *ujamaa* (literally, familyhood) was to distinguish itself from European versions of socialism by creating identifications which would resonate with Tanzanian sensibilities and indigenous forms of social organization. Thus, socialism would represent the idea of an extended African family. Socialist citizens were called brothers and sisters, and Nyerere was dubbed the father of the Tanzanian nation. Bratton and van de Walle (1997:65) comment that,

> ...the neopatrimonial leader often cultivated the image of the *pater familias*, who was directly responsible for the people's welfare...This paternalism was present in official discourse, which often encouraged a view of the ruler as that of a stern but fair father figure. (emphasis added)

This metaphor, specifically, became a powerful justification for government intervention in national, and, consequently, family life. Since the nation represented an extended family, families (and households) became key units of socialist projects and endeavors. Moreover, the nation-as-family had the regrettable side effect of reproducing unequal gender relations, not only within the family, but within the state as well. Women's role in the state was demoted to that of 'helper' and nationalist histories concentrated on the roles of the Father and his "sons," erasing women's active role in the struggle for self-rule.

Metaphor 1: Nation as Family	
WORD	NATIONALIST MEANING
Ujamaa (familyhood)	Socialism
Ndugu (brothers and sisters)	Members
Baba (father)	First President (Father of the Nation)

Figure 3.1: This chart created from information found in Ngonyani (2000).

The nation as a body was likewise utilized to promote unity, as well as a way to disparage colonial and neo-colonial relationships. Additionally, this metaphor promoted self-reliance, and implicitly attacked market-oriented approaches and individuals who advocated capitalist social and economic systems. Such values were seen as a threat to African socialism and hence familyhood. The body's vital life fluids (blood) represent the nation's wealth. Agriculture became identified as the backbone of the nation. Exploiters of the nation's wealth (e.g., foreign governments and companies, capitalists) became known as ticks (*kupe*), sucking (*-nyonya*) the lifeblood (*damu*) of the nation. Foreign companies were called *mirija*, which refers to long drinking straws. In other words, by means of their long reach from afar, foreign companies were sucking the wealth out of Tanzania. Thus, African socialism (i.e., familyhood) was the 'solution' to

prevent ticks from sucking dry the body of the nation. Such metaphors held powerful

populist messages and captured the national imagination. As Ngonyani (2000:2) iterates,

> The metaphors, which are based on indigenous African experience, form
> a coherent ideological discourse in a common language creating a new
> narrative of the new nation that is inclusive of its diverse people.
> Kiswahili, therefore, does not only perform a symbolic function of a
> national language, but also supplies the framework with which to
> conceptualize social reality.

Metaphor 2: Nation as Body	
WORD	**NATIONALIST MEANING**
Damu (blood)	Wealth
Kupe (tick)	Exploiter
-Nyonya (to suck)	To Exploit
Unyonyaji (exploitation)	Economic Exploitation
Uti wa mgongo (backbone)	Agriculture (i.e., main source of wealth)
Mirija (long straws used for beer)	Foreign companies (i.e., exploiting – sucking blood – from a distance)

Figure 2: This chart is created from information found in Ngonyani (2000).

Nationalist History

National sentiment affected both scholars and the public. After independence,

Tanzanian historians (many of whom were ex-patriots) sought to fill in the gaps left by

earlier colonial histories. These histories often neglected African agency and reflected

the racial arrogance of the preceding period. Such histories viewed African culture and

often Africans themselves, as static and primitive.

In response, post-independence historians avidly pursued alternative formulations

of African history. Indeed, colonial histories could be so demeaning of African history

that some scholars felt the need to justify their claims that Africa has its own history and

that it was a worthy academic topic (Denoon and Kuper 1970). Throughout the 1960s

and early 1970s, histories of Tanzania's peoples, anti-colonial struggles, and nationalist

histories proliferated. These histories emphasized African agency and nation-building,

and were often a challenge to earlier Eurocentric histories. They were meant to debunk

dichotomies of developed/undeveloped, civilized/primitive and superior/inferior.

History, then, should reflect these agendas, while reaffirming the strength and agency of

African peoples.

Denoon and Kuper (1970), Africanist historians, wrote a sharp critique of the

nationalizing of Tanzanian history. They accused the Dar es Salaam 'school' of creating

an ideological history because of the narrowly subjective lens that many Tanzanian

historians utilized.[18] The authors (1970:330) acknowledge that,

> ...the fact that they were working in Tanganyika (and then Tanzania) is
> significant, in that they were surrounded by the activity of a highly
> articulate national political party, building a nation out of an ex-
> dependency. They were exposed to stronger ideological currents than
> scholars in many other independent countries, where national movements
> are less pervasive and dominant.

However, Denoon and Kuper also argue that, while nationalism is an important

historical theme, it should not become the lens through which history is evaluated and

validated. They (1970:338) comment, "The fundamental weakness of the Dar es Salaam

'school,' in fact, is the assumption that nationalism is the key to an understanding of

Tanzanian history, at all times and with scant consideration for other factors involved."

Nyerere, ever conscientious, voiced his disapproval toward the ideological bent in

nationalist histories. He felt that idealizing Tanzania's history diminished true

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[18] The Dar es Salaam 'school' refers primarily to the dominant cannon in the History Department at the University of Dar es Salaam (UDSM) throughout the 1960s. During this era, Terence Ranger was the Chair of the History Department. He, along with many other Tanzanian historians, was vigorously criticized by Denoon and Kuper for his ideological assertions about Tanzanian history. The authors argue that Ranger and other nationalist historians created a 'historicity' (in Giddens' terms) rather than using historically and evidentiary support for their arguments.

accomplishments (and failures). In a news article in the East African Standard (11/11/69, quoted in Denoon and Kuper 1970:347), Nyerere's reaction to receiving a copy of *A History of Tanzania* (a nationalist history) is paraphrased: "he called upon African historians to refrain from exaggerating historic facts about Africa simply because their alien counterparts played them down or excluded them from their writings in the pre-independence period." Moreover, nationalist writings have focused primarily on 'big man' histories. (Geiger 1996). By definition these accounts of history are written about men. Yet, Tanganyikan women were vital to TANU's campaign for independence. Until recently, little has been written by scholars of African nationalist movements on the active participation of women as political and social actors in independence struggles. Geiger (1987:4) remarks, "...gender is generally considered irrelevant to the analysis of the articulation of historical processes in a particular nation-state, such as Tanzania, within the capitalist world economy." Before Geiger's work, Tanzanian nationalist accounts only briefly touched on the role of women and then usually in the context of a blank slate on which Nyerere or other TANU leaders wrote nationalism. Geiger argues, women not only participated in nationalist goals, but they literally helped shape concepts of nationalism and national sentiment. Women were not peripheral to the anti-colonial struggle, nor did they passively receive TANU's directives.

The Passing of the Father

While Geiger is correct to criticize the pervasiveness of 'big man' histories, Julius Nyerere has, more than most, warranted recognition. He played a primary role in shaping national unity after independence. Many Tanzanians even say that national unity was synonymous with Nyerere. On October 14, 1999, *Mwalimu* Julius Nyerere passed away,

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causing grave concern as to the future of national unity. President Benjamin Mkapa

wasted no time addressing the nation on Radio Tanzania, the government-owned station.

Mkapa (1999) stated that "Mwalimu created the foundations of unity for our nation and

struggled for it with all his strength." Voicing the fears of many, Mkapa continues,

> Given this remarkable leadership record there will be some citizens who
> will fear that the unity of the country will be jeopardized, that our union
> will disintegrate and our relations with neighboring countries will be
> affected. I beg you citizens to believe that Mwalimu succeeded in
> building a firm and strong foundation in these areas. We, who inherited
> that unity and union, took an oath to make it everlasting and continuous. I
> beg you citizens to cooperate in paying deserved respect to the father of
> the nation by remaining committed to the legacy of his work, his service
> and his love. Comrade citizens, as we await the body of the father of the
> nation, I beg you to remain calm and to maintain our solidarity,
> brotherhood and love at this heavy and unique moment of grief facing our
> country.

The critical point to take from President Mkapa's speech is how potentially fragile

Tanzanian nationalism and unity could be without the presence of the father of the nation.

While clearly concerned with the unity of the nation, Mkapa concurrently reaffirms the

discourse of unity that Tanzanians are so accustomed to hearing and (re)producing. The

BBC News Service October 14, 1999 elaborates on Nyerere's importance:

> In New York, the United Nations General Assembly stood in silent tribute
> to Dr Nyerere. The President of the Assembly, Namibian Foreign Minister
> Theo-Ben Gurirab, called him "a venerable world leader and one of
> Africa's most charismatic and respected elder statesmen."

> In Addis Ababa, the Secretary-General of the Organization of African
> Unity, Salim Ahmed Salim, called the former president's death "a severe
> and painful personal loss"...

> South African President Thabo Mbeki said Dr Nyerere "served as a
> source of great inspiration to efforts towards Africa's rebirth. He was one
> of the wise sons of Africa who guided our journey towards placing Africa
> in her rightful place in the world"...

The link between Nyerere and national unity is highly significant and his death may very well alter the way in which Tanzanians evoke national sentiment in the future. However, as Peter, a Dar es Salaam resident, comments,

> People, they were worried about the union because this has been one of the most important issues Mwalimu talked about...[Nyerere wanted]..to make Africa as one nation years back. But now it seems like the country will be stable as before. CCM has started to follow the idea Mwalimu implemented, Mkapa was trying to assure people that peace will be the same...up to now everything is going well with the union and it's become more friendly than even before. So don't worry about [Tanzania], things are fine.

Peter's words of reassurance ring true for many Tanzanians, but there is another side to Nyerere's administration, CCM and the Tanzanian state: their use of coercion and violence to maintain a disciplined society and promote or demote particular identifications.

PART 3: VIOLENCE AND THE TANZANIAN NATION-STATE

Although Tanzanian nationalism portrayed the state as unified, peaceful and democratic, structural and acute violence were instrumental to state agendas. Particularly in times of economic and social adversity, accentuating the positives of group membership and simultaneously emphasizing the vileness or insidiousness of some perceived social evil, proved to be an effective way of underscoring national unity and eliminating opposition. This approach placed the blame for societal and economic problems on particular groups, while concurrently shifting blame and responsibility away from inappropriate government policies, personalized patron-client relationships and administrative corruption that contribute to structural divides and hardships. Scapegoating has been a well-tried and active tactic in Tanzania, especially in recent years.

During the socialist era, those seen as capitalists, colonial sympathizers and anti-nationalists were vilified. In part, this served party interests by eliminating those who challenged its authority or direction. It also helped strengthen inner group solidarity. As Baregu (1997:58) comments,

> When differences arose they had to be quickly flushed out or strongly suppressed. If they persisted, the protagonists were labeled as anti-nationalist or worse, colonial stooges, traitors, fellow-travellers [sic]...particularly if they raised issues of power and challenged authority in the movement.

Union organizers or members, those resisting forced relocation schemes (i.e., villagization), protesting university students, political opponents, and citizens who criticized Nyerere (including Oscar Kambona and Bibi Titi Mohammed) found themselves denigrated and, at times, incarcerated, tortured or exiled.[19] Notably, in these instances, such people and their actions were identified within the sphere of public interest/politics, so that (coercive) state intervention was warranted.

With the failure of African socialism, liberalizing of the economic sphere, intractable external debt, elite corruption, and opening up of the political arena to multi-party democracy, Tanzania has had to withstand enormous pressures on its social, economic and political infrastructure. Nation-building has ceased and recent studies show that unity is on the decrease in contemporary Tanzania, while violence and crime are on the increase (Aminzade 2003; Campbell 1999; Kaiser 1996).

Overt efforts to shape national identity and political consciousness are currently minimal, but assertions of unity have not wholly, or even nearly, vanished. As one

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[19] Oscar Kambona fled Tanzania after he was accused of plotting against Nyerere and Bibi Titi Mohammed was jailed for her supposed support of Kambona and anti-socialist stand – she was widely known to have protested when it was legislated that MPs could not have outside sources of income (i.e., businesses or rental properties).

young man comments, "We Tanzanians, we like democracy, we support democracy, but not at the price of peace. We will take unity over democracy any day." Rhetoric of unity and nationalism is still strongly voiced, but economic and social realities are producing vast inequalities in wealth, status and access to resources. These inequities are creating divisions between various social groups, leading to differential life chances (i.e., structural violence), but also acts of physical violence. For example, with the decline of African socialism and its associated values, Tanzania has been experiencing renewed growth in racial and religious divides. Marginalization of many indigenous groups has left many feeling angry and looking for answers. Asian-Tanzanians, South Africans, ex-patriots, aid workers, and high level officials have benefited unduly from neo-liberal economic policies. The promise of a better life has only been realized by a select few. Asian-Tanzanians, especially, are increasingly finding themselves in an 'us' versus 'them' position in Tanzanian society as Africanization arguments resurface. Moreover, the occasional rioting and looting of Asian-owned stores and businesses is occurring on a more frequent basis. Some rival political parties have even refused Asian-Tanzanians membership.

Asian-Tanzanians are not the only Other that indigenous Tanzanians define themselves against. Central African refugees are also sources of public resentment and a favorite political scapegoat. During interviews and conversations, refugees were generally described as "those poor tribal peoples" or as "people who don't understand unity the way we [Tanzanians] do," while Tanzanians characterized themselves as possessing a strongly rooted nationalism.

More recently, public sentiment and media attention has become decidedly anti-refugee. Refugees are portrayed as violent perpetrators and ingrates. They are blamed for raising crime rates and are thought to be leeches on a poor country's already overtaxed resources. A recent news article (07/21/2003) posted on AllAfrica.com detailed the killing of three policemen by armed robbers. One Dar es Salaam resident is quoted as saying, "When I learned of how the police officers died, I knew those who killed them could not be Tanzanians." The article goes on to say that "many people contend that if it were not for their country's generosity, the crime rate would not be so appalling." The robbers were reportedly from Rwanda, Burundi, Uganda, and the DR Congo. The article further relays that, within two weeks, all the robbers were either arrested or dead.

In contrast, a 2002 multi-agency survey, by the UN Integrated Regional Information Networks (Africa News Service Inc. 2002), of the impact of small arms in Tanzania states:

> Crime rates are still generally low in Tanzania and what crime is committed tends to be theft, often opportunistic, involving house-breaking and cattle theft...However, certain key problems had a significant effect on perceptions of safety, including the spill-over effects of refugees and banditry activity in the northern regions...The relatively high numbers of respondents who felt refugees had a large impact on their community illustrate the negative perceptions that abound in Tanzania about the presence of [over 500,000] refugees in their country. These perceptions do not...seem to be supported by reality as the incidence of refugees moving into most regions is low.

Therefore, perceptions of risk are high, but actual incidences involving refugees (outside of Kagera and Kigoma) are relatively low.[20]

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[20] The scapegoating of refugees for political ends is the topic of a forthcoming article, but is only mentioned here in passing. Instead, I chose to focus this dissertation on categories of citizens or cultural insiders that are scapegoated.

Internal Others

In Chapter 1, I introduced the concept of 'social' or 'apolitical' violence, arguing that it is unmarked and, therefore, inherently political. Categorizing certain acts of violence as apolitical, social, domestic, or private, may legitimize and downplay the significance of such violence, its victims and the Tanzanian state's denial of accountability. Many acts of social violence are in fact illegal, but hardly illegitimate. I am primarily interested in situations and acts of violence that are unlawful, but socially legitimate and where the state (through state agents) removes such deeds from public interest/politics, thereby justifying its lack of involvement. In the following chapters, I analyze two distinct situations of illegal, but legitimate social violence in Tanzania: Chapter 4 focuses on acts of collective violence, and Chapter 5 illustrates the pervasive existence and acceptance of gender-based violence. In instances where thieves challenge the state's monopoly on the use of force (e.g., killing police officers), they are swiftly (and often brutally) dealt with by state authorities. In contrast, when theft occurs on a small-scale or at a personalized level, the Tanzanian state frequently fails to react, in essence, promoting localized instances of collective violence that are then overlooked by state authorities. In addition, many forms of gender-based violence, more than other forms of social violence, are ignored or go unnoticed by state agents. By defining such instances as unlawful, but not illegitimate, collective and gender-based violence are removed from the realm of politics and into the social one, where the state is not obliged (indeed, not encouraged) to intervene.

While collective or gender-based violence may be legitimate in some places or circumstances, I do not want to imply that this is always the case. For example, in

instances of domestic violence, individual men and women, as well as neighbors, family, friends, and local authorities distinguish between acceptable and unacceptable levels of domestic abuse. In situations where such a boundary is overstepped, the abuser can find himself facing his family, neighbors and, at times, formalized justice. The concern of this dissertation is to indicate the circumstances when collective or gender-based violence is likely to go unnoticed by the Tanzania state and to show that the risk of being a target of such violence is not equally shared among Tanzanians, but is, in fact, dependent upon societal positioning and identity markers (e.g., ethnicity, religion, socio-economic status, age, gender).

As I further explicate in Chapter 4, theft is a common worry among urban residents. A 2000 crime survey of Dar es Salaam concluded that the most prevalent crime in the city was burglary, followed by petty theft. Violent crimes were less ubiquitous than property crimes, although assault rates were high (16% of respondents reported having been assaulted in the last five years). Acts of theft, however, were not only attributed to refugees, but were widely ascribed to Tanzania's young, poor men. Lack of faith in police has caused many areas to organize neighborhood watches (*sungusungu*). Suspected thieves or those caught in the act can expect swift and harsh consequences. It is still common to beat, maim and kill suspected thieves. This type of justice is typically called mob or community 'justice' because the community acts as the police, judge, jury and, at times, executioner. Additionally, neighborhood watches are well known for their violent treatment of suspected criminals (which includes witches as well as thieves). Witches and thieves are particular kinds of social evils since they are seen as evils stemming from within. Refugees, and arguably Asian-Tanzanians, are dangers from

without. Chapter 4, then, explores the connection between 'social' violence, mob justice, and the increasing incidence of thief murder.   It also investigates the relationship between community concerns, illegal, but legitimate social violence, and the ('unaccountable') Tanzanian nation-state. I analyze the multiple roles the state plays in relation to crime, community demands, state-sponsored or sanctioned violence, and the structural inequalities that remain embedded in these relationships.

Chapter 4

Collective Violence and Vigilantism in Tanzania:
The Sungusungu and Mob Justice

This chapter addresses vigilantism, collective violence and the Tanzanian state. It explores the multiple frameworks Tanzanian men and women employ to cope with high crime rates and an unresponsive and overtaxed legal system. Vigilante groups, whether structured or impromptu, are flourishing in spite of an ambivalent and at times openly conflictual relationship with various state agencies. The dynamic is further complicated by the successful reduction of certain types of crime in several areas as a result of vigilante actions. I thus investigate two forms of collective violence: community vigilante groups, commonly referred to as *sungusungu*, and instances of mob justice. Specifically, I define collective violence and vigilantism and examine the context of this violence. Community rationale for *sungusungu* and mob justice is considered as well as their relationship to the Tanzanian state. I divide this chapter into three parts: first, I address the overarching concerns, theories and understandings of collective violence and vigilantism; second, the context and specifics of the *sungusungu*; and, finally, focusing on mob justice and its victims.

Vigilante groups not only combat crime, but also police key social boundaries. In Part 1, I explore notions of justice built on competing claims of community morality, which contrary to liberal practices of law, due process and bureaucratic justice. I illuminate constructions of community morality, whereby morality reflects and reproduces hierarchical community structures based on gender, age and economics.

Additionally, this section adds to dissertation queries of who has rights, what kind of rights, and under what circumstances.

In Part 2, I illustrate historically how the *sungusungu* have changed over time from community-based vigilante groups to state-sponsored units. Early *sungusungu* movements were designed to protect local peoples and property from heavily armed cattle thieves. Local authority structures provided some accountability and community control over the *sungusungu* and their exercise of force. Eventually, these vigilante militia spread to many regions in Tanzania, and became divorced from their local structures as they developed into more centralized, state-sponsored organizations. I argue that what began as a response to an ineffective state has become a corrupt and nationalized form of state-sponsored vigilantism. I, likewise, provide details of ethnographic encounters with the *sungusungu*. The examples I draw on are not commonly discussed in the existing literature. Most writings on the *sungusungu* have focused on their role in deterring theft and witchcraft in rural areas. In contrast, the narratives in this chapter address urban situations in the new millennium: the extortion of money and beating of a group of women, who are commonly known as *Mamantilie,* the raping of young women who are out alone after dark, the taking of bribes to harass a town youth, and the attempted breaking and entering of a home where the resident refused to pay a 'protection fee.'[1]

In Part 3, I examine spontaneous, collective acts of violence, known as mob justice. Ethnographic accounts are used to illustrate the systematic brutality of such violence, as well as the attitudes of the community toward those labeled deviant. I

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[1] *Mamantilie* are women who sell small foodstuffs (e.g., pastries, rice and beans, fried rice puffs) along the roadside.

examine acts of mob justice that target thieves, young 'immodest' women and the drivers

in auto accidents. All of these examples reveal how basic human rights and legal

concepts are circumvented for the 'greater good.' Analyzing who can be a thief or other

target of violence, who is subject to mob justice, and the larger socio-economic and

structural implications is central to this chapter.

PART 1: VIGILANTISM AND COLLECTIVE VIOLENCE

Definitions

For the purposes of this chapter I rely on Jon Rosenbaum and Peter Sederberg's

(1974) definition of vigilantism.[2] According the to the authors, vigilantism is "simply

establishment violence. It consists of acts or threats of coercion in violation of the formal

boundaries of an established sociopolitical order which, however, are intended by the

violators to defend that order from some form of subversion" (1974:542). Thus, vigilante

groups respond to perceived threats to the dominant social order. This explains why

vigilante groups do not commonly articulate an alternative societal vision – they are

dependent upon and tied to the existing state establishment. Furthermore, they are

predicated on the assumption that the state cannot adequately defend the prevailing socio-

political order from alleged seditious elements. Vigilantism, then, essentially propagates

conservative ends as it attempts to support, restore, or restructure existing societal

arrangements (Fleisher 2000). Vigilante acts cannot be separated from the state in which

they occur since these acts rely on the mores and societal values that are intrinsically

linked to the state's social and political ideology.

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[2] For additional views on vigilantism see Les Johnston 1996. "What is vigilantism?" British Journal of
Criminology 36(2); Martha Huggins 1991. "Introduction: vigilantism and the state: a look south and north"
In Martha Huggins, ed., Vigilantism and the State in Modern Latin America: essays on extralegal violence,
New York: Praeger, 1-18; Ray Abrahams 1998. Vigilant Citizens: Vigilantism and the State, Cambridge:
Polity Press.

Vigilantism takes various historical expressions and forms and varies cross-culturally. While locating vigilantism within its historical, political and social context is critical for understanding specific vigilante movements, there are common features that all such movements share (Abrahams 1987). First, vigilantism is generally a group undertaking, as opposed to an individual acting alone. While the occasional 'lone gunman' appears in literary and historical accounts, the large majority of vigilante movements have encompassed groups of two or more individuals. The collective nature of vigilantism makes it particularly relevant for an understanding of the ordering and shifting boundaries of social systems. Collective violence, at least in part, is a form of social control. I view this violence as an attempt to define and redefine categories of punishable people. Collective violence is literally "personal injury by a group" toward an individual or group that is labeled deviant (Senechal de la Roche 1996:97). As with vigilantism more generally, such violence is frequently a moralistic response and often has mass support. Collective violence can, and usually does, seek redress for real or imagined grievances that reside in political, economic or social inequalities. It can be enacted by socially subordinate groups toward a dominant individual or group, and it can also occur from dominant groups toward the less powerful.

A second feature of vigilante movements is that they are typically grass-roots initiatives. Although vigilantism is intimately linked to a larger state system, much of the impetus to 'police' the boundaries of that order comes from those who are on the margins of state control. A number of vigilante movements have incorporated 'off duty' state actors (e.g., the Death Squads in Brazil), while others have remained primarily community-based.

Third, there is an element of self-help involved but, again, self-help is within the larger context of a state.   As I will demonstrate, both *sungusungu* violence and mob justice are rationalized by attributing the need for such violence to a lack of state involvement and effectiveness. However, while Tanzania's state may realistically not have the capabilities to eliminate all social evils, allowing *sungusungu* groups and mob justice to operate in Tanzania can also be a state strategy, albeit a problematic one.

Finally, two further distinctions within vigilantism are relevant for this dissertation: the level of organization involved and the range of accountability (Senechal de la Roche 1996). Such violence can be highly organized (e.g., *sungusungu*, terrorism), with established groups that deliberately monitor social boundaries or it can be impromptu and informal (e.g., mob justice, rioting). Some acts of vigilantism are aimed only at the involved individual (e.g., *sungusungu*, mob justice), while others are aimed at the victim's group more generally (e.g., rioting, terrorism). I focus on collective violence that is in response to the involved individual's perceived deviant actions, analyzing specifically the *sungusungu* and mob justice. However, while such violence may focus only on the victim or victims in question, it also reacts to, and produces, a larger social identity (i.e., "dangerous classes"). It creates, defines and remakes categories of punishable people. In this way, even if the violence is only enacted on one person at a time, it is still essentially targeting particular 'deviant' groups.

The Failed State (of Security)

Most scholars of Tanzania who write on the *sungusungu*, mob justice and collective violence more generally, have argued that the rise of the vigilantism indicates a fundamental failure in the functioning of the Tanzanian state to protect its citizens.

Fleisher (2000:220) states that the eventual "embracing of the *sungusungu* by government officials constitutes an admission at the highest levels of the glaring inadequacies of the official law enforcement system." Likewise, "the very existence of vigilante groups may be plausibly interpreted as a criticism of the state" (Abrahams 1987:180). While the *sungusungu*, their communities and members of mob justice certainly criticize the Tanzanian state as ineffectually providing security, they never actually challenge the ideological hegemony of the Tanzanian state. In essence they complain about the ineptness of the state in carrying out its mandate, but not the basic form of the mandate. These vigilantes simply step in to uphold the prevailing social order where the state cannot or will not do so – even though this, in effect, subverts that same social order.

The failure of the Tanzanian state to provide safety and law enforcement, according to liberal theorists, amounts to a breakdown in the 'social contract' between the state and individual. The individual agrees to give up certain freedoms in exchange for protection and security by the state. If the state fails to meet the social contract, individuals sometimes feel justified in providing for their own security, even if their actions fall outside the legal margins set by the state.

Crime and Lack of Punishment

Many of Tanzania's rural communities undoubtedly felt the state had not upheld its end of the social contract. In the late 1970s and early 1980s the Tanzanian state experienced an unparalleled economic crisis. Some of the problems the fledgling state had to grapple with were: large-scale relocation projects, the Middle East Oil Crisis, a war with Uganda, increasing debt burden, and corruption among party officials.

Throughout this period the number of firearms entering the country increased – almost certainly from the Uganda-Tanzania war. Many of these guns were used in cattle raids or other large-scale thefts in outlying areas.

During cattle raids, police were rarely in the vicinity. Even if communities caught a few cattle thieves, rural inhabitants frequently had to travel long distances to reach a police outpost or Primary Court. These difficulties are expected given that Tanzania's Judiciary system and Police Force are modeled after British institutions and common law, which are predicated on the British colonial belief in centralized authority. Both institutions have their headquarters in Dar es Salaam and outposts in the various regions and districts (Bukurura 1995). Tanzania has several levels of administration: 26 regions, 130 districts, and innumerable wards and villages (The United Republic of Tanzania 2003). There are only a few sub-offices and courts at the ward level. Villages are subordinate to wards, wards subordinate to districts, and districts subordinate to regions. Each level reports to the one above it.

In the 1980s the ratio of police to population (1:10,000) was extremely inadequate for handling rising rates of both petty and violent crime (The Daily News 05/30/1989, cited in Bukurura 1995). Police officers were generally underpaid and understaffed with inadequate transportation. They were often poorly armed and frequently outnumbered. Most were not locally based, but instead were cross-posted from other areas of Tanzania. Cross-posting was a conscious state design to keep the police from becoming entrenched and corrupt. This strategy was aimed at preventing them from forming local alliances with thieves or particular members of the community. Unfortunately, the inadvertent result was that most police officers were generally unresponsive to community

complaints and concerns. Officers often did not understand local dynamics, nor did they necessarily know the identification of local thieves. These very real constraints abetted community rationale for forming locally based militias and promoting swift acts of mob justice.

A centralized, top down Judiciary also influenced local justifications for *sungusungu* and mob justice (see Figure 4.1). The Judiciary branch and its powers are codified in Tanzania's Constitution. The current configuration of the Judiciary is headed by a Court of Appeals that includes six judges, followed by the High Court with thirty seven judges in 11 zones. There are several regions in each zone. Subordinate to the High Court are the Regional Magistrate Courts, with 108 resident magistrates, and then the District Magistrate Courts, including 206 district court magistrates. There are 653 Primary Courts scattered throughout regions, districts, and wards in Tanzania (The United Republic of Tanzania 2003). This hierarchical system means that the Tanzanian state presence in many outlying areas is marginal at best.

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┌─────────────────────┐
│   COURT OF          │
│   APPEALS           │
│   6 JUDGES          │
└─────────────────────┘
        ↙   ↘
┌─────────────────────┐
│   HIGH COURT        │
│   37 JUDGES         │
│   IN 11 ZONES       │
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        ↙       ↘
┌───────────────────────────────┐
│   REGIONAL MAGISTRATE         │
│   COURTS                      │
│   108 JUDGES                  │
│   FOR 26 REGIONS              │
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│   DISTRICT COURTS                        │
│   206 DISTRICT COURT MAGISTRATES         │
│   FOR 130 DISTRICTS                      │
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┌─────────────────────────────────────────────┐
│   PRIMARY COURTS                             │
│   653 PRIMARY COURT JUDGES                   │
│   FOR VARIOUS REGIONS, DISTRICTS AND WARDS   │
└─────────────────────────────────────────────┘
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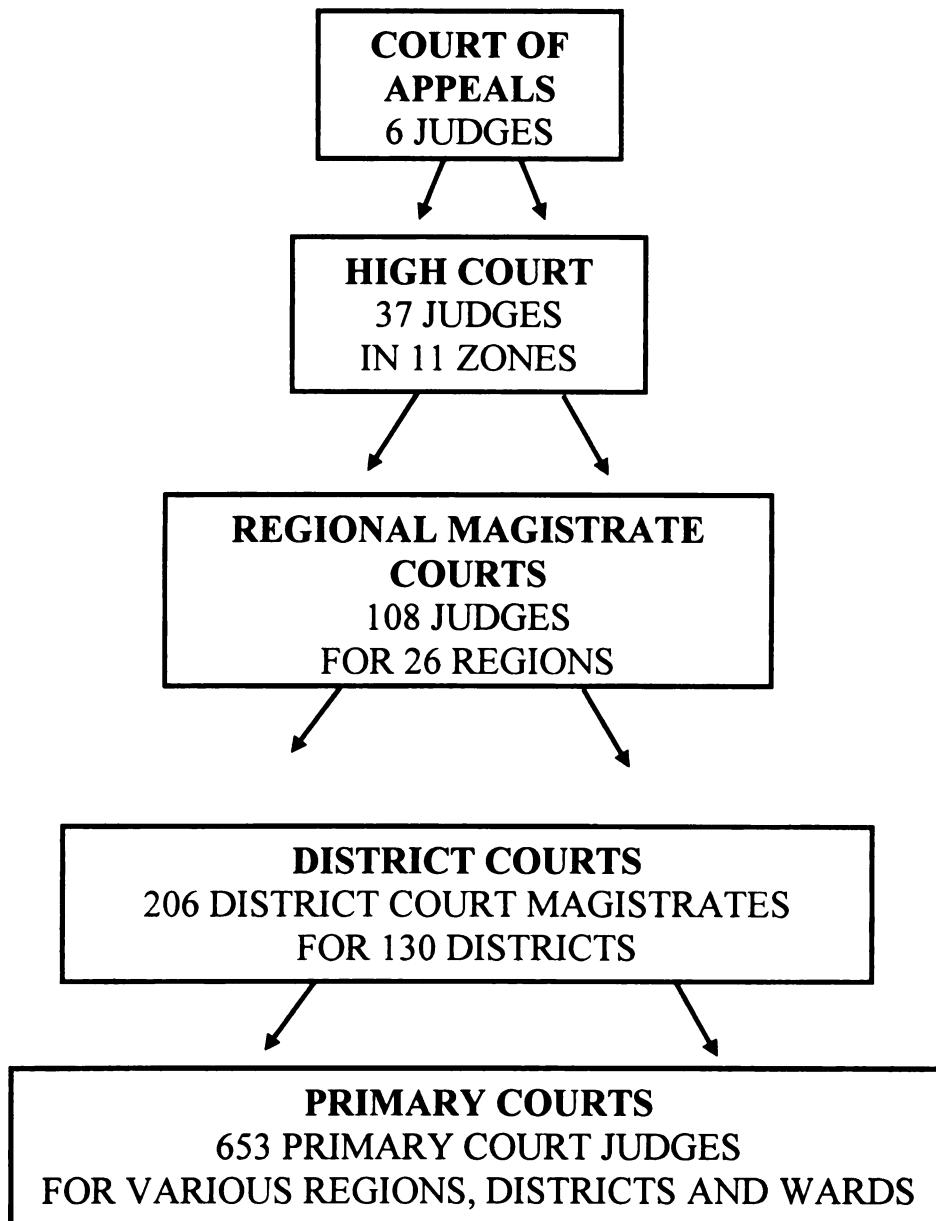
Figure 4.1: Hierarchical Structure of Tanzania's Judiciary

During the 1970s and 1980s (and continuing to the present), law enforcement in

remote areas was often feeble and based more on personal gain and corruption than crime

control. Lack of faith in the police or other formal state mechanisms prompted many

communities to set up their own task forces to deal with increasing crime levels. Not

only were police slow to respond to crime but they often wanted money to pursue a case.

As Fleisher (2000:220-221), citing a conversation with an informant, explains,

> Citizens exact 'mob justice' from cattle thieves and other
> criminals...because they know that if they turn them over to the police
> the lawbreakers will simply bribe their way to freedom. A policeman
> earns his livelihood, in essence through his ability to impose an illicit
> 'tax' both on victims of crime and on those who have broken the law.

Corruption of officials both within the Police Force and Judiciary had reached extraordinary levels by the mid 1970s. As Coulson (1982:221, cited in Bukurura 1995:259), observes,

> [P]etty corruption became so widespread in the police that the easiest
> way to defend a case was to bribe an officer to 'lose' the case file. This
> led to repeated adjournments, waste of witnesses' time, and even more
> inequality. It became hardly worth while [sic] prosecuting for burglary or
> assault, unless the unfortunate offender was nearly destitute.

By the start of the 1980s many rural inhabitants were hesitant to report criminal incidences to the police for fear of being trapped in a cycle of bribing or harassment. With such antagonistic and frustrating relations with law enforcement, these communities understandably felt justified in creating their own task forces to deal with thieves and other (trans)locally based social evils.

Incidentally, rampant corruption in the legal system is still present today, according to a recent Sunday Observer (02/02/2003) article. The article quotes an anonymous police officer discussing the 'fees' many police charge for their services: "Do not call this a bribe, rather it is merely a tip, an *ahsante*, a *bakshish*. We are forced to work under great stress. The general public should be able to distinguish between a bribe and a tip." President Benjamin Mkapa in a speech opening the Third Council of Home Affairs Ministers of the Eastern Africa Region (08/22/2002) acknowledges citizens' frustrations with rising crime and police and judicial corruption, but cautions them not to take justice into their own hands:

For, clearly the war on crime and criminals cannot be fought and won by the Police Officers and constables alone. The eyes and ears of the citizens, and civil society at large, are key inputs for success, and should be involved through various community based initiatives. But, as I said, citizen participation is predicated on the integrity and professional conduct of law enforcement agencies...A Police Force that is not courteous to people; that abuses human rights; that is corrupt and prone to reveal names of informers or tip off criminals on whom information is volunteered, will never earn the respect and co-operation of citizens...Mob justice may very well be the people's reaction to what they perceive, rightly or wrongly, to be police or judicial dishonesty. So they would rather dispense their own version of justice "single-handedly," than involve the police and the judiciary for fear they might be dishonest. But this is neither right, nor healthy.

Thus, even at the highest levels, police and judicial ineffectiveness and corruption are cited as a primary justification for mob justice. Additionally, theft is a grave concern in most Tanzanians' daily lives. Since the pre-independence era, larceny has proved to be a very large and enduring problem for the Tanzanian state. Armed robbery, breaking and entering, and grab-and-run theft are ever more common occurrences. In Dar es Salaam alone, over 60 percent of crime survey respondents indicated that they feel unsafe in their homes after dark. Many of these respondents had ample reason for their fears: between 1995-2000, 43 percent of respondents claimed to have been victims of burglaries, while 32 percent said they were mugged, and an additional 16 percent claimed to have been the victims of assault (Robertshaw, et al. 2001).

Community Justice, the Rule of Law and Human Rights

Vigilante justice, while often effective, poses a set of questions and problems for a state. The social contract is predicated on a state's ability to protect its population, as well as its monopoly on the use of force to uphold its directives. While vigilantes rarely articulate an ideology that is detached from their state, they do subvert some of the state's most basic directives. By providing social control, they circumvent the state's exclusive

right to do so. Vigilantes commonly violate the rule of law, due process, and bureaucratic justice.

These features of vigilantism in Tanzania also make it incompatible with current configurations of international human rights. Human rights is a legalistic framework based on equality among individuals, seeking to provide security from a potentially abusive state. International human rights legislation and theory are reliant on the existence of the social contract between a state and an individual. A state enters into a binding contract with an individual, whereby the individual has certain inalienable rights and freedoms, which, if broken by the state, constitutes the basis of human rights abuses. Fundamentally, human rights violations are conceptualized as unidirectional from a state (with its monopoly on force) toward an individual; in other words, an individual who breaks the social contract cannot be charged with human rights violations toward a state. As Chapter 1 explicates, acts of violence among individuals (assuming they were not state agents) were not always categorized as human rights concerns. In the *sungusungu* case, the Tanzanian state has failed in its obligation to deter violence, prosecute assailants and protect its citizens *equally*. This obligation is covered in Article 7 of the Universal Declaration of Human Rights. The state's failure to endorse equal protection, forms the juncture where *sungusungu* (or mob justice), the Tanzanian state and larger human rights frameworks collide. As Mwaikusa (1995:173) relates, "The foundations of *sungusungu* and its operations are not based on law as an institution of the modern state, but on the moral values of rural communities which have not fully discarded their traditions." He, like many other scholars of Tanzania, sees their role as an asset to the Tanzanian state and to their communities – as long as they function within the legally defined arena and

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remain fundamentally grassroots. These local militias, he argues, must be subject to the same standard as other citizens and must abide by the structural arrangements and authority of the state. Mwaikusa states (1995:171),

> *Sungusungu* do not always operate in conformity with state laws.
> *Sungusungu* investigate, arrest, detain, interrogate, conduct trials, pass
> judgment, and inflict punishment according to their own rules. There are
> frequent individual accounts of suspects being subjected to horrible
> ordeals of torture or exorbitant fines; there have even been reports of
> suspects dying in *sungusungu* lock-up cells.

Because the *sungusungu* operate outside of the rule of law and the liberal legal system, they provide sufficient reasons for the Tanzanian state to intervene. Yet, as the following pages will demonstrate, the state, although engaged in an ambivalent relationship with the *sungusungu* and mob justice, has not enforced its end of the social contract toward those who are victimized through such actions. In addition, *sungusungu* actions and mob justice are an infringement on Articles 10 and 11 of the Universal Declaration of Human Rights (UDHR). Article 10 asserts, "Everyone is entitled in full equality to a fair and public hearing by an independent and impartial tribunal, in the determination of his rights and obligations and of any criminal charge against him." Article 11 adds that "Everyone charged with a penal offence has the right to be presumed innocent until proven guilty according to law in a public trial at which he has had all the guarantees necessary for his defense." Vigilante justice is at odds with these principles.

Alternatively, claims that the old British colonial legal structures and international legal agendas do not adequately reflect lived realities or respond to rampant social problems are commonly cited as justifications for *sungusungu* and mob justice actions. Masanja in particular evokes notions of 'community morality' as the yardstick of appropriate justice. He states (1992:213-214),

Justice defined as that which conforms to societal patterns and values is that which conforms and protects the community's well-being. In this *sungusungu* justice is different from the 'liberal' practice of justice which is based on different assumptions. As is well known the liberal basic assumption is the central concern for the individual. The human being is conceived as being completely free and self-centered...Society has laws to protect the individual's self-interests. Justice then is that which protects the individual against being encroached upon in his pursuit of his activities. Self-interest and competition are the ideal values. Ideal order is that which protects the individual. Law is to protect the individual. In case of doubt over rights, the individual's rights prevail. The legal principal that it is better to acquit nine guilty individuals, through lack of evidence, than convict one innocent person, stems from such a perception of society. Among the *sungusungu* this is unacceptable and protection of the community is paramount should even an individual unfortunately suffer in the process. (emphasis added)

He goes on to opine that the *sungusungu* movement is a form of "resistance to 'liberal' practices of protecting individuals at the expense of community" (Masanja 1992:214). Masanja points to the corruption and the inefficiency of Tanzania's legal system as one of the primary advantages of community justice. The community act as police, judge, jury and executioner. Masanja believes this protects the *sungusungu* from becoming corrupt because community members are continually monitoring each other.

Community, in this sense, is obviously essentialized and idealized by making it static, continuous and harmonious. There is no accounting for emergent power differentials within a community, nor the possibility of interests groups. Likewise, there is no attention paid to disparities in financial and moral authority within families, neighborhoods, and communities. Yet, structural positions of social, economic and political inequalities within communities curtail some members' abilities to be heard or even counted as part of those communities. What is labeled as 'community justice' or 'morality' is in fact the assertion of rights and freedoms by those positively situated, and frequently at the expense of other disempowered groups. Furthermore, *sungusungu*

militias (and mob justice) do not only act as policing agents, but in many communities enforce forms of social control benefiting select interests. Illustrations of community justice and its subsequent abuse, are detailed in the following sections.

PART 2: THE SUNGUSUNGU

Sungusungu Origins

The *sungusungu*, or *Basalama*, started as local vigilante groups in primarily rural western central Tanzania.[3] They originated among the Nyamwezi and Sukuma peoples in the early 1980s. Their explicit purpose was to combat cattle theft and other public disturbances that were widespread in these areas.[4] Campbell (1990) indicates that *sungusungu* also acted to deter large-scale smuggling and profiteering from the sale of gold and ivory pilfered from the rural areas. In a number of locales the *sungusungu* were employed to banish witches as well as thieves. Sometimes these vigilantes killed the suspected thieves or witches, while at other times they levied fines, retrieved stolen property and administered beatings or other punitive measures. Occasionally, the *sungusungu* turned suspected thieves over to the police, although the *sungusungu*-police relationship was frequently characterized by mistrust and unease. Moreover, many *sungusungu* groups established "people's courts" to administer their own form of justice. As one South Africanist researcher (Crais 1998:46) aptly comments,

> Peoples courts are complex and creative bricolages that appropriate critical signs from various sites, contest the dominant order, and become spaces within which people imagine, communicate and enforce ideas and

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[3] The translation of *Basalama* is 'the peaceful people' or 'the peace keepers.' The meaning of *sungusungu* is somewhat contested. Various academics argue that it comes from the Sukuma word *busungu*, meaning poison. The assumption is that it refers to the poison tipped arrows that some *sungusungu* carried. Alternatively, scholars have argued that *sungusungu* is derived from Swahili, meaning a species of large black biting ants.

[4] Mwaikusa asserts that the *sungusungu* were not only about crime control. He argues that looking beyond the functionalism of these militia, the sungusungu represent a resistance to the "excessive commoditization of values in society" (1995:170).

visions of society and morality. These imaginings, moreover are indissolubly linked to issues of pollution and purity, misfortune and contingency, authority and usurpation, as well as local critiques of the state.

The first *sungusungu* groups were intimately embedded in the shared cultural understandings and authority structures of the Nyamwezi and Sukuma peoples. These communities configured the *sungusungu* to reflect past and present social categories. Male elders in their small communities played a large role in the establishment, legitimization and administration of these militias. They provided a cultural avenue for combating insecurity and expressing community continuity and unity. According to Bukurura (1995), male elders in each community comprised a committee, using ritual as a way to sanction *sungusungu* actions. Particularly effective were the acts of 'swearing in' through ceremonies that used metaphors to link the *sungusungu* with past chieftainships and 'traditional' authority structures.[5] By using local authority structures, the elders were able to promote a sense of community, as well as change individual feelings of helplessness into collective action against alleged enemies or deviants (Bukurura 1995). These rituals placed the *sungusungu* in a wider social context that strengthened community elders' positions and authoritative legitimacy. Key male elders were even said to be able to communicate with the ancestors and to possess medicinal skills protecting the poorly armed community militia from the better equipped cattle

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[5] Abrahams' (1987) and Bukurura's (1995) detailed accounts of the *sungusungu* initiation practices and belief system fail to look critically at notions of 'traditional authority structures.' There is no mention of dissent, multivocality, divergent interests, or power differentials in the Sukuma and Nyamwezi communities. Much like Masanja's (1992) argument, one is struck by the sense of an ideal community embedded in their descriptions. However, Abrahams (Abrahams 1998) does attempt to correct this oversight in later work.

thieves (Tungaraza 1998).[6]

Keeping with the ritualistic aspects of initiation, most *sungusungu* carried traditional Sukuma or Nyamwezi weapons – primarily bows and arrows. Elaborate headdresses and masks were commonly worn. Masanja (1992) asserts that the choice of weapons and headdress represent resistance to the formalized, bureaucratized legal codes. Some *sungusungu* even went so far as to use the phrase *Chama Cha Busalama* (Party of Peace Keepers) as an early identifier. Yet, as Abrahams (1987) reports, state officials were alarmed that this was an attempt to revive the chieftainship system and hastily intervened. Under state pressure and censure, *Chama Cha Busalama* was renamed simply *Basalama*.[7]

According to Abrahams, all men, whether young or old, participated in the *sungusungu*. When a thief was spotted, an alarm was sounded and all able-bodied men came with whatever weapons they possessed – usually bows and arrows or short swords – to defend the community's property. He also mentions the existence of women's contingents. In these areas, women *sungusungu* reported to a female commander, but women *sungusungu* seem to be more the exception than the rule.

While *sungusungu* presence in Sukuma and Nyamwezi areas was commonplace, it took many years to spread to other regions. The Kuria, in Tarime District,

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[6] The use of medicine to provide defense against superior weaponry has a larger historical framework and nationalist and anti-colonial implications. During the Maji Maji rebellion of 1905-1907, religious and military leaders dispersed large amounts of magical water (*maji*) to their followers. The greatly outgunned freedom fighters believed that this medicine would turn German bullets to water upon impact. While many freedom fighters died in this rebellion, the ferocity and tenacity of the fighters took German troops by surprise. In the end the Germans prevailed not due to their superior arms and military training, but by producing a famine via the large-scale systematic destruction of subsistence crops in southern Tanzania. For additional information on the Maji Maji rebellion see John Iliffe 1979. A Modern History of Tanganyika. Cambridge: Cambridge University Press.

[7] According to Abrahams, many state representatives were concerned about any organization or group using *Chama* – the Swahili word for 'Party' – since during the early 1980s Tanzania was still a one-party state. Any other group employing the word 'Party' was viewed as a direct threat to the sovereignty of *Chama Cha Mapinduzi* (The Revolutionary Party, CCM).

northwestern Tanzania, were one such example. They likewise had difficulties with cattle theft and armed banditry. Periodic police and paramilitary crackdowns in these areas only temporarily halted cattle theft. According to Fleisher (2000) in 1981, 1984 and 1986 there were police sweeps within Tarime District where weapons were seized and thieves arrested. These sweeps were followed by a respite from cattle theft, resuming when police withdrew from the area.

By 1994, cattle theft in Tarime was increasing at an alarming rate. In lieu of another costly police crackdown, district officials implemented state-sponsored *sungusungu*. Instead of being a community-motivated response to crime, the *sungusungu* now became part of the Tanzanian state's strategy to control crime in Tarime. The explicit function of *sungusungu* was the same: to combat cattle theft and other public disturbances at the community level. The community itself was now to provide for its own protection using a community-based task force that thwarted local crime. Men between the ages of 18-50 were required to carry out *sungusungu* duties.[8] A large group of men patrolled their community each night to protect lives and property.

While the *sungusungu* were directly answerable to their communities, they also were now directly accountable to the bureaucratic Tanzanian state. A District Commander was elected to oversee all *sungusungu* operations in the District. Beneath the District Commander were Village Commanders who oversaw operations in their communities. The Village Commanders were also accountable to the Ward Commanders, Division Commanders, a Division Officer, and the District Commissioner – all state officials.

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[8] Fleisher (2000), is unclear how men are selected to be *sungusungu* or for what period of time they hold office. While he does not explicitly address gender, it seems that women were unable to take *sungusungu* duty, although this was not the case in all areas of Tanzania.

The transformation of the *sungusungu* into a state-sponsored movement had the unintended effect of severing cultural and historical ties which provided much of the community control and legitimacy in Sukuma and Nyawmezi areas. In place of elders' ritual powers and authority, state-sponsored vigilantes became dependent on bureaucratic ties to Village Councils, CCM officers and other elected officials. These administrative units served to guide *sungusungu* actions. While these organizations were still based within a community structure, they were now separated from cultural authority, and consequently, quickly became corrupt.

Although the *sungusungu* were introduced into Tarime by state officials, they were not simply the tool of state actors. In many cases, the *sungusungu* undermined state agendas. For example, *sungusungu* would pursue a case for a lesser fee than the police demanded. They essentially circumvented the hierarchy and kept the money in the community. These state-sponsored militias were able to use their local networks to locate thieves and retrieve stolen property. In these aspects the *sungusungu* functioned in much the same way as the earlier Sukuma and Nyamwezi vigilante groups.

One distinction in these state-sponsored *sungusungu* is that they kept local cattle thieves out of police hands. They turned over cattle thieves from neighboring villages (if those villages were not allies) but seldom turned in one of their own. Instead local justice, in the form of fines and beatings, were used to deter future theft. Conversely, according to Fleisher (2000), locals were not punished for stealing cattle from non-allies. Communities punished outsiders harshly, but had different standards for those within the village. Cattle theft itself was not the issue, since many Kuria actively participated in raids. The state-sponsored agenda of deterring all cattle theft was not wholly in line with

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local community desires. Communities were interested primarily in discouraging outsiders from stealing their cattle, not from preventing community members from raiding other groups' cattle.

The Complex Relationship between the Tanzanian State and Sungusungu

Just as the *sungusungu* had a complicated relationship with the Tanzanian state, so too the Tanzanian state's stance toward these vigilante movements was multifaceted, shifting, and at times conflictual. Individual state actors had diverse stakes in preventing or enabling *sungusungu* groups. At times state agents directly opposed these vigilantes in order to maintain a monopoly on law and the exercise of legal functions. Concurrently other state representatives actively condoned the vigilante behavior and actions because it furthered their particular aims.

Predictably, the Police Force and Judiciary had the most directly conflictual relationship with the early *sungusungu* groups. Law enforcement groups wanted to uphold the rule of law and due process. Suspected thieves were occasionally killed by these vigilantes, without a trial, and without going through other legally established channels. Sometimes the militias made mistakes and innocent people were killed. Moreover, Tanzania's Police Force and Judiciary felt threatened by *sungusungu* movements. Not only were such groups eroding the power and prestige of official law enforcement, they were diverting lucrative funds back to the community level. Many police and other law enforcement officials saw bribes or other fees as part of a supplementary income. As Tungaraza (1998:309) relates, "Sungusungu demonstrated the ability to control crime better than the registered and trained government bodies. But consider the plight of the police, who had to save face before the state and the people,

fearful of being declared failures when pitted against illiterate traditionalists." The Police

Force, therefore, had a vested interest in eliminating the *sungusungu* from what it viewed

as its exclusive right.

While police were generally ineffective at deterring crime in the remote Sukuma

and Nyamwezi areas, they were adept at arresting *sungusungu* members. The Judiciary

likewise had a record of convicting such vigilantes. Many citizens felt that both

institutions were more concerned with protecting their prestige and monopoly to catch

and prosecute thieves than in preventing loss of life or property in these outlying areas.

Many politicians and party officials, conversely, felt the *sungusungu* were

appropriate and even patriotic responses to the rise in crime. The cost to the fledgling

state to control crime in its outlying areas was simply too great a burden and not a high

enough priority to warrant the expense. Not only were the *sungusungu* saving the

Tanzanian state the enormous cost of policing its outermost territory but they were

protecting its social boundaries and agendas. Even President Nyerere himself saw the

sungusungu as realizing the ideals of popular participation. As one man comments,

> *Sungusungu*...it all started at the time of the father of the nation...Police
> were not performing too well due to corruption. He came up with the idea
> that the local public should protect themselves and take responsibility in
> preventing crime. A member from each house was supposed to be on
> patrol, if you couldn't pay a contribution and have a good night sleep. As
> a start up it worked pretty well, but as soon as corruption took its toll
> people started getting fed up too. (emphasis added)

These communities were forming locally based, grassroots watches that subscribed very

much to the ideals of self-help and African socialism, which Nyerere promoted

wholeheartedly. In 1982, he even gave several members of these vigilante militias

pardons for their actions. Likewise, in 1989, Tanzania's second President, Ali Hassan

Mwinyi, also granted general amnesty to *sungusungu* group members (Bukurura 1995).

In 1991, and again in1992, Mwinyi granted pardons to a few *sungusungu* units

(Mwaikusa 1995).

But political motives for supporting the *sungusungu* were not always constructive.

The *sungusungu* were instrumental in upholding the prevailing social order in areas

where the state had tenuous control. The *sungusungu* efficiently dealt with those who

were seen as 'societal problems' without the state having to take responsibility for their

actions and at no cost to the state. If thieves were captured or even killed by these local

militias, politicians could look the other way or even declare the *sungusungu* heroes.

Ultimately these community militias provided a convenient outlet for public anger

against those who the state deemed a problem. By condoning such actions, tensions were

released at the community level. The state eliminated undesirables while maintaining its

hegemony and basic social and political order. In effect, the vigilantes were co-opted to

serve state ends. Not only were undesirables eliminated, but it convinced citizens that the

problem lay with certain marginalized individuals and not with the state itself. In other

words, local peoples blamed the thieves themselves for the social ills and did not look

toward the structural inequality (i.e., urban versus rural, differential access to resources,

high level corruption) perpetuated by the Tanzanian state. In this way, the ruling party

was able to shift the blame for very real societal problems onto thieves and other

undesirables.

Conversely, the *sungusungu* posed a potential problem to politicians and CCM.

The state or any one state actor did not have total control over the *sungusungu*. On the

one hand, the *sungusungu* provided various key political actors with incentive and

opportunities to uphold, shift and reshape the social order. Yet on the other hand, the *sungusungu* were not firmly under control and if they developed a political ideology separate from the prevailing political order they potentially represented a real threat to state power and the party. Initially the party's response was to send security forces to infiltrate the movement (Campbell 1990). When CCM officials were forced to recognize the pervasiveness of the *sungusungu* and their support base in Mwanza region, they pursued an alternative strategy: co-opting them into the party. Vigilantes were useful if they helped uphold the status quo or provided the state a service, but because they were at the margins of state control it was imperative that CCM not lose them. It is noteworthy that at this time the Tanzanian state was a single-party state. It was not until 1992 that opposition parties were legally allowed to exist in Tanzania. However, the winds of change were noticeable long before 1992. CCM officials, therefore, were quick to draw links between the party and the *sungusungu*. Many speeches by prominent political figures were explicit in equating community policing with African socialism, self-help and most importantly the party itself. For example, in the early 1980s Rashidi Kawawa, CCM's secretary-general described the *sungusungu* as "young CCM members who are fulfilling the party's call for mass action to maintain 'security'" (Abrahams and Bukurura 1993).

In 1989 the People's Militia Laws Act was amended, incorporating the *sungusungu* into the official state apparatus (Abrahams and Bukurura 1993; Mwaikusa 1995; Tungaraza 1998). The act benefited the Tanzanian state by inserting more state control over these militias, but it also served the *sungusungu* because they received protection from prosecution. The militias were deputized and have legal powers to detain

and arrest law breakers. They have become another tier in the state bureaucracy. The *sungusungu* act as community protectors, but they answer to the state directly. Giving them official powers and responsibilities has enabled them to form a closer relationship with the Police Force and Judiciary. Their once illegal activities are now recognized by these institutions as legitimate state business. However, the *sungusungu* (as demonstrated in the Kuria example) do not always have the same agenda as other law enforcement bodies and still manage to divert funds from police and judicial pockets – they become one more institution that demands money to provide security. CCM has maintained strong ties with these groups (including having CCM officials oversee *sungusungu* activities) to inhibit co-opting by rival political parties.

Since their official incorporation the *sungusungu* have become a recognized feature in city life as well as in the countryside. In Dar es Salaam and Mwanza they have been used to police neighborhoods and they on occasion collect a 'protection' tax from the surrounding residences. In some areas, the *sungusungu* are defunct, but in others they are thriving. A number of Tanzanians with whom I spoke claim that *sungusungu* are better than police because they are less corrupt, but many other people have voiced the opinion that the *sungusungu* are simply one more obstacle that they must negotiate in their daily lives. Coinciding with the increase in *sungusungu* power are rising community complaints of corruption, theft and extortion:

> They [*sungusungu*] also get involved in theft…For money they would
> come to court [and] give false evidence…They, as you know, worked on
> mob justice to an extent [and have] beaten people to their death…where
> you know no assistance is [coming] from the police at all, they do get
> handy and useful…recently the government have passed [that] if an arrest
> has been made by them they are supposed to take the accused ASAP to
> the central police and not just take law in their hand…At times they are
> helpful, but most of the times it is a waste of time…you lose a lot of

money...[and] since the Americans are training the police here, there is quite a bit of security...good work on the part of the police and some efficiency is finally seen. (emphasis added)

Urban Landscapes

The *sungusungu* were imported into urban areas as state-sponsored local militias. In several neighborhoods and cities they have ceased functioning either due to community resistance to be a member of the *sungusungu* or because of community complaints about the local militias. At the same time, in a recent news article, the African Church Information Service (07/21/03) relates that the Dar es Salaam Regional Commissioner, Lt. Yusuf Makamba, has ordered "a revival in urban centres of the defunct traditional night patrol units locally known as *sungusungu*" (emphasis added). His announcement comes after a particularly gruesome showdown between police and 'foreign' gangsters armed with AK 47.[9] Anna Mtani, Chief Coordinator of the Safer Cities Programme of Dar es Salaam, adds, "Community policing is the sole responsibility of every individual in society...so that areas under their jurisdiction could be safe and secure, because it is the same people who know bad elements living among [them]." Both Makamba and Mtani recognize the seriousness of rising violent crime rates and that the government has limited economic and human resources to address the problem.

However, while the *sungusungu* mandate is to patrol local neighborhoods to deter criminals, much as a local neighborhood watch does, there have been numerous distortions of this purpose. The *sungusungu* have the power to arrest suspects, but are

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[9] The news article was clear that these gangsters were not Tanzanians, but were nationals of Rwanda, Burundi, Uganda, and DR Congo. This may have been the case, although more often than not, locals are also involved. It is standard practice in the Tanzanian papers to blame refugees and foreigners for the rise in crime. Indeed, conflicts in the Great Lakes Region have increased the availability of high powered weaponry in Tanzania. Numerous news articles dating back before 1997 have lamented that Tanzania's hospitality and generosity have been sorely abused.

directed to work very closely with police and other law enforcement officials and are not to use excessive force. The following four narratives demonstrate in various ways the subversion and corruption of intended *sungusungu* functions.

Narrative 1: Neema

Dar es Salaam. This first narrative illustrates the abuse of state-sponsored power, the use of violence as a means to a (lucrative) end, attempted extortion of a particularly vulnerable group of women, and the parasitic and predatory relationship that has resulted from state sponsorship of these militias. It also demonstrates the response of state actors and their perceptions of what and who constitutes a social problem. The account is also notable because it involves a young, prosperous, independent woman, Neema, who works for an international organization. Unlike many of her neighbors, she is well aware of civil and human rights' initiatives and keeps abreast of current policy debates. She is outspoken and candid in her opposition to the local *sungusungu* militias. Neema, who is well educated and single, was arrested after a heated argument with a CCM minor official over the abuse of power and privilege by the *sungusungu*.

Her predicament began when two *sungusungu* carrying billy clubs approached a small gazebo-like structure outside of Neema's apartment building. A sizeable group of local *Mamantilie*, both young and old, rented out the tiny structure and were busy cooking their food to sell to hungry passers-by. The *sungusungu* demanded that all the *Mamantilie* give them money and part of the food they were preparing. A couple of the women refused – most of these women earn barely enough to survive and cannot afford to pay the bribes that various state officials sometimes demand. The *sungusungu*, both young men, began zealously beating the women with their clubs. The commotion drew a

large, angry crowd of mostly homeless youth. The neighborhood street youth depend on the *Mamantilie* for their daily sustenance and were incensed to see the *sungusungu* turning over the vats of food and thrashing these local women. The mob began pelting the *sungusungu* with stones and garbage. At first the *sungusungu* waved their clubs menacingly, but their actions only further enraged the crowd. Within minutes the *sungusungu*, who were greatly outnumbered, were chased from the area.

Shortly thereafter, the local CCM official, Bwana Mchai, arrived and started threatening to arrest all of the street youth. He called them thieves (*wezi*) and savages (*washenzi*). He accused the youth of attacking law enforcement personnel and threatened them all with jail and expulsion from the neighborhood. Bwana Mchai told the youth that they were what was wrong with Tanzania today.

It was at this point that Neema intervened. She told the CCM official that he had no right to threaten the local youth, since they were not the problem – the *sungusungu* were the thieves. At first Bwana Mchai ignored her, then he tried to reason with her, but Neema stood firm in her accusation. She argued that he should be concerned that the *sungusungu* were extorting money from poor women who were already paying for the space they occupied. She insisted that he not blame the youth for intervening since they were only protecting the women (and their food supply) from corrupt state-sponsored militias. Neema did not accept his assertion that the street youth were at fault. She countered that he only blamed them because he was out of touch with his community and that he praised the *sungusungu* because it was not his wife they were assaulting.[10] She heatedly told him that even street youth have civil and human rights and that they are all

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[10] According to neighbors, Mama Mchai (the wife of Bwana Mchai) occasionally sold eggs within the community and it was remarked that she did not possess a permit.

citizens and deserve to be treated as such. Bwana Mchai told Neema to show respect to a party official, at which point she turned to the crowd and delivered a moving human rights speech, informing them of their rights to live unmolested as true citizens of Tanzania.

Neema's speech drew on many elements of rights discourse. She condemned state-sponsored violence, emphasized that women's rights are human rights, and movingly spoke of the obligation of the Tanzanian state to protect its citizens, not to harass them unduly (i.e., social contract). Neema argued that all people share the same human rights regardless of community or social or political standings. She blatantly called into question Bwana Mchai's claims of importance and authority. She, in essence, leveled his status (*vis a vis* his humanness) to that equal of the street youth and *Mamantilie*. Conversely she raised their status to parallel a 'respectable' community member's, negating Bwana Mchai's rank, his social and political clout and his claims to represent the interests of the neighborhood. Neema's speech redefined who constitutes the community. She implored the crowd to learn their rights. She maintained that by learning their fundamental rights they need not fear the police or others who would "put them lower" because they have an even more powerful weapon – the truth. Neema insisted to those gathered that respect for human rights and personal dignity are not negotiable.

Bwana Mchai was visibly angry and vehemently expressed that Neema would regret her disrespect and 'obstruction of justice.' The next morning the police arrested Neema for 'disorderly conduct' and was she accused of not paying the 'protection' fee to the local *sungusungu*. Several hours later she was released unharmed but shaken. She

paid the necessary 'fees' to the police (not asking for or expecting a receipt) and acted 'properly' contrite. Bwana Mchai was very surprised to hear that Neema had been released in such a short time. He had arranged with the police to keep her for a much longer period of time, but he had not counted on her social connections to bail her out. Two days later Bwana Mchai showed up at Neema's residence and presented a formal writ requiring that she meet with him to resolve the 'unfortunate' incident. Neema was at work when he arrived. I happened to be at her residence when Bwana Mchai came by and was presented with the writ and a stern reprimand not to hang around with such a disrespectful woman. When Neema returned home in the evening, she tore up the writ and said he could wait and worry, she would not meet with him.

Fortunately for Neema, her family and work connections enabled her to become a formidable neighborhood voice for the *Mamantilie* and street youth. Through her particular networks and resources she was empowered to speak out against a grave social injustice. She had the family and employment connections to counter any actions carried out by the state official. Obviously, there were consequences for her actions, as a day at the Central Police Station is hardly a pleasant experience – regardless of family connections. One police officer even threatened to lock her in a cell with some violent male offenders. A female officer intervened on Neema's behalf, but the threat remained throughout the period of Neema's incarceration.

Even though Neema spent a very uncomfortable day in police custody, she knew enough to act 'properly' humbled and intimidated by the police officers. Clearly, it was not all an act, but upon leaving the station, Neema's spine quickly straightened and her

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soft spoken and timid voice evaporated. At once she began deriding a system that

incarcerated her for speaking her mind and protecting others' civil rights.

While Neema's situation was certainly unjust, she was fortunate to have a support

network that prevented her from spending more than a few hours in police custody. She

likewise had the financial wherewithal to ensure that she was treated fairly well by police

standards. She was not beaten or sexually assaulted, nor was she asked to provide sexual

favors to particular officers for lenient treatment. Neema was confident that she would

be released and live unmolested by further police intervention. These are luxuries by

most *Mamantilie* or street youth standards. Due process is not always followed to the

letter, and poor, dispossessed individuals usually spend extended time in police custody

without ever seeing a courtroom. Both *Mamantilie* and the local street youth have to

worry about being continually harassed by police and *sungusungu*. They probably will

eventually be chased from the neighborhood – rights are not in practice defined the same

way for everyone. Family and employment connections mean the difference between a

reasonably secure neighborhood tenure and one that is tenuous and liminal at best.

Notably, some of the street youth were upset with Neema after her confrontation

with Bwana Mchai. Many knew her well, were genuinely fond of Neema, and were

frequently hired by her for small tasks, providing much needed income. However, they

fully recognized their more tenuous and less powerful position in the neighborhood. The

street youth were not tenured residents and could be evicted at any time. A few accused

that she had put them in danger and now they were afraid of losing their 'home.' After

Neema was arrested several of the youth voiced their concern for her, but said they were

not surprised that she had been arrested. These same youth were clearly relieved when

she returned, yet they also articulated their fears – that she had not helped them at all and that they would soon be chased from the neighborhood. A few days later one particularly angry youth declared that many of the untenured locals were being harassed by police and *sungusungu*, which he attributed directly to Neema's actions. Instead of a liberating human rights discourse, many of the street youth alleged her well meant speech was a threat to their already unstable positions. This interpretation of Neema's actions is an evident reminder that knowing one's rights is not the same as being able to enforce those rights. In contradiction to Neema's assertion, the truth does not always set you free.

The 'truth' as Bwana Mchai spoke of it, was that street youth were the societal problem. The youth are mostly homeless and generally unemployed. They sleep in the alleyways and on cars and perform small tasks for money (e.g., trips to the store, guarding cars, running messages). Most tenured residents are fully familiar with the street youth and greet many by name. Bwana Mchai accused them of loitering around waiting to steal when the opportunity arose. He did not see their function as errand boys, guards, or house help as vital to the community. They clearly did not belong. He, moreover, cast aspersions on the *Mamantilie* and accused them of selling food without a license. He had little sympathy for their situation. Bwana Mchai was not interested in whether or not the *sungusungu* solicited bribes or used violence against these indigent women. It seems that the bribe and violence were justified by the *Mamantilie's* lack of a permit. Without official paperwork, one's rights become invalid, or so he seemed to imply.

The *sungusungu*, in contrast, were viewed in favorable terms by Bwana Mchai. He called them law enforcement and said they were protecting the 'good citizens' from

the savages. He equated them to a neighborhood watch and clearly connected them to official channels, as well as the neighborhood more generally. They were heroes, he argued, and were to be treated with respect. They were protecting the working tenured neighbors from thieves and other social ills. He valorized their efforts and minimized their indiscretions. They were simply doing their job. If the *Mamantilie* had permits to sell their food, there would not have been the need to harass them. By blaming the vendors, Bwana Mchai was able to gloss over the *sungusungu's* more violent behavior and justify the ill treatment of the women. Additionally, Bwana Mchai, used the *sungusungu* as an important political and social resource.[11]

Neema later voiced her frustration to me that most Tanzanians do not know their rights. She argued eloquently that all Tanzanians have the same human rights and that they need to stand up for them when someone tries to take them away. But realistically knowing those rights is not enough. Without adequate financial and social networks, the rights of most Tanzanians do not exist to the same degree as they do for Neema. However, even Neema is subject to the corruptions of the law enforcement system – although she is ultimately in a better position to renegotiate her rights.

Narrative 2: Blaming the Victim

Mwanza. This account elucidates particularly violent acts of policing – not for criminals but for young poor women who are on the margins of social control. The section concentrates on issues of gendered violence and it amply illustrates the tensions between changing economic and social relations in urban life. It problematizes the concept of

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[11] I was told by a few women in the neighborhood that he had propositioned them by offering to pay their *sungusungu* fees (including any back fees that they might have accrued) in exchange for a 'closer' relationship. Bwana Mchai also offered guarantees that the *sungusungu* would not trouble them if they were under his protection.

community morality (as opposed to liberal constructions of law) as the basis for *sungusungu* action. If women's rights are truly to be appreciated as human rights, than a community morality that allows or even passively condones sexual violence against its young women is incompatible with this goal. Yet the articulation of this violence by various community members did not even reference a human rights or even women's rights discourse. These violent actions were termed 'unfortunate happenings' and sometimes as abuses of official powers, but were far removed from a rights-based lens. Reminiscent of the first narrative this account details the locally constructed nature of 'rights' and shows that positionality and resources matter in determining whose rights are inalienable and whose rights are likely to be alienated.

The narrative begins in my neighborhood, where a group of *sungusungu*, on more than one occasion, raped young women out alone after dark. Some members of the *sungusungu* said that these single, young women were prostitutes since no 'honorable' woman should be out by herself after dark. In fact, it was not uncommon for many neighbors, both women and men of various ages, to be outside at all hours of the day and night. The commonality these young women shared was that they were invariably poor and were unlucky enough to get caught alone after dark. Many of them worked long hours – either in town as petty traders or more likely as house help in affluent households. They were raped around the corner from the local bar, which sits next to the Ten Cell Leader's (a local CCM official) house. No one intervened. Markedly, in instances where the *sungusungu* caught a thief in the same vicinity, neighbors streamed out of their homes to help beat the thief and protect their community. However, when the young women were cornered by *sungusungu*, although they screamed rape, no one came

to their aid. A few of my neighbors even said that they 'got what they deserved.' These same neighbors admitted quite readily that the young victims were not in fact prostitutes, but that they had no business being out alone after dark. They argued that if these young women had permission to work outside the household, why did their relatives not see them home safely? More likely, it was felt, these women were late because they were meeting a secret boyfriend or perhaps were spending time with an older, married man. Such girls could only expect trouble. Besides, if the *sungusungu* were unable to differentiate between them and prostitutes, what did that say about these young women's demeanor and appearance?

This kind of 'blame the victim' rhetoric was not just voiced in my neighborhood, but was, and still is, found in news articles, as well as in speeches made by prominent government officials. The Daily News (03/02/2002) ran an article that warned its female readers that muggers were preying on unsuspecting women. The article quoted the Dar es Salaam Region Police Commander Mr. Alfred Tibaigana as saying, "...our experience shows that women in decent dresses are not mugged that often." Further the article adds, "...it seems that a lady dressed in a sexy outfit can easily become the target of muggers if she ends up in the wrong part of the city..." An earlier Daily News article (01/26/2002) addresses an alarming trend in Kariakoo, Dar es Salaam where several women wearing miniskirts were raped publicly as punishment for wearing such outfits. The article condemns the behavior of the rapists, but the police spokesperson, Aden Mwamunyange adds, "Much as we condemn these hooliganism acts, we do not condone indecent wearing...we have always cautioned women of immoral dressing which exposes them to unduly harassment." Additionally, in a speech given by a member of the Zanzibar

House of Representatives, Mr. Hafidh Ali Tahir (06/23/2002), he argues that while men need to be held accountable for impregnating school girls, these girls need to stop provoking men to do so. He states, "Schoolgirls apply mascara (*wanja*) heavily, paint their bodies with henna intensely spraying their bodies with perfume. If this is not provocation, then I don't know what it is."

While some of my neighbors expressed similar sentiments to the quotes above, they concurrently voiced that the *sungusungu* were becoming more of a problem than a solution to neighborhood concerns. Increasingly, neighborhood members were starting to protest through official channels about the local militias. A few complained directly to the Ten Cell Leader, while others filed complaints with police or other law enforcement administration. Most of these *sungusungu* were not neighborhood men, nor did they have a personal relationship with community members. At times the *sungusungu* disappeared from the neighborhood. Neighbors told me that officials had finally heard their complaints and removed them. After a short time they reappeared and the cycle began again. However, as one man relays:

> At current...very few units of *sungusungu* exist [the] entire Mwanza
> town centre remains with only two units which are the *kata ya
> nyamagana* (Nyamagana unit) and *kata ya pamba* (Pamba unit). People
> no more are serious in donating to them. Recently a rape took place and
> so said *sungusungu* [were] involved. (emphasis added)

Instead of simply policing and protecting the neighborhood from thieves, the *sungusungu* have taken it upon themselves to 'police' the morality of the neighborhood's young, poor women. The militia justifies the violation of these young women's bodies and rights by saying that they mistook them for prostitutes. The obvious implication is that prostitutes do not have the same rights or control over their bodies and sexuality.

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Therefore, if the young women are prostitutes, it is then understandable that the all male *sungusungu* react in such a manner. They are effectively policing male hegemony in a society where that authority is increasingly under fire (Silberschmidt 2001).[12]

Narratives 3 and 4: Harassment for Hire

This section details two accounts of *sungusungu* corruption: one within Mwanza and the other, Dar es Salaam. It demonstrates that the *sungusungu* are subject to similar temptations and opportunities as other law enforcement agents. A few of the increasingly unacceptable behaviors shown by these local militias are: harassment, bribes and 'protection fees'. An ability to 'pay off' members of these groups, as well as a strong community network, appear in the forefront of negotiating with these state-sponsored militia.

Mwanza. The first account tells of a youth, Dennis, who is forcefully conveyed to *sungusungu* headquarters. He is informed that he is suspected of stealing a generator from a residence in an affluent suburb. Dennis is ordered to remain in the area and told that he must check in everyday at *sungusungu* headquarters. They threaten to hurt him if he does not come. For several days he shows up at the outpost. He is intimidated repeatedly. Finally, after 'tipping' one of the *sungusungu*, the member admits that they are being paid to harass Dennis by someone who feels animosity toward him. After more negotiation, he gives Dennis that person's name. Dennis then confronts that individual, who vehemently denies any involvement. Soon after, the harassment stops.

In lieu of protecting community welfare, this example shows how 'justice' can be bought.[13] Dennis spent a few very stressful days at *sungusungu* headquarters. He was

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[12] See Chapter 5 for a more detailed discussion of gendered violence, its causes and implications for the social order.

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hesitant to go to his relatives because of a strained relationship with his family head. He disclosed that initially he was not sure who did this to him, and wondered if it was in fact a close relation. Fortunately for Dennis this was not the case and he was able to take steps to bring the harassment to an end. In order to stop the harassment he had to get the money to 'tip' the *sungusungu* so that they would reveal the name of his furtive assailant. This was no easy task for a sporadically employed youth, especially since any opportunity for income he might have earned was curtailed by his long hours spent at *sungusungu* headquarters. Additionally, Dennis only had one or two sympathetic relatives. They, however, did not have the resources to pay for the *sungusungu's* information. His friends are mostly young, unemployed (or infrequently employed) males from his neighborhood. They likewise could offer no financial assistance. In the end, Dennis prevails, but only after a significant loss of time and money. While Dennis had to pay for information to find out why he was accused of theft, the next narrative demonstrates what happens when one person refuses to pay a 'protection' fee to prevent theft.

Dar es Salaam. A group of *sungusungu* were prevented from cutting the padlock off the front door of an apartment, where the occupant had refused to pay them a protection fee. They were chased from the building by angry neighbors before they were able to remove the lock. The tenant, upon returning home, heard of the incident and put a reinforced padlock on the front door, but refused to pay their protection fee. Local unemployed youth were hired to watch the apartment building. The tenant preferred to pay the street boys to watch the building than to pay the security fee to the state-sponsored 'protectors.'

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[13] According to (Mwaikusa 1995) these tips are sometimes called *kiatu* (shoe), referring to "that on which they walk in search of suspects." Bribes are also commonly referred to as *chai* (tea) which alludes to one's generosity and hospitality to their guests.

Paralleling the previous example, this account displays the threatening and thug-like actions of some of the *sungusungu* members. It demonstrates that the community (in this case the occupant's neighbors) are not always supportive of the local militias' actions. A neighborhood watch of the neighborhood watch, so to speak. Fortunately, in this instance, no arrests were made and the neighbors experienced no immediate repercussions for their defense of another's property. The account illuminates the emerging tensions between state sponsorship and the needs of the community. As Mwaikusa (1995:174) aptly comments, "…it appears that some *sungusungu* groups have turned their operations into a business." A business where those who fail to pay for their protection can expect 'thieves' at their doorstep – thieves that may have government sponsorship.

PART 3: MOB JUSTICE

The 'Ins and Outs' of Collective Violence

Mob justice, as I use the term, is when a group of community members spontaneously come together to mete out 'justice' or revenge toward alleged offenders. It is collective violence against those people perceived as deviant or as subversive to the social order. Thus, like the *sungusungu*, mob justice is a local, collective, self-help initiative. Unlike the *sungusungu*, mob justice is characterized by its spontaneity. It offers a 'quick fix' to a specific situation, as opposed to sustained effort over time to reduce crime levels. Since mob justice is a temporary, spontaneous, collective reaction it does not produce the same by-products that frequently appear with *sungusungu*. For instance, while mob justice also uses violence against suspected thieves, it does not have the same potential for corruption or gains among its members. Its impromptu nature

limits the distortion of function so prevalent in *sungusungu* militias. Instead, violence is limited to the particular moment and carried out only toward the intended targets – bribes and 'protection fees' are nonexistent. *Sungusungu* groups, in contrast, frequently stray from their mandate of community protection into areas of corruption, extortion and even rape.

Mob justice shares with *sungusungu* militia many of the same violations of international human rights conventions (e.g., UDHR articles 7, 10, 11). When the community becomes the police, judge and jury, whether through *sungusungu* groups or by acts of mob justice, the Tanzanian state has the responsibility to protect the targeted groups and prosecute the vigilantes. The Tanzanian state's low prosecution and even lower conviction rate of collective violence members indicates the state's breach of the social contract and sidesteps a human rights framework.

Participants in mob justice can be neighbors, strangers or friends. They can be adult men and women, teenagers of both genders and, rarely, children. While women have, and do, participate in mob justice, the episodes I witnessed have almost exclusively involved men in the violent acts, both young and old, with women and children standing behind and either cheering on the attackers or silently observing the attack. Sometimes women would also yell invectives at the suspected thief or would spit on them.

The forms of mob justice mirror cultural and societal notions of justice. However much mob justice in 1960's Kenya resembles mob justice in contemporary South Africa or colonial Nigeria, each must be examined in terms of the specificity of time and place. While 'necklacing'[14] is all too common in contemporary South Africa, the thief murders I

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[14] Necklacing is when a crowd sets fire to a tire which they've hung around the suspected thief's neck. The tire is usually stuffed with old rags that are soaked in gasoline.

saw in Tanzania involved rocks, sticks, fist and feet. Many Tanzanians voiced that a common solution was to use a thin wire to dig out the suspected thief's eyes so that they would be unable to steal again. However, I never witnessed this form of mob justice, nor the cutting off of limbs (which is common in witch killings), nor did I see necklacing, although many newspaper articles have referred to setting thieves afire.

Most of the acts of collective violence which I witnessed targeted a single individual. These instances happened in both Mwanza and Dar es Salaam. I make no claim that these regions represent the entirety of Tanzanian experience, although my own observations in other parts of the country, as well as those of my informants, imply many common patterns to collective violence throughout Tanzania.

The Targets of Collective Violence

In the Tanzanian context, mob justice primarily targets two situations, and more recently a third: thieves, auto accidents involving pedestrians or public transportation, and 'hit-and-run' attacks on young women wearing 'immodest' clothing. I will discuss each of these in turn, although my primary focus remains thieves.

Research on thieves, auto accidents and gendered attacks in Tanzania, and Africa more generally, is sparse. From my observations and conversations, it appears that there are a couple of widely held views about thieves. One is the crowd's feeling that the killings are justifiable. By the very act of theft one's life may become forfeit. Murder of suspected thieves can be seen as community security. Even when a mistake is made (i.e., an innocent person is hurt or killed), justifications are cited that community security outweighs the rights of individuals. Yet, the notion of 'community' is not a neutral term. Power, influence, gender, ethnicity and age intersect in ways which position individuals

and families, and influence the contours of local, regional and state concerns. Avenues that are open for some in the community are closed for others. Thus, who represents the community and who is on the margins of community are hardly impartial questions. Moreover, allocating responsibility for theft moves between ideas about the personal and the political.

A second feature I found is a distinct patterning as to whom can be labeled as a thief. Young, poor men are the most prominent targets of theft accusation. Such men are rarely household heads and frequently have little access to household resources. In the last several years, gangs of young, armed bandits have cropped up in many urban settings. When caught, these youth are dealt with harshly – they are sometimes killed by police or community members instead of incarcerated. Notably, high level officials or wealthy businessmen who steal from community projects or development funds are seldom, if ever confronted by an angry mob and then beaten or killed for their theft. Occasionally, communities will protest misappropriation of funds, but rarely does a community leader have to worry about physical harm from an irate mob. Women thieves are also not likely targets of mob justice. As one older, urban man comments, "What? Women? Women cannot be thieves. I've never heard of such a case." When asked whether or not women were capable of shoplifting something from a store or pick pocketing a passer-by, he responds,

> Well, yes, I suppose so. But women aren't likely to and they would
> never be attacked for it. Who would attack a woman? No, I've only ever
> seen a crowd beat a man. Even the workers who were building a house –
> some who were on the second floor – came running to help beat the
> thief…but for women it would be a family matter. But who ever heard of
> such an instance?

Therefore, who can be categorized as a thief depends on economic, age and gendered identities. To reiterate, Tanzanian thieves are generally young, poor men who lack economic security and the financial means to be self sustaining. As Heald (1986:65) states "...it has not been recognized that to call a person a thief may be as potentially damaging to his or her reputation as an accusation of witchcraft – in many societies it is the idiom for placing the individual outside the limits of customary law and familial obligations."

The very characteristics that make young men vulnerable to accusations of theft, also illuminate the contours of community. Accusation tells as much about the accuser and their interests as it does about the accused. It articulates the power of connections as it binds some community members together, while alienating others. Particularly in times of economic and social adversity, accentuating the positives of group membership may not be enough to maintain group unity and stability. Emphasizing the vileness or insidiousness of some perceived social evil, can prove to be an effective way of defining community. It creates an Other that the state and its 'true' citizens can then define themselves against. This approach has also been utilized to place the blame for societal and economic problems on particular groups, while concurrently shifting blame and responsibility away from inappropriate government policies, personalized patron-client relationships and administrative corruption that contribute to such structural divides and hardships. Research shows that if the analogy of Otherness resonates with enough 'true' citizens, the likelihood of violence increases exponentially. Scapegoating has been an active tactic in Tanzania, especially in recent years. Collective violence against those labeled Other (e.g., Asian-Tanzanians, refugees, thieves and witches) has increased.

Once outside of the limits of social and familial obligations, community response can be, and often is, extremely harsh. Young men, caught or accused of stealing, are commonly beaten unconscious and frequently to the point of death. Those who survive the ordeal may be cast out from their families for shame and fear of harboring a known criminal. Additionally, if wounded, a victim must file a PF3 form before a doctor can legally treat the injured patient. A PF3 form is a bureaucratic step that must be filled out after any accident (intentional or not). These forms are obtained at the police station, where an officer files the report, so that the victim can legally obtain admission to a hospital or clinic. Ostensively, this is to catch criminals who have escaped detection or have yet to be caught. In actuality, many innocent people have lost their lives waiting for the PF3 form or have been unable to obtain one at all. This also in part explains the high number of fatalities after even minor accidents – many victims have bled to death long before being granted entrance to a hospital.[15] If the PF3 is not filled out, the doctor treating the patient, or the person who brings the patient to the hospital for treatment is held responsible for the financial support of the victim, as well as for the life of the patient. If the patient dies without having filed a PF3, a good samaritan can be charged with that person's death.

Hit-then-Run Auto Accidents

According to a Daily News (10/27/2001) article, Tanzania experiences an average of 40 accidents daily and one is 30 times more likely to be in an auto accident in

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[15] For example, a British friend was attacked near Coco Beach one evening in Dar es Salaam. The two attackers did not demand his possessions or give him any warning of the attack, but lunged at him with knives flashing. They sliced open his wrist, stabbed him repeatedly in the chest, and during the scuffle knocked his foot into a cactus. After the attackers fled, he managed to flag down a passing vehicle. The men who picked him up refused to take him to the hospital without first stopping by the police station to fill out a PF3 form. Barely conscious, he filed his report and then was taken to a hospital where he was sewn up without the benefit of painkillers.

Tanzania than in most Western nations. Additionally, the rate of motor accidents is three

to four times the average of that in other Southern African Development Community

countries.

When a bus driver has an accident, and especially if passengers are injured, the

driver flees the scene as quickly as possible or they will likely be beaten by passengers

and passers-by. Whether the driver caused the accident or not is often not relevant.

Likewise, if a driver hits a pedestrian, they quickly flee the scene of the accident. This

example of mob justice is particularly interesting because of the randomness of the

targets. Drivers occupy many different social positions and strata (e.g., wealthy/poor,

male/female, young/old), with the accident itself representing the only shared

characteristic. While thieves fall clearly into categories of people with specific

characteristics, drivers represent the only instances of mob justice in Tanzania where

social standing makes little difference in the outcome of the event. For example, a

wealthy Asian-Tanzanian businessman could accidentally hit a pedestrian, as could the

driver of a *daladala* (local transport), or the driver of a lorry. Even minor political

officials, women, foreigners and wealthy businessmen are subject to these acts.

Explanations for mob violence tend to focus on the release of pent up anger and

frustration. As one reporter (Okema 01/20/2003) explains,

> People are living in such terrible frustration that any scapegoat is
> welcome. That is why someone who crashed their own car can get
> lynched! In this instance, people are not interested in knowing the truth.
> ' All they need is a frenzy of action to get rid of the negative energy
> nagging them from within.

Unfortunately, little research exists to date on this form of mob justice and my

experience and understanding of this expression is particularly limited. I hypothesize

that it is not only frustration that leads to this form of mob justice, but that it sums up the

agency of the violent act by turning an event (in this case an accident) into something on

which community action must be taken. Without a more rigorous approach, it is difficult

to prove or disprove such a supposition. It is notable though, that attacking the driver at

the scene of an accident is not simply a local phenomenon. In fact, this form of mob

justice happens throughout Eastern, Central and Southern Africa, yet it has not been the

focus of anthropological or other forms of inquiry.

Gendered Assault

More recently, episodes have surfaced of gendered assault against young women

wearing 'immodest' clothing. These attacks are not like other forms of mob justice

because they do not have the full support of passers-by. Consequently, they are usually

hit-and-run in nature, whereby they strike fast and scatter. During these attacks women

have had their clothing ripped completely off and some women have received severe

beatings from the mob. These attacks are specifically targeted toward young women, as

opposed to men or older women, and they are purported to police such women's immoral

behaviors. Additionally, these attacks have been perceived in the media as resistance to

'modern' or external gender norms. Such attacks are comparatively rare and usually

occur in urban settings where men's control of women's behavior is hampered and

gender norms are less restrictive. Justification for such actions relies on the importance

of 'tradition' and focus on the perceived immorality and impurity of the victim. Such

logic is identical to the incidences of rape by members of *sungusungu* groups and will be

discussed in more detail in Chapter 5.

The Tanzanian State's Role in Mob Justice

Tanzania's legislative, executive and judicial branches are in closer accord about eliminating mob justice than they are toward eradication of the *sungusungu*. As a whole, the Tanzanian state is less positive, if not more responsive or repressive, toward such vigilante acts. But because mob justice is spontaneous and short-lived it poses little threat to the political stability of the ruling party. It also does not compete with the police or judiciary for prestige, nor do participants in mob justice siphon off the 'fees' and bribes many of the judicial and police force demand for their services. As with *sungusungu* groups, mob justice eliminates social undesirables without the Tanzanian state having to spend its money or other resources. For example, the government's stance toward suspected thieves, particularly armed bandits, borders on extreme and can only further fuel public actions. Frederic Sumaye (07/21/2003), Tanzania's Prime Minister, was recently quoted as saying, "The government will go on fighting gangsters without mercy and whenever possible, excessive force will be used." While Sumaye represents only one (albeit powerful) voice, his words ring true for many. His words provide vigilante groups with justification for the harsh treatment of 'law breakers.'

Narratives of Thieves

Allegations of theft, especially for young indigent men, can be particularly dangerous. While some informants disputed the existence of witches, I met no one who claimed disbelief in thieves. As one older woman who runs a store in downtown Dar es Salaam expressed it, "they're everywhere, at home, in town, at work." Another woman from Arusha voices her opinion:

> Until the refugees came we didn't have as many problems. Now I read
> almost every day about some crime they've done. You know, it's a real

problem. They bring in guns from their homes and use them or sell them to thieves here. We're generous people, but how long can we take foreigners' taking advantage of us? If they want to rob and kill they should do it at home, not here.

A recent news article (07/21/2003) takes the same perspective:

The country is now suffering an unprecedented spate of armed robberies. Homes are raided nearly every night. Billions of shillings are grabbed from banks in broad daylight. Cars are snatched at gun point. Country buses are waylaid, passengers ordered out, robbed, and stripped naked. Conflict situations in surrounding countries have been blamed for this development...Many Tanzanians contend that if it were not for their country's generosity, the crime rate would not be so appalling.

Whether they are cultural insiders or outsiders, thieves are perceived as dangerous to a healthy society.

Narrative 1: They Will Come Back

This narrative addresses a key justification for the killing of a thief, namely, if we do not kill him, he will come back. Lack of faith in formal mechanisms coupled with fear of retribution can mean extremely harsh treatment, and sometimes even death for the victim. This example illustrates what happens when a would-be thief in fact does return and demonstrates the swift community action against the perceived threat.

The narrative begins late one evening when a drunken man in his middle-30's tried to climb over the protective wall surrounding my house. One of my neighbors saw him first and began yelling "thief, thief!" Neighbors streamed out of their homes and quickly surrounded the inebriated man. They pulled him off the wall, knocked him to the ground and began pummeling him with fists and feet. The crowd knocked out his front teeth, but remarkably left him otherwise unharmed. He was allowed to walk away with a stern warning and dire threats if he should ever return to the neighborhood.

The next day he did in fact return and in broad daylight. He stood on the corner near my house looking for someone – I can only assume it was for one or many of his attackers. He came with a friend who was carrying a thick wooden rod. Within minutes the two strangers had been noticed by several of the women who were outside brewing beer. One of the women ran into her house and within a minute several young men ran out. A cry of "thief, thief" again was heard, and neighbors appeared from all corners. Even the worker who was repairing my roof, jumped down to join the fray. The two men, sensing they had made a mistake began a hasty retreat, but were soon cut off. The friend was hit a few times and then scolded for fraternizing with a known thief. He quickly ran off and left his friend to suffer the wrath of the angry mob. This time the would-be thief was not so fortunate. After receiving a severe beating he was left with two broken legs and probably some broken ribs. One of my female neighbors later remarked, "You see! This is why it's necessary to deal harshly with thieves. If you don't, like this one, they come back. Imagine if no one had been around. What would we have done then?"

Narrative 2: Bad Luck

This was my last encounter with mob justice. It occurred in the final weeks of my research and it clearly, more than any other episode, problematizes the idea of vigilante justice. The viciousness of this particular attack was brought on because the youth in question would not confess to the crime. This narrative amply demonstrates the lack of police response, which then becomes a human rights issue: i.e., lack of equal protection under the law, UDHR, Article 7. It also showcases the shame of the suspected thief's

family and the stigma associated with theft. The lack of recourse for the family is the concluding issue of this narrative.

It begins one afternoon with my neighbors murdering a young suspected thief. It occurred in the final weeks of my fieldwork and the incident began when the youth in question would not confess to the crime. This was the fifth or six incident I witnessed in a number of months. My neighbors (men, women and children) kill the youth, using fist, foot and brick. The crowd has its usual horseshoe shaped composition – younger men, the vigilantes, in front carrying out the actual 'sentence;' the older men, both judge and jury calling encouragement from the second row; and finally, women and children, the spectators, in the back rows watching in fascination as the administration of mob justice is carried out.

Sometime later, a middle aged, woman approaches the body. She is the supposed victim of his crime. The crowd has made a mistake. "Bad luck," she says, "it's not him." "Bad luck," my neighbors echo. The mob had mulled around the body for a while, but once it was clear that the young man was truly dead, a couple of the attackers carelessly picked up the dead youth and tossed him in a ditch a short distance away. This is protection in case the police come. That way they cannot directly blame my immediate neighbors, nor threaten to shut down the local bar.

The conclusion to this narrative is not a just one. A few hours later the young man's family comes to collect him. They arrive in the twilight when they will not draw undue attention to themselves. There are several men on foot and one woman (perhaps his sister or a cousin). The dead youth's relatives keep their heads lowered, and the

woman begins to loudly grieve his passing. She is quickly silenced and the youth is hefted onto their shoulders and carried away.

The next morning I ask Mary, a neighbor, whether his family will go to the authorities and what would happen if they do. She tells me that the family tragically has not been told that the young man was innocent. They believe that he died a thief, shaming his family. When I ask her incredulously why no one told his suffering family the truth, she reminds me that as long as they believe him guilty they will not seek out police retribution. But if they knew of his innocence, they might demand that the police 'do something,' which conflicts with the interests of my neighbors and their families. If the family knew and if they had enough time and money, some of my neighbors could have been prosecuted, although I find it unlikely. Yet, justice does not come without accountability. My neighbors, for all their talk of community morality and notions of justice, were unwilling to be held accountable for their actions – individually, collectively. Therein lies the rub.

Conclusion

This chapter has shown that citizens, as well as government officials have had varying responses to *sungusungu* groups and members of mob justice. On the one hand, these groups provide additional security measures at no cost to the state. In many instances they have effectively lowered crime rates in their areas. Community policing has been likened to a participatory democracy, whereby all citizens share the responsibility for their safety and take an active role in defining which values (and types of people) belong in Tanzanian society and which do not. Alternatively, such groups undermine key legal principles on which nation-states are built. They frequently deny the

accused a fair trial and their punitive measures often go unpunished by the Tanzanian state. In the *sungusungu* case they have been incorporated into the state apparatus as a way of giving state agencies more control over these militias, but the effect has also been to protect them from prosecution for their sometimes excessively violent solutions.

I also examined who is likely to be the target of mob justice and *sungusungu* and under what circumstances. I argue that there are those that are less likely to be the target of mob justice, namely, wealthy individuals, male heads of household and children. In particular, instances of mob justice focusing on theft are utilized to highlight the emergent issues and consider the role of the Tanzanian state in such violence.

In Tanzania, realizing human rights for all people equally becomes increasingly difficult when state-sponsored vigilantes step in to administer their own forms of justice. The designation of who can or cannot be labeled a thief is a systematic societal construction. The categories are highly economic, gender and age specific. Vigilante actions, thus, are targeted at specific groups of people, whom both the state and community view as 'social problems.' Both vigilantism and the state's reactions to it are refracted through the lens of local and national power dynamics, reshaping and recreating categories of legitimized victims and violences. Moreover, accusations of theft articulate (trans)local alliances and identify conflicts embedded in the social arena.

I think James Mwalusanya (1995:303-304), a Tanzanian High Court Judge, said it best when he remarked,

> The long journey to universal respect of basic human rights has just
> started in Tanzania but it is not bleak. In this troubled world there is
> often a tendency to advocate draconian measures to protect society
> against real and imagined ills. The necessity for such measures can
> frequently appear plausible and the most well-intended citizens can be
> tempted to advocate the principle that the "end justifies the means."

Suffice it to say that the history of the world is replete with the disastrous consequences of the law of many being replaced by the dictates of expediency...The big challenge we are now facing is how to have rights-conscious people in the state organ, in the judiciary, among lawyers and the citizenry at large.

The next chapter picks up the thread of state culpability, scapegoating and violence, but through a gender-based lens. As with *sungusungu* and mob violence, gender-based violence is prevalent in Tanzania and has strong ties to the state and larger societal arrangements.

Chapter 5

Gender-Based Violence in Tanzania:
Patriarchy, Masculinity and the State

Introduction

This chapter addresses gendered violence, paying particular attention to violence against women and domestic/partner violence.[1] My research has shown that a dominant gender ideology promoting inequality, violence, male authority and the oppression of women is still very much a part of men and women's daily experience in Tanzania. International and local human rights initiatives, as well as national legalistic responses have been only partially successful at addressing gender-based systems of inequality and violence against women. Responses of state agents to gender-based violence and discrimination have varied, but lack of systematic efforts to alter patriarchal and economic relations deeply implicate the Tanzanian state.

I divide this chapter into three parts: In Part 1, I provide the larger context for this chapter. I begin by reviewing definitions of gender-based violence and gender discrimination. This section then analyzes the role of the Tanzanian state (and its various agents) in such violence, arguing that while legal measures are being introduced to combat certain forms of gender-based violence (particularly sexual offences toward children), the state has made little effort to change unequal gender ideologies and, in fact, perpetuates those to the advantage of certain state agents. Next, I examine the

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[1] I am hesitant to use the terms 'domestic violence' and 'partner violence' because they obscure the unequal power relations involved in such acts. While there is no doubt a dynamic (even if very one-sided) between abuser and victim, this term has the effect of dispersing the blame for violence equally among family members, instead of centering on the abuser. Some articles have preferred the term 'wife abuse,' but I also find this problematic since many of the instances of violence in Tanzania took place outside of marriage. I have settled on the use of 'domestic violence' and 'partner violence' with this explicit disclaimer that I am not advocating equal responsibility for the violent acts.

predominant theories about the cause and continuation of gendered violence in Tanzania, demonstrating how each theory advocates separate solutions. I then problematize the relationship between violence, patriarchy, and masculinity, noting that while male dominance is a likely rationalization and result of violence against women, the connections between these are very complex and change over time.

In Part 2, I define domestic violence and discuss the prevalence of such violence in Tanzania. While dominant gender norms dictate that men can strike their partners under certain circumstances, the severity and frequency of such violence is widely contested. Ethnographic accounts of domestic violence are introduced to document prominent ideological components and justifications. These narratives illustrate the gendered inequalities and discriminatory nature of such violence within the family, community and state. Narratives also demonstrate the agency of both men and women, even as their relations confirm the unequal, yet negotiated nature of domestic violence. Such details reveal the ways in which men and women utilize their family, neighborhood and community networks to mediate, manipulate, subvert, or control spousal/partner responses. I also include some recent (2001, 2002) reports of wife beating and femicide to demonstrate the rationalizations and (trans)local understandings of such violence. Part 2 also addresses the interplay of structure and agency, arguing that while power differentials make the social terrain unequal, men and women do actively engage their situations.

Finally, in Part 3, I examine the value of human rights frameworks for addressing domestic and gendered violence. I detail current human rights initiatives in Tanzania to reduce the rate and severity of violence against women and girls. Specifically, I illustrate

that gendered violence more generally, and domestic violence specifically, are violations

of the state's commitment to equal protection. Additionally, I discuss more recent human

rights' constructions, such as gender-based violence as torture and health as a human

right. Finally, I consider current debates in Tanzania that argue by giving women rights,

men's rights become forfeit.

It should be stated at the outset, that statistics on gender-based violence

(particularly domestic abuse) in Tanzania are difficult to come by, and that research on

such topics is still in its infancy. While I utilize the available statistics and studies, I want

to reemphasize that my research does not represent the entirety of Tanzanian experience,

but does indicate common patterns to gender-based violence and its victims. This chapter

also raises points for further research.

PART 1: GENDER-BASED VIOLENCE, PATRIARCHY AND MASCULINITY AS CONTEXT

Defining Gender-Based Violence and Discrimination

The UN declaration on the Elimination of Violence against Women defines

violence against women as physical and sexual violence that takes place within the

family, in the community, as well as violence against women that is either propagated or

sanctioned by the state. Family violence is characterized by battering, sexual abuse,

dowry-related abuse, marital rape, and female genital cutting, to name but a few

examples. Community violence, in contrast, encompasses rape, sexual assault,

harassment, exploitation, trafficking, forced prostitution, and intimidation in the

workplace or educational institution (Penn and Nardos 2003). State violence is sexual,

physical or psychological violence carried out by the state or one of its agents.

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The separation between family, community and state violence, like 'political' and 'apolitical' violence, are defined for expediency's sake rather than any sense of veracity. The arbitrary division between community, family and state violence is not usually clear in practice and can hinder attempts to address larger systems of inequality. For example, in Dar es Salaam, a neighborhood child, Lillian, used to ask many of us for food or money. She was a remarkably pretty child. She was only about eight years old, but wore makeup, jewelry and revealing clothing. Her gaze was not that of a child, but of a woman who knew the hardships of poverty and vice. She and her father were refugees from Southern Africa and he prostituted her out when money, drugs or food were in short supply. I heard from a concerned neighbor that Lillian was a local favorite with some of the less savory (i.e., more violent) 'customers.' Her father was dying of tuberculosis and perhaps had AIDS; it was difficult to know under the circumstances. He drank a lot, smoked banghi and tobacco whenever possible. While in Mwanza I was informed through an acquaintance that Lillian's father had died and that she had been sent to a state orphanage. Sometime later I learned that Lillian had been mistreated at the orphanage and ran away. The last I heard she was living on the streets of Dar es Salaam as a child prostitute. Lillian, like many other children slipped through the cracks of an already overburdened social welfare system. In Lillian's case, she experienced violence in the family (forced prostitution and beatings), community (pedophiles and other 'customers' using her for sex), and at the hands of state agents (inadequate facilities, harsh conditions, physical/sexual abuse, and lack of protection). In all cases Lillian suffered sexual and physical abuse. Additionally, locating prostitution (for example) as exclusively community-based violence does Lillian a disservice because it conceals the complicitness

of her father (family) prostituting her out to various men (community), who then abused her while the state remained inactive, simultaneously perpetuating the abuse. In this way she was not only a victim of violence, but was the target of gender-based discrimination.

Gender-based discrimination (according to CEDAW) is "violence which is directed against a woman because she is a woman or which affects women disproportionately. It includes acts which inflict physical, mental or sexual harm or suffering, threats of such acts, coercion, and other deprivation of liberty." Moreover, it is imperative to understand that acts of gender-based discrimination cannot be separated from the state or social structure in which they occur since these acts rely on the mores and societal values that are intrinsically linked to the state's social, political and highly gendered ideology. Gender-based violence and discrimination are not stand-alone concepts. They are not simply about violence from one person (or community or family member) toward another. Instead, I argue that both are embedded within the larger acceptability of gendered violence and are individual and societal responses to shifting gender relations increasingly under pressure from local, national and international forces.

The Relationship Between State Agents and Gender-Based Violence in Tanzania

The Tanzanian state recognizes (at least on paper) its commitment to preventing gender-based violence and discrimination against women, yet concurrently denies its accountability for such violence. The state's relationship to gender-based violence, like its relationship to *sungusungu* groups, is complex and sometimes contradictory. While some forms of gender-based violence are targeted by state agencies (e.g., sexual assault of minors) other varieties are all but ignored (e.g., domestic violence). Most of the state's responses to gender-based violence have been piecemeal, with little attempt to

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holistically address gender inequities in Tanzania. In the main, legal remedies have been

the preferred solution to such inequalities. Moreover, there are diverse interests within

the state for promoting or undermining women's rights and gender-based violence.

The police play a particularly pivotal role in preventing or encouraging (even if

only by their inactivity) gender-based violence. Police are required to enforce Tanzania's

laws and provide community protection. They are, however, not exempt from larger

ideologies of gender relations. For example, many feel that a man has a right to

discipline his wife. Some argue that marital disputes, even when violence is involved,

are a natural part of marriage and should not be dictated by the state or its agents. They

see their role as promoting the 'public' welfare, but that what happens in the home is

essentially 'private.' The distinction between public and private, while detrimental to

women's welfare, is not only promoted by Tanzania's police force, but remains a central

organizational feature of the Tanzanian state. Moreover, international agencies

concerned with women's rights (e.g., Amnesty International) and most other states

worldwide maintain this distinction. As Thomas and Beasley (1993:39) iterate,

> Women...are in every country socially and economically disadvantaged
> in practice and in fact and in many places by law. Therefore, their
> capacity to participate in public life is routinely circumscribed. This
> gender bias, if unchallenged, becomes so embedded in the social structure
> that it often assumes the form of a social or cultural norm seemingly
> beyond the purview of the state's responsibility, rather than a violation of
> women's human rights for which the state is accountable.

Even well meaning police and other state agents may collude with such violence

by treating the abuse as a regrettable, but realistic part of domestic life. Some even try to

act as counselors, playing peacemaker and encouraging reconciliation. Such actions

delegitimize women's claim to safety and a gender equitable life. Police, magistrates,

and other law enforcement officials consistently place gender-based violence (especially domestic violence) low on their list of priorities.

Tanzania's Judiciary also has a multi-faceted and frequently paradoxical relationship to gender-based violence. Tanzania's Judiciary in recent years has gained a measure of independence from the executive and legislative branches of government. At the highest levels, the courts are effecting some measure of change. However, there are also numerous examples of lower courts (and some higher ones as well) relying on customary laws that disadvantage women (e.g., divorce laws, inheritance, domestic violence) while concurrently upholding the privileges of men. Some of these rulings have been overturned on appeal and they illuminate the dynamic and contested field of the Judiciary. Moreover, corruption remains a daily feature of the judicial system, and clerks, magistrates and other members of the court often take bribes, lose files or close cases without the victim receiving any justice or recompense.

Politicians, in both the legislative and executive branches, also have a mixed record of promoting gender equity. International aid is increasingly dependent on gender-based approaches and most international development agencies now insert gender-based objectives into their projects.[2] Politicians who wish to have development projects in their regions or districts are savvy enough to understand the importance of seemingly promoting gender equality and women's rights. Some Ministers of Parliament truly see the long-term desirability of increasing women's status and access to resources. The Women's Section of the Tanzanian Parliament is active in promoting women's rights

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[2] Several articles (Greig 2000; Large 1997; Silberschmidt 2001; Wood and Jewkes 1997) have addressed this trend in development and public planning and have convincingly argued that well meaning agencies can unintentionally exacerbate gender-based violence and inequality by not paying proper attention to the disempowerment of men or the structuring of dominant modes of masculinity.

and advocating strong punishments for gender-based violence (particularly against children).

However, women's empowerment also threatens current patriarchal arrangements. Women's demand for equal rights has left many men feeling disempowered and bitter that the competition over scarce resources and jobs has seemingly increased exponentially. With widespread financial problems and a shrinking bureaucracy and formal economy, many men are finding themselves dispossessed and unemployed. By blaming women – and their claims to resources that were once held only by men – state agents are able to turn attention away from the inequitable distribution of resources, corruption, and their obligations to both Tanzanian women and men. For example, corruption at the highest levels and mismanagement of Tanzania's economy is extensive. Development funds often go missing, government monies that were earmarked for particular projects (e.g., paving Mwanza's main road) are subsumed into others or are entirely absorbed by personal interests. Moreover, jostling for influence and status frequently depends on far-reaching patron-client networks that must be continually supported through financial and political inputs. Women, then, make a viable scapegoat for men's anger, while simultaneously deflecting that anger from corrupt state policies and agents. Instead of attacking an unequal and corrupt system, many Tanzanian men attack their wives and families. Inequalities between men subsequently are hidden behind men's violence toward women.

Legal Remedies

To address local and international concern and criticism for the high rate of gender-based violence and inequality, Tanzania has introduced new legislation with stiff

penalties for perpetrators. Laws against female genital cutting, sexual assault, incest, and

other especially heinous gender-based crimes, as well as the protection of inheritance and

land rights, have been introduced in the last few years. Legal remedies, while an

important step forward, are only as strong as the system that creates and supports them.

It is abundantly clear that these laws are selectively applied and do not significantly

impact the incidence of such crimes. As R.J.A. Mwaikasu (1995:270) , Chair of the Law

Reform Commission of Tanzania, remarks,

> ...the provisions of the criminal law in Tanzania Mainland, though
> intended to protect the dignity, integrity and liberty of our women-folk,
> by providing, apparently, heavy penalties for such offences as rape,
> attempted rape and allied offences, have not been effectively applied to
> achieve such objectives.

Mwaikasu's censure stems from earlier laws (and more specifically their lack of

implementation) that were only partially successful at addressing inequities between men

and women. The Law of Marriage Act of 1971 is one such example. This act

incorporates Christian, Muslim, Hindu and 'customary' marriage practices under one

body of law. It also provides women with the ability to divorce their husbands,

something that Muslim women did not previously have the power to do.[3] It gives women

the right to enter into contracts in their own names, hold and dispose of property,[4] inherit

property and other family assets, and provides the precedent for accepting domestic work

as an equal contribution to the marriage – i.e., ensuring women a share in the marriage

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[3] For many men incorporating the customary laws into one overarching legal code decreased their long-time privileges under traditional laws. As one MP stated, "If a man has to get his wife's consent to a second marriage, the African tradition where man has always been superior to a woman will be endangered. Unless the Law of Marriage Bill intends to change men into women this clause should be removed" (quoted in Tenga and Maina Peter 1996, following Mbilinyi 1988).

[4] The right to property was eventually incorporated into Tanzania's Bill of Rights in the Constitution in 1985. Additionally, two laws, the 1999 Land Law Act and the Village Act of 1999 have provided legal remedies and protections for women's access and ability to own land. These laws also repealed and replaced previous laws that discriminated against women (Kamau 1999).

assets should they divorce.[5] On the one hand, it has improved women's societal positions

relative to men and has addressed some central forms of gender-based discrimination.

Conversely, the act falls far short of preventing any form of gender-based violence in a

marriage (or otherwise), such as domestic and partner violence. It does in fact denounce

spousal battering, but it does not provide for any penalties (The Commission on Human

Rights 2001). Additionally, under most customary laws, men are given the 'right' (i.e.,

privilege) to reprimand their spouses as part of their culture; a privilege many Tanzanian

women support (Kassim 1991).

One noticeable legal and social change in recent years is the focus on punishing

those who commit sexual offences, such as rape or defilement – particularly if the victim

is a minor. In the early 1990s out of 63 cases of sexual assault (including rape,

defilement and indecent assault), there were 23 convictions (36.5 percent), and 40

acquittals or withdrawals (63.5 percent). Even when convicted, perpetrators generally

received sentence lengths of five years or less (86.3 percent). Men aged 14-35 were the

main perpetrators (approximately 60 percent), while older men were the defendants in

roughly 40 percent of the cases. In the majority of cases the victim was a child under the

age of 15. Where there was a conviction, almost all of the victims were under the age of

16 – only three were known to be over the age of 16 (Mwaikasu 1995). This suggests

that the victim's age makes a significant difference in the outcome of the trial.

The seriousness and increasing instances of rape and defilement caused the

Tanzanian Parliament (after a lengthy and hotly contested debate) to pass the 1998

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[5] Tenga and Maina Peter (1996) relay that the 'joint effort' of a married couple was the most hotly
contested section in the Law of Marriage Act. Many men argued that only monetary input should be
counted as a household contribution, while domestic work was simply part of women's 'wifely duties.'
Several earlier cases supported such an interpretation of the Act, but in 1983, the Court of Appeals argued
that domestic work should be regarded as jointly working toward household assets.

Sexual Offences Special Provisions Bill that provides a tougher stance on sexual violence against women and children. While this law does not explicitly include domestic violence in the statute, it covers child exploitation, trafficking of women, rape, incest, female genital cutting, and sexual harassment. It has also increased minimum sentences and established victim recompense through fines paid by the perpetrators. Although this bill provides a tougher stance on sexual offences and some other forms of gender-based violence, it has not successfully deterred rates of defilement and rape. Some recent examples from the Daily News:

> Daily News (09/03/2001): Police in Morogoro Region are holding two boys over an alleged defilement of a three-year-old child...The suspects reportedly took the victim to a bush where they defiled her taking turns. The girl has been admitted to Kilombero District hospital nursing serious wounds on her private parts.

> Daily News (10/05/2001): ...a 12-year-old Standard Five pupil...was on Wednesday evening allegedly raped by Cosmas Jadi (22) at Jangwani area...Cosmas allegedly gave the girl 1,100/- to buy chips and told her to follow him...Cosmas pretended to show the girl the place where chips were being sold but when they reached Jangwani he forced her to enter into a bush and raped her.

> Daily News (11/23/2001): A Tanzanian People's Defense Forces (TPDF) soldier, Steven Madati of 691KJ Mbezi in Dar es Salaam has terminated his life to avoid shame after his wife caught him *making love* with his own daughter. (emphasis added)[6]

> Daily News (12/21/2001): A resident of Uhindini area in Dodoma municipality, Emmanuel Pankras (20), is being held by police for allegedly defiling a three-year-old girl (name withheld) during Idd el Fitr.

> Daily News (01/05/2002): Police in Shinyanga Region are hunting for four youth who allegedly took turns in raping a Standard Seven pupil at Sayusayu Village in Maswa District. A spokesman for the police force

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[6] Note that when the perpetrator is a family member, incest is identified as 'making love,' instead of rape. I posit that this is a larger underlying assumption about family relationships between fathers and daughters. Specifically, that it would not be unusual for a daughter to consent to her father's sexual advances. In the past, I have seen articles that indicate that incest is really the mother's fault because she is not adequately taking care of her husband's sexual needs so he turns to the daughter for comfort and release.

told the Daily News on Saturday that the youth had raped the 16-year-old girl at a church on Thursday night.

Daily News (02/12/2002): A 90-year-old woman, Elizabeth Mallya of Msaranga in Moshi municipality, who was last month raped, has died and the suspected assailant, Yesse John alias Msechu (52), appeared in court yesterday to answer a charge of murder.

Daily News (03/20/2002): A Dar es Salaam resident, Juma Taulo (27), was yesterday sentenced to 30 years and 12 strokes of the cane after he was convicted of raping a six-year-old girl...Earlier, adducing her evidence in court, the girl (name withheld) said she was raped by Taulo after luring her to his house as she was coming from a nearby well to fetch water. She added that the convict gagged her with his hand when she attempted to shout for help. He then let her go warning her not to tell anybody about it.

Daily News (05/09/2002): In Arusha, a 66-year old farmer of Baraa Village was allegedly raped by unidentified people who raided her house at night.

Noticeably, the predominant age range of the victims is either under 16 or over 60 (thus supporting Mwaikasu's study). This indicates that adult women in their reproductive years are highly underrepresented in newspaper accounts. While it could be that adult women are not as vulnerable to crimes of rape or defilement, I think it more likely that such crimes are underreported. Children and elderly people's sexuality is not usually suspect in a crime, while a woman in her reproductive years may be seen as provoking the attack or being a willing participant. Additionally, the above study of conviction rates for sexually based offenses indicate that a perpetrator is much more likely to be jailed if he violated a child than an adult woman. From my own conversations with adult women, it seems that they are held responsible for their 'virtue' and would be stigmatized (and perhaps forced to wed the perpetrator) if they reported being raped. Such social constraints limit women's abilities to seek formal redress. Additionally, some customary practices (e.g., bride abduction) encourage men to sexually

assault women in order to force the victims to marry them. The victims' families often collude in this violence by pressuring such women into unions with their rapists to avoid the shame of having an 'unvirtuous' daughter. This practice, and others like it, still exist in Tanzania and reinforce unequal gender relations.

Other forms of gender-based violence, such as domestic abuse and partner violence, are not as firmly grounded in legal recourse. A woman can sue her husband for damages (i.e., civil, tort law) or she can take him to criminal court if she can prove that he caused her grievous bodily injury. Tanzania's legal system essentially offers three legal solutions to domestic violence: reporting, reconciliation, divorce. Filing complaints of domestic violence are common, but very often does not lead to further legal action. In the case of battery or assault, women have to produce medical evidence and in practice they must be able to provide corroborating witnesses. In one case (Daily News 10/30/2001), Magreth Hiza testified before the Tanzanian High Court that in 1994 her husband doused her in paraffin and then set her on fire after he accused her of having affairs. She fled to her brother's house who then filed the complaint and obtained the PF3 form so that her injuries could be treated. In court, however, the defense attorney for the accused, produced a letter "allegedly written by the chairman of the local government in the area instructing the police to investigate the matter, claiming that she burnt herself while cooking." The counsel for the defendant goes on to state, "You say you have been burnt by your husband, but your local government leader says you burnt yourself while cooking. Whom should we believe between the two of you?"

Even if a complaint is filed it very often is withdrawn, especially if the victim is a woman in her reproductive years. In part this is attributable to a strong societal belief

that men have the right to discipline their wives. "Traditional" or "customary" values can mean that women who protest such arrangements are then ostracized by their families and communities. Moreover, it seems that the cost, both in time and money, of seeking legal redress can be more than most women in abusive relationships can afford. Legal solutions, then, may not be appropriate for severely battered women, or women who want the violence to stop but are unable (financially, socially) to leave their abusive husbands.

Reconciliation is often the preferred legal solution to domestic disputes. The Law of Marriage Act provides procedures for reconciliation before a person can petition for divorce. A Conciliation Board hears the complaint and tries to reconcile the couple. If the Board finds it cannot do so or that the marriage is irreparable, the couple can then petition for divorce. This legal remedy only exists for married or, more recently, common law (i.e., living together for more than two years) couples. Unmarried women cannot access such a Board, nor can they seek a restraining order against their partner (since it has to be found that the couple is irreconcilable before protection is granted). Married women may not want to access the Board, but have little choice if they wish a divorce.

Divorce on the grounds of cruelty is a final option, if the battered spouse feels that they cannot continue living with the defendant. The court, however, does not have to grant the divorce decree if it finds insufficient evidence to do so. The petitioner must prove that "she has not connived, condoned or colluded in what she is complaining about. Otherwise the decree prayed for will be denied" (Kassim 1991:37). Moreover, divorce settlements often see the children as belonging to the father, so that abused women can find themselves with little access to their children.

Further, not all laws are unbiased or consistently enforced. For example, there are still statutes that limit the ability of women to work in the public sector. Women may not be employed between the hours of 10 p.m. and 6 a.m., although this statute is often ignored in practice. While the Government of Tanzania advocates workplace equality, it does not guarantee these rights. In contrast, the common procedure of expelling female students who become pregnant is still widely observed, despite a 1996 law which (in theory) permits pregnant students to continue their education. Expelling pregnant women from school greatly reduces their opportunities and illuminates existing gender disparities. Women are frequently blamed for their pregnancies, with authorities making negligible efforts to identify or punish the father (if he is a fellow student). According to a Daily News (Kitururu 04/11/2001) article, the Deputy Minister of Education and Culture, Mr. Bujiku Sakila "reminded parents of the noble role of moulding their children into responsible people noting that the re-admission of students was not the lasting solution." Such as statement reflects, at the highest levels, the linkage between morality, sexuality and gender-based discrimination. Technically, female students can be readmitted, but to date, the incidence of readmission has been low and the censure toward such women at educational institutions high.[7]

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[7] At the University of Dar es Salaam, gender-based discrimination is most obvious in the high incident of 'sex for grades' between male faculty and their female students. There is also a censorious bulletin, euphemistically called the 'punch,' that is produced a few times a year. The authors are anonymous, but they freely comment on men's and (primarily) women's behavior at the university. The punch is posted on campus (sometimes in several spots) and is read by almost everyone. It generally targets women's sexuality, morality and actions on campus. At times, women and men have dropped out of school after becoming the subject of ridicule. The punch normally does not publish names, but it gives the reader enough information that almost everyone can figure out to whom it is referring. It also targets men who are suspected of being homosexual. In 1997, while staying at the university, a punch came out that attacked several women I knew. One was attacked for her sexual behavior, while another was attacked for running for president of the student government. It said that she should apologize to the male gender for trying to fill their role. In response, many female students claimed that the election was rigged and that she had actually won the election.

Ideology, State Failure and the Protection of Women's Rights and Dignity

Although not entirely successful, genuine attempts have been made to legally

address some forms of gender discrimination and gender-based violence in Tanzania.

Legal measures and redress are central to promoting a society based on gender equity and

freedom from violence. However, my major criticism of the Tanzanian state and its

agents is not based on lack of enforcement or legal procedures, though these are certainly

important features. I maintain that focusing only on legal solutions is simply treating the

symptom of a larger societal ordering. Male dominance and patriarchy are governing

ideologies in Tanzania. While there is variation (and struggle) in how such systems of

domination are produced and maintained, such practices are intimately tied to the state

and larger society. Tanzania, perhaps more than any country in Central and East Africa

understands the creation and maintenance of ideology and worldviews. In the past, it has

overtly promoted and largely maintained a strong sense of nationalism; it has undermined

colonial constructions of race and ethnicity; and it has pursued globally unpopular

economic and social goals at great cost to itself. In essence, Tanzania has forged new

understandings of nationalism, race, ethnicity and class relations, yet it has failed to take

these same radical steps in relation to gender. For that alone, the state and its agents are

complicit in upholding unequal and violent relations between the sexes. Such collusion

is seen in struggles over legislative and legal solutions, the dichotomization of private

versus public, and especially through public consensus. Recall that the state is not simply

a set of institutions, but also incorporates the mores and understandings of its agents, as

well as larger societal arrangements. By not working systematically to dismantle such an

ideology, widespread change in violence against women will not occur – no matter how

many laws are on the books or how stiff the penalties. Violence against women does not

transpire in isolation from other forms of violence as struggles over resources, power,

'tradition,' and privilege remain central to the state and its agents unwillingness to stop

such abuse.

In Chapter 4, I illustrated some of the violence toward young men who are labeled

thieves, as well as women who have often become the target of corrupt *sungusungu* or

mob-based actions. These ideologies and successful attempts to scapegoat victims of

violence have reproduced the acceptability of violence against particular groups of

people. And as pointed out in Chapter 3, these victims are not the only ones. Asian-

Tanzanians, witches (who are generally old women, but can also be elderly men) and

refugees are also viable targets for individual and collective violence.[8] Such

discrimination and violence rests on gender, race, age, and most especially economic and

class hierarchies. Ultimately, scapegoats are effectively utilized to conceal governmental

accountability for falling standards of living, corruption and widespread discontent. This

is certainly seen in the case of gender-based violence as will become evident from the

following sections.

Theory: An Ahistorical Context

Unlike the *sungusungu*, tracing the beginnings of gender-based violence in

Tanzania may seem like a lost cause. Indeed, it would be almost impossible to know how

long it has occurred, where it began, and when such violence became widely (although

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[8] For example, in May of 1999, a local school teacher was suspected of being murdered by Burundian refugees. In retaliation a group of Tanzanian men raped nearly 50 refugee women (The Commission on Human Rights 2001). This was just one of many known instances of rape and gender-based violence found in Tanzania's refugee camps. As the Commission on Human Rights (2001) stated, "The Government does not adequately investigate, prosecute, or punish perpetrators of abuses in refugee camps. There is no mechanism in refugee camps to punish abusers, and most cases are not referred to the local authorities."

not wholly) accepted. Historical accounts of gendered violence are sparse and have been treated primarily as a naturalized part of the landscape – a cultural given. Gendered violence (and patriarchy more generally) is unmarked and this is how it retains its power; it becomes normalized and thus believed innate to human nature and society. Instead of a history of gendered violence, we see a historicity that obscures human agency and the power that shaped such violence into a 'natural order.'

Patriarchal values and practices are structured and maintained, to quote Alan Greig (2000), by the "spectacle of men fighting, in both public and private domains." Such violence impacts social, political, cultural, emotional, economic and psychological experiences of personhood – affecting both women and men. Much of the initial writings on gendered violence in Tanzania have simply documented the existence of such violence in order to label it as a social problem, but have not looked at gendered violence (particularly domestic violence) as a context specific, cultural product that has changed over time. Yet, dearth of historical detail has not led to lack of theories about its causes and continuation. Explanations for violence against women in Tanzania range from feminist interpretations of larger gendered inequality, to biological determinism, to cultural justifications, to society-in-transition, to a "culture of violence." Less prominent in the Tanzanian literature are arguments based on psychological rationalizations for

these violences (Bowman 2003).[9]

The Tanzanian feminist literature tends to focus on the larger problem of gender inequality. Violence toward women is one subsequent expression and consequence of a system of inequity. This is the approach that I most heavily emphasize in this chapter because understanding economic and social disparities between men and women, as well as the stereotyped expectations of men and women, illuminates the exercise of power and control and problematizes the unmarked and naturalized quality of these violences. It is likewise essential to understand such violences within their own context and not as a supra-concept removed from history. Certainly there are larger patterns to violence against women worldwide, but there are also specific negotiations and understandings of gender relations and gendered violence embedded within a particular time and place.

Socio-biological or psycho-biological models of masculinity often reaffirm the idea that men are innately aggressive and that this explains the immutable 'nature' of gender differences. The belief in men's inborn violent character, in turn, justifies the gendered hierarchical arrangements present in most societies today. Such arguments and understanding of masculinity organize and limit the human rights of women, and further imply restricted avenues for change. Sociological and anthropological contributions have challenged such a belief by focusing on either the socialization process of boys and girls (i.e., the creating of a gendered person), or notions of masculinity cross-culturally,

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[9] Psychological arguments apparently do not generally resonate with Tanzanian experience. These arguments were rarely cited by advocacy groups or NGO's as viable explanations for violence. On occasion, someone would cite such an argument, but it was usually when the domestic violence escalated to an abnormally abusive level (e.g., see Jasper's story later in the chapter). I suspect that part of the reason that psychological arguments were uncommon is because the argument is based on psychological exceptionalism focusing on the individual. For example, alcoholism, a previous history of abuse, or particular psychological characteristics are commonly cited rationales in the United States. In actuality such characteristics tend to be symptomatic of larger social concerns and there is a danger in treating every individual as though they were the exception, because it overlooks the larger commonalities among families where domestic violence is present.

demonstrating that the social experience of being male (or female) varies over time and across space. Masculinity, like femininity, is a social construction and differs according to interlocking identities and hierarchies. Race, class, education, age, religion and temperament all influence individual and societal constructions of masculinities, which in turn produce a continuum of masculinity. Yet, not all masculinities are created equal; intertwined identities and hierarchies shape and define the contours of acceptable masculine behavior at any particular historical moment in a society. The socially constructed nature of masculinity means that exploring "men's violence," whether towards women, other men, or themselves, must also be understood in its social context. Kaufman (1998 [1987]:5) argues that,

> For every apparently individual act of violence there is a social context. This is not to say that there are no pathological acts of violence; but even in that case the "language" of the violent act, the way the violence manifests itself, can only be understood within a certain social experience.

In contrast, cultural explanations of such violence are theories that "emphasize the close link between violence and the enforcement of conformity to traditional roles for women and dominance for their husbands" (Bowman 2003:855). These perceptions of violence against women argue that wife beating is normal within 'traditional' Tanzanian or African *culture*, ignoring the dynamic processes of change and contestation within and between groups. As one university professor stated in reaction to female professors' complaints of unequal treatment, "I hate this feminism...why do our women want to pretend to be Western? It's not our culture; it's foreign." When I inquired what 'Tanzanian culture' dictates, he replied, "Women are supposed to take orders from the man, that's natural. Men provide leadership. That's our tradition, but now these foreign

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ideas are filling women's heads with nonsense." Clearly, cultural explanations often

masquerade as causal factors for violence and inequality against women, when in reality

they become rationalizations for it. Cynthia Bowman (2003) points out that cultural

explanations are generally not cited in analyses of domestic violence among middle-class,

Caucasian Americans. This leads me to believe that either middle-class, Caucasian

Americans are not perceived to have 'culture,' or even more disturbing, the notion of

culture in the case of domestic violence is essentially a codeword for 'primitive,'

whereby Africans embody the 'uncivilized' imagination. As Rhonda Copelon

(2003:871) suggests,

> Western media tend to focus on "cultural practices" – honor killings,
> female genital mutilation, and dowry deaths, for example – as human
> rights violations. But these are simply ritualized and openly legitimated
> versions of implicitly accepted violence in the everyday – the
> intimidation, humiliation, beating, rape and killing of women in intimate
> relationships for some form of resistances to their gender-determined role
> or for no reason at all.

Another common explanation for gendered violence is the society-in-transition

approach. This theory submits that the shift from 'traditional,' rural-based subsistence

societies to urbanized, modern capitalist ones has produced and increased instances of

violence toward women because men feel threatened by the rapid changes and challenges

to male privilege. Without a doubt, urbanization, globalization and changing gender

roles exacerbate the rate of incidence. However, as a causal explanation, it falls far short

of the mark. The underlying assumption is that African societies have not undergone

such large changes in the past, nor could gendered violence, by this logic, have existed

before colonial contact. It promotes a falsely idyllic (and homogeneous) picture of pre-

capitalist life.

Similarly, the 'culture of violence' paradigm argues that societal violence is part of a violent colonial heritage. Violence in general was not an original part of African culture, but was transplanted by colonists who used violence as an accepted way to resolve disputes. Thus, since Africans were treated coercively and violently by their colonizers, they learned to be violent and coercive themselves. For example, in a Guardian (Msabaha 04/21/1998) article, Ambassador Ahmed Hassan commented on the increasing rate of sexual offenses: "He said Africans have a sole culture of respect. The growing cases of sexual offenses were therefore, not Tanzanian culture." This 'identifying with the aggressor' explanation relies on external corrupting influence, scapegoating and concealing the agency and responsibility for acts of violence. As a causal explanation this approach remains untenable, but it strongly resonates with some Tanzanians' understanding of gendered violence and their idyllic view of 'traditional' culture. By denying the causal link, I do not wish to deny the impact of colonial influence and policies in East Africa. German and British gendered mores did dramatically shift the economic, social and political landscape. Men and women's gendered understandings of self and Other were altered through laws, coercion and other punitive means to concurrently resemble idealized upper-middle class Anglo-Germanic conceptions of masculinity and femininity, but also colonized-subject positions. However, Tanzanians have not just mindlessly reproduced colonial structures and institutions, but have actively defined, dismantled, reconstituted and maintained features that privilege certain groups at the expense of others. Additionally, blaming the colonial past for all the ills of the present over-emphasizes (and privileges) the impact of colonial intrusion in Tanzania.

Seeking the ultimate cause (or even multi-causal explanations) of gendered and domestic violence may seem untenable, however, the theoretical frameworks addressed above provide explicit or implicit understandings and remedies for such violence. For instance, those theories that stress the notion of intrinsic qualities (e.g., biological models of male aggression) or long-held tradition (e.g., cultural models) at best make remedies and interventions piecemeal, and at worst, futile; 'traditional' culture and biology are notoriously adverse to change. Michael Kaufman (1998 [1987]:5) points out that the essential question is not whether men are predisposed to violent behavior, but how societies react to such violence and what they do with it. In contradistinction, explanations that emphasize the social construction of identities and larger systems of inequality promote large-scale societal change. Causality may not be attributable to any one framework, but discernment of the implications for the commonly employed explanations become central for informed advocacy and intervention. It becomes a starting point for understanding productions of masculinities and systems of inequality within contextually specific settings.

Engendering Violence

Masculinity (and femininity) exists as an ideology; one that guides behavior, restricts or enables the attainment of human needs and forms of expression, and ultimately exists as a social institution "with a tenuous relationship to that which is supposed to be synonymous: our maleness, our biological sex" (Kaufman 1998 [1987]:8). Masculinity and femininity are very potent figments of the collective imagination about the character and abilities of men and women. Thus, men are not born, they are created and crafted through social understanding of the cultural and natural word. Some

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Tanzanian men effortlessly mirror the dominant ideals of masculinity, but others struggle

to do so. As Margrethe Silberschmidt (2001:659) relays,

> [W]hile patriarchal ideology may be embodied in the lives of socially
> dominant men, this does not mean that all men are successful patriarchs.
> In fact, few men match the blueprint. Masculinity, like femininity, is
> always liable to internal contradiction and historical disruption.
> Moreover, there is a close link between masculinity, sexuality,
> manifestations of sexual power and violence.

For some men acting out the naturalized role of men runs counter to other values and

individual tendencies. In Tanzania, there are men who do not share the dominant

understanding of masculinity. As Cornwall (1998:51) points out,

> In any cultural setting there are multiple models of gender. Some arise
> from cultural stereotypes of particular kinds of ways of being male or
> female...Different models of gender offer a range of possibilities for
> defining identities and judging activities. They can also be used to limit
> and control the behaviour of others. Those who step outside the kind of
> behaviour that is valued within mainstream culture may find themselves
> labelled and discriminated against. Idealized models of gender, then,
> need to be seen not as fixed descriptions of what people are, but as ways
> of describing and judging what they do.

Some men do find the space to forge alternatives to dominant modes of gender. This has

led a number of men to reject violence against women as a strategy for maintaining

privilege. For instance, Chache, an urban, educated man relays, "You know, it's tradition

in my [group]. I made the decision a long time ago and knew that I could never hit my

wife. But I think upbringing encourages men to beat wives." Even though Chache

deviates from one understanding of gender relations, he also recognizes that he is in the

minority. He has had to fend off teasing and criticism about the way he treats his wife,

her supposed power over him, and his 'endangered' masculinity from his friends and

family – particularly his eldest brother who has a history of violence toward his several

wives.

Changing Conditions and the Loss of Privilege and Esteem in Tanzania

Few studies in Tanzania have addressed the manufacture and maintenance of masculine identities. Silberschmidt (2001), a notable exception, found that patriarchal arrangements and dominant conceptions of masculinity conceal the rising disempowerment of many Tanzanian men. She argues that socio-economic change has led to the social and economic disempowerment of some men by undermining their position as 'provider' for the household. While they may still retain their social – and as some Tanzanian men claim, God-given – role as head of the household, they find themselves unable to fulfill their economic and material obligations. This change then leads to loss of status, respect, prestige and dignity.

In 1978, 84 percent of men in Dar es Salaam were employed in the formal sector. By 1990, this figure had dropped to only 45 percent. Today, only a small fraction remain in the formal sector (Silberschmidt 2001). As Tanzania's formal economy erodes, more and more men are forced into the informal sector. There they must compete with women who have much more knowledge and experience surviving (and thriving) through informal means. Many such women have gained new levels of autonomy and self assurance and thus pose, directly or indirectly, a challenge to their husband's authority. Additionally, some highly educated women are moving into jobs that were once held solely by men.

Such changes are not entirely positive for women; with many women's roles and responsibilities ever-increasing, their burdens also increase. The weakening base of men's material authority has meant that many families cannot survive without women working and sometimes becoming primary wage earners. In the past – at least according

to the dominant gender ideology – men could more realistically assume the role of breadwinner, while women worked primarily in the home. In fact, many women worked outside the home and many men could not be the sole 'provider' for the family. Yet, this dominant gender ideology impacts the way women and men understand their societal worth (i.e., whether they represent 'successful' masculinity or femininity) and is reinforced by the small number who are able to meet such a standard. The majority of Tanzanian men cannot fulfill their expected masculine (social and financial) roles and responsibilities to the household. Women's engagement in most cases is a necessary part of economic life, but it also undermines and contests men's roles and positioning in society.

Patriarchy in Tanzania

Patriarchal arrangements in Tanzania lend privilege to men, quite frequently placing women in a subordinate position. Borrowing from Smedley's conception of race-as-a-worldview, I argue those same features can be applied to understanding the larger structures of sex/gender-as-a-worldview: classification of men and women into discrete groups; these groups are unequal and need to be ranked; group characteristics are heritable; phenotypic expressions represent a mirror to the moral, intellectual and temperamental character of sexes/genders; and, men and women were created by God (or nature) and thus the boundaries between them are unbridgeable. Such a worldview justifies women's poor treatment as they are labeled inferior, treated as property and likened to domesticated animals. Peter, a young man with many girlfriends, comments, "Women are like cows, valuable, but stupid." He said that they would stray if a stick was not applied liberally to keep the "stupid animals" moving in the right direction. There are

also inequalities in access to land and property, inheritance, as well as inequitable marriage laws or practices, and an under-representation of women at educational institutions. And even when laws are changed and access granted, Tanzanian women and girls must still contend with discrimination, exploitation and sexual harassment. For instance, teachers commonly abuse their positions by instigating a relationship with a young woman by demanding sex for grades and widows with small children are sometimes still forced from their homes by their husband's relatives. Additionally, in marriages or partnerships, frequency of sexual engagement, number of partners, and reproductive and health decisions (e.g., condom or birth control usage) are disproportionately determined by men (Silberschmidt and Rasch 2001). Inequities in power and control over sexuality can, and often do, have severe effects on women's health and livelihood. This is particularly evident in Tanzania which has one of the highest rates of HIV infection in East Africa and where women who are HIV positive experience more lifetime partner violence than non HIV positive women (Maman, et al. 2002; Silberschmidt 2001; Silberschmidt and Rasch 2001). Married women are more at risk for HIV than unmarried ones and this is perhaps attributable to unmarried women having slightly more leverage to demand that their partner wear a condom. As Mama Maria, a married medical sociologist relayed,

> I trust my husband 80 percent. He could cheat, I don't know. I cannot
> trust him 100 percent because then to learn he's cheating would kill me.
> And I cannot ask him to wear a condom, even if I knew he was cheating.
> If I asked, people would think I was cheating and I would lose respect.
> Imagine, I have a medical [sociology] degree and I know how easy it is to
> get *ukimwi* [AIDS], but I cannot ask my husband to wear a condom.

Interestingly, married women who cheat on their husbands often lose respect and status in their community, while married men who do not cheat on their wives are liable to lose

respect among their peers and be ridiculed. Thus, patriarchal arrangements, structural

violence and stereotyped notions of gender, have wide-ranging effects on the lives of

Tanzanian women and men. But these same structures not only privilege men, but also

produce obligations and assign them responsibilities that are becoming progressively

more difficult to achieve.

Sexuality as Successful Masculinity

With men's economic and social power failing within the home, many Tanzanian

men have invested in outside sexual relationships in order to reestablish esteem.[10] As one

Tanzanian man who Silberschmit (2001) interviewed put it: "If you cannot be a

successful breadwinner you can be a successful seducer." Numerous sexual relations

subsequently become important avenues to boosting respect and status among peers and

reproducing notions of 'successful masculinity,' especially when other opportunities

become sparse (Wood and Jewkes 2001). Through their sexual exploits men can lose or

gain respect among their peers and can find solace for their failing privilege. Young

unemployed men in particular heavily invest in their sexual relationships. Older, married

men, too, often have many partners. Successful masculinity, expressed through sexual

connections and conquests, is publicly demonstrated by obtaining and maintaining

girlfriends. The number of partners, choice of partners and ability to control girlfriends

are all assessed in the jostling for status among male peers. However, a man's

masculinity is also quite vulnerable because it rests on the effectiveness of his strategies

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[10] Men having (numerous) sexual partners outside of marriage(s) is a common occurrence in Tanzania. A minority of Tanzanian men reject the idea of multiple sexual partners. In Arusha I knew a family where the husband did not have extramarital affairs. This was remarked upon daily by my neighbors. John, a local business owner once told me, "Baba Miranda doesn't cheat on his wife. That man loves his wife too well." When I inquired whether that was a positive attribute, John remarked, "Yes, a very good thing." But when I asked him why he did not follow Baba Miranda's example (as he had numerous girlfriends), he laughingly replied, "What me? Am I a saint?"

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of control. If his female partners do not easily follow his authority, he may lose status and prestige among his peers and become less desirable to other women.[11] While men have several options and strategies at their disposal, violence is one prominent means to assert their will and control their partners – especially when the stakes are high.

PART 2: VIOLENCE AGAINST WOMEN AND PARTNER VIOLENCE IN TANZANIA

Domestic and partner violence are truly both global and local phenomenon. Globally, up to 70 percent of women murder victims are killed by their male partners. Wife beating alone occurs regularly in roughly 85 percent of all cultures (Penn and Nardos 2003). Additionally, in 48 population-based surveys from around the world, 10-69 percent of women recounted being physically assaulted at some point in their lives (Krug 2002). Such violence does not just transpire with regularity in countries of the South, but is a burgeoning concern in Northern nations as well. Nor are children exempt from violence. Children can, and frequently are, the targets of domestic violence, and sometimes they are used by an abusive parent to control the other parent. In a study carried out in the U.S., it was found that children who live in violent homes are at a 1,500 percent higher risk than the national average to be abused themselves (Penn and Nardos 2003). Domestic abuse accounts for a high percentage of crimes against women and children worldwide, and it indicates that home is often the most dangerous place for them to be. Locally, expressions and tolerance for domestic/partner violence varies widely

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[11] Men are not the only ones who negotiate their gender roles, expectations, and notions of prestige through sexual relationships. Women, too, can gain and lose respect, desirability and status among their peers for the partner(s) they choose (or who choose them). Additionally, some women have extramarital or multi-partner relationships, although it is not to the same extent as Tanzanian men. For women, dating several men can be socially and economically advantageous, but it can also collude in men's claim to violence against their partners (e.g., "she had it coming"). Many women (particularly older, married women) were not interested in affairs. As one friend relayed, "why would I want that *ovyo ovyo* [garbage, complications] in my life? Is my husband not enough?"

within the particular state, culture(s), community and home. What is acceptable in one setting is unacceptable in another. Additionally, domestic and partner violence are types of gender-based violence and discrimination, and as such, they mirror larger structural processes imbedded within a particular society.

Current figures indicate that 60 percent of surveyed Tanzanian women reported being physically abused on a regular basis (Wood and Jewkes 1997).[12] The Tanzania Media Women Association (TAMWA) supports such findings. They found that six out of every 10 women are beaten by their husbands. This figure is significantly higher than either Kenya (42 percent) or Uganda (46 percent) (Heise, et al. 1994). It is also more than double the reported rate in the U.S. (22 percent) and Canada (29 percent). According to the Ministry of Home Affairs, an average of 10,000 cases of wife beating are reported per annum (The Commission on Human Rights 2001). Tanzania Women's Legal Aid Centre reports receiving an average of 80 domestic violence cases each day. Such results indicate that Tanzania is at the top of the spectrum for rates of domestic and partner violence.

Defining Domestic Violence

The Women and Children's Treatment Committee (1990:5) defines domestic violence as "the infliction of any bodily injury or harmful physical contact or destruction of property or threat thereof as a method of coercion, control, revenge, or punishment upon a person with whom the actor is involved in an ongoing intimate relationship." Such a definition, although well meaning, I argue, is too narrowly circumscribed. Central to an accurate understanding of domestic and partner violence is exploitation, discrimination

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[12] The World Health Organization has recently finished a multi-country study on women's health and domestic violence that includes Tanzania. Their final report is not currently available, although it will provide a valuable resource.

and the perpetuation of unequal structural and economic relations within families, the state and society more generally. Domestic violence is a dynamic process that involves both individuals and society in violence that occurs between family, household, and ultimately the society as a whole. This definition breaks down the public/private dichotomy and demonstrates how the personal is social, economic and, of course, political. Therefore, more than physical and psychological, such violence "form[s] the material expression of the larger system of domination" (Giddens 1994: 237). By moving away from simplistic, instrumental definitions of domestic and partner abuse, it can be examined as a larger societal problem that reflects a social structure that perpetuates inequality.

Accepting/Excepting Violence

All societies have instances of acceptable violence to greater or lesser degrees. Such violence can take the form of contact sports, such as boxing or football, spanking children, hitting one's spouse, or even lynching, electrocution (i.e., capital punishment), or stoning a suspected thief or adulterer. Whereas some of these forms may be unobjectionable in one context, in another they are abhorrent. Within a society, rules and tolerance vary based on gender, social class, religion, context, and upbringing.

In Tanzania it is in the main acceptable for a man to beat his wife or sexual partner. However, the severity of such violence is clearly in question. By and large repertoires of control against a partner can legitimately include physical reprimand, although it must stay within certain culturally defined limits. Take for instance, the serial abuse of a close friend and confidant, Adija, by her boyfriend, Renato. Adija is single and fiercely independent. Her boyfriend, Renato, also has a job, but is always living

from paycheck to paycheck since he drinks copious amounts of alcohol, indulges in frequent expensive affairs, has two wives, and is often found at any of numerous local bars. Adija is his current favorite and he spends most of his nights with her. He often spends her money, drinks her beer and accuses her of seeing other men. Once drunk, he quite habitually becomes abusive, moving from words to action.

On various occasions I urged her to leave him because unlike many other Tanzanian women I knew, Adija was not financially dependent on him. But even when she would leave, it would only be for a few days. Renato would come to her home and pound on her door, crying that she was a cruel woman, or he would turn up a few days later with jewelry and an apologetic smile. She always went back. He was well known in the community and she worried that he would show up at her work and make a scene. She also genuinely had feelings for him and had once said to me, "better the beater you know than the one you don't." Adija, moreover, felt that her independent nature was the cause of the problem. She told me on many occasions that she could expect no more of a man since it was difficult to be with such an independent woman. Additionally, Adija was very gregarious, charming and popular. On the one hand, Renato loved the envy that he inspired with her as his companion, but on the other, he felt threatened by her independence and popularity. He said as much to me on many occasions. Other mutual friends agreed that it was a very difficult position for Renato. And he had not yet stepped over the line from beating (acceptable) to battering (unacceptable). Their friends also felt some sympathy for Adija, but iterated that with her freedom came a price. However, note that while Adija voiced her understanding of patriarchal relations, by her very lifestyle she was simultaneously challenging (whether she meant to or not) such societal

orderings. Adija is one example of the discrepancy between men and women's public agreement with dominant gender ideologies and their subsequent (and frequently incongruent) range of actions.

In contrast to beating, battering is violence that is "something extraordinary, possibly resulting in severe injury, incapacitation, or even death. In most instances such behavior is not viewed as usual or acceptable by members of the society and elicits intervention by a third party or parties" (Counts, et al. 1999:4). Such occurrences are commonly reported in the Tanzanian press and can be, and often are, subject to legal action. Take the example of Jasper, a young boy who lived in a children's shelter. Jasper's parents had put his feet in a cooking fire and kept him there until he had permanent (and severe) skin and nerve damage. With the damage his feet and calves sustained, Jasper was lucky to walk at all. His parents were punishing him because he went to the neighbors to watch television – something he was expressly forbidden to do. When neighbors heard his screams and realized what was happening, they flogged Jasper's parents with sticks and chased them from their home. Jasper was then brought to the hospital (after obtaining a PF3 form), but the damage was already done. Consequently, he was placed in a temporary children's home until he healed enough to be moved to an orphanage. Jasper's narrative clearly illustrates an unacceptable level of domestic violence.

In some families beatings frequently move to batterings and vice versa. Take for instance Grace's situation. Grace has several children with her extremely abusive husband, Waiwai. Waiwai is a prominent community member with a lot of influence. Grace, who works outside the home and is a local neighborhood matriarch, is

increasingly worried about Waiwai's abuse. He not only hits her, but he often hits the youngest girl, Prudence. On many occasions Grace and Prudence have come to my door to sit, have a cup of tea, and wait for Waiwai's temper to pass. On one occasion Waiwai took a bicycle chain to Prudence because she had pretended to make a phone call. Numerous family members were present – aunts, uncles, children and Grace. When I began to protest, Grace and a younger male relative pulled me aside and told me to let it be – they made it crystal clear that although I had special access to their lives, I was *not* family and therefore had no right to intervene.

But not all of his violent outbursts were accepted. Once, the ten-cell leader and various other neighbors reproached Waiwai on his behavior toward Grace. When angry, he was known to wave his pistol around, threaten to throw boiling water at the source of his anger (which, according to family members, he once did), and generally make dire threats.

In the past Grace had left Waiwai. She came back because she said she missed her children. She worried that Waiwai took out his anger on the children when she was not around. She had even tried to approach the police and other prominent officials about his behavior. Most told her that it was not their concern – this was a family issue, and not suitable for the courts. In reality, many of the police I spoke to were either wary or outright afraid of Waiwai. Some claimed he was crazy. Many of the local officials were friends or business associates and they told Grace to "just try not to make him so angry in the future." Truthfully, if Grace could have pressed charges, I do not believe she would have. Economically, it would have been disastrous for her family. Waiwai supported a very large contingent of relatives, including a few of Grace's own family. Socially, while

many would sympathize with her, she would have betrayed a well-understood boundary and probably would have lost much of her social standing. Politically, she would not have had enough clout to carry out the prosecution. The files would "accidentally" disappear from police headquarters, witnesses would not turn up, or the court would dismiss the case due to a lack of evidence. In Grace's case, the state legitimizes Waiwai's position, all but ignoring her own. While the narratives of Grace, Jasper, and Adija are only a few examples of abuse, there are no shortage of news articles addressing domestic abuse or femicide. A few examples:

> Daily News (09/11/2001): 37-year-old Zanzibar resident, Boniface Mkale, was yesterday brought before a Vuga Regional Magistrate's Court here charged with an indecent assault...[he was alleged to have] publicly stripped naked his wife, Mosi Mpale, on Sunday afternoon and later attacked her a few metres from their Bububu matrimonial house following a matrimonial brawl.

> Daily News (09/27/2001): A catechist with Chinyoya Anglican Church here, Richard Mpenda (42), on Monday night allegedly stabbed his 40-year-old wife Verian Mpangalo to death at their Kikuyu home...a family dispute erupted between the two at around 7:30 p.m. The husband allegedly hit the wife with a bottle as the dispute became heated. The wife hit him back with the same bottle. This infuriated the catechist, who allegedly stabbed her on her chest with a knife twice. She ran out of the house while bleeding profusely before collapsing in nearby bushes.

> Daily News (10/04/2001): A 28-year-old man who disappeared after allegedly killing his aunt in Muleba District, Kagera Region last Tuesday, has surrendered himself to the police...the initial investigations revealed that the man, Martin Muchunguzi, committed the alleged offence on

witchcraft beliefs.[13] (emphasis added)

Daily News (11/29/2001): Police in Dar es Salaam have arrested Mpalaila Salum Nasoro (25) for allegedly murdering his two-and-half-year old daughter...the suspect beat up his daughter on November 27 using his hands, and later hit her with a brick on the waist before his neighbors intervened.

Daily News (12/19/2001): A Itwimila villager in Magu District, Mwanza Region, Mrs. Tereza Buswelu, died at dawn yesterday after she was allegedly hit with a stick by her husband.

Daily News (12/21/2001): ...a soldier station at Ihumwa camp, in Dodoma Region, Henry Mussa (43), allegedly killed his wife, Elizabeth Ernest (34), last Saturday night...Mussa, who is being held by police, had allegedly beaten to death his wife on that particular day, with his neighbours accusing him before the police of being a habitual batterer of his wife. On that particular night, he allegedly locked the body of his wife in one room and asked his children not to open it, and that if someone enquired about her they should say she was away. The following day he went to work as usual and when he returned he dragged the body and dumped it in a ditch.

Daily News (01/05/2002): ...two women were killed by their husbands in separate incidences in Morogoro and Tanga regions...a 63-year-old man, Lucas Madewa, of Dumila area in Kilosa District, Morogoro Region, was being held by police after beating to death his wife, Elisi Mgombe (38), for *jealous related reasons*...police in Tanga were hunting Siabas Lunyamila (30) who disappeared from home after beating and killing his wife, Rukia Ramadhani (30). (emphasis added)

Sunday News (01/20/2002): An irate husband hacked his wife to death with a machete over the weekend when he found her in the company of two men in his own house...In a feat of rage, he picked a machete and hit his wife Beyeta (20), on the neck, killing her on the spot. "He interpreted

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[13] In Tanzania, suspected witches are elderly and primarily female. Witches are not just random members of the community, but possessed certain characteristics which make them likely targets of witchcraft accusation and hence, murder. This is especially true in western Tanzania where the vast majority of witches killed are elderly women. Additionally, witch killing are most likely to occur in periods of economic insecurity. In total nation-wide 3,693 suspected witches died between 1970-1984, 62 percent of whom were women over the age of 41 (Mesaki 1995; Miguel 2002). Out of 1,622 suspects arrested in connections with witch slayings, only seven cases had been successfully prosecuted by 1988 (Mesaki 1995). A more recent statistic does not improve the odds of prosecution: since 1990, there have been 215 arrests of suspected witch killers in Mwanza Region alone, none of which have been prosecuted (Nkya 2000). Further, human rights activist protested the murders of over 500 elderly women suspected of being witches in 1999. Such statistics strongly implicate the Tanzanian state in this form of gender-based violence and femicide.

that as the *highest degree of disrespect*," the Acting Kagera Regional Police Commander, Mr. Jamal Rwambo, told the *Sunday News*...adding that [the perpetrator] allegedly killed his wife on suspicions that she was involved in extra-marital affairs. (emphasis added)

Daily News (02/14/2002): A High Court judge yesterday sentenced a murder suspect, Michael Kimaro (51) to a 20-year jail term after he pleaded guilty to a lesser offence of *manslaughter*[14]. The convict, who hails from Dakau Miembe Village, Kibosho in Moshi rural, entered a plea of guilty for killing his wife Filomena after *suspecting her to have sexual relationship with one of his neighbours*...He attacked the deceased slashing her several times on her body, inflicting fatal wounds...A post-mortem conducted at KCMC referral hospital revealed the death was caused by excessive bleeding due to severed spinal cord at foramen magnum level. (emphasis added)

Daily News (03/13/2002): A jealous husband murdered his young wife here last week after severely kicking and punching her on the stomach, following suspicions that she was *being unfaithful* to him. (emphasis added)

Daily News (03/26/2002): The Kisutu Resident Magistrate's Court in Dar es Salaam yesterday sentenced to three years imprisonment a husband who caused serious injuries to his wife by inserting a piece of wood in her private parts...it was proved that he committed the offence using the piece of wood after he had *accused his wife of having love affairs* with another man. (emphasis added)

Notice that the domestic violence cases which appear in the newspapers are ones that are fatal or where a line has been crossed between acceptable (beating) and unacceptable (battering) levels of violence. Also, jealousy and suspected infidelity are the most often cited causes of femicide and domestic violence according to newspaper accounts. The idea of 'disrespecting' one's husband is used to justify homicide. The notion of disrespect of a husband by his wife – through her supposed infidelity, striking back, or resistance of any sort – supports larger systems of patriarchy and gendered violence. It also supports men's privilege in the name of rights (i.e., if the wife is

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[14] In Tanzanian law murder carries the death penalty. Many of the femicide cases are plea bargained down to manslaughter in order to remove the possibility of the death penalty. For a husband to prove manslaughter he must only be able to show that he committed the act in the 'heat of the moment.'

unfaithful, it is a man's *right* to discipline her). Moreover, newspaper accounts become

complicit and reproduce stereotypes of violence and masculinity by not directly

confronting the ideological assumptions about men's violence toward women and by

providing a rationalization for it. As an older, head of household adds, "If a woman

makes me angry, the only thing to do is hit her...get my anger out on her...that's

understood. Women know this going into marriage – it's their place."

Partner Violence and Social Structure

While skyrocketing domestic abuse claims may seem quite disturbing, it is also an

indication that many Tanzanian men feel disempowered and find that patriarchal

structures, which are under strain from economic change and international pressure, are

no longer working to their advantage. In essence, these changes have left men with a

patriarchal ideology and few resources to back up their claims. Unfortunately, violence

then becomes one effective method, although misplaced, for reinstating their claims. But

as Anthony Giddens (1994:239-40) has remarked,

> Men (or, as one must say, some men) turn directly to violence against
> women as a means of shoring up disintegrating systems of patriarchal
> power – and it is in this sense that one might speak of a war against
> women today. It is not an expression of traditional patriarchal systems
> but, instead, a reaction to their partial dissolution. Much of such violence,
> then, results from a system which is decaying; it results from the fact that
> women's challenge to patriarchy has in some part been successful. Its
> successes have provoked violent reactions; but they have also brought a
> great deal into the open that was previously hidden, and enforced an
> interrogation of much that was carried in tradition.

Violence can thus be one of many avenues for reinstating male dominance. Violence or

threat of violence toward female partners can be a key feature in maintaining status and

reasserting successful masculinity. Many men use force against their female partners

when they perceive their partners as having crossed an often unspoken boundary (Wood

and Jewkes 2001) or having questioned their authority. The most commonly cited source of domestic violence between partners is jealousy or suspected infidelity. Both men and women of my acquaintance cited this as a primary incentive for violence. Extreme jealousy was sometimes believed to be a sign of love and passion. As Msafiri, a middle-aged man said, "I have to beat my wife, otherwise she will not know that I love her." Other factors cited were land, money, or inheritance rights. Additionally, women mentioned that attempting to break off a relationship was a potential source of violence. Notably, all of these issues are grounded in everyday social struggles.

Passive Victims, Active Instigators

While all people engage in struggles over everyday social terrain, not all people are able to enter the struggle in the same way or with equal power arrangements. Women (and men) whom I interviewed, conversed and interacted with used multiple frameworks to negotiate their unequal, yet important relationships. Married women who were in particularly violent relationships depended heavily upon family (and occasionally neighbors) to mitigate the violence. Unmarried women had slightly less ability to do so, especially with his side of the family – my research indicates that families were much less likely to get involved if the couple were unmarried, although the legitimacy of male-partner violence was much higher when the couple were married (or common law). Family members (and close neighbors) occasionally intervened in episodes of violence – particularly battering – but they also provided immense comfort and care for women after the violence. Women's close friends, likewise, formed an invaluable network of support.

Women also utilized strategies to reduce or instigate violence. For example, when I gave Grace a new pair of shoes, she wrapped them up in newspaper and stuffed

them in her clothing. She then clandestinely slipped them into her closet. When I

inquired why she did this, she explained that Waiwai would accuse her of having an

affair and would beat her for this – even if he had seen me give her the shoes – but she

was not going to turn down my gift.

I also observed (and learned to do so myself) women conversing with their

partners in ways which seemed friendly, yet conveyed very little information. This was

another strategy. The less information women gave their partners the less they could be

held to later. This strategy was not always successful, but it was widely used, particularly

among those women who were in very abusive relationships. Omitting facts and

sometimes lying was not uncommon, although it presented some ethical difficulties for

me as a researcher – was it alright to omit facts when talking to these women's

boyfriends or husbands when they asked me specific questions? How could I make sure

that I did not instigate or exacerbate violence against the women who were kind enough

to give me entrance into their lives?[15]

Moreover, women did not only attempt to avoid or circumvent partner violence,

but they occasional actively engaged it. Adija, for example, was particularly prone to

confront her partner, especially if he had not been violent with her for a few days. She

discussed this with me quite candidly. In part, she felt that by 'instigating' the violence

she had a measure of control over it. She did not like waiting for his anger and I think

she probably felt that by engaging it (through actions or words that she knew would incite

Renato), she was at least aware it was coming and could prepare for it. She also admitted

that sometimes she would initiate a fight in order to gauge Renato's feelings for her. As

mentioned previously, he had two wives and several other girlfriends. Adija worried that

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[15] I take up some of these ethical questions in the Afterword.

when he was not violent for a long period, it was because his interest in her (i.e., his jealousy) was waning. Thus, on numerous occasions I observed her pricking his jealousy and courting his reaction. This, too, is a kind of power and negotiation, although it had its painful outcome. Yet do not mistake me – Adija did not deserve to be hit, nor did she 'force' Renato to do so. Renato had many repertoires of action: he could have left; he could have verbally engaged her; he could have reassured her; he could have simply chosen not to engage her at all. Renato's use of violence against Adija lies on his own head, if not his conscience. A disturbing trend in Tanzania has led some to argue that women equally participate in domestic and partner violence. Women, like men, make choices and actively engage their world – this much is true. However, this idea is taken a step further by some to argue that if a woman instigates an argument she is responsible for the fight or any subsequent violence, and the man cannot, or should not, be held accountable for his actions. This argument takes the idea of agency, which all people have to a greater or lesser degree, and distorts and twists it by ignoring the embedded and embodied structural realities that constrain some groups, while concurrently privileging others. Let me be clear on this point: in urban Tanzania, men and women do not enter the social arena as equals. Patriarchal relations, while under attack, remain a source of structural and institutional inequality. Thus, the act of instigation in itself does not negate emergent power differentials. As Cockburn (2001:16) points out, "Women differ from one another on many dimensions and have varied needs. But there is no reason why the perception of differences among women, and among men, should invalidate our perception of a gender hierarchy and gender oppression between them."

Conversely, within concentric academic circles, there is also a harmful paradox. We, as academics, freely acknowledge that all people have agency – not unlimited, and certainly not equal – but by pairing agency and structural relations we obtain an understanding of emergent and often shifting power dynamics. But when it comes to rape, domestic abuse, gendered violence, we, as sensitive researchers, fear that by addressing the active dynamic between the abuser and his target, we will contribute to victim blaming. However, denying the agency and active constituting of one's world, also does the victim a disservice. The victim of rape certainly should not be blamed for the crime and degradation of their humanity. Likewise the burden of blame should not fall on the shoulders of the abused spouse. But just as important is to acknowledge what agency resides with the victim – however little it may be – because by stripping away the victim's ability to act in the world – even if only to a limited degree – we run the risk of perpetuating and naturalizing the very dynamics that as conscientious academics we wish to critique. Moreover, if we seek to change such patterns, inequalities and dynamics, we need to understand the strategies – intentional or not – of victim and abuser. By ignoring the larger dynamic and their strategies – effective or not – we contribute to the problem, mystifying the ability to change the system. If we remove agency, we also remove the vehicle of change. In such a case, change can only come from outside the system or from those who have a vested interest in the status quo.

PART 3: HUMAN RIGHTS' RESPONSES TO GENDER-BASED/DOMESTIC VIOLENCE

Government responses to gender-based violence (especially domestic/partner violence) have typically been slow, inadequate and profoundly implicate the state in such

violence. In Tanzania, human rights advocates and women's rights groups have extensively documented the pervasiveness of gender-based violence. Tanzania has a very high rate of domestic violence as well as other forms of gender-based inequalities. Local human and women's rights groups have focused a lot of attention on the civil rights of women (i.e., women as public actors, land rights, inheritance claims) and a few more organizations have recently begun to concentrate on domestic violence (e.g., Kivulini in Mwanza, Tanzania Media Women Association (TAMWA) in Dar es Salaam, among others). Such groups utilize multiple strategies to combat gender-based violence. Most local groups emphasize the unequal power and societal arrangement between men and women. Some draw on previously mentioned theories of gender-based violence (i.e., socio-biological explanations, 'culture of violence,' cultural explanations, et cetera). International human rights groups, in contradistinction, tend to emphasize notions of equal protection, domestic violence as torture, and more recently, health as a human right.

Equal Protection Under the Law

As with perpetrators in the *sungusungu* and mob justice, perpetrators of gender-based crimes and, more specifically, domestic violence, repeatedly go unpunished, under-punished, or unobserved. Even though some measures have been adopted by the Tanzanian state to prohibit and punish perpetrators, the state colludes and condones such violence through lack of systematic action, prosecution, prevention, and protection on the part of state agents toward victims. This failure on the part of the Tanzanian state constitutes a human rights violation under Article 7 of the Universal Declaration of

Human Rights. In addition, governments are required to assure, without regard to sex, basic human rights and equality before the law (Thomas and Levi 1999).

Gender-Based Violence as Torture

Gender-based violence, particularly domestic violence, as torture is a relatively new and controversial development in human rights law. International human and women's rights advocates indicate that domestic abuse and torture share many similarities. Article 16 of the UN Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (hereafter called the UN Torture Convention) defines torture as,

> Any act by which severe pain or suffering, whether physical or mental is intentionally inflicted on a person for such purposes as obtaining from him or a third person information or a confession, punishing him for an act that he or a third person has committed or is suspected of having committed, or intimidating or coercing him or a third person, or for any reason based on discrimination of any kind, when such pain or suffering is inflicted by or at the instigation of or with the consent or acquiescence of a public official or other person acting in official capacity. It does not include pain or suffering arising only from, inherent in or incidental to lawful sanctions.

Rhonda Copelon (1994) is on the forefront of the crusade to understand domestic violence as torture. She argues that there are fundamentally four critical elements cited in the human rights instruments that identify torture: first, there is severe physical or mental pain and anguish; second, it must be deliberately exacted; third, it is for particular purposes; and, finally, there is active or passive involvement of a state agent or agents. Domestic violence can, and often does, fit this profile. Victims of domestic violence do experience severe physical or mental pain and suffering; perpetrators' actions are deliberate – even if in the 'heat of the moment;' domestic violence is carried out for a particular purpose, whether it be to subordinate, extract information, reprimand, to

annihilate the personality or diminish capacities; and finally, the state and its agents are implicated in the violence because of lack of enforcement and failure to protect its citizens equally before the law. This stance is still controversial, although it has gained some support internationally. Locally, I have not heard this argument utilized in public discourse or media accounts, nor have I read of any human or women's rights groups attempting to use it in court. I suspect the resemblance of domestic violence to torture is still unmarked and would probably not resonate with larger worldviews and understandings of human rights. Additionally, it may not be an effective analogy in Tanzania since the state is not a signatory on the UN Torture Convention.[16] In this respect, documents such as CEDAW and the UDHR offer more direct avenues for the prevention of gender-based violence.

Human Rights, Health and Health as a Human Right

Recently health care advocates have urged governments and societies to view domestic violence as more than a 'law and order' or human rights issue. These advocates argue that domestic violence is also a central health issue. In 1996, the World Health Organization (WHO) declared domestic violence a worldwide public health problem. Women who have suffered domestic violence often have lasting health consequences beyond the actual beating. For example, such victims are likely to suffer from depression, Post Traumatic Stress Disorder, suicidal thoughts/behaviors, chronic pain, and gynecological or other bodily ailments. If sexual abuse also occurred these same women may further suffer an unwanted pregnancy, contract a sexually transmitted disease, or have other gynecological and psychological problems resulting from the abuse.

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[16] Although there is a section in the Tanzanian Constitution that prohibits torture.

By making domestic violence a central health concern, advocates argue it will raise awareness of the problem without alienating governments or the public. Unlike many human rights campaigns, health is not seen as marginal by states, nor is it always as politically contested as are some human rights doctrines. Framing domestic violence and other forms of gender-based violence (e.g., female genital cutting, incest, rape) as primary health issues offer new opportunities for intervention. Moreover, doctors and other health care workers can sometimes gain access to situations where other researchers or human rights' investigators cannot.

While some health care advocates see health and human rights as essentially separate fields, Paul Farmer, a medical practitioner and anthropologist, sees health and human rights as deeply intertwined. Using AIDS as an example he (Farmer 1999:1491) opines,

> The distribution of AIDS is strikingly patterned; so is that of human rights abuses. There is considerable overlap between the groups at risk. If you are likely to be tortured or otherwise abused, you are also likely to be in the AIDS risk group composed of the poor and the defenseless. Human rights can and should be declared universal, but the risk of having one's rights violated is not universal.

Moreover, human rights abuses (and their mechanisms of legitimation) need to be seen in the broader context to understand the embeddedness of (trans)local power struggles and social inequality. A "health angle" can encourage such engagement since it promotes social and economic rights. As Article 25 of the Universal Declaration of Human Rights states,

> E veryone has the right to a standard of living adequate for the health and well-being of himself and his family, including food, clothing, housing and medical care and necessary social services, and the right to security in the event of unemployment, sickness, disability, widowhood, old age or other lack of livelihood in circumstances beyond his control.

Thus, a health angle can compliment other human rights doctrines by reinforcing their messages through a less contested medium. A health angle has been used in Tanzania, but not necessarily linked explicitly to human rights. In the main, women's health initiatives have focused on HIV prevention and treatment or reproductive issues. Some health advocates have successfully pointed out the gender, economic, age, and status inequalities that contribute to HIV/AIDS or reproductive health problems. To date, with several exceptions most health initiatives are divorced from promoting health as a human right in Tanzania.

Whose Rights, Whose Privilege?

During my research, some men and women I talked to claimed that the push for women's rights, in effect, reduces men's rights. To combat this perceived discrimination, the Tanzania Centre for Men's Rights (TACEMER) has recently been formed and is addressing such a claim. TACEMER is particularly interested in making sure laws are not biased in favor of women at men's expense. For instance, TACEMER claims the Sexual Offences Special Provision Act of 1998 discriminates against men because it imposes harsh penalties on convicted rapists who are generally men. TACEMER's agenda resonates with many urban men, who feel that in order to give women certain rights, you must take them away from men. Tanzania's declining economic situation, rise in violent crime rates, rapid shifts in gender relations, devaluation of the shilling, and the undeniable interplay between local, national and international pressures and relations, add urgency to such beliefs.

On the surface such a worry is not unfounded. The empowering of women through development and micro-finance projects, laws that guarantee women access and

ownership of land and inheritance rights, and criminalization of certain forms of gender-based violence has reduced men's privilege. Many Tanzanian men can no longer unequivocally rely on patriarchy to support their claims of dominance. This has left these men feeling disempowered and oppressed by women's new found freedoms. It becomes exceedingly easy to 'blame the victim,' instead of examining outmoded and stereotypical gender norms that dictate men's privilege and superiority in society. For example, successful masculinity becomes increasingly difficult to fulfill for most men, but instead of questioning such rigid notions of masculinity or looking at the interlocking hierarchies of gender, race, class, and age or at the role the state plays in the unequal access to resources among and between its men and women, disempowered men mistakenly blame women's search for equality for their diminishing societal position.

Defeating Gender-Based Violence

In respect to gender-based violence, there are a few key strategies (both strategic and practical) that are worth mentioning. First, to significantly decrease instances of domestic and other forms of gendered violence, men and women's attitudes, behaviors and understandings of masculinity, femininity and gender relations need to shift accordingly. Many institutions and organizations concerned with violence against women focus solely on treatment or other measures that address the victim. Such a focus can be attributed to a gender-bias, but also the small operating budgets that are set aside for domestic violence. The little money available is utilized to help treat and sometimes provide shelter for victims of abuse, with little left over to address men's roles in the violence.

Second, efforts to address male to male violence, women as commodities, women as the instrument to hurt other men or damage their reputation, and their inequitable control over household resources, whether economic or reproductive, are central to any successful violence reduction strategy. Differences in class, education, ethnicity, sexual orientation, and age all influence particular men's and women's understanding of gender-based violence.

Third, media campaigns, gender violence programs and other women's rights initiatives need to actively court men as allies. As Andrea Ayvazian (2001:609) relays,

> An ally is a member of a dominant group in our society who works to dismantle any form of oppression from which she or he receives the benefit. Allied behavior means taking personal responsibility for the changes we know are needed in our society, and so often ignore or leave others to deal with. Allied behavior is intentional, overt, consistent activity that challenges prevailing patterns of oppression, makes privileges that are so often invisible visible, and facilitates the empowerment of persons targeted by oppression.

Men and women have multiple social identities – as brothers, sisters, parents, children or friends. Interlocking hierarchies of gender, race, ethnicity, religion and age create, for most of us, a position that is simultaneously dominant and oppressed. Where dominant, an ally confronts others who are also dominant, and where oppressed counts on other allies to proactively contest such inequalities. While alliances are not always the path of least resistance, in the long-run they offer benefits to society as a whole. Additionally, alliances can be utilized to stop other kinds of inequalities and violence (e.g., collective violence) by calling into questions naturalized categories of victims and violences. Imagine how the outcome could have differed for the young man who was mistakenly killed as a thief, if enough community members had interceded on his behalf. One

person does not a movement make, but add a few allies and unmarked societal arrangements and understandings shift and are revealed.

Conclusion

In this chapter, I addressed gender-based violence, paying particular attention to violence against women and domestic/partner violence. Dominant ideas about men, women and their innate abilities and positions in Tanzania society promote inequality, violence, patriarchy and the subjugation of Tanzania's women. Local and international responses to gender-based violence and patriarchy, more generally, have only been partly effective at targeting larger social inequities and state-based hierarchies. The reaction of state agents, while varied, lacks the systematic exertion needed to modify inequitable gender and economic relations.

Next, I provided the larger context of gender-based discrimination and violence, as well as the role of the Tanzanian state (and its assorted agents) in such violence. I demonstrated that although laws are beginning to address particular types of gender-based violence, the Tanzanian state remains complicit in maintaining unequal gender hierarchies, while concomitantly privileging other societal positions. While there may be indignation toward a particularly violent individual, state agents often take the stance that the problem is too embedded and natural to be addressed. Additionally, state agents actively or passively condone such acts when they refuse to engage the larger systems of inequality that underlie gender-based violence. "...[D]ealing only with violence rather than with the broader underlying social, economic, cultural and racial discrimination, as well as poverty, all of which perpetuate the conditions of gender violence, is to focus on the tip of the iceberg" (Copelon 2003:876).

I then reviewed and scrutinized the major frameworks of understanding for the origin and persistence of gender-based violence in Tanzania, indicating that disparate frameworks promote different kinds of resolutions. In addition, I questioned and considered the relationship between violence, patriarchy, and masculinity, indicating that while women's subordination is a likely justification for, and result of, violence against women, the associations between these structures are multifaceted and change over time and across space.

This chapter also defined domestic violence and examined its pervasiveness in Tanzania. Narratives showcased and provided the format for discussing the differences between acceptable and unacceptable levels of violence in Tanzania. These narratives also illustrated the gendered inequalities and discriminatory nature of such violence within the family, community and state. News reports were interspersed to contextualize and provide further examples of gender-based violence. Furthermore, the relationship between structure and agency in domestic violence was also considered and critiqued.

In the final section of this chapter, I scrutinized the applicability of human rights frameworks for tackling domestic violence and reviewed domestic violence as a violation of equal protection, as torture and as a health as human rights issue. These particular arguments, as of yet, have not gained prominence within Tanzanian society, nor from local human rights groups. There appears to be a gap between international legal measures and local responses and understandings of gender-based violence. In closing, I also suggested a few measures for combating gender-based violence.

Chapter 6

Conclusions

Throughout this dissertation, I have demonstrated the complex interweaving of the Tanzanian state, its agents, local populations, and notions of violence and justice. In addition, I have suggested that global forms of justice/rights can benefit from anthropological engagement by its contextualization of local, national and international struggles over meanings associated with 'the social' or 'the political.' I have also interrogated the ways in which national 'social' issues are translated locally into avenues of action and restraint. Through narratives and second-hand accounts, I illustrate the pervasive structural relations and social actors' (constrained) choices, arguing that both form the nexus where power, agency, victimization, and justice play out the everyday in competing, complimentary and contradictory fashions.

More specifically, my research reveals that the distinction made between 'the political' and 'the social' is artificial, and that it obscures state accountability for violence labeled 'social,' 'apolitical' or 'domestic.' These instances of violence, as opposed to political (and thereby 'real' and actionable) violence, are relegated to a secondary category, where local constructions and understandings of justice and rights are substituted for state actions. While such violence is not exclusive to Tanzania, I have examined how the Tanzanian state, specifically, obscures its position, while concurrently identifying its primary victims, which is, then, embodied in the historic, social, political, and economic struggles of the everyday.

Second, collective and gender-based violence target specific groups in society – in most cases, thieves, witches, women or others considered as social undesirables.

Collective violence is widespread in Tanzania. Organized *sungusungu* militias or impromptu community responses regulate key social boundaries, promoting some individuals' and groups' privileges at the expense of others. Collective violence arguably addresses burgeoning crime, but does so at great expense to victims' lives and rights. Moreover, in the case of the *sungusungu*, unbridled corruption of function has meant that less powerful community actors often trade one form of violence (theft, robbery) for another (*sungusungu* abuses). Young, poor men and women have been especially disadvantaged. In the case of mob justice, again, young, poor men are the central targets of angry community members. In both settings, suspected thieves are denied a fair trial, adequate representation, the right to be innocent until proven guilty, and, sometimes, their lives. Other victims of mob and *sungusungu* violence have also suffered greatly, whether in the form of rape, bodily injury, harassment or threats against their person.

In the case of gender-based violence, larger frameworks of gendered inequality greatly exacerbate and excuse its persistent presence. Gender-based violence impacts women differently, according to their own situations and locations in society. It has existed in pre-colonial, colonial and postcolonial situations – although its form and function have changed over time. As Chapter 3 explicated, Tanzania, after gaining its independence, chose to focus on leveling economic, racial, ethnic, and religious hierarchies, but left inequitable gender relations intact. More recently, legal measures have (at least on paper) been introduced to combat male privilege, but for most women, the situation has only unevenly and intermittently improved.

Although accurate figures are difficult to obtain, gender-based violence, particularly domestic and sexual violence, is pervasive,. Women's successful bid for

more gender-neutral/sensitive laws and their active engagement in activities that were once reserved for men complicate and contribute to this violence. Not all men are successful patriarchs and violence becomes a primary way to save face, both among peers and within the family. Violence, in this sense, is a last ditch effort to keep a slowly eroding system intact. Additionally, many men mistakenly blame women for their failing economic positions in society. Not only are talented and educated women moving into the formal sector, but women from all walks of life already have expertise in the informal. The poor shape of Tanzania's economy, extensive corruption, neo-patrimonial networks, and a retracting formal sector, leave many men unsuccessful in their gendered roles as 'provider' and household head. Instead of addressing the failings of the Tanzanian state and its asymmetrical relationship in the international community, many men feel justified in physically taking their frustration and shame out on their families – particularly their girlfriends and wives.

Third, state agents (and the state more generally) play significant roles in perpetuating and legitimizing violences and victims, very often instigating such actions to uphold advantageous (but inequitable) societal arrangements. At the very least, agents of the Tanzanian state have been sluggish in responding to community or individual complaints against collective and gender-based violence. In the case of the *sungusungu*, state agents have had conflicting and shifting relations with vigilante militia. These groups provide crime control at no cost to the state and they take care of 'social undesirables.' Before the amendment of the 1989 People's Militia Act, *sungusungu* subverted the function of law enforcement, but afterward were given the powers equivalent to a sheriff. In this way, the state has overtly legitimized and deputized their

activities, while removing recourse for their victims. On the surface, state agents have a more negative attitude toward mob justice, but rates of arrest, prosecution and conviction are exceedingly low – countering this perception. Likewise, state reactions to gender-based violence are meager and violate both national and international standards. Belief in male superiority is not only found in communities or among state agents, but is mirrored in the institutional arrangements (i.e., media, law, religion, labor relations) and larger social orderings. My research demonstrates that the victims of mob and *sungusungu* justice are not random community members, but are (poorly) situated in social and economic hierarchies.

Fourth, concepts of 'community,' 'culture,' 'rights,' and 'justice' can be, and often are, political tools used by select, privileged groups or individuals for strategic ends. The trans(local) and national power dynamics and negotiations illuminate how such violence is justified, for whom, and by whom. Simple oppositional frameworks of "rights versus culture" are both inappropriate and theoretically lax. Concrete social struggles are the arena in which rights and culture are constituted and constitutive and must be examined and critiqued with such knowledge in mind. Understanding the complex and shifting terrain provides a potential for contextually sensitive, globally relevant, platforms of action.

Fifth, Tanzania's shifting economic, political and social relations impacts instances of gender-based violence, violent crime, and vigilantism. Neo-patrimonial networks provide financial and physical security for some, but often at great expense to others. Monies that should be earmarked for protection of the public, social services, and other development projects, frequently disappear into the networks and pockets of

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prominent state actors. The high-minded days of Nyerere have seemingly passed along with the Father of the Nation. Structural adjustment, liberalization and an insurmountable national debt have removed what little social services and safety net the Tanzanian government once provided to its citizens. As one of the world's poorest countries, current economic policies have further exacerbated the divide between the 'haves' and 'have-nots.' Some well-positioned actors have been able to take advantage of such (dis)orderings, but the majority have not benefited, or only unevenly benefited, and poverty has made life a daily struggle for many. As the former OAU Secretary-General, Salim Ahmed Salim comments, "Good governance and democracy or the respect for human rights cannot thrive on empty stomachs" (Quoted in Magnarella 2000).

Sixth, my research thus demonstrates the extent to which the state's national and international forms of justice are unavailable to many in local communities, and that this raises serious questions about the possibilities for enacting such forms of justice in micro-level settings. Specifically, I found it problematic to apply a human rights framework to violence that both the state and much of society identify as 'social,' 'private' or 'domestic.' Yet, as demonstrated, state (in)action plays a significant role in perpetuating unequal structural relations and determining the likely targets of such violence. Variations in what constitutes rights, who they are applied to, and the tensions between competing rights frameworks lend complexity to larger rights-based understandings. My findings show that many of the victims of violence do not view the formal legal system as an option, much less a solution to violence; in many instances formal authority was seen as a possible producer of more acts/threats of violence. Frequently, family, neighbors and friends were the preferred source for respite and resolution.

Seventh, through all the adversity, challenges and changes, Tanzania's men, women and children negotiate, maintain, reconstruct, and actively engage their situations. The agency of social actors cannot be discounted, even as it is shaped and constrained by structural and acute violence and through unequal negotiations. Yet, without agency, there can be no change. Moreover, understanding the lived realities, constraints and agency of urban Tanzanians illuminates how rights are understood, subverted or supported.

Reflections on the Findings

Many of the problems and challenges mentioned throughout this work are not unique to Tanzania, but are ubiquitous to African nations. Issues of violence, rights, privilege, and the everyday social, economic and political realities, reflect struggles and negotiations at local, national and international levels. Comparatively, on a global scale, Tanzania has been quite successful at advocating human rights and utilizing nationalist sentiment to create a remarkably stable state. Balancing the Tanzanian nation-state's abilities and its constraints is paramount to a realistic understanding of its repertoires of action. The inequitable distribution of resources and power within a globalizing community provides some Tanzanians with strategic opportunities, but also places Tanzania, as a whole, at a distinct disadvantage. While it must abide by international conceptions of human rights, multinational companies and multilateral donors are under no obligation to do so. Policies such as structural adjustment, promoted by Bretton Woods institutions and donor countries, have proved particularly detrimental to the full realization of human rights in Tanzania. Structural adjustment promotes economic development, but often at great cost to human development. If the larger

donor/international/business community were held to the same stringent human rights standards as Tanzania, 'development' would necessarily entail a very different approach. However, with almost no conditions in place for these international bodies, the benefits of (state) development remain out of reach for most Tanzanians. State financial constraints, including large debt repayments, corruption and structures which benefit the elite at the expense of the poor, ensure that not all citizens are able to realize even their most basic rights.

A serious consideration of Tanzania's constraints leads to the larger question of the political possibilities for action by victims of both collective and gender-based violence. What is the potential for victims of collective or gender-based violence to act on, and respond to these issues as I understand them to be? I think in the case of collective violence, particularly that against young, poor men, the situation is currently bleak. To the best of my knowledge, there are some initiatives to address the constraints and inequalities that young men are facing, but the potential for a large-scale (non-violent) social movement is very distant. Young, poor, underemployed/unemployed men are often designated 'the problem,' even within some of the programs that are in place to help youth. In many ways, their lives seem disposable by societal standards and their chance for change limited by local, national and international constraints. However, overtime the Tanzanian state will have to listen to youths' concerns, constraints and complaints, as such youth are an increasing (and angry) percentage of Tanzania's population. One way or another youth will make their voices heard, but whether that will entail violence or peaceful negotiation remains debatable.

In the case of gender-based violence, I suspect the answer to the above question is two fold. On the one hand, Tanzanian women are already actively responding to local, national and international issues which affect their lives, but with differential rates of success. In recent years, laws protecting women's access and claim to land, inheritance, and other household resources, are making headway into women's claims for equality. Moreover, national laws addressing sexual and physical abuse are being debated, constructed and implemented at an increasing rate. Women as political actors (and I mean this in both the public and private sense) are creating change and challenging the status quo. On the other hand, structural constraints and inequalities are still pervasive and go beyond Tanzania's borders. Therefore, long-term solutions to gender-based violence will take time and must also span more than Tanzania's borders. Whether such changes will take place through large-scale social movements, or a series of smaller-scale, personal-political protests and negotiations, remains to be seen. Moreover, as Cornwall (1998:51) iterates, "...[T]here is no reason to presume that women in similar situations have common interests. It is important also to recognize that it may be precisely in these situations where their interests are similar that other, inter-personal, differences matter most." Thus, gender relations interact with and are mediated by age, class, ethnicity, religious affiliation and other culturally relevant identities, and it is along side these other identities that struggles for gender equality will be played out. Tanzanians, whether men or women, rich or poor, desire basic human dignity/rights and, it is the negotiation of what dignity/rights means, and for whom, that will signify what 'equality' ultimately means.

In principle, I advocate large-scale social and structural changes – holding all parties accountable to human rights mandates, systematically protecting victims and punishing perpetrators, lowering the severity and prevalence of structural and acute violence, dismantling patriarchy. However, I also recognize the importance of piecemeal, practical changes – introduction of specific projects, laws and their gradual enforcement. As Cynthia Bowman (2003) has aptly noted, this is where feminism meets pragmatism. In the larger picture, the importance of this research is in demonstrating how rights, privilege and 'social' violence are refracted through the lens of local, national, international, and gendered power dynamics, and, in turn, reproduce and remake categories of legitimized victims and violences. Although specific to the Tanzanian context, structural and acute violence, rights, privilege, and the state's role in defining such understandings, are central concerns for us all.

Afterword

Ethnography in/of Unstable Worlds

> It is difficult to merely study human rights abuses. We know with a
> certainty that rights are being abused at this very moment. And the fact
> that we study, rather than endure, these abuses is a reminder that we too
> are implicated in and benefit from the increasingly global structures that
> determine, to an important extent, the nature and distribution of assaults
> on dignity. (Farmer 1999:1489)

As an anthropologist, feminist and human being, I find Paul Farmer's quote both

alarming and accurate. I have spent the bulk of this dissertation focusing on the strategic

nature and distribution of assaults on dignity, but it is in this Afterword that I reserve

space to comment candidly about my own sense of complicitness and the ethical

dilemmas I faced in the field.

In Chapter 4, recall the narrative where an innocent young man died because the

mob decided to take 'justice' into their own hands; because he was not given a fair and

impartial trial; because he would not admit his guilt; because he was unfortunate enough

to fit the thief profile; and because the Tanzanian state and its agencies refuse to grant

such instances of vigilantism the proper scrutiny and accountability they deserve. Recall

also, that young women were raped by vigilante militia whose task it was to protect the

community. They also had little recourse in the formal system. Recall, too, that

domestic violence is not only an individual, but a societal response to shifting gender and

community relations. Women I knew well, and cared for greatly, were being hit by their

boyfriends, fathers and husbands. Some were hit daily, others infrequently. In my

research, I found that the formal system was generally unavailable or undesirable for the

victims of such abuse. Their abuse is relegated to the sphere of the 'private,' the 'social'

or the 'domestic.' Many of the instances of abuse that I observed or heard of second-

hand were resolved within the family, the neighborhood and the community, often to the advantage of the more powerful person. Yet, like mob justice and *sungusungu* actions, the Tanzanian state and its agencies refuse to grant such instances of domestic abuse the proper scrutiny and accountability they deserve.

As ethnographers focusing on the 'apolitical,' the 'domestic' or the 'social,' we need to understand that such violence is not necessarily less complicated or safer than working on projects defined explicitly as political. The personal and intimate nature of such studies can make it ethically problematic and, at times, dangerous to the ethnographer and most especially to the people whose actions anthropologists study. As an anthropologist, I have recorded many such acts of violence and even death. Even with my anthropological training, I felt ill-prepared to deal with the conflicting personal, ethical and professional situations I encountered in my fieldwork. Observing and recording collective violence is a dangerous business, while observing and recording domestic violence is a risky and very personal business. My neighbors and friends sometimes felt threatened by my questions and were, on occasion, suspicious of my purpose.

During the mob justice episode described in Chapter 4, I called the police twice, but they never came to the young man's aid. I chose to call the police because he would have no chance of survival without them. In Tanzania, anyone who is wounded, regardless of the circumstances, must file a PF3 form before a doctor can legally treat any injuries. The forms can only be obtained at the police station, where an officer files the report, and only then can the victim legally obtain admission to a hospital or clinic. Ostensively, this is to catch criminals who have escaped detection or have yet to be

caught. In actuality, many innocent people have lost their lives waiting for the PF3 form or have been unable to obtain one at all.

In the case mentioned here, my actions did not go unnoticed – because of my betrayal of a well-understood community boundary, my house was stoned by angry neighbors. Some of my neighbors were afraid that I would identify them to the police and that I would have the position and resources to prosecute them. I had conversed with many of these same families over tea, establishing social and ethnographic relationships – how could I now betray them? In this case, the fact that the youth was innocent lent credence to my actions. Other neighbors even said that I had great foresight. These same neighbors intervened on my behalf assuring everyone that I would not identify anyone – I was only interested in obtaining a PF3 form. I provided additional reassurance and life went on – at least for us. As an anthropologist, I knew what was expected of me: I was to pretend to officials that I saw nothing and, indeed, I was to do nothing. As a human being, ethically, I could not watch one more young man beaten, one more youth killed in the name of community protection. Perhaps I felt justified in contacting the police because I was at the end of my fieldwork, but the everydayness of such violence, and my almost total adjustment to it, still greatly troubles me.[1]

And referring to instances of gender-based violence in Chapter 5, my actions also did not go unnoticed. I was held to many of the same standards and strictures of social life as my friends and neighbors. I can vividly recall an incident when I ran across Vincent, the husband of Rehema – one of the women who I knew especially well. We chatted casually for a few minutes. He asked me if I had seen Rehema lately. I replied

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[1] Incidentally, the police never came – I suspect they did not see enough profit in it and, in retrospect, probably were concerned that I would have hindered their ability to collect bribes. They were also clearly not interested in providing a PF3 form to a suspected thief – innocent or not.

that, indeed, I had. That evening, Rehema came to my home, several bruises visible. She was very upset with me. Why had I told Vincent that I had seen her that day in town? He accused her of cheating on him and had beaten her badly. Until that moment, I had not fully realized how tenuous a ground I was exploring; how severe the consequences. She forgave me, but demanded that I never give her husband a straight answer about her whereabouts, her activities or anything even remotely relating to her life. Earlier in the day, many of her other relatives (both men and women) visited my home to castigate me for my carelessness. They blamed me for her beating and not her husband's jealousy or anger. While it may seem easy to see the flaw in the chain of blame, I still felt guilty if I accidentally said something that then instigated a fight or marital discord. I blamed myself and became more guarded in my speech. In part, I felt this way because I knew everyone else had the social cues to recognize the trick questions, the traps along the way. But as a foreign researcher, I did not always have the cultural knowledge and understanding to know, when I was asked a question, what I was really being asked. So I began to feel responsible and on the few occasions that I 'slipped up,' my neighbors and friends doled out the blame on my doorstep.

Additionally, I fought feelings of helplessness and rage. It is very difficult to watch someone being beaten and know that you have such little power to intervene and that the consequences are so great if you do. My fieldwork classes always emphasized the researcher's power, the researcher's responsibilities, but it left me ill-prepared to deal with feeling so helpless and being torn between professional and personal obligations. On the one hand, in order to dismantle a system, it must first be understood in all its messy, complicated parts. When violence is part of that dynamic it becomes that much

more volatile and sticky. Action without understanding can turn a violent situation into a deadly one. On the other hand, as an activist, feminist and simply as a human being, consistently watching such acts of violence implicated me in the violence – whether I could do something about it or not. I still worry about the people who so generously granted me access to their lives and who, ultimately, I have left behind by returning to my 'ivory tower' in the US. Professionally, I ask whether I did the right thing. Personally, I ask myself whether I could have done more. I do not know the answers to these questions, but I know participant observation, as Nancy Scheper-Hughes has noted (1992:xii), "...has a way of drawing the ethnographer into spaces of human life where she or he might really prefer not to go at all and once there doesn't know how to go about getting out except through writing..." And it is, in part, through this dissertation that I hope to find my answers.

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