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Special issue on "Globalization and Citizenship in Africa"

Guest Editors: Chachage S.L. Chachage & Karuti Kanyinga

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Introduction

Chachage Seithy L. Chachage*
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'Globalization' and 'citizenship' have increasingly become part of the important organizing processes in the world and in Africa specifically in the past three decades or so with the implementation of a series of socio-economic and political reforms aimed at creating a single market for goods, capital, services, skills and technology globally. Within the context of these reforms, the perceptions that states are the driving force of economic growth have been replaced by those that privilege the increased role of market forces in the allocation of resources, and ascribe a much-enlarged role for the private sector in the production and management of the economy. These reforms have entailed the restructuring of the public sector by removing protection, subsidies and support for parastatals; by privatizing public enterprises and civil service agencies (firing of workers, euphemistically re-labelled retrenchment or down-sizing); the restructuring of agriculture (by introducing individualization, titling and registration of land and removal of subsidies); and the creation of 'enabling environments' for investors through tax exemptions, holidays and cuts in government spending for social and productive services provisioning through 'cost-sharing' measures.

Given the fact that the history of post independence Africa has involved the struggle over citizenship as a consequence of the multi-ethnic composition of the continent and citizenship rights in a bid to redress the imbalances and inequalities inherited from colonialism, these reforms have complicated matters by reinforcing imbalances and inequalities. To the extent that these processes have resulted in the loss of control of productive and reproductive resources for the majority of the people in Africa; they have shaken the means by which people procure

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their livelihood. Consequently, over the years Africa has witnessed an
increased resurgence of conflicts (ethno-regional and religious ones), new
forms of identities and further impoverishment and immiserization of the
majority of the people. Various patterns of exclusion and inclusion (in-
equalities, exploitation and domination) on which the economic reforms
rest over the years have necessitated the consolidation of repressive poli-
tics in terms of increased state intervention through introduction of laws
aimed at labour control, protection of investments and markets, reduction
of public expenditure on social and infrastructure services, welfare and
human development. It is in this context that the theme of 'citizenship
and rights' has been placed at the centre of development and political
discourse in Africa.

Erosion of nation-state barriers by global as well as local forces has
led to a major revival of questions of citizenship in terms of how to con-
ceptualise the territorial composition of African territories and countries
(Pan-Africanism) and citizenship rights, entitlements and obligations. With
innovations in communication and information technology, which have
been accelerating economic and cultural interactions and activities at the
global level, the post-colonial nation-state project is facing immense chal-
lenges in terms of recomposition and resurgence of ethnic, religious, re-
gional, gender, generational and regional identities. These have fuelled
instabilities, conflicts and violence in some instances. The worst mani-
festations of these have been the collapse of the centralized states (such
as the case of Somalia and DR Congo). Globalization has complicated
questions of nationhood and state-driven projects to reconfigure former
colonial territories; it has also eroded the foundations of the post-colonial
social contract. This discourse, it can be argued, has posed a major chal-
lenge to policy makers and intellectuals, in terms of how diversities can
be managed best and rights for all people (citizens) be secured. A map-
ping of some conceptual issues in the world of citizenship is in order
here.

Western ideas about citizenship are derived originally from classical
Greek and Roman worlds. It has the connotation of full participating mem-
bership to a territorial state. The term implies a 'universal basis': former
for all adults or some category of them (e.g. males and property owners).
In the Greek city-state, a citizen was one who had permanent share in the
administration of justice and holding of office. In these city states, citi-
zenship was important both for allowing one to play some part in public
life and in determining private law, in such matters as inheritance (Dummet
and Nicol 1990). A significant fact during these classical periods was the

fact that privilege of the Athenian or Roman citizenship was based on slavery and complete exclusion of women. Every citizen, therefore, was fed, clothed and sheltered by someone who did not enjoy that same status. Only in this way could the citizens of these city-states devote themselves to the arts, politics and military service, without participating in any productive activity. In these city-states, the number of slaves was greater than that of the citizens. It is not surprising that Aristotle believed that slavery was a natural condition of life for some races and even Plato could not envisage a perfect state in which slavery was non-existent.

The conception of citizenship had no meaning for most people during the medieval period (except in the small city-states). This was due to the fact that empires did not necessarily coincide with divisions between 'nations', and the majority of people lived under feudal relationships with local lords, and it was these relationships that determined rights and duties. 'National' borders in the modern sense were insignificant to the individual travellers, and it was only those who were 'free' (as opposed to serfs) who had freedom of movement. The concept of citizenship began to be revived and developed during the emergence of the modern nation-states in the late middle ages. This more or less coincided with Renaissance Europe, a period which was also marked by the beginning of European intervention in Africa, and the subsequent purchase or capture of human beings for enslavement and the eventual entombment of the American Indians in the processes of colonizing the Americas. Thus, for example, in William Shakespeare's *King Lear* and *Coriolanus*, the appearance of the concept of citizenship is associated with responsibility for the ruled. That is, power was supposed to be exercised justly for the benefit of the community as a whole and not any one class or section (Legum 1962).

The emergence of the modern nation-states in Europe, which were accompanied by progress in the continent's scientific, cultural and religious freedom of thought, were also increasingly being transformed into a ruthless international business through mercantilism, with trade in gold, slaves and skins at the centre. It was in this way that Britain, France and Spain were constantly at war during the eighteenth century, with adventurers prospering in the name of patriotic actions by pillaging other continents and competing over the enslavement of Africans. The revival of the concept of citizenship and the political ideals it espoused was seemingly in contradiction to the system of slavery, which the same movement sought to emulate. People who began trading in slaves were devout and enlightened, ready to die for their countries and privileges, and their privileges as citizens were premised on the acquisition of wealth.

The rise of nationalism had acted as an impetus in the creation of separate states. At the same time, the process of the creation of the nation-state went hand in hand with struggles and conferring the franchise on free and equal citizens and also the right to self-determination. Even the noble ideals of equality in Thomas Jefferson's Declaration of Independence, though created in a previously colonized country, fell short of granting citizen rights to women, slaves and other non-European people. Citizenship and pride in it was associated with beliefs in equality, freedom and self-government. The new form of citizenship was based on the concept of the nation and the question of loyalty to the state. Here, state power was exalted and popular hostility, accompanied with racist and chauvinistic outbursts towards foreign people, was encouraged in some instances. The most extreme form of this was Hitler's Germany where state authorities invoked intolerance and xenophobia in the name of national interests. In such cases, a 'citizen' was naturally superior to an 'alien', i.e. inequality between citizens or nationals and aliens or foreigners was part of the proper order of things.

Basil Davidson captured this contradictory nature of the nation-state as being the main feature of Europe historically in the following remarks:

> The most striking case of all is that of Italy...Compare the spirit with which the liberators of Italy set sail for Sicily and overthrew the Bourbons. They believed with Garibaldi that freedom does not betray its volunteers. So in 1861, Italy became an independent state. The Pope was soon reduced to what he now has. The Bourbons disappear, the Austrians disappear, the French disappear, and we have an Italian state. The Marseillaise of that liberation was written by a young 21-year-old Genoese poet. His song was that the Italians had been persecuted and exploited for centuries.
>
> ...In 1861 they are united. In 1876 they invade Assab, in 1880s they go to Eritrea, in 1890s into Ethiopia. In the 1900s they go into Libya. In other words, no sooner do they get united than the whole thing turns upon its head and they begin to persecute others....Aldous Huxley...said this...in 1950 ...about Europe: 'Within five years of achieving its liberty, every oppressed nationality takes to militarism and within two or three generations, and sometimes within a single generation, it becomes—if circumstances are propitious—an imperialist aggressor eager to afflict upon its neighbours the oppression which it was itself so recently a victim'. (Davidson & Munslow 1990: 19)

In other words, nationalism and the nation-state in the West were based on the notion of the exercise of hegemonic power (cultural, political and

economic) by the national bourgeoisie, which projected itself in terms of the nation belonging to all citizens. As Samir Amin described these transformations: bourgeois democracy in the West was a product of revolutions that 'established "equal rights" and personal liberties, but not equality (except under law)....Western democracy is thereby restricted to the political and public domain, while economic management continues to be based in non-democratic principles of private ownership and competition' (1994:323).

Colonialism and the creation of empires as can be observed from the example of Italy were based upon nationalistic and patriotic notions, just as the perpetuation of slave trade and its defence against the abolitionists were based on the same.[2] The West, it was claimed, had a moral and patriotic duty to 'uplift' the rest of the world through direct intervention. This history of the intervention of some 'superior races' into other areas of the world led to 'race', 'civilization', 'nation', 'tribe', 'ethnicity' and 'the state' becoming catchwords. These conceptions had gender and sexuality implications, in that women became central in the representation of categories as the biological 'carriers' of a 'race' or 'tribe'. This entailed a racist discourse within the reconstruction of patriarchal relations, which defined the private (women) and public (men) spheres and translated into political definitions of identities, as an expression of material practices of the exploitation of labour and imposition of the states (by conquest, with the conquerors dominating on the basis of separation from the conquered). The preoccupation of the colonial agents and anthropologists with themes such as kinship, marriage, fertility, sexuality and African religions was central in this process. In this way, people were arbitrarily classified and partitioned. They were based on arbitrary partitioning of people in the colonies. The conquest and domination over the land and people of Africa modelled itself upon the power relations of masculinity and femininity. Simply, racialisation and stereotyping of race and gender went hand in hand with the theorisation of tribes and ethnic identities in Africa, in the process, finally producing an African male hegemonic discourse, associated with the formation of tribes, nations and states. The state was regarded as the medium of cultural and political identity.

After the partition of Africa from 1884–5, these conceptions found their material expression in promulgation of outrageous laws related to natives (and creation of such courts), detention without trial, prevention of vagrancy, native pass regulations, and land laws which invested the title of all land in governors. Violent, brutal massacres and other forms or reprisals of natives ('as a means, of bringing tribesmen to parley', as some

colonial officers put it) were the norm under colonialism. Naked exam-
ples were such as those of the massacres of the people of Congo when it
was a private possession of Leopard II, King of Belgium, from 1885 to
1908; the sacrificing of thousands of people during the building of the
rail connecting Brazzaville with the port of Pointe-Noire; the Herero peo-
ple of Namibia; and the people of Southern Tanzania who were massa-
cred on a genocidal scale by the Germans from 1905–7. These massacres
have not entered Western historical and moral memory like their later
counterparts, like Lidice in the former Czechoslovakia—the Nazi Massa-
cre in World War II!

It was within this context that the categorization and definition of Af-
rican communities and their relationships were achieved. The
conceptualization of 'race', 'nation', 'tribe', 'ethnicity' and 'ethnic iden-
tity' became the main pre-occupation of colonial agents. Colonial powers
in Africa created coercive states, which were based on the arbitrary and
contradictory classification of people. Besides vivisecting people through
drawing boundaries that had no historical reference (Asiwaju 1985), dis-
tinctions were made between what were considered to be conquerors and
conquered, natives and citizens, backward and enlightened 'tribes', within
territories. From a people who were organized in the form of *social groups*
(sometimes language being the basis of that organisation) and not *ethnic
groups*, colonial powers (in different ways) ethnicized these groups by
creating social political conditions that would lead later to discriminatory
tendencies.

This was contrary to the actual existing relationships and realities.
There is ample evidence that before and even after colonial occupation
African people were moving freely around their respective regions (west,
east, central, southern and north) in large numbers. 'Mozambicans have
moved to Malawi, Malawians to Zimbabwe, everyone to South Africa
and so it goes on. Many families contain at least a member with direct
experience of another country...' (Davidson 1990: 11). Historical studies
by Ranger (1983), Iliffe (1979) and others in the 1970s revealed that par-
ticular ethnic identities have come into existence in the relatively recent
past as a colonial creation, that these ethnic groups are constructs, which
have been changing over time, given the nature of the state. They further
demonstrated that accounts (by ethnologists, travellers and missionaries)
on nineteenth century pre-colonial Africa rife with 'tribal wars', descrip-
tions of whole populations perpetually at each other's throats were an
imperial creation to justify the intervention and colonisation of Africa.
According to Kjekshus (1977:19):

The majority of the East African peoples practiced either an agricultural economy or a cattle economy, neither of which had any in-built necessity for extensive warfare. Where raiding took place, it is therefore possible to understand it in limited terms. Tanner has given statistics from Musoma in the 1950s when no more than 1.5 percent was affected. There is no reason to believe that the raiding incidence, under normal conditions in the nineteenth century, should have been very much higher.

It is quite possible that our impressions of a warlike past come about partially through uncritical translation into accepted history of tribal lore and legend despite their well-known tendencies to exaggerate past achievements on the battlefield. John Ford quotes a West Lake tradition recorded in the Bukoba District book that fully illustrates the exaggerating tendency. After one of the tribal battles in Karagwe, four piles of testicles, each four feet high, were reportedly exhibited as trophies of victory. Ford thought that at least 75,000 men would have been slaughtered to collect this unusual booty. He noted that the entire chiefdom in the 1948 census had less than 13,000 males over 16 years of age.

Studies in the 1970s demonstrated that colonial literature had gross exaggerations: 'Statements such as…the Waganda frequently lost 30 to 40 percent of their men, can only fall in such a category. …[W]ars in most instances were limited in scope and intent' (ibid.).

These exaggerated accounts served a purpose also in terms of how to re-organize Africans as subjects. For the colonials, it was absolutely imperative to divide and rule these people. In many of the British colonies, this was to take the form of 'indirect rule'. When expressed in political terms, as some of the colonial agents were to put it bluntly in Tanganyika in the 1920s, the biggest fear they had was that of Pan-African ideals of the Ethiopian church and the possibility of Africans holding the conception of Africa for Africans. The paranoia of the emergence of a 'detribalised' African reached a pathological level. In 1917, for example, the Private Secretary to the East African Protectorates (Kenya) Acting Governor was to put a suggestion on the best way to implement a 'definite policy of encouraging strong and isolated tribal nationalism [as] one of the most effectual barriers against a Pan-African upheaval.…' (quoted by Lonsdale 1975: 25). It was the fear of the impact of the ideas being widely read and reproduced in the colonies by Pan-African papers and journals such as, *The New Leader*, *The Keys*, *International African Opinion*, *Negro Worker*, etc., replete with accounts of struggles of African masses all over the world, who openly proclaimed 'Africa for Africans!'

It was fear of the resistance of the African masses, expressed in various forms, including armed struggles, fought almost throughout Africa by communities that often cooperated. African masses' forms of resistance to European domination up to the 1950s tended to take place within the context of *Pan-African identity* and not 'tribal', 'ethnic' or 'national' identities. Kenneth Kaunda, Frantz Fanon, John Okello and Osale Otango are some examples of people who were part of independence movements away from their colonial territories of origin. The fear by the Europeans of a Pan-African upheaval was a result of the fact that most anti-colonial struggles, even when localised, tended to emphasise race as opposed to place or territory. In the imperial world itself, new developments were taking place, which were geared towards restriction over movements of people across national borders, as a worldwide phenomenon during this time. Before World War I, people could travel between a number of countries without a passport and with no restriction on taking work after arrival. It was in this way that millions of people moved from Europe to the Americas, Africa, Australia and elsewhere; from China to South East Asia and the Americas; from India to numerous territories of the British Empire (freely or indentured labourers). Before this, restriction was not general and systematic: refusal of entry and imposition of conditions or removal from a country was directed against particular individuals, such as political subversives rather than against foreigners or aliens in general.

After World War I, possession of a nationality became a matter of practical importance in order to enjoy basic residence somewhere. It was mainly during this period that immigration laws that spelt residence and other rights for the citizens and nationals were framed. This is despite the fact that after World War II the United Nations and the International Labour Organisation introduced conventions that set standards for treatment of people who were not nationals, including their protection and their rights (civil, political, economic and social). Formal citizenship, defined in terms of membership to a nation-state became a central issue in politics especially after World War II. This was a result of the massive post-war immigration of people to Western Europe and North America (Brubaker 1992). At the same time, new conceptions of citizenship—substantive citizenship, defined as possession of a body of civil, political and social rights, were developing, with T.H. Marshall's (1967) tradition, initiated in the post World War II period. In this tradition, alongside the reformulation of citizenship was the issue of social policy, defined as the 'policy of the governments with regard to action having a direct impact on the welfare of citizens by providing them with services or income' (6).

Social policy was supposed to include state provision of social security, housing, education, income, health and personal services.

The main focus, in this conception was on the individual, and the tendency was to leave out all central or local state activities affecting the quality of life of communities—communal services such as roads, water supply or protection of the environment. Even non-state activities (such as those of occupational welfare or voluntary agencies) that affect the welfare of citizens or communities were not taken aboard. The 1950 study by T.H. Marshall (1992) depicted a sequence of the extension of the eighteenth century civil rights (equality before the law, personal liberty, freedom of speech, thought and religion, the right to own property and make contracts) to the nineteenth century political rights (electoral and office-holding rights) and twentieth century social rights (a basic level of economic and social welfare and social security, the welfare state, and full participation in national culture). By combining Marxist and Weberian insights, Marshall was able to show that while capitalism increased pervasiveness of class conflict, citizenship in the territorial state represented not its elimination, but its institutionalisation and the conversion of nation into nation-state. Principles and policies of social citizenship were meant to counteract, to some extent, the inegalitarian tendencies of the capitalist economy.

These conceptions had certain assumptions and ideological underpinnings about the functioning of the market economies. The functioning of the market economies was taken for granted; the issue at stake was how to distribute resources, status and power among different sections/groups in a society within the existing order. This ideological position historically resulted in some forms of state provisioning of public health, public education, public housing and social security in Europe (i.e. the welfare state) in the post-World War II period, to replace market solutions. These forms of state provisioning established collectivist and egalitarian principles and policies that counteracted, to some extent, the inegalitarian tendencies of the capitalist system. Some state intervention in social provisioning in Europe was accepted in recognition of some forms of collectivist and institutional solutions, while at the same time acknowledging the impossibility of a self-regulating market pragmatically. In a way, this approach was a response to the East European socialist countries, where social policies had been largely built into the operation of the economy by means of full employment, public provisioning of social services and subsidized prices. This was a system, which tended to curtail most of the civil and political rights at the same time as they provided a

considerable range of important social rights that posed serious challenges
to the Western conceptions of forms of social organization and capital-
ism.

Given such a situation in the imperial countries, Pan-Africanism in
the hands of the African educated elements increasingly became riddled
with contradictions by the time various countries were achieving inde-
pendence. For the nationalist leaders, rather than aim at grasping the na-
ture of African social formations and understand their driving force as a
means to transform the colonial arrangements, they only sought to de-
mystify the myths of colonialism and intermarry what they considered to
be African Civilization and Western Civilization. In other words, they
rejected Western civilization in so far as it denied them equality and ap-
propriated from African civilization what was acceptable in universalistic
paradigms. Their demands after World War II, transformed into economic
demands in the form of creation of 'modern economies' of their countries
by governments and the control of resources, translated into what were to
become nationalist politics, territorially defined by the 1884 colonial con-
quest. This was despite the fact that at the All African Peoples Organiza-
tion (AAPO) Conference held in Accra in December 1958 these leaders
had resolved that Africa must unite. In their resolutions, they had cat-
egorically stated that 'the bulk of the African continent has been carved
out arbitrarily to the detriment of the indigenous African peoples by Eu-
ropean Imperialists....'; that 'the great masses of the African peoples are
animated by a desire for unity'; the latter would be 'vital to the independ-
ence of its component units and essential to the security and the general
well-being of African peoples'. They had further resolved that 'the exist-
ence of separate states in Africa is fraught with dangers of exposure to
imperialist intrigues and of resurgence of colonialism even after their
attainment of independence, unless there is unity ....' They had endorsed
the Pan-Africanist desire of unity and called upon independent African
states to work towards the evolution and attainment of the African Com-
monwealth (Legum 1962).

Contrary to those aspirations, nationalist leaders after independence
sought to consolidate the states that were created by the colonialists and
even attempted to annex parts of other territories. When the Organization
of African Unity (OAU) was born in 1963, Ethiopia and Somalia were at
war over Ogaden; at the same time, Somalia wanted to annex Djibouti
and was also claiming to be given the northern part of Kenya. By 1965,
Malawi was claiming a part of Tanzania. The inaugural summit of the
OAU in 1963 accepted the borders inherited from colonialism. From a

people's movement, Pan Africanism had been transformed into a movement of the states. The consolidation of the nation-state in Africa after independence was more or less the beginning of the defeat of the rebelling masses, in the form of acceptance of the violation of people's rights committed in 1884 by the imperial powers. The 1963 OAU Charter recognized these territories. Wole Soyinka has made the following observation:

> Beginning with the Organization of African Unity, which formally conse-crated this act of arrogant aggression, reinforced by civil wars on varied scales of mutual destruction in defence of imperial mandate, the continent as a whole appears, however, to have swallowed intact this explosive seed of disunity—under the iron banner of unity. If only African leaders could become acquainted with how much—just to illustrate the hollowness of such beginnings—the division of India and Pakistan (and the allocation of their respective boundaries) owed to the whimsical decisions of a mere civil servant imported straight from Whitehall, someone who had never even visited the Asian continent until then, but was selected to for the 'objective' distancing that that very arrogance was presumed to confer on him, was given a deadline of a mere twenty-eight days to complete his task in order to ensure that the continent was effectively divided before Independence Day—such leaders and cheerleaders would learn to be less cocky about the mangy claims of 'national sovereignty'. Much of the divi-sion of Africa owed more to a case of brandy and a box of cigars than to any intrinsic claims of what the boundaries enclosed (1999: 36–7).

This consecration had implications, as far as the state forms were con-cerned, in that the new rulers could oppress their own people without interference from other African countries. Once identity was reduced to a territory, it was a short step to exploiting 'ethnicity' as a vehicle for accu-mulation (concentration of wealth and power in a few hands and the ru-ination and disempowerment of the majority). Henceforth, communities and groups were ranked according to their differential access to resources and power and became hierarchical.

The establishment of the African Union (AU) since 2002 has not al-tered this situation, for, as Michael Neocosmos points out in his article in this issue, 'the AU is little different from its predecessor and cannot be the source of a renewal of pan-Africanism. Rather, the renewal of the pan-African ideal has to be sought in pan-African mass movements, par-ticularly in a mass movement for peace.' It is within this context that one can appreciate the theme of this issue. The papers in the volume have used different aspects and dimensions of globalization to address ques-

tions of nationalism, citizenship and rights in contemporary Africa. Do-
nor-inspired reforms and development initiatives as well as 'changing
politics', new forms of identities and regional and continental integration
and other global processes constitute the most significant entry points in
most of these papers. The contributors look at how some of these events
have affected citizenship over the years and why it has been difficult to
protect and promote rights even in the wake of political and economic
reforms.

In his article, Neocosmos reevaluates post-colonial politics in Africa
and the reasons for the crisis of state-nationalism, given the various forms
and manifestations of globalization. Implicit in his argument is the need
to renew the goals of the AAPO Conference of 1958, while taking into
account the current developments in the continent and globally. Accord-
ing to him, the way out for Africa is to renew Pan Africanism in a popular
democratic form that facilitates human emancipation. He argues for the
necessity of a democratic struggle beyond human rights from the per-
spective of the oppressed majority. In his opinion, the 'national question'
in Africa so far has reflected the culture and concerns of western domi-
nance and neo-liberalism, which has privileged state politics in the dis-
course on transformation. This paper in some ways tackles most of the
theoretical issues that are pertinent to the rest of the papers in the volume.

Chachage Seithy L. Chachage's paper on the Wamaasai notes that
economic goals have historically constituted the agenda of integration in
East Africa. The welfare of people in the form of access to social-eco-
nomic rights has not been at the centre of nation-state integration initia-
tives since the colonial period. Moreover, there has been a tendency by
states to conceptualize citizenship from a politico-legal perspective in
which citizenship is simply identified with being a member of a particu-
lar nation-state. This politico-legal conceptualization of citizenship has
obvious negative implications for the communities that straddle nation-
state boundaries. Conceptualizing citizenship on a territorial basis erodes
an important social-cultural aspect of citizenship: communality and rights
associated with being a member of a community. It results in excluding,
discriminating and oppressing the people whose 'citizenship' and social
organization were destructed and destabilized by the colonial act of parti-
tioning and dividing the continent among different colonial powers.

Chachage's paper shows how the post-colonial states of Kenya and
Tanzania have continued to deprive the Wamaasai by accentuating 'dep-
rivation' policies. Setting land aside for the creation of national parks and
game reserves under the guise of conservation policies, as well as the

privatisation of communal land, generally resulted in eroding the means
of livelihood of the Wamaasai. This weakened economic base has further
reduced the Wamaasai's entitlements as citizens. Through market-inspired
reforms, the Wamaasai have lost an important aspect of citizenship—
social-economic rights. The failure of the governments in both Kenya
and Tanzania to provide them with basic services has meant further loses.
These difficulties notwithstanding, the Wamaasai have been deeply in-
volved in rejecting the whole question of citizenship. They have organ-
ized rejection of the colonial territorial identities by moving across bor-
ders at will. The paper concludes that the nation-state is an obstacle to
genuine transformations in the region owing to the manner in which it
conceptualizes the notion of citizenship. It also notes that the border com-
munities form the most important basis for a meaningful unity in the re-
gion. In spite of the surveillance on boundaries and repressive conditions
around the borders, the border communities have continued to unite and
work together.

Danson Kahyana's paper examines the question of the Asian
(im)migrants in East Africa via fiction. His special focus is on the post-
colonial crisis of identity and the way it manifests itself culturally, ra-
cially, ethnically, nationally and even internationally. He tackles the issue
from the (im)migrants' point of view. Within this context, his main con-
cern is with the descendants of (im)migrants who settled in East Africa
for many generations rather than the contemporary 'investor Asians' who
have come to settle since 1980s. Kahyana's choice of fiction is in a way
quite an innovation as far as studying tensions, conflicts and contradic-
tions in the communities concerned. Beyond using fiction, he equally
marshals historical evidence to support his thesis. Ultimately, Kahyana's
aim is to draw lessons that can lead to the rejuvenation of the East African
community and its integration. That is, the possibility that transforma-
tions can lead to the evolution of a 'multiracial, multiethnic and
multicultural society, where all citizens will be considered full citizens
regardless of racial differences'.

Globalization has had other significant consequences on the nation-
state and social citizenship in Africa. Peter Mwangi Kagwanja's paper
clearly points at several contradictions of the operation of global forces
and how different dimensions of globalization have shaped the construc-
tion of citizenship among Kenya's Tana River communities. It shows how
globalization has undermined enjoyment of citizenship rights in Kenya
by spawning new forms of conflicts and violence. Noting that globaliza-

tion appears to appreciate 'cosmopolitanism' as a base for global citizenship, the paper points out that rights associated with citizenship are exercised within the nation-state whose importance, ironically, globalization seeks to reduce. Furthermore, it argues that globalization and emphasis on neo-liberalism (market reforms in particular) has undermined the welfare state; it has resulted in the state withdrawing from service provision. Globalization itself has rapidly occasioned a reversal of gains which may accrue; it is eroding social citizenship.

Certain important negative aspects, notably, new perceptions of nationalism, which are not emancipatory, have attended the process of globalization. Negative identities based on culture and ethnicities have also arisen to lay claim to power using identity labels. This generally threatens the peaceful coexistence of communities in various parts of Africa. These are now the most significant challenges to the nation-state project. In Kenya, this has resulted in violence and new form of conflicts. Some of these conflicts have origins in how identities are constructed and expropriated to assist in claims over natural resources. Conflicts and violence within Tana River region provide a good illustration in this regard.

Implementation of economic reforms and, in particular, introduction of market reforms, has had other consequences on citizenship in the region. They have generally contributed to the loss of livelihood of citizens. The entry of new actors in the market has not transformed the economic conditions of the poor; it has impoverished them. Karuti Kanyinga and Musambayi Katumanga's paper examines how economic reforms have continued to deprive peasants of rights to their livelihood. They point out that from the colonial period, rice farmers working in different irrigation schemes have been subjects of the state; they have existed to farm their produce only with the wish of the state. Their relationship with the state has meant continued deprivation of their livelihood. They lack secure tenure to the lands, which they have cultivated for generations. Political elites have not been of any help to them. The practice has been one where the state co-opts all prominent individuals seen as critical in the struggle for economic emancipation by the peasants. The state has often deflated these struggles by co-opting the leadership. Extending certain important political and economic privileges to the local elites and the local leadership in general has generally exerted cooptation.

The state has used this approach on numerous occasions to tire the peasants and to undermine their struggles. Given that peasants have no secure means of livelihood and that they lack secure land tenure, they have generally failed to sustain their struggles for rights. The peasants

have succumbed to eviction threats and physical repression. However, they have established new forms of resistance against the state; seeking alternative markets for their produce and organizing themselves through cooperatives. Kanyinga and Katumanga conclude that economic liberalization has occasioned the economic repression of the local peasants. This has constrained improvement of their incomes through rice farming and as a result it has led to peasants becoming highly indebted both to state marketing agencies and local economic elites. Given this indebtedness, farmers cannot organize significant struggles against the state. The peasants have continued to lose out.

Finally, Jude Fokwang's 'Ambiguous Transitions: Mediating Citizenship Among Youths in Cameroon' seeks to deal with youth experiences and discourses of citizenship in the context of Cameroon's political and social (dis)order. Beyond this, it attempts to show the relationship between youth transition and citizenship as localized experiences within the current global era. The paper draws on the concept of social citizenship rather than political citizenship. That is, rather than focus on the issues of participation in certain institutions and processes, it focuses on the rights of youths in society. These rights include education, health, housing and social welfare. Thus central is the critical relationship between individuals/groups and the postcolonial state.

Given that the right to the full participation of youths in society is determined by social structures of inegality such as class, gender, race, disability and so on, Fokwang explores the ways youths negotiate the distribution of resources and opportunities in the context of the difficulties facing them. The specific question addressed in this paper is, 'what are young people's understanding and experiences of citizenship in Cameroon and how do these shape the choices they make in their transition to adulthood'. As Fokwang shows, these choices are as varied as they are creative in making use of new opportunities and communication technologies.

Fokwang's paper is the result of ethnographic research conducted in two towns in Cameroon. It is primarily inspired, however, by a commitment to treat the lives of individual youth with rigour and candour; Fokwang takes into account both the social structures and economic problems facing the country in a global context in her discussion which offers an intense look at issues with which the other contributors of this volume are concerned as well. While their approaches do not delve as deeply into ethnographic material, each one is equally innovative historically, methodologically, and theoretically. Each one is also especially well-prepared

to help us rethink the tensions of citizenship present in post-colonial Africa and the new social configurations through which these are expressed in the current moment.

References

Amin, S., 1994, 'The Issue of Democracy in the Contemporary Third World', in U. Himmelstrand et al., eds., *African Perspectives on Development*, London: James Currey.

Asiwaju, A.I., 1985, *Partitioned Africans: Ethnic Relations Across Africa's International Boundaries 1884–1984*, London: C. Hurst and Company.

Brubaker, W.R., ed, 1989, *Immigration and the Politics of Citizenship in Europe and North America*, London and Lanham, NY: University Press of America.

Brubaker, W.R., 1992, *Citizenship and Nationhood in France and Germany*, Cambridge, MA: Harvard University Press.

Davidson, B. and Munslow, B., 1990, 'The Crisis of the Nation-state in Africa', *Review of African Political Economy*, No 49, Winter.

Dummet, A. and Nicol A., 1990, *Subjects, Citizens, Aliens and Others: Nationality and Immigration Law*, London: Weidenfeld and Nicolson.

Iliffe, J., 1979, *A Modern History of Tanganyika*, Cambridge: Cambridge University Press.

Kjekshus, H., 1977, *Ecological Control and Economic Development in East African History*, London: Heinemann.

Legum, C., 1962, *Pan Africanism: A Short Political Guide*, New York: Frederick A. Praeger.

Lonsdale, J., 1975, 'Some Origins of Nationalism in Tanzania', In L. Cliffe and J. Saul, eds., *Socialism in Tanzania*, Vol I, Nairobi: East African Publishing House.

MacKenzie, J.M., 1984, *Propaganda and the Empire*, Manchester: Manchester University Press.

Marshall, T.H., 1967, *Social Policy in the Twentieth Century*, Second Edition, London: Hutchinson.

Marshall, T.H., 1992, *Citizenship and Social Class*, London: Pluto Press.

Ranger, T.O., 1983, 'The Invention of Tradition in Colonial Africa', In T.O. Ranger and E. Hobsbawm, eds., *The Invention of Tradition*, Cambridge: Cambridge University Press.

Soyinka, W., 1999, 'Reparations, Truth and Reconciliation,', In *The Burden of Memory, The Muse of Forgiveness*, Oxford: Oxford University Press.

The Contradictory Position of 'Tradition' in African Nationalist Discourse: Some Analytical and Political Reflections*

Michael Neocosmos**

> Let there be no mistake about it; it is to this zone of occult instability where the people dwell that we must come; and it is there that our souls are crystallized and that our perceptions and our lives are transfused with light (Fanon 1990:185).
>
> A profound analysis of cultural reality removes the supposition that there can be continental or racial cultures (Cabral 1980:179).

Abstract

In the immediate post-colonial period, 'tradition' was seen by African nationalism both as the basis of an authentic indigenous culture to be celebrated and opposed to a hegemonic Western (globalised) culture, and as a backward formation created (or manipulated) by Western (neo) colonialism to divide and rule and thus as inimical to 'modern' nation-state formation. An idealised tradition thus held a contradictory location within what came to be state nationalist discourse, as exhibiting both potentially liberatory and repressive features simultaneously. Different aspects of an idealised 'tradition' were drawn upon by different post-colonial leaders at different ends of the political spectrum in their attempts at nation-building and in order to legitimise different forms of authoritarian developmentalism (eg. Nyerere's 'Ujamaa' and Mobutu's 'Authenticité'). Some were evidently more successful than others, but broadly, such attempts bore witness to the continued and unwavering legitimacy of tradition among the populations of the continent. There is no evidence that this legitimacy has declined today despite the evident failure of state nationalism. The contradictory character of tradition in Africa is also reflected today in the views of African scholars where some intellectuals stress that tradition forms the basis for a 'decentralized despotism' inherited from the colonial period, while others visualise it as forming the site of a 'convivial' alternative to Western individualism

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and globalizing culture or even as containing the possible model for a democratic alternative to liberalism. Moreover, tradition often finds itself at the receiving end of a powerful critique by human rights discourse supported by liberal feminism inter alia. This paper addresses this central issue and sheds light on the possible place of tradition within an alternative popular-nationalist discourse on the continent. It suggests that the dominant trend within the nationalism of the 1950s and 1960s (from which emerged the dominant state-nationalist perspective in the immediate post-colonial period) operated very much within the context of a hegemonic liberal conception of politics and state-formation, and as such was unable to overcome this contradiction. The paper argues for the necessity of a democratic struggle within tradition itself (as well as within rights) and argues against both the uncritical celebration of tradition as an essentially authentic culture, as well as its undermining from 'beyond its boundaries' by liberal rights-discourse. An alternative look at 'tradition' in Africa requires that it be understood from within the perspective of an altogether new way of thinking about politics, in particular this means an understanding for which democracy is not equated with human rights. A critical engagement with tradition must form part of a questioning of human rights discourse from the perspective of the oppressed majority in Africa.

Résumé

Au cours de la période post-coloniale immédiate, le nationalisme africain considérait la «tradition» à la fois comme la base d'une culture locale authentique, qui devait être célébrée et mise en opposition avec la culture hégémonique occidentale (mondialisée), mais également comme une création archaïque créée (ou manipulée) par le (néo)colonialisme occidental, afin de diviser pour mieux régner, et par conséquent , comme étant hostile à la formation de l'État-nation «moderne». Le discours nationaliste étatique véhiculait ainsi un concept de tradition idéalisée, qui comportait un sens à la fois potentiellement libérateur et répressif. Plusieurs dirigeants de la période post-coloniale se sont inspirés des différents aspects de cette «tradition» idéalisée, à diverses fins politiques, dans le cadre de la construction nationale et de la légitimation de diverses formes de développementalisme autoritaire (à l'exemple de l' «Ujamaa», de Nyerere et le concept d' «authenticité», développé par Mobutu). Certaines expériences ont connu plus de succès que d'autres, mais de manière générale, ces tentatives témoignent de la forte légitimité de la tradition parmi les population africaines. Aujourd'hui, rien ne prouve que cette légitimité est en déclin, malgré l'échec du nationalisme étatique. Le caractère contradictoire de la notion de tradition, en Afrique, est visible aujourd'hui à travers les opinions des universitaires africains, dont certains pensent que la tradition constitue la base de la «décentralisation du despotisme» hérité de la période coloniale, tandis que d'autres considèrent la tradition comme une alternative «conviviale» à l'individualisme occidental et à la culture mondialisante, ou comme un modèle possible d'alternative démocratique au libéralisme. En outre, la tradition est souvent la cible de sévères critiques

formulées par le discours sur les droits de l'homme, soutenu par le féminisme libéral, entre autres. Cet article aborde ce thème central et analyse la place éventuelle de la tradition au sein d'un discours populaire-nationaliste alternatif en Afrique. Il soutient que la tendance dominante du nationalisme des années 50-60 (qui a donné naissance à la perspective étatique-nationaliste dominante au cours de la période post-coloniale immédiate) était fortement caractérisée par une conception hégémonique libérale de la politique et de la formation de l'État, et n'était donc pas en mesure de vaincre cette contradiction. Cette contribution insiste sur la nécessité d'instaurer une lutte démocratique à l'intérieur même du concept de tradition (mais également au niveau des droits que confère ce dernier) et dénonce la célébration peu critique de la tradition, en tant que culture authentique par essence, ainsi que la menace symbolisée par le discours libéral des droits de l'homme, qui porte sur des questions «dépassant ses limites» (de la tradition). Pour avoir un regard alternatif sur la «tradition» en Afrique, celle-ci doit être perçue comme une nouvelle manière de concevoir la politique (qui implique que la démocratie ne peut être mise à égalité avec les droits de l'homme). La remise en question du discours sur les droits de l'homme doit inclure un engagement majeur envers la notion de tradition, à partir de la perspective de la majorité africaine opprimée.

Introduction

The current re-assessment of African nationalism at this conference comes at a time when the state on the continent has been in a deep political economic and socio-cultural crisis. Given that this state was formed alongside a process of national construction or 'nation building,' a re-evaluation of nationalism cannot help but be an attempt to distance oneself from state-nationalism. At the same time, whatever the disastrous failures of the state in Africa it would be a mistake to throw out nationalism as such, along the lines advocated by recent 'post-modern' thinking, for example. There are two main reasons for this. In the first place it is not so much that state power is dissolving into an amorphous process of globalization, but rather that its forms of manifestation are changing in Africa as elsewhere. In the second place given the continued and expanded oppressive character of world capitalism in the form of globalization, the oppression of peoples and nations (not necessarily to be equated with states) has increased, not diminished. This has occurred within a militaristic-liberal set of practices whereby liberalism is to be globally enforced through the deployment of military might. This, it seems, is to be achieved in ways never imagined before as the dominance of militarist thinking had always been tempered hitherto by the existence of a number of competing superpowers. What this means is not only that nationalism is still of relevance, but also that it is taking new forms. The main danger apparent today is its

taking of a militaristic form as a simple reflection of militaristic imperial-
ist oppression. This is of grave concern because militarism whether of the
imperialistic or of the nationalistic variety, does not and cannot distin-
guish between state and people so that, in its politics, it is contemptuous
of human life itself.

In order to be on the side of life today, it seems that we need to be on
the side of human emancipation. In order to do this it is imperative not to
provide a mere mirror image of the practices of the oppressors [after all
isn't the millionaire Bin Laden a simple mirror image of Dubya Bush not
only in his economic location but centrally in his political practices?] but
to attempt to think an alternative popular-democratic nationalism with an
emancipatory content.

I therefore begin from the double assumption that the crisis in Africa
is the crisis of the state, and that it is necessary today to expand and
formalise a popular-democratic-nationalist perspective as well as to de-
marcate this perspective from state nationalism on the one hand and from
Western hegemonic (neo-)liberalism on the other. The reasons for this
last assumption should be apparent. The latter two discourses have been
the ones to dominate thinking on the issues affecting the continent since
independence, and have dismally failed to show a path towards popular
emancipation while entrenching authoritarian, statist modes of thought.
New forms of imperialism and neo-colonialism (economic, political, cul-
tural) are still virulent and operate today under the name of 'globalisation'
and include not only economic but political and cultural processes of dis-
empowerment which pose a renewed threat to democracy on the conti-
nent (Ibrahim 2002).

What used to be called 'the national question' therefore has clearly
not yet been resolved in Africa as the state on the continent largely con-
tinues to reflect the culture and concerns of Western dominance. In fact it
has arguably been the case that identifying the state with the nation [or
perhaps better the reduction of the nation to the state] has been an obsta-
cle to the resolution of national liberation, thus a renewed interest today
in pan-Africanism of a popular-democratic kind. This popular aspiration,
national liberation, is today confronted by a hegemonic neo-liberalism
which puts state politics at the core of a discourse on transformation.
This focus on liberalism was shared by the nationalism of the 1950s and
especially the state nationalism of the 1960s and 70s. However, the cur-
rent hegemony of economic and political neo-liberalism throughout the
world has meant that Western cultural domination continues today in more
sophisticated forms, from which it follows that a theoretical alternative

has to begin from distancing itself from liberalism in all its forms, in particular the view that a state-focussed politics is at the core of all politics (Neocosmos 2003).

At the beginning of the post-colonial period, 'tradition' held contradictory meanings for African nationalism and for what became a state nationalist discourse. Tradition was viewed as the basis of an authentic indigenous culture to be celebrated as a liberatory alternative to a hegemonic Western (globalized) culture. At the same time, it was seen as a backward formation created or manipulated by Western (neo-)colonialism to divide and rule and thus as inimical to 'modern' nation-state formation. An idealised tradition thus held a contradictory location within what came to be state nationalist discourse, as exhibiting both potentially liberatory as well as repressive features simultaneously. Different aspects of an idealised 'tradition' were drawn upon by different post-colonial leaders at different ends of the political spectrum in their attempts at nation-building and in order to legitimise different forms of authoritarian developmentalism (Nyerere's 'Ujamaa' and Mobutu's 'Authenticité', for instance). Some were evidently more successful than others but such attempts bore witness to the continued and unwavering legitimacy of tradition among the populations of the continent. There is no evidence that this legitimacy has declined today despite the evident failure of state nationalism.

The contradictory character of tradition in Africa can also be seen today in the views of various African scholars. For example, some intellectuals stress that tradition forms the basis for a 'decentralised despotism' inherited from the colonial period, (Mamadani 1996) while others suggest that it forms the site of a 'convivial' alternative to Western individualism and globalizing culture (Nyamnjoh 2002) or even that it contains a possible model for a democratic alternative in the traditional "palaver" (Wamba-dia-Wamba 1985). Moreover, tradition often finds itself at the receiving end of a powerful critique by human rights discourse supported by liberal feminism inter alia.

This paper addresses this central issue of the contradictory character of tradition and attempts to shed some light on the possible place of tradition within an alternative popular-nationalist discourse on the continent. It suggests that the dominant trend within the nationalist discourse of the 1950s and 60s (from which emerged the dominant state-nationalist perspective of the post-colonial period) operated very much within the context of a hegemonic liberal conception of politics and state-formation, and because of this was unable to overcome this contradiction. The paper argues for the necessity of a democratic struggle within tradition itself (as

well as within rights) and argues against both the uncritical celebration of
tradition as an essentially authentic culture, as well as its undermining
from 'beyond its boundaries' by neo-liberal rights discourse. An alterna-
tive look at 'tradition' in Africa requires that it be understood from within
the perspective of an altogether new way of thinking about politics in
particular; this requires an understanding for which democracy is not
equated with human rights. A critical engagement with tradition must
form part of a questioning of human rights discourse from the perspective
of the oppressed majority in Africa.

African Nationalism Since the 1950s: From Pan-Africanism to State Nationalism, and Back Again?

Any genuinely emancipatory nationalist position today must distance it-
self from the tired and oppressive state nationalism left over from the
authoritarian developmental state model of the 60s and 70s (and exempli-
fied most typically in Zimbabwe). The fact that this state nationalism
may still resonate among the people is a indication of the failure to de-
velop sufficiently a genuinely popular-democratic form of nationalism, it
is an indication of the absence of popular politics not of its presence.
This alternative will have to confront the character – democratic, undemo-
cratic, or something in between – of African tradition, as the majority of
the people of Africa live within a 'culture of tradition' and not within the
'culture of rights' that tends to predominate in urban communities
(Mamdani 1996).

   The conception of 'tribalism' as expressive of both an authentic African-
ness and of a 'backward' cultural feature infused the writings of national-
ist politicians in the 1950s and 1960s. Speaking of mainland Tanzania,
Julius Nyerere (1966) noted:

> It has been said – and this is quite right – that Tanganyika is tribal, and we
> realise that we need to break up this tribal consciousness among the peo-
> ple and to build up a national consciousness...I have set up this new min-
> istry to help us regain our pride in our own culture. I want it to seek out the
> best of the traditions and customs of all our tribes and make them a part of
> our national culture.

Most nationalist politicians of the period believed that customs could be
engineered and transformed as an act of will through their control of an
all-powerful state. This belief arguably lies at the root of the failure of
state nationalism to enable the development of a genuine national cul-
ture. Only a minority of nationalist thinkers understood that the social
engineering of the modern state was bound to essentialise and vulgarise

whatever genuine cultural complexities were produced by popular culture. According to Fanon (1990) for example:

> Culture has never the translucidity of custom; it abhors all simplification. In its essence, it is opposed to custom, for custom is always the deterioration of culture. The desire to attach oneself to tradition or to bring abandoned traditions to life again does not only mean going against the current of history but also opposing one's own people. When a people undertakes...a political struggle against...colonialism, the significance of tradition changes (1990:180).

Cabral also pointed out that, 'culture – a creation of society and a synthesis of the checks and balances society devises to resolve the conflicts that characterise it at each sage of history – is a social reality independent of men's will, the colour of their skin, or the shape of their eyes' (1980:149) But such views never became hegemonic, as they implied a critique of the centrality of state social engineering and theoretical essentialism. Instead, an essentialist conception of African culture came to prevail in post-colonial times that was a mirror image of the essentialism of colonial ideology.

Of course as we know, the modernism and liberalism in nationalist thinking in the 1950s occurred within the modernization paradigm which African leaders had embraced as it offered them a theoretical justification for economic development. 'Economic independence' was to follow 'political independence' after the 'political kingdom' had been sought and acquired (after Nkrumah). The tribe and the ethnic consciousness which accompanied it were simply seen as obstacles to state formation created by colonialism to divide and rule (ie to destroy the nation). The nation therefore existed outside tradition, outside tribe, and the birth of the former required the death of the latter. As Samora Machel famously stated, 'We killed the tribe to give birth to the nation' (Machel 1980:77). Thus a common conception by intellectuals [from Okwudiba Nnoli in Nigeria to Neville Alexander in South Africa] was to view ethnicity as simply constructed by imperialist interests to undermine nation formation. Among intellectuals as well as leaders, ethnicity referred to dismissively as 'tribalism', was seen as universally negative and an obstacle to national emancipation. Emancipation was thus seen in simple liberal terms: tradition must be overcome for people to be free with the result that political minorities were systematically oppressed as a result [even in 'democratic' Botswana the post-colonial state followed the colonial state in enforcing a uniform Tswana tradition/culture/ language as part of the nation-building process].

Of course there was an element of truth in this conception, colonialism had indeed used indirect rule to exercise its dominance and there had been attempts at secession supported by the West in the immediate post-independence period (eg, Congo). However, this view was one-sided as it failed to recognise, in the period of the state coercive consolidation, that nationality oppression was a real issue and keenly felt by large sectors of the population. Ethnic identities had in fact been kindled and re-kindled precisely by oppressive state practices during the colonial and post-colonial periods. In other words it was despotic systems of rule which largely gave rise to ethnic grievances/responses (which imperialist interests could then manipulate). These views were central to 'progressive thought' in the post-colonial period up until the UDF/ANC vs Inkatha struggles of the 1980s and early 1990s in South Africa. Only post-1980s has progressive opinion on the continent taken a different view on ethnicity largely because of the centrality of democracy in the debate.

In so far as state thinking was concerned, the stress was on discovering an authentic African personality, an essence of African-ness. The idealised African and his/her customs and culture, personality, and achievements were counterposed to essentialised Western colonial notions of backwardness, atavism, and absence of culture: 'Blackness' (*Black Africa or L'Afrique Noire*) as opposed to 'darkness' (*the Dark Continent*); idealisation as opposed to contempt; and the emphasis on African empires, civilizations, and 'viable states' in history as opposed to the colonial picture of an Africa without history. All these assertions are understandable in hindsight, and may even have been necessary in the immediate aftermath of the national struggle for independence, yet they only amounted to a mirror image of the colonial stereotype. They could not provide the basis for an understanding of the contradictory character of African society and culture and its contributions to a truly human culture. A parallel could be found in the nationalist deployment of violence which also was a mirror image of colonial violence that could not elicit an understanding of the complexities of difference and tended to reduce these to a Manichean dualism.

Such essentialist conceptions always serve the interests of those in power, not solely because they promote the immutable character of some African essence, but also because the physiognomy of the continent thus presented is invariably structured in the interests of the dominant groups, not of the oppressed. One reason for the hegemonic dominance of an African nationalist essentialism is arguably the absence (although it is difficult to locate absences) of a sufficiently robust theoretical alterna-

tive, which would have as its object the elucidation of a non-essentialist understanding of the realm of human social activity, primarily at the level of a theory of politics. Recent work and changes in modes of thought make it possible to attempt to fill this absence.

I wish to argue that the character of the African nationalism of the 1950s and 1960s should not be sought in its modernism but rather in its liberalism. The important point is not to distinguish nation from tradition (something this nationalism did itself) nor to stress a postmodern alternative to nation [and with it a linear conception of development], but rather to emphasise that African nationalism in that period had a particular conception of politics and the state that excluded popular-democratic self-activity. The writings and, even more so, the actions of most nationalists reflected an understanding of the state as the sole domain of politics. The politics of nationalism were fundamentally statist and invariably state-focussed. This perspecive can be seen in the extract from Nyerere's writings cited above, and even cruder voluntarist statements are available. A liberal conception of politics means fundamentally the centrality of the state in balancing particular interests and in monopolising politics in order to manage social change and pluralism. It therefore easily provided the basis for a discourse on statist development and voluntarism..

Another liberal assumption is that the state combines territory and culture, a perspective which enabled a conflation of culture and territory that had not been as formalised in the pre-colonial period. African territories were carved out by colonial conquest first, and then the identified (and often constructed) cultures within them were ascribed to specific territories through the creation of administrative districts. Throughout the colonial period, territorial boundaries were ascribed to cultures even though state borders ignored cultural differences. Minorities within boundaries allocated to majorities were not meant to have distinct cultures.

In sum, the process of state formation/nation building on the continent was clearly shaped by a notion of modernity inherited from colonialism. The omnipotence of power manifested in bureaucratic control and decision making and a conception which territorialised culture within clearcut administrative boundaries were some of the characteristics of this modernity. However this was a modernity for which liberalism provided the centre of gravity of contending social-engineering discourses. Not only was each nation or state to have 'its' culture (rather than several) but the state itself was to manage 'orderly progress' in the interests of all. (Cowen and Shenton 1996).

Analysing this liberal conception of the state, Wallerstein argues in
his analysis of the development of political thought in Europe, that both
conservative and socialist strategies in the nineteenth century gradually
came close, from different starting points, 'to the liberal notion of ongo-
ing, [state-]managed, rational normal change.' (Wallerstein 1995:96). He
notes that between 1848 and 1914, 'the practitioners of all three ideolo-
gies turned from a theoretical anti-state position to one of seeking to
strengthen and reinforce in practice the state structures in multiple ways.'
Later, conservatives were transformed into liberal conservatives, while
Leninists were transformed into liberal socialists. Wallerstein (1995:97)
argues that the first break in the liberal consensus at the global level oc-
curred in 1968. This overarching liberalism was imported into Africa dur-
ing the colonial period and it structured the thinking of the post-colonial
nationalist leaders who inherited state power on the continent.

Yet, in Africa, liberal assumptions of an independent domain of poli-
tics dominated by state institutions, of the omnipotence of state manage-
ment in social change, of a conflation of citizenship with indigeneity, and
of an identification of territoriality with culture broke with popular tradi-
tions in which politics, society, and culture were deeply intertwined and
allowed for a high degree of flexibility and negotiation over norms, rules,
and boundaries. Politics was the prerogative of the community (variously
defined) and not of professional politicians. In most cases, the post-colo-
nial statist recourse to tradition, when it did occur, failed to elicit a coher-
ent hegemonic national culture and an alternative to Western liberalism
because it combined cultural prescriptions with authoritarianism. The
result was the dominance of particularisms over a universalistic concep-
tion of nation, precisely because the democratic debate and the flexibility
necessary for the development of such a universalistic conception were
missing. In the absence of genuine participatory democracy, a voluntary,
negotiated overcoming of differences in the interest of a general or na-
tional will was impossible. 'Le vouloir vivre ensemble,' the will to live
together, was rarely tested democratically, but rather was imposed by the
state, which purported to be national.

The state's main proposal and the foundation of the post-colonial so-
cial contract, as well as for emancipation from want ('we have achieved
political independence, now we need to achieve economic independence'),
was *national development.* The state's legitimacy thus hinged on the suc-
cess of this economic project. Without successful economic development
and its relatively equal distribution to all sectors of the population, the

nation could only be built through state coercion, and the social contract could easily be broken.

This authoritarianism set up during the colonial period and carried over to the post-colonial, was not only required for a solution to the 'native question' (Mamdani 1996), it was also a necessary effect of the combination of culture/society with politics within the conditions of the formalisation of rule (the rule of rules). In other words it was this very normalisation of rules, genuinely developed in Europe as part of a democratic way to counteract the arbitrariness of aristocratic rulers and which thereby implied a distancing of politics from society into a specific realm of its own, which actually undermined the flexibility which had made democratic participation possible in pre-colonial Africa. A liberal conception of state and therefore eventually of democracy, was imposed, through the use of the same state power on conquered populations (assumed to have only just reached a stage when democracy could be usefully applied/understood) thus resulting in the undermining of democracy (limited and contradictory in many ways to be sure, but necessarily popularly rooted) which had existed to various extents and in various forms in African communities themselves.

To make the same point slightly differently: the imposition of a liberal state in Africa necessarily led to a conception of democracy for which that state and the domain of politics it controlled were separated from society (the liberal state constituted an 'excrescence' existing 'above' society to use Marx's expression). Rather than leading to a process of democratisation, this division of labour amounted to dis-empowering communities as it withdrew decision making from its cultural context, although never totally so especially as communities were often left to their own devices when the writ of the state was week, and as 'indirect rule' provided the conditions for a reproduction of tradition in a weakened and distorted form. As a result, while authoritarianism was reproduced at the top, in many cases elements of democratic decision making often survived and even developed at the bottom.

In the 1950s and 1960s, the writings of African nationalists stressed two different meanings of a 'nation': as an anti-colonial/anti-imperialist notion, and as a territorial/statist liberal understanding. The latter was dominant because neo-colonialism, although regularly attacked, was accepted in practice (much as globalisation is today). The West was the main interlocutor of what developed into state nationalism in the post-independence period, not the people. Also, the state-nation was founded on the exclusion of certain nationalities from political society on the

grounds that they were they were 'foreign' (originating from beyond co-
lonial boundaries), because of the absence of authenticity, or becausee they
were seen to pose a threat to national unity. Indigeneity was defined in colo-
nial terms, as being based on territory and paternal descent within that ter-
ritory. Citizenship was defined on the basis of indigeneity. Tribal loyal-
ties were seen as a risk to the party, state, and nation. At the time, a political
analyst (operating very much from within a modernisation framework)
noted:

> While political leaders emphasize traditionalism in certain contexts, they
> are intensely anti-tribal. Tribalism is, of course, an outmoded form of so-
> cial cohesion, but it remains an important attachment for large numbers of
> rural Africans unaccustomed to pluralism. Because attachments to tradi-
> · tional institutions impede the attachment of individuals to the new nation-
> state (via the party), modern political leaders are almost invariably hostile
> to tribalism. The consequence of their anti-tribalism is to make individu-
> als increasingly dependent upon the single, central focal institution (i.e.,
> the political party MN) and to undermine the integrity of competing insti-
> tutions (Friedland 1964:29).

So while the comment above sees anti-tribal views as a threat to plural-
ism, what it fails to notice is that the anti-tribalism of nationalist politi-
cians was a necessary outcome of a liberal conception of the state and
politics for which the latter is reduced exclusively to the former, and where
the conflation of state, culture and territory made it impossible for a na-
tion to be constructed on a genuine democratic basis. It can be clearly
seen therefore that the issue at stake is not the apparent backwardness of
tribe but the liberalism of the state. Africans of course knew much about
pluralism within tradition, but understandably little about the formalism
of liberal 'pluralism' which coerced minorities into submission. The equa-
tion between nation and culture which colonialism had began (ie in the
identification in subjectivity of tribe and ethnicity) was continued in the
post-colonial period in a manner which assumed the assimilation of mi-
nority cultures as under colonialism. This is perhaps why such political
minorities regularly resisted the authoritarianism of the central state and
could be so easily mobilised through ethnic rhetoric by unscrupulous elites.
This in turn led to greater insecurity for those in power.

The destruction of the tribe to give birth to the nation also stressed the
systematic undermining of the customary within which the majority of
the population lived in both its democratic/popular and despotic/elite as-
pects. The lengthy debate over whether Mau Mau was a tribal (tradi-
tional, backward-looking, atavistic) movement or a nationalist (modern)

one shows the inability of former modes of thinking to grasp popular strug-
gle and ethnicity. Mau Mau was simultaneously traditional and national-
ist, particularly because it was a struggle over the return of land to the
dispossessed – an issue which was central to both. Mau Mau used the
vehicle of traditional discourse to express popular nationalist sentiments.
(Berman and Lonsdale 1992). But it is important to note that the new
nationalist ruling elite, as represented by Kenyatta for example, dismissed
Mau Mau in the same terms as those favoured by the colonial power (Berman
1997). The kind of tradition favoured by this elite from within the con-
fines of state-nationalist discourse, was not only one which was evidently
in its economic class interests, but also one which apprehended tradition
in essentialist terms (thus as given, uncontradictory and unchanging) and
largely innocuous to modern state power (even when deployed by com-
peting elites). Given the absence/weakness of a distinctive popular urban
culture which could have provided the basis of a national culture, such a
destruction of tradition ultimately meant the systematic oppression of
popular culture as such; it meant not so much the destruction of tradition
and culture but rather the systematic and more or less successful destruc-
tive oppression of the popular side of tradition, its democratic character.
Tradition then was used (and feared) in crude instrumentalist ways, how-
ever ordinary people regularly ignored state boundaries and fought for
the maintenance of their traditions (Amadiume 1997).

Rights and tradition, nation and tribe, can no longer be seen as polar
opposites in an alternative democratic discourse. This polarity was born
of the liberal view that the state had to overcome the 'state of nature'
through managed progress. Today In Africa, democracy and despotism/
authoritarianism are the appropriate poles, at the level of both intellectual
discourse and popular demands. In Africa, perhaps more than anywhere
else, a nation can only be founded on popular democratic norms that give
voice to social identities, such as ethnic, gender, age, and market identi-
ties, and, even more importantly perhaps, which stress and strengthen the
popular, democratic aspects of tradition.

Given that the state was fundamentally built on undemocratic colonial
foundations, and given its Western and imposed character, it could not
reach into popular culture–the only genuine source of a national culture
on the continent–to find the raw material for the imagining of a national
subjectivity to which all could identify. Unlike in Europe where national
culture was and is systematically manufactured by the state (mass media,
state traditions, Academie Française), in Africa during the post-colonial pe-
riod, the state failed to create a nation as in most cases it only represented

itself and a minuscule elite. The basis of a national culture after 40 years of independence still remains the people. Concurrently the people have been interpellated (and even systematically divided) by colonial and post-colonial states into various identities (ethnic, religious, regional, indigenous) regularly conflicting over resources. In other words and as a direct result of state authoritarianism, existing (and often benign) social differences have been systematically deepened and entrenched, rather than eliminated by power relations in different ways, continuing under different conditions a process initiated under colonialism. This has been one of the main features of state power in its relations with its citizens on the continent, namely the arbitrary imposition of power on the one hand, and the entrenching of cultural difference on the other as part of the same process of authoritarian 'nation-building'. Thus the state failed lamentably to provide the conditions for the development of a democratic national culture.

During the struggle for independence, the dominant form of nationalism was popular in content, as in most cases nationalist movements had a mass base, as well as pan-Africanist in orientation as the struggle for the liberation of peoples concerned the whole of Africa. I have already noted how nationalism was transformed into state nationalism through adhering to liberal conceptions, however it took some time for pan-Africanism to be understood in organisational terms as a mere addition of states rather than a unity of peoples. The democratic aspirations of popular pan-Africanism floundered on state nationalism as a pan-Africanism of states was a contradiction in terms, the borders of those states having been colonial creations.

As with most processes of popular transformation, this included an important dimension of the internationalisation of struggles which led to the provision of citizenship rights to all supporters of the revolutionary process. Such provisions were made after Ghana's independence with respect to all Africans who were seen as citizens of all African countries. But this noble idea was unable to withstand the tension between a desire to unify people across artificial boundaries and an obsession with preserving the powers and borders of the state inherited from colonialism (All African People's Congress 1958). Pan-Africanism could not therefore survive a liberal conception of politics and degenerated into the OAU whose main pre-occupation seemed to be the maintenance of the sanctity of colonial boundaries. The focus of the OAU was not surprising as it was an organisation of African states whose leaders were schooled in liberal conceptions. The recent formation of the AU does little to alter this.

What had been a struggle for independence/liberation that sought to create a nation inclusive of all and dominated by pan-Africanism, ended

in a consolidation of the state-nation that made the nation exclusionary (of 'foreigners,' non-indigenes, and other nationalities that became ethnic political minorities). This shift illustrates the transition from popular nationalism to state nationalism in Africa. The most rapid transition probably was that in South Africa. The struggle against apartheid was a continent-wide (not to say worldwide) struggle in which people of all nationalities and from all walks of life, in particular from Southern Africa participated. A few years after independence, Southern African migrants who previously had been hailed as the builders of South African industry were expelled as 'illegal immigrants' (Neocosmos 1999). Liberalism enables a transformation from popular to state nationalism at lightening speed.

Conceptions of African nationalism, particularly among intellectuals, have changed dramatically as a critique of the state from a democratic perspective has developed. Intellectuals are no longer seeking an African essence; rather, they stress African identities in the plural. Identities now are considered 'complex and multiple and [they] grow out of a history of changing responses to economic, political, and cultural forces' that develop 'in opposition to other identities' and thus 'have to be fought for and rethought.' (Appiah 1992: 177–8). This shift in perspective makes it more possible not only to develop a much more liberatory notion of African-ness but also to start to pose the question of the contradictory character of tradition itself. It allows us to overcome an uncritically celebratory conception of authenticity that vulgarises culture, packages it for Western tourists, and destroys genuinely nationalist aspirations.[1] African-ness cannot be reduced to an essential 'blackness' as it is constantly changing and transforming in practice, and as Africa includes diverse nations within its boundaries. The trend is therefore largely away from the search for racial or ethnic essences. This is a very positive development.

However I am not as confident as those who 'see a future with less rigid notions of identity, and with people sharing diversity in conviviality' (Nyamnjoh 2002:21). Elements of the ever-developing African tradition are oppressive – such as various forms of patriarchal control or authoritarian state structures – and others are democratic – such as 'conviviality,' community access to land, post-conflict 'healing,' and a belief in communalism over individualism (ibid.). I see no overriding reason why the latter elements should automatically dominate the former. The resolution of the conflict between these elements is dependent on political processes themselves regulated by changing subjectivities *inter alia*. It would be both premature and politically mistaken to speculate on these issues, rather than to think about the conditions which could make

popular-democratic outcomes more likely, particularly as some of these
are theoretical and political in nature. This paper constitutes precisely an
attempt to contribute to rethinking some of these.

What have been the main causes of the transition from an essentialist
conception of tradition in the 1960s and 1970s to the more nuanced and
contradictory one that has emerged since the 1980s? Any rigorous answer
would have to include the development of a critical intelligentsia that
distanced itself from state power, the democratic effects of various popu-
lar struggles including the democratic impact of feminism, the increasing
importance of the debate on democracy, the failure of socialist ideologies
to mobilise people successfully along economic identity lines, the rela-
tive success of ethnic identities in delivering positive results, the ability
of ethnic groups to be recognised by the state, the rise of culturalist dis-
courses, and the people's continued dissatisfaction with the vulgarity of
neo-liberal globalisation. I would suggest that the most important of such
influences was feminism, which challenged the authoritarian aspects of
tradition while attacking the African state's 'modern' authoritarian un-
dermining of rights. Feminism straddled both the rights discourse and the
discourse of tradition, as I will note later in the paper.

Also instrumental were the widespread struggles of the 1980s and 1990s
against African Structural Adjustment Programmes (SAPs) and the
apartheid regime, which opened the door for popular opposition to the
state and to the shallowness of its form of nationalism. These events
indicated, at least for a while, a break with liberalism and the idea that the
state is entitled to a monopoly on politics. They shaped democratic thinking
among many progressive intellectuals. The struggles for liberation in South
Africa during the 1980s, particularly from 1984 to 1986, can be described
as an 'event' in Badiou's sense – as a process after which reality can no
longer be understood in the old way (Badiou 1988). The events of the
1980s denoted a fundamental break with the liberal thinking that the nation
is to be identified with the state and that democracy is a form of state. For
the state, the mass movement in the 1980s in South Africa substituted for
a while popular instituttions of 'People's Power'.

One of the main characteristics of these events, which constituted a
break from previous modes of resistance politics, is that, for the first time,
nationalist/nationwide resistance was not founded on a mirror image of
colonial/apartheid oppression (that mirror image already existed in the
politics of the exiled ANC). Rather, the resistance, and the culture that
emanated from it, took its inspiration directly from the struggles of peo-
ple in their daily lives for political control over their social environment.

In this sense, the experience was an event, and its lessons force us to think about nationalism differently. As I have argued elsewhere, instead of making 'vertical' distinctions central (e.g., the distinctions around which leaders would mobilise followers, such as the ideologies of nationalism or socialism), the 1980s mass movement put the 'horizontal' opposition between democracy and authoritarianism firmly on the agenda, particularly in terms of political practices (Neocosmos 1999).

If we do not view tradition in an essentialist manner, we need to recognise the existence of regular (political and often democratic) struggles within the realm of tradition and the customary, particularly of political minorities like women, youth, the poor, and ethnic minorities. Women's discourses, in particular, have stressed the contradictory nature of tradition in Africa, as seen in Amadiume's work on matrilineal traditions in Africa or El Saadawi's work on democratising Islam.·(Amadiume 1997; El Saadawi 1997). The contradictions in nationalism and feminism have been debated at length, but ethnicity has proven similarly contradictory with its patriarchal oppression and simultaneous openness to women's entitlements. In South Africa, liberal feminism has attempted to 'democratise' tradition from above, through direct legislative interventions.

Some theorists view tradition as a political identity formed mainly by the state's conception of individuals as subjects rather than citizens. For Mamdani (1996), tradition, as developed by the indirect rule of the colonial state and carried into the post-colonial period, tends to be the foundation for decentralised despotism's exploitation of the free peasantry, as each ethnicity excludes others because scarce resources like land are allocated by ethnic affiliation (Mamdani 1996). He argues that, since colonialism, tradition is no longer democratic and inclusive. But Mamdani underplays the connection between the realms of power and culture, and thus underestimates the potency of opening tradition to popular perspectives. If political identities are mediated by culture and not just imposed by the state, if culture is contradictory and able to provide alternative perspectives, then political identities cannot be understood as simple reflections of state interpellation.

The State and Ethnic Identity

The publication of Mamdani's (1996) path-breaking *Citizen and Subject* enables us to pose anew questions of state and politics on the continent in a non-reductionist manner, primarily because Mamdani seeks the nature of the state in post-colonial Africa through an analysis of politics. In Mamdani's accurate terms, his is an analysis of the 'mode of rule,' not of

the mode of production. Although he is not alone in arguing the centrality of a political conception of politics in Africa, his work is the most developed to date. Mamdani also correctly rejects an exceptionalist view of South African history, showing that a political analysis shows such a position to be completely unsustainable.

Mamdani's argues that to understand politics in Africa, one must eschew an analysis of the mode of production along the lines of cruder versions of a hitherto prevalent political economy with its reductionist economic implications, in favour of an analysis of the mode of state rule. The anti-reductionist accent in Mamdani's work therefore is on redressing the balance towards an elucidation of political choices and options, which had hitherto been under-emphasised in analyses of the state and politics in Africa. He suggests that the state that developed during the colonial period as an answer to the 'native problem' was a 'bifurcated state.' In the manner this state evolved especially after the 1920s, he argues:

> Direct rule was the form of urban civil power. It was about the exclusion of natives from civil freedoms guaranteed to citizens in civil society. Indirect rule, however, signified a rural tribal authority. It was about incorporating natives into a state-enforced customary order...Direct and indirect rule are better understood as variants of despotism: the former centralized, the latter decentralized (Mamdani 1996:18).

The point well argued by Mamdani is that the mode of rule of the colonial state differed between the urban and the rural. While in the former the state ruled citizens and excluded natives from citizenship, in the latter subjects were ruled through state transformed 'tradition'. Rural Africans (the overwhelming majority) were ruled via a 'tradition' created for the purpose and able and willing to accommodate forced labour. The chiefly powers were administratively distorted (tradition was set in stone and its flexible nature undermined) so that they amounted not to a democratic form of rule with separation of powers, but to the concentration of all powers in the hands of the chief as state agent (a 'clenched fist' over the peasantry). This was necessitated by the fact that land was not a commodity and was governed by customary law (modified by colonial authorities to suit their purposes). In rural areas therefore there developed the dominance of a discourse of tradition.

In late nineteenth century South Africa in particular, but continuing right up until the 1980s, the state faced the problem of how a minority was to retain state power in the face of a rapid process of industrialisation which would create pressures of urbanisation, 'integration', and the

'swamping' of the ruling minority by an oppressed majority. The resolution to this problem was seen by the state as the 'reproduction of autonomous peasant communities that would regularly supply male, adult and single migrant labour to the mines' in particular (Mamdani 1996:18).

In Africa, for the colons in urban areas, a separation of powers and elections allowed civil society to develop, as a distinction was retained between society and the state, between the private and the public realms, and between economic and political power, in conformity with European liberal prescriptions. Mamdani says that because of this separation, a 'discourse of rights' emerged in urban areas, while rural areas were structured by a 'discourse of tradition':

> The rights of free association and free publicity, and eventually of political representation, were the rights of citizens under direct rule, not of subjects indirectly ruled by a customarily organized tribal authority. Thus, whereas civil society was racialised, Native Authority was tribalised. Between the rights-bearing colons and the subject peasantry was a third group: urban-based natives, mainly middle- and working-class persons, who were exempt from the lash of customary law but not from modern, racially discriminatory civil legislation. Neither subject to custom nor exalted as rights-bearing citizens, they languished in a juridical limbo (Mamdani 1996:19).

At independence, urbanised Africans demanded entrance into urban civil(ised) society. They sought access to democratic rights but denied these to peasants, who continued to be ruled by chiefs or chief-like cadres. The continuity of the state was ensured by the fact that urban groups simply demanded incorporation into existing civil society while the rural population continued to be ruled as a subject population. The coercive structure of the state remained unaltered after independence, as neither the urban nor the rural form of rule was democratised. Urban groups were admitted into an existing form of rule as the state was 'deracialised' but not 'democratised.' It was deracialised primarily through what was then called 'Africanisation' and what today is called 'affirmative action.' (ibid.:20).

The state was not democratised because that would have required a democratic transformation of the form of rule in rural areas. When rural transformation was attempted, 'it was to reorganize decentralized power so as to unify the 'nation' through a reform that tended to centralization. The antidote to a decentralized despotism turned out to be a centralized despotism' (ibid.:25). This was the kind of reform attempted by 'radical'

regimes. 'Conservative' regimes merely continued with the dual state form
inherited from colonialism. Mamdani remarks:

> The radical states went a step further, joining deracialisation to
> detribalisation. But the deracialised and detribalised power they organ-
> ized put a premium on administrative decision-making. In the name of
> detribalisation, they tightened central control over local authorities. Claim-
> ing to herald development and wage revolution, they intensified extra-
> economic pressure on the peasantry. In the process, they inflamed the di-
> vision between town and country...Both experiences reproduced one part
> of the dual legacy of the bifurcated state and created their own distinctive
> version of despotism (ibid.:26–7).

Urban Africans became citizens through their incorporation into a poli-
tics of the struggle over the rule of law/division of powers and a dis-
course on rights more or less adhered to. Rural Africans remained sub-
jects because they were ruled by a tradition that eschewed rights because
it was based on a fusion of state powers. It follows, for Mamdani, that
elections and multi-partyism cannot on their own amount to a democra-
tising process in Africa, as the political oppression of the peasantry has
not been addressed. A genuine democratisation of the African state re-
quires an ability to link a democratisation of rural tribal despotism with
the democratic demands of urban civil society movements (ibid.:297).
However, Mamdani says little about how this link could be forged, espe-
cially about the kind of politics necessary for such democratisation to be
successful. This would have required an analysis of different modes of
politics, which Mamdani does not undertake.

    Although Mamdani's argument stresses (correctly, to my mind) the
difference between forms of state rule in rural and in urban Africa and
tries to specify the conditions for a democratisation of the post-colonial
state, it proves to be limited for an analysis from a democratic perspec-
tive. Mamdani's thinking tends to take the state at its own word, so to
speak. This criticism comes from a wish to emphasise the necessity of
understanding different forms of politics, not simply of different forms of
state rule, and to move beyond the confines of liberalism.[2]

    A settler does not become a citizen merely by virtue of being incorpo-
rated into civil society and acquiring access to rights. A settler must be-
come a native before he or she can become a citizen. Under colonialism,
Africans were supposed to become civilised, to become European, and to
forget their native identity (e.g., to become 'assimilés'). Europeans were
not supposed to 'go native.' They were supposed to maintain their social
separateness, and thus could not become citizens because they were not

to be nativised. In earlier forms of colonialism, however, the colonisers were regularly assimilated by the colonised. Citizenship includes both a social and a legal dimension. Mamdani concentrates exclusively on legal (or customary) rights in his conception of citizenship and ignores its sociological dimensions, a procedure which amounts to a state-focussed perspective.

These problems with Mamdani's approach become apparent in the answer he gave to his own question at his inaugural lecture at the University of Cape Town in 1988: 'When does a settler become a native?' Mamdani asserts that if we ask the question from the point of view of 'ethnic citizenship...the answer is NEVER.' (Mamdani 1998). For Mamdani, the members of one ethnic group can thus never become members of another. One can never acquire another's ethnicity, as this is defined by an 'ancestral area.'

> You were obliged to follow the custom of your ethnic group. Your rights and obligations were defined by your custom, and that custom was enforced as a 'customary law,' by a Native Authority whose seat was the local state. The local state spoke the language of culture not rights (Mamdani 1998:1).

Here Mamdani adheres to a rigid conception of tradition and follows Chanock (1985) closely in reducing custom to its legal form – 'customary law'. This conception implies that African communities simply reflected the view of custom legally enforced by the colonial state, that custom was not (and is not) an object of struggle and eminently flexible, and that social structure is not fashioned by people themselves, but only by the state. Moreover, Mamdani tends to assume an unambiguous separation between state and society that did not exist in Africa during the colonial period, as he himself implies.

In the absence of a distinct domain of politics that is demarcated from culture and society, it becomes difficult, if not impossible, to maintain the state induced rigidity of custom and to reduce the latter to this customary law. In fact, the colonial state went out of its way to engineer a fusion between political entities ('tribes') and socio-cultural entities ('ethnic groups') in cases where the two did not obviously correspond, particularly with the numerous large 'minorities' of recognised tribal polities, which sometimes were actually majorities of culturally distinct but politically inferior non-indigenous groups. The idea was to produce a situation of cultural homogeneity that would prevent the contestation of the

legitimacy of tribal authority and hence of customary law (as in the case
of Botswana).

With its racist, primordialist conceptions of tribe, the colonial state
could not conceive of differences in any other than tribal form because of
its liberal equation of culture and territory noted above, and its intention
to undermine any independent, civil society-based resistance to indirect
rule. This social engineering was at the core of the formation of an au-
thoritarian state system during the colonial period, as it ensured and en-
trenched the authoritarian fusion of state and society, the absence of which
could have provided the foundation for democratic changes in the post-
colonial period. The grafting of an electoral process onto this system could
hardly have led to a meaningful democracy at independence.

Insofar as Mamdani's 'ethnic citizenship' is concerned, there are nu-
merous examples of 'strangers' being accepted as fully-fledged members
of ethnic communities in Africa. For example, Lan (1985) shows that
guerrillas who were strangers to their areas of operation during the lib-
eration war in Zimbabwe became full community members through the
influence of spirit mediums (see also Rachik 2000). Such ethnic citizen-
ship could also be bestowed on foreigners through the payment of alle-
giance to a chief. Ethnicity and culture, even under colonial domination,
were not as rigid as Mamdani makes out, nor, indeed, as the authorities
hoped. There were and are regular contradictions within tradition and
some of these are democratic in nature (Shivji 2000).

Citizenship involves first the sociological processes of adopting a cul-
ture and language, and only then legal rights. One can become a citizen
only if one first becomes a native. It is not a question of ethnic origin or
colour, as Lebanese, for example, have successfully 'become native' in
many West African countries. Citizenship has both social and legal as-
pects, and one cannot reduce it to the latter without abstracting people
from the social conditions of their existence, as some of the recent femi-
nist literature on citizenship has understood (Yuval-Davies and Werbner
1999). Feminists rightly regard the idea of the "disembodied individual"
as an untenable liberal construct.

Thus, although Mamdani moves beyond a liberal idea of citizenship
by recognising an 'ethnic citizenship' beyond the individual rights-bear-
ing subject, he remains a prisoner of liberal assumptions because he re-
duces citizenship exclusively to a state-defined identity. This is apparent
in his latest work, where Mamdani perceives the colonial state as 'con-
structing' or 'creating' political identities (Mamdani 2001, 2002:500). Be-
cause he does not analyse politics beyond the state domain of politics,

Mamdani's argument is based on the idea that subjects respond (more or less) automatically to the manner in which they are addressed or interpellated by the state. For Mamdani, people in Rwanda accepted the colonial state's judgments about whether they were an 'ethnic group' or a 'race.' But the state's political interpellation takes place in society and not just at the level of the law and other state institutions. The political process is also a social process which is mediated by culture in various forms and it is the object of struggle. The state usually requires groups in society (often even beyond civil society) which follow its line in order to impose its perspective. The sociology of this process is absent from Mamdani's work, though he is sensitive to the fact that many members of political identities challenged such ascription (e.g., minorities among both Hutu and Tutsi, Banyarwanda, and so forth).

Mamdani argues that African colonial and post-colonial states interpellated people as ethnic or tribal subjects, institutionalised such identities over time, and thereby created the conditions for mass slaughter. Despite his argument's undoubted brilliance in accounting for genocide in terms of political identities (as opposed to economic or psychological forces), Mamdani is not able to account for the politics of those Hutu (for example) who protected and saved Tutsi from certain death--and vice versa (Gourevitch 1998; Cohen 2001). Mamdani is thus not able to address the issues of the possibility and sites of an alternative politics in the specific situation of Rwanda in 1994 because his overriding concern is state politics and state-induced subjectivities. His thought is confined by the limits of liberalism. Thinking an alternative emancipatory politics from such a perspective is impossible.

The process of acquiring political identity is itself a struggle and the state requires interests within society to pursue its agenda of creating tradition, a point discussed at length by several historians. [3] First among such interests during the colonial period, was the chieftaincy, which was not only a political institution, as stressed by Mamdani, but also, crucially, a cultural one. Culture was closely intertwined with politics in tradition, which meant that the colonial state's political categorisation had authoritative cultural support and resonated more with the people than it would have done had the chieftaincy been exclusively political. This is arguably the main reason why the state's prescriptions were so readily accepted by colonial populations, and why the colonial state insisted on identifying tribe with ethnicity and politics with culture. The state's policies were contested, however, as women, youth, the poor, and other dominated groups within particular identities challenged (often in

hidden ways) the definition of tradition and culture imposed on them by
the state in alliance with chiefs, men, the wealthy, and other dominant
groups. The resistance of women, in particular, is well documented (eg.
Schmidt 1990).

The acquiring of political identities is often a long and complex proc-
ess of struggle without an understanding of which it becomes difficult to
see not only how alternatives to the state politics of essentialist interpel-
lation can exist, but also how the different representative forms of this
politics (religious, ethnic and other cultural forms) operate. The result is
that these forms may become unrecognised as the politics they often are.
Mamdani's theoretical position, despite the brilliant insights it produces,
tends to be limited by the fact that it is a-sociological, with the result that
politics outside state conceptions of what politics is, cannot be conceived–
people are said to be politically what state institutions make them.

Contrary to Mamdani, Wamba-dia-Wamba (1985) suggests that com-
munities in Africa often have alternative conceptions of culture and tradi-
tion which may have been affected by colonial and post-colonial state
depredations, but not fully destroyed. He discusses the nature and role of
the 'palaver' among the Bakongo not only to retrieve it from dismissive
colonialist readings, but also to show its relevance in resolving conflicts
in and among communities today. Although the palaver can be under-
stood in different ways, it primarily is a 'healing process' for the commu-
nity that involves a 'mass bursting of active involvement in matters of the
entire community' and of 'free' or 'liberated speaking,' a 'social move-
ment,' or an 'ideological struggle assuming appropriate form to resolve a
real community's conflicts giving rise to ideological tensions.' (Wamba-
dia-Wamba 1985:9). Despite its complexity, the palaver's functions are
clear:

> First of all, to impose organically in the entire community a new form of
> exercise of power – a good sorcery, a sorcery of protection of the entire
> community, a sorcery of the 'integral preservation of the community'
> ('kindoki kia ndundila kanda'), which must overthrow the bad one (sor-
> cery to kill) from the post of command and its complete banishment from
> the entire community (through rituals). And secondly, it is to strengthen
> the community people's power – people's determination of selves and the
> community's organic affairs–being threatened to be dismantled through a
> politico-spiritual terrorism (ibid.:12).

Wamba-dia-Wamba argues that the palaver serves to re-anchor the com-
munity, to re-align it with its founding values after a crisis:

> The palaver requires of and provides to each community member the right
> to carry out, and the obligation to be subjected to, an *integral critique* of/
> by everyone without exception. It inaugurates, if only temporarily, an egali-
> tarian collective dictatorship (=communal organic centralism) (ibid.:12,
> emphasis in original).

To resolve contradictions elicited by both internal and external forces,
the leaders of a clan or village present themselves 'as the real servants
(seat, representation, agency, incarnation, voice) of the powers of the an-
cestors' (ibid.:10). They do this because 'to evoke the ancestors is to re-
affirm their line, the one which allowed the community to reproduce.'
(ibid.:16). The palaver, therefore, helps resolve social conflicts and re-
establish social balance. To do so, it combines political processes with
cultural representations, forms, and rituals that constitute a complex lan-
guage through which the palaver can be understood and therefore suc-
ceed. The process refers to a side of tradition that is fundamentally popu-
lar in content and that shows the possibilities of existence of genuine
democracy in African tradition.

    Of course, the point is not to idealise the experience. Palavers seem to
take place less and less, as migrations have undermined Bakongo com-
munities (Wamba-dia-Wamba personal communication). The point is not
to search for and to discover pristine African democratic traditions, it is to
emphasize the existence of popular democratic traditions and struggles within
a changing tradition that can form a basis for thinking alternative emanci-
patory politics. This must be developed as an alternative to asserting the
supposed values of a human rights discourse in relation to tradition.

Human Rights versus Democracy
Elsewhere, I have undertaken a detailed critique of political liberalism
and its conception of rights (Neocosmos 2003). Here I wish to draw at-
tention to the fact that despite the limitations of human rights discourse
which are sometimes admitted in the liberal literature, it is regularly as-
sumed that these are of unquestioned benefit in transforming 'tradition';
in enabling the previously 'rightless' under tradition to 'acquire human
rights' and thus to assert their humanity vis-a-vis a presumed 'state of
nature', which in the famous Hobbesian formulation, is seen as 'nasty,
brutish and short'. The assumption that the character of liberal democ-
racy is liberatory relative to tradition today is reflected, implicitly or ex-
plicitly, in a number of interrelated discourses on the continuing impor-
tance of tradition in modern society, particularly in South Africa, where

this idea of the liberatory character of liberalism dominates the state per-
spective on tradition[4].

At issue is the role of traditional political institutions, such as the
chieftaincy, in a modern secular state. Also important is the issue of wom-
en's 'rights to land' under 'traditional tenure' in conditions of legally
prescribed gender equality. Both of these issues are regularly the subject
of discussion within liberal democratic discourse in post-apartheid South
Africa (eg. Konrad-Adenauer-Stiftung 1997). These issues seem to have
relatively 'obvious' answers from a democratic perspective, yet in both
cases I will suggest that, such 'obviousness' is superficial and ultimately
misleading. This will draw me to a brief critical assessment of the oppo-
sition between 'human rights' and 'tradition' which I will argue is founded
on liberal and fundamentally colonial-type assumptions regarding the na-
ture of political activity, assumptions which ultimately have the conse-
quence of opposing rights to democracy.

Although the authoritarian character of the traditional institution of
the chieftaincy that was produced during the colonial and apartheid peri-
ods is scarcely defensible (Ranger 1983, Vail 1989), it has provided peas-
ants with a vehicle for the expression of their grievances vis-a-vis the
authoritarian and often corrupt actions of central and local government.
In Southern Africa, the powers of chiefs are usually untrammelled by
popular constraints, as traditional community assemblies (such as *the pitso*
or *kgotla*) have gradually lost their powers. Nonetheless, stories abound of
chiefs taking a stand, with popular support, against the depredations of secu-
lar authorities bent on imposing 'development' from on high (Alexander
1993). Still, the chieftaincy's often genuine representative character does
not diminish its despotic nature, as the institution combines administra-
tive and police powers with legislative and judicial ones and is not sub-
ject to popular mandate (Mamdani 1996).

However, the undemocratic nature of the institution of the chieftaincy
or the agency of individual chiefs are not the central issue. The issue
rather reflects on the false assumption that the *practices* of the central,
regional, or local state are democratic simply by virtue of their executive
members having been elected. In fact the debate regarding whether the
chiefs or the central state in Africa is the more democratic, or whether the
chieftaincy is compatible with liberal democracy (eg. Dowling1997), is a
spurious debate which should rather lead us to an assessment of the im-
portance of genuine democracy. For rural inhabitants, it is regularly more
a question of which of the secular state or of the chieftaincy is the lesser
of two evils in circumstances of poverty and systematic oppression. There

can therefore be little to chose between 'rights' and 'tradition' in such a context. The issue is rather the extent or absence of genuine democracy both within the 'modern' and the 'traditional' state systems.

A similar point can be made with regard to the frequently outlined argument that the South African constitution, by allowing for property ownership irrespective of gender, is in a position to 'empower' rural women to access land rights otherwise denied them by traditional tenure systems. Actually, women have access to land under traditional tenure in Southern Africa, though usually through a man, but sometimes even direct access can be negotiated (Meer 1997:3). But women are also dependent on men for access to cattle, bank loans, collateral, and ploughs, in fact for most of their resources, and it is only human rights discourse that arbitrarily focuses on land access as a more 'fundamental human right' while ignoring other aspects of this dependency[5]. Of course giving the poor, women included, access to freehold tenure would be disastrous as it would easily enable land alienation and concentration and would without doubt lead to increased rural poverty (Neocosmos 1995).

It is important to stress that to use a liberal constitution in this manner is to undermine tradition [including its popular character] from beyond tradition's boundaries, and to substitute for a democratic contestation within tradition, the imposition of top down state-juridical de-contextualized rights which in the long run can only undermine democracy. Apart from anything else, this makes more likely a backlash from those who wish to entrench authoritarianism within tradition, such as from many chiefs, whose power is evidently dependent on authoritarian conceptions of custom. There is in fact little difference between this procedure and the well-known colonial one of outlawing traditional practices such as forced marriages or bridewealth on the grounds of their 'repugnance' to Western liberal sensitivities (Schmidt 1990; Mamdani 1996). Such arguments are the source of the common perception in Africa that human rights discourse and neo-colonialism are linked (Mamdani 2000). Such top-down interventions undermine communitarian and democratic aspects of tradition, including communal forms of land allocation.

Another highly publicised example of the patronising and ultimately authoritarian imposition of human rights, this time outside the Southern African context, is the liberal reaction to the case of Amina Lawal, one of the women condemned to death by stoning by a Sharia court in Nigeria. While the court's judgement was greeted with justifiable outrage by human rights organisations worldwide, the response regularly emphasised the supposed barbarity of Islamic culture and tradition. It was noted only

later that Nigerian rights activists were pursuing the issue of appeal from
within the Islamic judicial system itself. In other words, a democratic
struggle was taking place from within tradition to contest not only this
particular judgement, but several others concerning Sharia and women in
general in Nigeria. The local organisation of activists (e.g., BAOBAB for
Women's Human Rights) noted that none of the sentences of stoning to
death had been carried out in Nigeria either because appeals had been
successful or the appeal process had not yet been exhausted. Moreover,
in a letter widely circulated on the Internet, the activists stressed that the
more immediate danger to Ms. Lawal was as a result of deliberate action
by those in power to defy international pressure.

> Dominant colonialist discourses and the mainstream international media
> have presented Islam (and Africa) as the barbaric and savage
> Other...Accepting stereotypes that present Islam as incompatible with hu-
> man rights not only perpetuates racism but also confirms the claims of
> right-wing politico-religious extremists in all of our contexts...Muslim dis-
> courses and the invocation of Islam have been used both to vindicate and
> protect women's rights in some places and times, and to violate and re-
> strict them in other places and times...The point is for us to question who
> is invoking Islam (or whatever belief/discourse) for what purposes, and
> also to acknowledge and support internal dissent within the community
> involved, rather than engaging in a wholesale condemnation of peoples'
> beliefs and cultures (BAOBAB 2003:3-4, see also Mamdani 2000).

The organisation's document bears out the theoretical point which I am
stressing (El Saadawi 1997, Mamdani 2000). Human rights discourse takes
on a colonialist character when it is substituted for a democratic struggle
within traditional culture. The universalism of rights can only exist through
its particularity within the social context that contributes to making hu-
manity human. Therefore, to assume a universal human subject founded
on a Western liberal ideal, and then to impose this notion on tradition
through state legislation or international pressure, is to undermine de-
mocracy, not to advance it. The issue then is not one of modernity (or
postmodernity) versus tradition, but rather of democracy versus various
forms of authoritarianism within the liberal civic sphere as well as within
that of tradition. Liberalism, which is premised on such a combination of
a universal human subject with (state) power, cannot address tradition
democratically and thus pits human rights against democracy.

     In sum, it could be asserted broadly that two feminist positions prevail
today regarding tradition in Africa. The first is a liberal position which
provides a version of the argument for state intervention in tradition through

the medium of rights. This position is dominant in South Africa. The second argues for a defense of tradition, but also for pursuing a struggle within it for democracy. This position is most developed by feminists who struggle within the context of Islam, although it can be found in various forms throughout the continent. Elements of the second perspective can also be found in the writings of some South African rural women activists such as Moleleki (1997) and Ngcwecwe (1997), who have stressed that tradition can and should be democratised from within in the interests of women and other oppressed sectors of the rural population.

Concluding Remarks

The apparent contradiction that Western liberalism which had originally developed as a democratic alternative to aristocratic despotism in Europe, turned fundamentally into its opposite within an African context, is not only to be put at the door of different cultural particularisms. The point is not to make a plea (yet again) for the exceptionalism of Africa, either in terms of its difference (our people don't understand democracy as it is culturally foreign) or, indeed, of its backwardness (our people are not yet ready for democracy). These perceptions have been used as excuses for authoritarianism. Neither is the point to seek a return to the past by arguing the viability of pre-colonial African state formations (Davidson 1992).

The point I have argued here is a different one. It is rather that a true universal such as democracy can only be understood, comprehended and fought for from within the specificity of particular contexts. Indeed the universals of democracy, truth, justice and equality, which we all adhere to, suggest different universal meanings within different contexts. One conception from one context cannot be uprooted into another completely different context without losing its meaning and thereby turning into its opposite. This is what happens regularly in Africa (and elsewhere) simply because of the imposition of a universalised Western conception (of say democracy) within another context. In this way, democracy can only turn itself into its opposite (as is the obvious case in Irak today after the US invasion for example).

What this suggests is that Badiou is correct to stress that the universal can only be apprehended through the particular. If the universal can indeed only be truly apprehended through the particular, it means that the opposition between the two (as that between tradition and modernity) is redundant. It also means that all universalistic conceptions based on a notion of 'Man' become also redundant simply because of the

particularistic basis of this universalism (Western, bourgeois, White men) as has been noted on numerous occasions. It also means that 'rights' are not attributes of a humanity founded on this notion of 'Man' but on a different conception of humanity, one where people are products of social differences and are within such differences, capable of thought, of transcending their narrow interests and differences to demand a better world founded on 'becoming eternal through truly universal conceptions of justice, equality and democracy' (Badiou 2001).[6] It is time that we expand our own conception of humanity in Africa, but to do so we have of necessity to distance ourselves from state politics which constitute an obstacle to thinking critically (Neocosmos 2003).

Western liberalism and state nationalism both founded on liberal conceptions of politics lie at the foundation of the absence of a critical addressing of tradition in both its democratic and despotic aspects. A popular-democratic nationalism would acknowledge the struggle over tradition and would attempt a recovery of popular democratic politics both within tradition and within rights discourse. I have concentrated here on the issue of tradition alone, having discussed rights elsewhere (Neocosmos 2003). In either case however what is required is a recovery of politics founded within popular traditions and cultures of struggle, so that 'voice' replaces 'silence' among the people, and so that democratic struggles are pursued and supported wherever they take place, the specificity of every condition and its struggle being respected.

One truly amazing feature of the African continent is that, after forty-odd years of independence, it is still the people, not the state, who remain the custodians of national culture. How is popular tradition to form the basis of a renewed national identity under such conditions? The answer lies in a popular, democratic form of pan-Africanism, not a pan-Africanism that sees the state at its core, as did the OAU. In this respect, the AU is little different from its predecessor and cannot be the source of a renewal of pan-Africanism. Rather, the renewal of the pan-African ideal has to be sought in pan-African mass movements, particularly in a mass movement for peace. I have no space to elaborate on this argument here, but I would suggest two fundamental points. First, the trend in world politics is increasingly militaristic; politics in the age of 'capitalist competitiveness' or 'flexible accumulation' amounts more and more to the 'pursuit of war by other means'.[7] This militarism and its attendant undermining of genuine democracy cripple Africa as a whole and can only be countered by putting an emancipatory politics on the agenda with a continent-wide

popular movement. Such a movement could provide the conditions for an alternative mode of politics for genuine emancipation. This movement would be opposed to the depredations of globalisation and hold at its core a politics for the peaceful resolution of disputes, putting the popular interest first. Thus, it would also contribute to reposing the process of nation and state formation in a democratic manner.

Second, it is apparent that Africa has a long tradition of popular methods for the peaceful resolution of disputes in society. These are at the center of African tradition and culture, and could become one of Africa's greatest contributions to humanity. It is through the specific contributions of these various cultures inter alia that Africans can contribute to the creation of a new humanism which is desperately needed in the world today. It is the duty of African intellectuals to critically study these cultures from a democratic perspective in all their complexities and changing characteristics.

Notes
1. South Africa lags far behind the rest of Africa on this issue, as the stress on a sanitised state notion of 'Ubuntu' as the essence of African-ness jovially melds with the globalised tourist demand for the 'authentically' African
2. The following points were developed in discussion with Adebayo Olukoshi. I am grateful to him although I am alone responsible for possible problems in the formulations which follow.
3. See eg. Vail (1989). For a critical discussion of these histories as well as for an assessment of the struggles over tradition in Southern Africa, see Neocosmos (1995).
4. This statement is obviously ambivalent when it emanates from the ranks of the new elite in South Africa as, even though the virtues of liberalism over tradition are uncritically extolled, the latter is simultaneously equally uncritically asserted to form the basis of an authentic African culture to be opposed by nationalist discourse to Western (ie liberal) dominance.
5. I am grateful to Pauline Wynter for this point.
6. Badiou (2001). The apprehending of the universal through the particular is, I understand, partly what Paulin Hountondji is getting at in the case of philosophy (a universal discipline) in his famous essay on African philosophy P. Hountondji, 'African Philosophy, Myth and Reality' in Grinker and Steiner (1997).
7. The reference to Clauzwitz' aphorism is intentional.

Appendix

The All-African People's Conference (Accra, 5–13 December 1958)
Resolutions adopted (excerpts):

Frontiers, Boundaries and Federations

3. Whereas artificial barriers and frontiers drawn by imperialists to divide African peoples operate to the detriment of Africans and should therefore be abolished or adjusted;

   Whereas frontiers which cut across ethnic groups or divide peoples of the same stock are unnatural and are not conducive to peace or stability;

   Whereas leaders of neighbouring countries should cooperate towards a permanent solution of such problems which accords with the best interests of the people affected and enhances the prospects of realization of the ideal of a Pan-African Commonwealth of Free States...

Be it resolved and it is hereby resolved by the All-African Peoples Conference that the Conference:

(a) denounces artificial frontiers drawn by imperialist Powers to divide the peoples of Africa, particularly those which cut across ethnic groups and divide people of the same stock;

(b) calls for the abolition and adjustment of such frontiers at an early date;

(c) calls upon the independent States of Africa to support perma nent solution to this problem founded upon the true wishes of the people....

4. Whereas it is desirable that certain measures should be adopted by Independent African States and Dependent African countries which are in a position to do so towards achieving Pan-African unity;

   Whereas firstly passports, travel certificates, etc., should be abolished in respect of bona fide African tourists, visitors, and students for the purpose of facilitating the free movement of Africans from one territory to another and thereby promoting intercourse among Africans, provided that this is not used as an excuse by white settlers to indulge in mass movement of cheap labour...

   Whereas thirdly, it should be possible for Africans to enjoy reciprocal rights of citizenship at least in territories within the same regional group and not be subjected to discrimination on the grounds of their country of origin, so that ultimately no African shall be considered an alien in any part of Africa.

Be it resolved and it is hereby resolved by the All-African People's Conference that the conference:

(a) calls upon all States and countries in Africa which are in a position to do so to implement the following programme forth with;

    (i) abolition of passport requirements and other travel restrictions for bona fide African visitors, tourists, and students;

    (ii) reciprocal rights of citizenship for Africans from other territories...

Tribalism, Religious Separatism, and Traditional Institutuions

Whereas we strongly oppose the imperialist tactics of utilising tribalism and religious separatism to perpetuate their colonial policies in Africa;

    Whereas we are also convinced that tribalism and religious separatism are evil practices which constitute serious obstacles to:

    (i)   the realization of the unity of Africa;

    (ii)   the political evolution of Africa;

    (iii)   the rapid liberation of Africa;

Be it resolved that steps be taken by political, trade union, cultural, and other organisations to educate the masses about the dangers of these evil practices and thereby mobilize the masses to fight these evils;

    That in addition to any action taken by dependent countries, the independent countries shall:

(a) allow their governments to pass laws and through propaganda and education, discourage tribalism and religious separatism...

Whereas the All-African Peoples Conference, convened in Accra from 5 December to 13 December 1958, realizes that some of the African traditional institutions, especially the chieftaincy, do not conform to the demands of democracy;

    And whereas some of these institutions actually support colonialism and constitute the organs of corruption, exploitation, and repression which strangle the dignity, personality, and the will of the African to emancipate himself;

    Be it resolved that those African traditional institutions whether political, social, or economic which have clearly shown their reactionary character and their sordid support for colonialism be condemned;

    That all conscientious peoples of Africa and all African political leaders be invited to intensify and reinforce their educational and propaganda

activities with the aim of annihilating those institutions which are incompatible with our objectives of national liberations;

And that governments of independent countries be called upon to suppress or modify these institutions.

References

Alexander, J., 1993, 'Things Fall Apart, The Centre *Can* Hold: processes of postwar political change in Zimbabwe's rural areas' in Lauridsen, L.S. (ed) *Bringing Institutions Back In - the role of institutions in Civil Society, State and Ecomomy*, Roskilde University, International Development Studies, Occasional Paper no.8.

Amadiume, I., 1997, *Reinventing Africa: matriarchy. religion ad culture*, London: Zed.

Appiah, K. A ., 1992, *In My Father's House: Africa and the philosophy of culture*, New York: Oxford University Press.

Badiou, A., 1988, *L'être et l'évènement*, Paris: Seuil.

Badiou, A., 2001, *Ethics: an essay on the understanding of evil*, New York and London: Verso.

Berman, B., 1997, 'Nationalism, Ethnicity and Modernity: the paradox of Mau Mau' in Grinker and Steiner (op.cit).

Berman, B. and Lonsdale, J., 1992, *Unhappy Valley,* Book Two, London: James Currey

BOABAB, 2003, 'Open Letter from BAOBAB for Women's Human Rights: Please Stop the International Amina Lawal Protest Letter campaigns', May 1st.

Cabral, A., 1980, 'National Liberation and Culture' In A. Cabral *Unity and Struggle*, London: Heinemann

Chanock, M., 1985, *Law, Custom and Social Order: the colonial experiencee In Malawi and Zambia*, Cambridge: Cambridge University Press.

Cohen, S., 2001, *States of Denial*, Cambridge: Polity Press

Cowen, M and Shenton, B., 1996, *Doctrines of Development*, London: Routledge.

Davidson, B., 1992, *The Black Man's Burden: Africa and the curse of the nation state*, London: James Currey

Dowling, K., 1997, 'Traditional Leadership and the Constitutional/Democratic Process' in Konrad- Adenauer-Stiftung below.

El Saadawi, N., 1997, *The Nawal El Saadawi Reader,* London and New York: Zed.

Fanon, F. , 1990, *The Wretched of the Earth*, Harmondsworth: Penguin

Friedland, W. H., 1964, 'Basic Social Trends' In W. H. Friedland and C. G. Rosberg Jr. (eds) *African Socialism*, Stanford: Stanford University Press.

Gourevitch, P., 1998, *We Wish to Inform You That Tomorrow We Will Be killed With Our Families: stories from Rwanda*, London: Picador.

Grinker, R.R. and Steiner, C.B., 1997, *Perspectives on Africa,* Oxford: Blackwell.

Hountondji, P., 1997, 'African Philosophy, Myth and Reality' in Grinker and Steiner (eds) *Perspectives on Africa,* Oxford: Blackwell.

Ibrahim, J., 2002, 'Notes on Globalisation and the Marginalisation of Africa' *CODESRIA Bulletin, Special Issue 10th General Assembly Africa in the New Millenium*, nos 3 & 4

Konrad-Adenauer-Stiftiung, 1997, *Traditional Leadership in Southern Africa*, 16–18 April, Umtata, Johannesburg: K-A-S.

Lan, D., 1985, *Guns and Rain: guerillas and spirit mediums in Zimbabwe*, Harare: Zimbabwe Publishing House.

Machel, S., 1980, 'Make Beira the Starting Point for an Organizational Offensive' In B. Munslow ed (1985) *Samora Machel: An African revolutionary, selected speeches and writings*, London: Zed.

Mamdani, M., 1996, *Citizen and Subject: Contemporary Africa and the legacy of late colonialism*, Oxford: James Currey

Mamdani, M., 1998a, 'When Does a Settler Become a Native? Reflections of the Colonial Roots of Citizenship in Equatorial and South Africa', Text of Inaugural Lecture as AC Jordan Professor of African Studies, University of Cape Town, 13 May, New Series no 208.

Mamdani, Mahmood, 1998b, *When Does Reconciliation Turn into a Denial of Justice?*, Pretoria: HSRC

Mamdani, M. (ed), 2000, *Beyond Rights Talk and Culture Talk: Comparative essays on the politics of rights and culture*, Cape Town: David Phillip.

Mamdani, M., 2001, *When Victims Become Killers*

Mamdani, M., 2002, 'African States, Citizenship and War: A case study', *International Affairs*, vol 78, no3, july.

Meer, S., 1997, (ed.) *Women, Land and Authority: perspectives from South Africa*, Cape Town: David Philip and Oxfam (Uk and Ireland)

Moleleki, M. , 1997, *This is My Life*, Cape Town: Kagiso.

Mutiso, G-C M. and S.W. Rohio, 1975, *Readings in African Political Thought*, London: Heineman

Ngcwecwe, P., 1997, *Not the End of the World*, Cape Town: Kagiso.

Neocosmos, M., 1995, 'Towards a History of Nationalities in Southern Africa', *Working Paper* 95.6, Centre for Development Research, Copenhagen.

Neocosmos, M., 1998, 'From People's Politics to State Politics: aspects of national liberation in South Africa' in A. Olukoshi ed. *The Politics of Opposition in Contemporary Africa*, Uppsala: Nordic Africa Institute.

Neocosmos, M., 1999, 'Intellectual debates and Popular Struggles in Transitional South Africa: political discourse and the origins of statism' seminar, Centre for African Studies, University of Cape Town, April 21st.

Neocosmos, M., 2003, 'Thinking the Impossible? Elements of a critique of political liberalism in Southern Africa' paper presented at WISER, University of the Wiwatersrand 11th September.

Nyamnjoh, F., 2002, 'Epistemological Considerations for Endogenisation of Education in Africa', Department of Sociology, University of Botswana, Occasioanal Paper # 34 April 18th.

Nyerere, J., 1966, Freedom and Unity: Uhuru na Umoja, London: OUP.

Rachik, H., 2000, 'Les Usages Politiques des Notions de Tribu et de Nation au Maroc', *Identity, Culture and Politics: an afro-asian dialogue,* Vol 1, no1.

Ranger, T., 1985, 'The Invention of Tribalism in Zimbabwe', Mambo Occasional Papers Socio-Economic series no 19, Harare: Mambo Press.

Ranger, T., 1993, 'The Invention of Tradition Revisited: the case of Colonial Africa' in Ranger, T. and O. Vaughan (eds) *Legitimacy and the State in Twentieth-Century Africa,* London: Macmillan.

Schmidt, E., 1990 'Negotiated Spaces and Contested Terrain: men, women, and the law in colonial Zimbabwe, 1890-1939' *Journal of Southern African Studies,* vol 16, no 4, December.

Southall, A. W., 1997 'The Illusion of Tribe' In R. Grinker and C. Steiner (eds) *Perspectives on Africa: A reader in culture. history and representation,* Oxford: Blackwell.

Shivji, I., 2000, 'Contradictory Perspectives on Rights and Justice in the Context of Land Tenure Reform in Tanzania' in M. Mamdani ed. *Beyond Rights Talk and Culture Talk.*

Vail, L. (ed), 1989, *The creation of Tribalism in Southern Africa,* London: James Currey.

Wallerstein, I., 1995, *After Liberalism,* New York: The New Press.

Wamba-Dia-Wamba, E. 1985 'Experience of Democracy in Africa: Reflections on the Practice of Communalist Palaver as a Method of Resolving Contradictions Among the People', *Philosophy and Social Action.* July-September. XI. 3.

Wilson, R.A., 2001, *The Politics of Truth and Reconciliation in South Africa: legitimizing the post-apartheid state,* Cambridge: CUP.

Yuval-Davies, N. and Werbner, P. (eds), 1999, *Women, Citizenship and Difference,* London: Zed.

Citizenship and Partitioned People in East Africa: The Case of the Wamaasai*

Chachage S. L. Chachage**

Abstract

This paper focuses on the issues of globalization and citizenship. It takes to task
the various ways in which the issue of African integration has been conceptual-
ized, by bringing in the question of the partitioned communities. It examines the
situation of a partitioned people in East Africa, the Wamaasai, as social actors
capable of making interventions and reconstructing other organizational capaci-
ties, including states, which can effectively deal with the global economy for
their mutual survival. Moreover, it deals with the differentials in access to land
and natural resources in the context of gender, class, race, age, ethnic, national,
and other forms of imbalances, while at the same time problematizing citizen-
ship in the African and global context. The Wamaasai people, cut nearly in half
by the Kenya–Tanzania border live in a situation whereby boundaries were drawn
across well established lines of communication including, in every sense, an
active sense of community based on traditions, common ancestry, kinship ties,
shared socio-political institutions and economic resources. These pastoralist
groups, in both countries, have been facing harsh conditions because of being
deprived of their lands and resources by their respective states, which have al-
ienated them for agriculture and tourism. They have also been persecuted be-
cause of their resistance to 'modernity'. The paper is historical in its focus and
analysis, with the aim to find ways of dealing with the problems facing the
border/partitioned people through Pan-Africanist solutions.

Résumé

Cet article porte sur les questions de mondialisation et de citoyenneté. Il aborde
les diverses manières dont la question de l'intégration africaine a été
conceptualisée, en soulevant la question des communautés divisées. Il étudie la
situation d'un peuple divisé, situé en Afrique de l'Est, les WaMaasai, en leur
qualité d'acteurs sociaux capables de mener certaines interventions et de
reconstituer d'autres capacités organisationnelles, telles que la constitution d'État
qui peuvent effectivement traiter avec les acteurs de l'économie mondiale, afin

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d'assurer leur survie. Cet article examine également les différentiels au niveau de l'accès à la terre, ainsi qu'aux ressources naturelles, dans un contexte caractérisé par le genre, la classe, la race, l'âge, l'ethnie, l'appartenance nationale et autres formes de déséquilibres, tout en problématisant la question de la citoyenneté dans un contexte africain et mondial. Le peuple WaMaasai, pratiquement coupé en deux par la frontière kenyane-tanzanienne, a vu cette frontière tracée par-dessus des éléments de communication bien établis, tels qu'un large sens communautaire basé sur des traditions, des ancêtres communs, de forts liens de parenté, des institutions socio-politiques et des ressources communes. Ces groupes de pasteurs des deux pays ont vécu dans de rudes conditions, car étant privés de leurs terres par leurs États respectifs, qui les ont aliénés de leurs biens, pour pouvoir pratiquer l'agriculture et le tourisme. Ils ont également été persécutés, à cause de leur résistance à la «modernité». La problématique de cet article est historique du point de vue du thème et de l'analyse, et son but est de chercher des solutions panafricanistes aux problèmes que vivent les peuples divisés.

The Problem and Its Context

Literature on regional and African economic integration, over the years, has become ubiquitous in Africa. Numerous documents have been produced in the continent—from the Monrovia Strategy, the Lagos Plan of Action, and the Final Act of Lagos to the more recent document of 2002-New Partnership for Africa's Development (NEPAD). There has also been a proliferation of organizations for economic cooperation, such as the Southern Africa Development Community (SADC), Economic Community of West African States (ECOWAS), Common Market for Eastern and Southern Africa (COMESA) and the East African Cooperation (EAC), in the continent.[1] These new forms of regional integration schemes, on the whole, mainly focusing on the market-led strategy of development, have been conceived as complementary to Structural Adjustment Programmes (SAPs)—a shift from state-led strategies of the 1960s and 1970s to liberalization and support to private sector initiatives. In other words, economic goals have been at the centre in both theory and practice.

Fundamentally, the focus has been on markets and financial and economic development. Such forms of cooperation in Africa aim at dealing with 'problems' arising from the so-called operation of the 'informal sector' and 'informal cross-border trading activities', which, it is alleged, have succeeded in integrating markets where state-led initiatives failed. It is studies that examined these activities since early 1980s that more or less laid the ground for the acceptance of the World Bank/International Monetary Fund (IMF) led SAPs. These studies claimed to account for the way poor people coped with the economic crisis facing most countries in

Africa. According to them, there were a host of activities outside official circuits in which people were engaged, which provided them with survival mechanisms as entrepreneurs or low-income earners given the failure of the official economy to provide sufficient commodities and income-earning opportunities (see Bagachwa 1981; Malyamkono and Bagachwa 1990).

Some authors claimed that the 'informal sector' constituted individual strategies for survival and pressure 'from below through parallel marketing system.' That is, it was this sector that 'laid the basis for many of the liberalization measures that the state adopted later'. Therefore the 'informal economy' was a catalyst for change, as it forced an involuntary 're-definition of the boundaries of state control.' Activities in the 'second economy' were conceptualised as 'adaptations to social or market forces working towards societal harmony or equilibrium' (Tripp 1989: 33, 45-6). In these studies, liberalization measures were viewed positively and governments were advised to support those 'legal' activities, which were supposed to be playing a supportive role in the private sector. This was in line with some other studies around these issues, which attempted at the reconceptualization of state/market relations in terms of existence of 'second economy', 'informal sector', 'parallel markets', etc., and aimed at demonstrating that policy reforms which could overcome the crisis needed to take into account the entire spectrum of economic activities rather than simply the figures provided by the national accounts which excluded all non-official activities. Most of these studies claimed an essentially political nature for the 'second economy' and its role in class formation in African societies (MacGaffey 1983, 1987, 1991; Bates 1983; Kasfir 1983; Rothchild and Chazan 1988).

These studies suggested the introduction of policy reforms that would rehabilitate all those activities which were hitherto considered 'illicit', since they were an 'initiative from below', 'autonomous forms of accumulation', which provided means of survival and accumulation of wealth for investment in productive enterprises. In MacGaffey's formulation, studies that included the 'second economy' had 'important implications for international aid donors, for potential investors, both foreign and national, and for government planners' (MacGaffey 1991: 23). What was being suggested was the 'officialization' of the 'second economy', and its linking to foreign direct investment through a removal of state controls, in the hope that this would lead to spontaneous and harmonious growth.

Despite the liberalization measures in most African countries and attempts to establish regional trading blocks, it is clear that the 'informal

sector' and 'informal cross-border activities' have been flourishing un-
hindered. Official reports in Tanzania show that the country supplies vari-
ous agricultural goods and natural and mineral goods to Kenya, Uganda,
Malawi, Zambia, Burundi, Rwanda, Mozambique and the Democratic
Republic of Congo (DRC). A report compiled by the Ministry of Agricul-
ture, Livestock Keeping and Cooperatives for the year 2000 on Livestock
Border Markets and Inter-Regional Trade in Tanzania, showed that 286,124
head of cattle worth USD 46.4 million were 'smuggled' out of Tanzania
to neighbouring countries. At the same time, 11,408 head of cattle worth
USD 1.85 million were 'smuggled' from across Tanzania's borders dur-
ing the same year. The report further estimated that the country's 'infor-
mal cross border trade' annually was about USD 278 million (Tshs 273
billion). That is annual 'informal' imports and exports stood at USD 102
million and USD 176 million respectively. Meanwhile, studies on regional
integration of Uganda, Kenya and Tanzania revealed that Kenya formally
exported goods worth USD 72.5 million to Tanzania, while Tanzania of-
ficially exported to Kenya goods worth USD 18.2 million. On the other
hand, Tanzania officially exported goods worth USD 5.6 million to Uganda
and imported goods worth USD 4.8 million.[2]

From being popularized as 'informal cross-border trade', it is currently
labelled 'corruption in cross-border trade' since, somehow, it is seem-
ingly operating against the very predictions of the architects of SAPS and
the liberalization policies in general. The fact is, despite all the rhetoric
about liberalization, measures to affect such policies are premised on in-
creased state intervention in economic affairs in terms of adjustments to
cope with inflation, trade policies, land and natural resources policies
and laws, labour laws, tax incentives, export subsidies, privatization,
sectoral policies (in terms of planning and integration of activities), re-
search policies, regulations and controls. Boundaries between sovereign
states are not annulled by 'formal' or 'informal' cross-border trade, when
states still exercise their distinct jurisdictions. These states, whose basis
is the arbitrary division of territories in Africa since 1884, involve the
application of formally enacted laws and regulations to screen cross-bor-
der flows of unauthorised people and goods. They involve entrenchment
of legal definitions of 'citizens' and 'aliens' in the constitution and statute
books.

A lot is known about cross-border trade, formal economic linkages,
diplomacy, law and politics that govern state relations across the bounda-
ries, but there is a dearth of literature on the border populations in terms
of the social, cultural and economic relations they continually generate

across the frontiers. This research took as its starting point the fact that the socio-cultural dimensions of the partitioned people in Africa–which defy the absolute boundary maintenance, given those homelands of some of these communities straddle the borders–is the real challenge in contemporary Africa if one has to transcend the contemporary conceptualization of citizenship, as simply formal citizenship. Achievement of regional and African unity will finally depend on unity at grassroots level, which is in reality based on logical rejection of the boundaries as lines of demarcation, given the kinship and other socio-cultural relations, as well as economic relations activities.

The aim of this study is to demonstrate the fact that the nation-state type of political boundaries in Africa are an obstacle to the resolution of problems currently facing Africa, since they lead to exclusivist, discriminatory and oppressive politics. The nation-states in their current forms as successors to the colonial and neo-colonial entities cannot guarantee welfare and rights to the people, given that most often the boundary communities are often viewed as 'problem' communities. In most cases, these are the areas affected by refugee problems, and nation-states are usually reluctant to invest in their development on the pretext that they might attract people from across the boundary. East African countries are at the threshold of coming out with a new East African Community after the demise of the former one in 1977. A Framework Treaty that formally created the East African Cooperation was signed by the presidents of the three East African nations in 1999. It is for this matter that they are an interesting test case.

This study focuses on the situation of the Wamaasai of East Africa. The Wamaasai people, cut nearly in half by the Kenya–Tanzania border live in a situation whereby boundaries were drawn across well-established lines of communication by the colonial powers in 1884 including, in every sense, an active sense of community based on traditions, common ancestry, kinship ties, shared socio-political institutions and economic resources, and common customs and practices. These people protested, for example, in 1898 against the Anglo-German Boundary Commission which carried out the demarcation of the boundary, since the land belonged to the whole community. These pastoralist peoples, in both countries, have been deprived of their lands and resources by their respective states, which have alienated them for agriculture and tourism. This is separate from the fact that they have often been persecuted for their resistance to "modernity."

The study draws from documentary evidence and field research. Data was gathered from secondary sources like extant texts (in the archives and libraries), books, journals and other publications on the community in Tanzania. In addition, some primary data was sourced through field research among the Wamaasai living in border areas. Initially, the aim was to collect data at Namanga (a township at the border between Tanzania and Kenya). The idea was dropped on the way, because this is a township, which has all the state administrative controls on both sides of the border and it would not necessarily generate new insights, apart from those already current in those studies dealing with cross-border trade. Instead Lerangw'a village (in Rombo District, Kilimanjaro Region), a village situated 8 km from the border between Tanzania and Kenya, lying between Kilimajaro Forest Reserve (KFR) on the side of Tanzania and Amboseli National Park on the side of Kenya, was visited.

The significance of this village, together with some others around the area is the fact that it borders the Kilimanjaro-Amboseli wildlife corridor. This is a protected migratory route of animals on both sides of the international border to other favourable areas for breeding sites, food, water and other seasonal requirements. The same happens to be the case with Mkomazi Game Reserve in the eastern part of the Kilimajaro Mountains stretching up to Tanga Region on the part of Tanzania, which borders Tsavo National Park in Kenya; and also Serengeti National Park in Tanzania, which extends to Maasai Mara National Park in Kenya. In all these areas, animals move across the international border seasonally. The same routes have been and are still used traditionally as migratory routes for the WaMaasai pastoralists. Another place that was visited very briefly is Oldonyo Muruwak in Hai District (Kilimanjaro Region). This is a small hill, which is a sacred place for the WaMaasai from all over East Africa. They converge here every ten years or so to perform ritual ceremonies, when people change from one age group to another.

Conceptualizing 'Citizenship'

This is not the first time that Kenya, Uganda and Tanzania have formed an economic cooperation among themselves. Tanzania (then Tanganyika) a formerly German colony between 1884 and 1917, had no tariffs on the Tanganyika/Kenya border from 1923 to 1967. Tanganyika formally joined the customs union which already operated between Kenya and Uganda in 1927 (Leubuscher 1944: 103-4). The East African Common Market and the East African Common Services (railways, airline, tax collection, etc.) was established in 1948, with headquarters in Nairobi. In 1961, the British

government set up the Raisman Commission of Inquiry and charged it with the task of looking into the inequalities existing in the East African cooperation. It was the report of this Commission which was to form the basis of the establishment of the East African Common Services Organisation (EACSO). The envisaged policies by then were orthodox by nature. The expectations were, these countries would be run by civil servants and the economy would be driven by foreign private companies, 'responding to suitable incentives' (Coulson 1982: 121-2).

Alongside the operation of the common services and common market, there was also the East African Currency Board, which operated the currency and monetary policies of the three countries. There was a common currency, and the Board invested foreign exchange earnings in United Kingdom securities as backing for the East African shilling. Effectively, the colonies were lending money to Britain for investments, since it was Britain which controlled the foreign exchange earnings. Within this context, Tanzania announced the establishment of its own central bank in 1965, and introduced its own currency in the same year to replace the common East African shilling. Other member states followed suit. In the same year, Tanzania imposed quotas on Kenyan made goods. The EACSO arrangements collapsed in this year. By 1966, the Phillip Commission was formed to try and contain the crisis in the East African cooperation. It was on the basis of the recommendations of this Commission that the East African Community, with its headquarters in Arusha, came into being. The presidents of the three countries signed a treaty that created the East African Community in 1967.

The EAC had an East African Council then made up of three East African presidents and five councils responsible for common market, communications, economics and planning, finance and research and social affairs (Hazlewood 1975). The 1967 Treaty for the EAC had attempted to redress the historical economic imbalances that existed between the three countries by allowing for 'tax transfers' to be imposed on the Kenyan borders with Uganda and Tanzania for eight years for any product, in order to protect the infant industries in the two countries. Over and above, it moved the headquarters of the Posts and Telecommunications to Uganda, the harbours to Dar es Salaam, and the headquarters of the community, including the tax collection services to Arusha. Relations between Tanzania and Kenya began to sour in 1975. A Commission (the Demas Commission) was set up in the same year to try to save the East African Community. But the border between Kenya and Tanzania was closed in 1976.

In the case of Uganda, relations with Tanzania went badly with the ascendancy of Idi Amin to power through a coup in 1971. Tanzania opposed the move. It harboured political refugees from Uganda who opposed the Amin regime. In late 1978, Ugandan forces invaded and annexed a small land area in north-west Tanzania, on the pretext that the part formerly belonged to Uganda. The two countries went into a war which lasted for eight months. Idi Amin was kicked out of Uganda by the Tanzanian forces. The East African Community collapsed in 1977 amid political and economic disagreements between the partner states. By 1978, the three states appointed Valter Umbricht to look into possibilities of dividing the assets of the defunct EAC. Umbricht apportioned their shares of assets and liabilities, with Kenya getting 42 per cent, Uganda 26 per cent and Tanzania 32 per cent. Meanwhile, while relations between Tanzania and Uganda had improved with the overthrowing of Idd Amin, relations between Tanzania and Kenya continued to be tense. The border remained closed, and by 1982, both countries were harbouring political dissidents from the other.

Relations between Tanzania and Kenya improved in 1984. With these changed circumstances, the two countries exchanged political dissidents as a sign of good will. In the same year, the three East African countries signed the East African Mediation agreement on the division of assets and liabilities of the former EAC. This agreement also sought to seek new areas of East African Cooperation. It was in 1993 that the three presidents—Ali Hassan Mwinyi of Tanzania, Arap Moi of Kenya and Yoweri Museveni of Uganda—signed anew the Treaty for East African Cooperation in Arusha. The Secretariat of the East African Cooperation was launched in 1996 and Presidents Benjamin Mkapa (Tanzania), Arap Moi (Kenya) and Yoweri Museveni (Uganda) signed a Framework Treaty that formally created the East African Cooperation in 1999.

The EAC, among other things, aimed at promoting sustainable utilization of the region's natural resources and put in place measures for effective protection of the environment. It aims at the promotion of economic integration, and is basically private sector-led. The underlying assumption of the whole initiative was, the cooperation will bring together nearly 80 million people (28 million from Kenya, 20 million from Uganda and 32 million from Tanzania) who are potentially a market for goods and services produced by the private sector and also ease trade barriers among the countries as a means to check the flow of unofficial trade. It would also improve prospects for investments in agriculture, tourism and transport infrastructure.

What is apparent from the above is the fact that the historically social, cultural and political goals of African peoples are not central to these considerations. Even the fact that the current African states are successors to the colonial entities created in consequence of the European partition of Africa in 1884 is not posed as an issue. In fact, what is completely forgotten by those who are concerned with 'cross-border activities', is the fact that the drawing of the boundaries (a political and social act) was a surgery which more often than not split communities based on same traditions as far as common ancestry, kinship ties, social political institutions, economic relations and customs and practices are concerned, and subjected them to different colonial powers or imposed states. More than 100 communities of such characteristics in Africa were arbitrarily vivisected by the colonial powers with little reference to their history, culture, economy, political organization and general modes of life. The Nyamwanga of Zambia, for example, still have their chief appointed by the Nyamwanga of Tanzania, where chieftainship was done away in 1963! Table 1 is an illustration of some of these communities as far as the East African countries are concerned.

There is ample evidence that before and even after colonial occupation, African people were moving freely around their respective regions (west, east, central, southern and north) in large numbers. 'Mozambicans have moved to Malawi, Malawians to Zimbabwe, everyone to South Africa and so it goes on. Many families contain at least a member with direct experience of another country...' (Davidson and Munslow 1990: 11). It is this unity of the people at grassroots level that is not reflected in most literature on cross-border activities. There is hardly any reflection of the achievements of unity at grassroots which was the hallmark of the politics of struggles for independence in Africa in the current theories and practices of integration/unity in Africa. The fact that African masses' forms of resistance to European domination up to the 1940s tended to take place within the context of *Pan-African identity* and not distinctions that are 'tribal', 'ethnic', 'territorial' or 'national' is completely forgotten. When Italy invaded Ethiopia in the mid-1930s, Africans from the continent, Europe and the United States volunteered to fight in Emperor Haile Selassie's army. Kenneth Kaunda and Franz Fanon are among many examples of people who were to be part of independence movements away from their countries of birth. The workers strikes in the late 1940s in many African countries were pan-territorial, and not simply country-based. Sembene Ousmane's (1986) *Gods Bits of Wood*, for example, is one of the most beautiful testaments of struggles of people, who did not

stop at being Bambara or Wolof, Malian or Senegalese. The All-African Trade Union Federation Charter (Casablanca) is a testimony to this. The Charter spoke about all the workers and peasants of Africa and their struggles against all forms of human exploitation.

Table 1: Partitioned Communities in the Great Lakes Region

Boundaries	Partitioned Communities
Kenya–Ethiopia	Somali
Kenya–Somalia	Somali
Kenya–Sudan	Turkana, Danyiro
Kenya–Tanzania	Maasai, Luo, Kurya, Jaluo, Coastal Communities
Kenya–Uganda	Teso, Luya, Luo, Karopakot, Turkana, Marukwet, Samia, Hesu Seuei, Bagisu
Tanzania–Mozambique	Makonde, Yao, Ngoni, Matengo Makua, Ngonde, Nyasa
Tanzania–Malawi	Ngonde, Nyasa
Tanzania–Zambia	Mambwe, Nyamwanga
Tanzania–Democratic Rep. of Congo	Boyo
Tanzania–Burundi	Burundi
Tanzania–Rwanda	Ha, Haya, Zinza, Hangaza, Banyarwanda
Tanzania–Uganda	Haya
Uganda–Democratic Rep. of Congo	Alur, Batoro
Uganda–Rwanda	Banyarwanda
Uganda–Sudan	Acholi, Kakwa, Jiya, Alur, Jiya, Lango, Dongatona

In many ways, most anti-colonial struggles, even when localised, tended to emphasise race as opposed to place or territory. More often than not, movements for the liberation of the various countries worked together and supported each other. The fact that the colonization and condemnation of Africa to its current state of affairs was continental and that Africans in the past worked for a continental liberation and rehabilitation is hardly taken into account.

The efforts of the native to rehabilitate himself and to escape from the claws of colonialism are logically inscribed from the same point of view as that of colonialism. The native intellectual who has gone far beyond the domains of Western culture and who has got it into his head to proclaim the existence of another culture never does so in the name of Angola or Dahomey. The culture which is affirmed is African culture...Colonialism did not dream of wasting time in denying the existence of one national culture after another. Therefore the reply of the colonized people was continental in its breadth. In Africa, the native literature of the last twenty years is not a national literature but a Negro literature...Because the New Guinean or Kenyan intellectuals found themselves above all up against a general ostracism and delivered to the combined contempt of their over-lords, their reaction was to sing praises in admiration of each other. The poets of Negro-ism will not stop at the limits of the continent. From America, black voices will take up the hymn with fuller unison. The 'black world' will see the light of Busia from Ghana, Birago Diop from Senegal, Hampaté Ba from Sudan and Saint-Clair Drake from Chicago will not hesitate to assert the existence of common ties and a motive power that is identical. (Fanon 1967: 171)

The All-African People's Conference held in December 1958 in Accra, Ghana, resolved that Africa must unite. In its resolutions, it categorically stated that "the bulk of the African continent has been carved out arbitrarily to the detriment of the indigenous peoples of Africa by European Imperialists'; that 'the great masses of the African peoples are animated by a desire for unity'; the latter would be 'vital to the independence of its component units and essential to the security and the general well-being of African peoples'. The resolution further stated that 'the existence of separate states in Africa is fraught with dangers of exposure to imperialist intrigues and of the resurgence of colonialism even after their attainment of independence, unless there is unity among them'. It endorsed the Pan-Africanist desires for unity and called upon independent African states to work towards the evolution and attainment of an African Commonwealth.[3]

Kwame Nkrumah was of the view that there was not much that African states could achieve individually for their people, even if some were potentially rich, unless mutual help and economic development for the whole continent was planned and pursued. In a very profound and prophetic manner he stated: 'A loose confederation designed only for economic co-operation would not provide the necessary unity of the purpose. Only a strong political union can bring about full and effective development of our natural resources for the benefit of our people' (Nkrumah 1971: xi). The struggles for independence were at the same

time struggles for the rehabilitation of the African personality, which de-
pended on the unity of Africa, 'not only in sentiment but in fact'. Accord-
ing to Julius Nyerere, 'We know that a balkanised Africa however loudly
it might proclaim its independence and all that, will in fact be an easy
prey to the forces of neo-imperialism [neo-colonialism].'[4] In 1962,
Mwalimu Julius K. Nyerere had ridiculed African borders as 'ethnographi-
cal and geographical nonsense'; 'It is impossible to draw a line anywhere
on the map of Africa which does not violate the history or the future
needs of the people'. He even regarded the retention of the colonial bounda-
ries a 'second scramble' of Africa (Smith 1974: 88).

Kwame Nkrumah and several other leaders, propelled by the vision of
Pan-Africanism, placed emphasis on political unification of Africa and
the abolition of colonial boundaries dividing African people. When the
OAU came into existence in 1963, it was hoped that that would be the
first step towards the total unification of Africa. But in the OAU Summit
held in Cairo in 1964, the overwhelming majority of African states sup-
ported the adoption of a resolution which pledged to respect the borders
existing on their achievement of national independence. By then, self-
determination had acquired an interpretation to mean a right applicable
to the colonial territory within inherited boundaries. In this way, states
were increasingly defining themselves according to colonial boundaries
and working towards self-preservation and that of the status quo. Except
for Tanganyika-Zanzibar union, which still survives, other attempts at
uniting countries (e.g. Ghana-Guinea-Mali union of 1960) had collapsed.

The self-preservation of the states was increasingly being combined
with an obsession with application of western legal definitions of con-
cepts such as citizenship, refugees, aliens, etc., and hence creating more
difficulties and even crises for the people in various countries. A Citizen-
ship Bill was passed in Tanganyika in 1961, for example. It stipulated
that citizenship be granted automatically to any adult person who was
born in Tanganyika, and anyone born of one or both parents, neither of
whom was born in Tanganyika, to be given two years to decide if he or
she wished to become a Tanganyikan citizen. Dual citizenship was to be
ended, and duties and rights of citizens were to be based on loyalty to the
country.[5] In this regard, people from former German East Africa (includ-
ing Rwanda and Burundi), which had been re-divided after World War I
into Belgian and British territories, and other people residing in the coun-
try from other territories were being directly affected. This was besides
the fact that people living in the borders with neighbouring countries,
such as the Wamasaai, Wajaluo, Wamakonde, Wanyasa, Wahaya,

Wahangaza Wanyamwanga, etc. who had relatives and friends across the borders were also being affected.

This, in fact was contrary to the past history of the country. Historically, the concept of refugee began to be applied in Tanganyika for the first time in 1920s. The reference then was only to persons of European origin, mainly Germans (whether prisoners of war or missionaries). This was also the period that saw a variety of African people coming from the neighbouring countries (in many instances running away from brutal conditions or for economic reasons), but these were not regarded as refugees. Legislations which had direct bearing on refugee and war were actually passed during World War II, when the Colonial government had to arrest and intern in camps or isolate in a quarantined island more than 3,000 Germans and Italians who were thought to be dangerous to British interests. It was in this context that laws that sought to establish refugee camps, to control the movement of refugees and give provision for their removal or deportation were introduced.

From only Europeans being refugees, independent Tanzania was to redefine that status so that it included Africans. It gave a refugee status to some political groups, some of who were to stay as liberation fighters (South Africans, Mozambicans, Zimbabweans, etc), as a reflection of their anti-colonial stance. The headquarters of the Liberation Committee of the OAU was to be stationed in Dar es Salaam in 1963, and many liberation movements opened their offices in the country. Their political activities were hardly questioned, since these were considered legitimate political struggles against oppressive colonial regimes. While those from the colonial countries were accorded such a status, those who came from the newly independent countries faced a different situation. With the independence of Rwanda in 1962, for example, the political support previously accorded to the Watutsi was to be reduced and completely disappeared in the subsequent years. With the independent government, the influx of people from neighbouring countries was not merely that of 'migrant labourers' as in the previous times, but refugees. It was within this context of elevating 'alien' Africans from migrants to refugees that the Tanzanian government passed a law in 1966 (The Refugee (Control) Act). The Act more or less reproduced the provisions of the colonial legislations, and it gave excessive powers to the state organs to exercise powers over the refugees. This law was supplemented by such as those that dealt with extradition matters and the Fugitive Offenders (Pursuit) Act of 1969.

It was with the opening of a branch of the United Nations High Commission for Refugees in Dar es Salaam in 1967 that concern began to be voiced on the nature of the refugee laws in Tanzania. The concern was over the issues of human rights, methods of determination of refugees and the whole question of the presence of international institutions and their role. No changes were made as such on the law despite the proposals and counter proposals.[6] This reluctance to change the legislations on refugees was also to find its expression in the manner that Tanzania acceded to the 1948 Convention on the Prevention and Punishment of the Crime of Genocide in 1984. Even with this having taken place, the country failed to comply with the essence of the Convention which required her to adopt implementing legislations, the result of which persons and government agencies did not have the possibility of acting legally when such matters arose, such as in the 1994 Rwanda events. It was this aspect that made Tanzania fail abysmally to deal with people who committed acts of genocide and were residing in Tanzania. The 1966 law was repealed by the 1998 Refugee Act, and assented by the President in 1999, the year when a new Citizenship Bill was passed.

Like elsewhere in Africa, citizenship in Tanzania has acquired the connotation of formal citizenship, defined as membership of a nation-state and loyalty to the state and its policies as prescribed by the donor and international community, rather than an attempt to restructure the relations between the people and the state. Citizenship in Africa means politics of exclusion and denial or granting of rights to some groups including the disempowerment of the majority of the people. It is fundamentally different from the conception of Eastern European countries, where opposition movements that brought about the collapse of these regimes emphasized very strongly the idea of citizenship as embodying basic rights, and also the related conception of the independence of the institutions of the 'civil society' from the state. The problem as far as these movements were concerned was that of how to establish a democracy whereby there would be a sense of widespread and evenly shared opportunities to influence public opinion and government decision-making through plurality of organized interest groups. In this regard, citizenship appeared to depend for its exercise on active participation in non-state institutions, as the necessary basis for participation in formal political institutions. It is these conceptions that the rest of the world seems eager to take to heart and introduce, even in Africa, within the process of restructuring of the economies.

With the introduction of multiparty system in the country in 1992, the vocabulary of 'nationalism' and 'patriotism" was increasingly being replaced by that of 'citizenship'. In this year, one of the former independence cabinet ministers and a long serving member of the nationalist party, Mr. Oscar Kambona, had come back from self-exile and formed a party— Tanzania Democratic Alliance (TADEA). The state claimed that he was not a citizen of Tanzania but a Malawian! Citizenship in Tanzania had acquired the connotation of formal citizenship, defined as membership of a nation-state and loyalty to the state and its policies.

Even outright racist and xenophobic views are on the increase among the people of Tanzania. During the parliamentary budget session of 2001 there were suggestions from some honourable members of the house to the effect that Tanzanians should avoid marrying women of Rwandan and Burundian origin, lest they produce offspring who are 'naturally violent'! In early 2001, four prominent people (two of them of high ranking in the ruling party and the others having previously held various positions including representing the country internationally) were declared stateless. In October 2001, the government kicked out about 3,000 people of Ugandan origin who had settled in the country, some of them for a generation or so, because they are not citizens. They were being sent back to Uganda with their 80,000 herds of cattle. The government announced that the exercise of hunting and kicking out 'foreigners' would continue.

The Pastoralist Wamaasai and Related People

There is a lot of literature on the Wamaasai people of East Africa in the world. Most of it focuses on the ecology and management of the conservation areas in which they inhabit and that relationship with wildlife in the region. The classic study is that of Bernhard and Michael Grzimek (1965)—*Serengeti Shall Not Die*. This book catalogued the threats that Tanzania's Maasai herders, poachers and farmers posed to the greatest wildlife spectacle on earth. It was this book which brought Hollywood to produce a film on Serengeti which shook the Western preservationists. The book was completely oblivious of the threat and hardships that these people had suffered and continued to suffer. It simply upheld the beauty and the value of those plains for white hunters and white tourists.

The other type of literature is the typically coffee table type, which merely regards these people as part of the exotic fauna and flora of the landscape. This type of literature, besides the colonial type which portrayed them as warrior people who were constantly on the necks of other 'tribes', fighting them and looting their cattle, merely regard them as 'no-

ble savages' for tourist attraction. The view is they are obstinate con-
servative nomads, who, like dinosaurs, are survivors from the past age
with a dying set of values, aristocratic, manly and doomed. Thus, for
example, book writes:

> The tribes holding the greatest attraction for visitors are undoubtedly those
> belonging to the Nilo-Hamitic peoples, rich in ceremonials and spectacu-
> lar in dress....[The] famous Maasai, who still occupy a great area of Kenya
> and extend south into Tanzania. Even more picturesque are the nomadic
> Samburu, who roam about in the tumbling, volcanic country between Lake
> Turkana and northwest Mount Kenya. Appropriately, Samburu means but-
> terfly (Casimati 1986: 11).

Reality is, of course, different from the above views. Without going into
the details of their origins (Spear & Waller 1993),[7] people called the
Wamaasai have lived in the vast plains of the Rift Valley in southern
Kenya and northern Tanzania, and also in certain areas immediately east
and west of the Rift Valley. That is from the north of Mount Kenya to the
plains south of Mount Kilimanjaro, and from the shores of Lake Victoria
to the coast of the Indian Ocean. This country, which has historically
been referred to as Maasai-land, has always been shared with people who
share a common language with the Wamaasai, and in many aspects at
least share a common culture with them although generally not the name
Maasai. Their own legends tell of a beginning when they came from Kerio,
a kind of paradise (Loitokitok). They are said to have initially come from
somewhere around Lake Rudolf and moved southwards some six hun-
dred years ago. At the same time, there is one of the mountains in north
Tanzania, which the Wamaasai call Oldonyo Lengai—the place where
God resides and the western summit of the Kilimanjaro is referred by
them as Ngaje Ngai—the House of God.

Those who share attributes with the Wamaasai are people living north
and South of Lake Baringo—the Iltimus and the Samburu. Others are the
hunter-gatherers Wandorobo and Watatoga. Others are the agricultural
Waarusha (sometimes called the agricultural WaMaasai). In Kenya, they
are bordered by Kalenjin agro-pastoralists to the west and agricultural
Bantu communities in most other directions, such as Kikuyu and Luo to
the north and Abugasi to the south and southwest. In fact, there are some
aspects which indicate that the Wamaasai and the Wakalenjin, together
with the Rendille, Galla and Boran, may be closely related. In Tanzania,
they are bordered by Bantu agriculturalists such as the Wameru, Wachagga,
Wapare. Some of these are also agro-pastoralists. Relations between

Maasai and agricultural communities were mostly peaceful and trade-oriented. This is particularly so with Kikuyu, with whom the Maasai share a deity and sometimes exchange wives. They have also lived in peace and harmony historically with the Nandi and Kipsigis.

The relations between the pastoralist Maasai and other agricultural communities (for example, the Wakikuyu) were based on complementary economic relations, with the former accessing to food supplies, such as vegetables and cereals and extra herding labor whenever there was shortage and the latter accessing to small stock. There were intermarriages taking place between these communities. Networks between the Wamaasai and Wakikuyu were quite intense by late nineteenth century, and characteristic of the Wamaasai concept *osotu* (bond friendship) which referred to the ties between these people. Learning the language of each other was a common practice within these relations. It was mainly women who were at the centre of these exchanges, since they were the ones who controlled the household's food supplies. Within this context, women were the porters in the trade and there were some who emerged as entrepreneurs and investors in food supplies. For these communities, food was ultimately friendship. They even helped each other during hard times. (Waller 1993: 228-9).

In Tanzania, the Wamaasai have traditionally reached out towards the east almost as far as the coast, from Tanga region to Morogoro and the Coast regions. From the Southwest, they spread into the north-eastern part of Mbeya region (this region borders Zambia in the west). While those who spread to the Coast and Morogoro region are sometimes derogatively referred to as Wakwavi, those who spread to the tip of Mbeya region are sometimes referred to as the Wabaraguyu. In sum, what it amounts to is the fact that the reference to Maa-speaking people specifies the geographical and historical context of an identity which exists within divergent modes of livelihood and forms of exchange. The communities crucial to the history of the WaMaasai are the Kikuyu, Kalenjin, and to a lesser extent other Bantu groups. Thomas Spear noted the following:

> Pure pastoralists cannot survive in the long run without access to grains to supplement the pastoral diet, to food reserves during droughts, or to refuge in times of trouble. Social relations between pastoral and agricultural societies were thus intense, and were facilitated by shared cultural norms. Most of the farmers with whom Maasai interacted were Bantu or Kalenjin-speakers who farmed the fertile highlands surrounding the plains—Kikuyu, Chagga, Sonjo, Nandi, and others. Women conducted frequent trade between pastoral and agricultural homesteads; bilingualism and intermarriage were common; farmers were often affiliated with Maasai clans or

age-sets; herding duties and stock were often reciprocated; and pastoralists frequently sought refuge among farmers when drought or disease devastated their herds. Other farmers—Arusha, Nkuruman, and Chamus—were, however, culturally Maasai, defining themselves as such, speaking Maa, participating in Maasai clans and age-sets, intermarrying with Maasai pastoralists, and conducting frequent exchanges of food, labour, and stock with them. While Kikiyu and others could cross cultural boundaries and become Maasai, only relative status separated agricultural and cultural Maasai (Spear 1993).

The Wamaasai themselves use the word *Olosho* to apply to all Maa-speaking people. And this word cannot be readily translated by the word 'tribe' or 'ethnic' group—whether one defines it in terms of origins of the community, political autonomy or cultural elements such as language and religious beliefs. It refers to all those groupings above (Samburu, Iltiamus, Waarusha, Wabaraguyu, Wakwavi, Ndorobo) and their territorial occupation (geographical) in the form of landownership. These are groupings which are geographically cut-off from the main body of the Maa-speaking people, but there is still a great degree of unity and a sense of feeling united—sameness of culture, economy, and other aspects. The Iltiamus and the Samburu, for example, were completely cut-off from the Wamaasai main community by a Wamaasai migration ordered by the British government in 1904 and 1911. The Wamaasai were being displaced for European settlers in the highlands. With the forcible move of 1911, the Wamaasai went to live in the western part of the country known by the Wamaasai as Olorokoti loo Siria—west of the Mara River. This is the area that also borders the Serengeti (meaning, an endless plain in Kimaasai) in Tanzania.

The pastoralists and farmers or hunter-gathers traditionally usually came together as a single mode of production. Here, the aspects which brought these people together are more important than those that have usually been exaggerated by imperial and colonial historiography, and which sought to differentiate the pastoralists from the farmers and other communities by insisting that war reigned among the people of East Africa in pre-colonial times. Since 1970s, popular historiography in Africa has demonstrated that it was the colonials who were pre-occupied with the 'invention of tribes', following the studies by Ranger (1983) and Iliffe (1979). These studies revealed that particular ethnic identities have come into existence in the relatively recent past as a colonial creation and that these ethnic categories are constructs, which have been changing over time given the nature of the state. It was further demonstrated that ac-

counts (by ethnologists, travelers and missionaries) on nineteenth cen-
tury pre-colonial Africa rife with 'tribal wars'; descriptions of whole
populations perpetually at each other's throats was an imperial creation
to justify the intervention and colonization of Africa (Kjekshus 1977).
All this was constructed by the so-called 'humanitarian movements', ad-
vocating for colonization as a means to bring 'civilization' to Africa (in
the name of spreading Christianity). It was what the imperial writer Kipling
termed,'white man's burden'—to 'civilize' those 'half-devil, half-child'
peoples of Africa (Wright 1976: 113).

The Wamaasai have historically maintained common relations with
all their neighbouring groups. The basis of their common social relations
was grounded on the fact that pastoralists sought to maintain wide circles
of exchange and marriage partners by incorporating their agricultural and
hunting and gathering neighbours within their age-sets. At the same time,
farmers married pastoral women and adopted pastoral men into their lin-
eages. 'Each set of social relations was thus historically specific to a sin-
gle means of production but ultimately came to embrace those with dif-
ferent means of production in order to mediate relations among them within
a common mode of production' (Spear 1996: 6). These groupings, seem-
ingly different on the basis of their means of production and means of
subsistence, have been projected as opposed to each other in most stere-
otyped literature. This is because in the legends of the various communi-
ties, pastoralists sought to protect their access to animals and grazing
lands by regarding hunters who destroyed animals or farmers who mo-
nopolized potential grazing lands as consumers of valuable resources.
The creation myth of the Maasai goes that a single God (*Engai*) created
three people who were assigned different roles on earth.[8]

The Wamaasai (herein refers to all Maa-speaking and related commu-
nities) have historically lived in small settlements, or kraal camps
(*manyatta*) set up by the *moran* (the warrior age-set) to protect the local-
ity. Basically, all these people are defined by three co-existing but sepa-
rate structures which combine to produce a highly complex social sys-
tem, namely, the territorial system, the clan system and the age-set system.
The pastoral Maasai are sub-divided into a number of territorially based
sections called *iloshon*—such as the Kisongo, the Sale, the Loita and
Serenget in Tanzania or the Purko in Kenya and parts of Tanzania. Tradi-
tionally, each section is a land owning unit in the sense that people be-
longing to a certain section have rights in the territorial land occupied by
that section as against people of other sections. Within this context, it is

the outer boundaries of the section that constitute the limits of the live-
stock movements as far as grazing and pursuit for water is concerned.
Each *iloshin* is in turn divided into *enkutoto* (a number of smaller locali-
ties), each with its own permanent water sources for dry season grazing.
In each of these small localities, there are defined boundaries for wet
season grazing. Depending on the environmental conditions, each focal-
ity varies in size, but the average may be about 1,000 people or 125 *bomas*
(kraal) in possession of an average of 20,000 livestock units (cattle and
small stocks).

The *boma*[9] is the basic unit of settlement and the principle unit of
livestock management as well as the centre of domestic life. It is com-
posed of several independent homesteads which have joined together on
the basis of congeniality and common interests in the economic exploita-
tion of the immediate vicinity. The homesteads (singular *nkang*, plural
nkangitie) consist of a number of houses built around central holding
corrals for livestock. Traditionally, a *boma* had 50 to 80 persons and as
many as 1,200 to 1,500 livestock units, of which a large number were
cattle. It was a flexible unit in terms of composition and organization.
There were no formal leaders, although elders were usually considered to
be the informal leaders. Beyond that, there were no overall kinship struc-
tures in which political authority resided, although some households could
be related to one another by various ties of kinship. For them, it was not
necessary for a boma to have predominantly members of one descent
group, and settlement of disputes and enforcement of norms and values
mainly rested with the local council of elders.

In practice, the *enkutoto* was a self-contained economic and socio-
political unit in which leaders—a council of elders under the leadership
of local age-set leaders—managed the resources and public affairs. Al-
though the *enkutoto* was not a land owning unit in the same sense as
iloshon, individual homesteads secured their rights to communal resources
(grazing land and water) only through common residence within the same
locality over a period of time. Homesteads, thus tended to remain in one
locality rather than move between localities because of the rights and
obligations attached to local loyalties. Over and above these sections and
localities are the clans. These were divided into patrilineal clans, referred
to as *inkishomin*. The *inkishomin* were in turn divided into sub-clans,
called *olilata*. The clans were dispersed throughout the Maasai land and
among different *iloshin* and *enkutoto*. In other words, each of these was
likely to contain a number of clans. Clans are identified by shared names
and histories, and they are structured by kinship relations. Clans could

trace their lineage to three generations or more, back to the father of the oldest living man, 'and clanship membership embodies the ides of common origins further back in the father's line....'. Marriages generally take place between members of different clans. Furthermore:

> Members of individual clans are dispersed throughout Maasailand, and thus provide a potential network of influence and social obligation alternative to the section system....Perhaps its most important expression among the Maasai, apart from its constraints on marriage, is that new immigrants to a locality rely on clansmen already living there to help them settle in (Homewood and Rogers 1991: 45).

Beyond the above, the Maasai are stratified by way of male age-sets. These include all men within a given age span over a large area. These age sets pass through four stages. The same age-sets exist even among the Waarusha and other groups related to the pastoralist Wamaasai. The first one is called *ngiaray/layon* (boyhood). This is a set of those boys who have not been circumcised. The role of this group is to herd cattle wherever pasture is available. The *moran* (middle age-set—the warriors) is the second set. These are considered to be the army of the society. They are divided into two groups—the *ilkurianga* (young moran) and the *landisi* (elder moran). Although both groups have the same roles in society, the young obeys orders from the elder *moran*. The *landisi* are the fathers of the *layons*. The morans are led by the *leigwanani* (the age set spokesmen—these are in the middle age-set and are adults). These are responsible for security of the people and the livestock. They are also responsible for socializing young boys in the general societal values and rules and also directions of good pastures.

The last age set is the *orupaiyani* (the elder age-set). This age-set has the responsibility of advising *morans* on land-use plans, circumcision and ritual matters. Within this age-set, the ritual and age-set leaders are called *laiboni* (priests/prophet/ritual expert). There is another group of elders within this age-set that deals with political matters. Even in this group, there are sub-sets, starting from the young ones to the elders. The most significant aspect is the fact that:

> Collectively the local elders of an age-set, of a clan or a community at large assume responsibility to resolve relevant issues...Any recent immigrant from another part of [the section] has the right to participate in this decision-making...migration between localities...keeps alive the sense that in their decisions they all represent the interests and unity of [the section] as whole (quoted in Spencer 1996: 45)

Among the Maasai, only men belong to age-sets and they are the ones who control the age system. Women do not have their own age-sets. Instead, they follow the men's age-sets. Thus, young girls are called *ngiaraya* or *ndito*. They have a responsibility of helping their mothers in domestic chores—including milking cows, washing calabashes, cooking and working in family farms. The wives of ilkurianga and landisi are called *sangiki*. The wives of *leigwanani* and *orupaiyani* are called *mamakoko* and *mamayeyo* respectively. These are mothers and grandmothers of *morans* respectively. Their responsibility is to take care of children and their husbands. They also cook, wash and work on family farms.

The Plight of the Pastoralist Wamaasai

The history of the past 150 years of the East African pastoralists has been a history of catastrophe, land loss and marginalization. This history more or less started with the great rinderpest which hit East Africa in 1890, drought which followed after that and the outbreak of smallpox on 1892. Rinderpest and drought almost obliterated their herds. Consequently there was famine of an unprecedented scale. It forced the Maasai to flee and seek refuge among other communities. Smallpox, which followed soon after that, ravaged human populations. It is estimated that half of the Maasai population could have died as a result of these calamities. These diseases, which were newly introduced to East Africa along the trade-routes, were followed by German and British wars of colonial occupation (Kjekshus 1977). As if this was not enough, the great Masaai leader, Mbatyany, who led them in the protest of 1898 against the Anglo-German Boundary Commission given that the land belonged to the whole community, died in 1890.

With the establishment of colonial rule, the Wamaasai communities which had previously shared economic interests and, in part, common culture and ideology were separated by divergent patterns of development and different experiences of colonial rule, resulting in identities that had once been complementary becoming divergent and even alien. The two colonial powers had drawn imprecise boundaries, which became policed borders. With colonization, four policies of attempting to control, change and earn revenues from the subjects came into the scene. These concerned the inter and intra ethnic communities, land alienation, development of pastoralism and game preservation (Brockington 2002: 30). The colonial policies in Kenya and Tanzania favored settler agriculture and small holder farming for export crops. In both countries, the colonial powers saw the Wamaasai as a barrier to progress. In the case of Kenya,

white settlers occupied 60,000 acres of Kikuyu land between 1903 and 1906 (Rutten 1992).

Between 1904 and 1911, the colonial government in Kenya had manipulated and removed the Wamaasai to give land to settlers. Through the dubious 1904 and 1911 treaties, the Wamaasai were settled in the Northern Reserve in the Laikipia area and finally the Southern Reserve where the Wamaasai live today. With the second so-called treaty, the Northern Reserve was given to Europeans for settlement. The Wamaasai attempted to sue the colonial government, but they lost the case. The Maasai lost their best dry-season rangeland to European encroachment, to gain only small amounts of marginal land in southern Kenya. After their being displaced by the colonial settlers, many of them moved into the wetter northern regions north of present day Narok and Kajiado (Rutten 1992). During these 'moves', even the Wakikuyu who regarded themselves as assimilated Wamaasai were also removed together with them. The frontiers created by the colonial government with the introduction of the reserves effectively prevented the development of non-Maasai enclaves within Maasailand. At the same time, with land alienation among the Wakikuyu, many of them were being compelled to flow into Maasailand, at first using the old ties and old forms of assimilation, but by 1940s, as settlers. The late comers came with the new notions of land ownership through clearing and cultivation. This was despite the fact that these settlers often passed themselves as Maasais and married their daughters, and their sons joined or imitated the morans. It was in this way that some Wamaasai began to take cultivation on a very small scale, given the pressure of the new relations.

By 1930s, there were some colonial officials who were encouraging the Wamaasai to become mixed farmers as a result of these developments in the reserves. With these colonial policies which worked hard against the previously established relations between the communities through promoting agriculture to a more elevated level, identities between the pastoralist Wamaasai and agricultural communities began increasingly to take shape. The land losses were causing the pastoralist Wamaasai to identify themselves as a particular community as opposed to the others who settled among them or bordered their lands that were increasingly being regarded as aliens. In this way, a Maasai Association was formed in 1930 as a platform to defend their lands (Waller 1993: 242-3). By this time, the Wamaasai had become synonymous with 'backwardness'. The colonial state had completely altered the manner in which the Wamaasai inter-

acted with other communities, even though many of their old linkages
and networks remained.

Beyond the problems faced by the Wamaasai as a result of the creation
of the reserves and the encroachment of their lands by agricultural com-
munities, the international boundary that was introduced during the parti-
tion of Africa increasingly denied them opportunities that could have al-
leviated their problems. In the face of this situation, the Wamaasai of
Kenya tried to maintain their relations with those of Tanganyika, and at
times redefined those relations. 'Cross border trade, for instance became
smuggling and 'black-marketeering'. The 'tribalism' of colonial officials,
attempting to distinguish between the indistinguishable, threatened to split
apart the old solidarities of the frontier, but their subjects knitted them
together again and the frontier was never quite closed' (246) The colonial
governments in both Kenya and Tanganyika tended to regard ethnic groups
and their territories as distinct. They had even restricted the earlier flex-
ibility of the communities which had characterized the earlier times. But
then, even these attempts did not prevent people from changing identi-
ties. For example, when Colonel Grogan (one of Kenya's aggressive set-
tlers) expanded his sisal estates at Taveta towards Lake Jipe and encour-
aged the exclusion of the Wamaasai who watered there, the tendency for
the pastoralists was to cross the international border seasonally to solve
the problem of watering.

In the case of Tanzania, Germans attempted to confine the Wamaasai
to a reserve in the dry Maasai-steppe. This attempt failed, but they suc-
cessfully evicted them from the rich grazing areas around the base of the
Kilimanjaro and Meru mountains, opening them for white settlers and
indigenous farmers. At the same time, they introduced game sanctuaries
in some of the lands that belonged to the Wamaasai. Germans were al-
ready accelerating conservation measures in the form of 'game preserves'
and 'sanctuaries' by 1890s. They were introduced by Governor Hermann
Von Wissmann first in Moshi and Kilimanjaro districts in 1891, and fi-
nally extended to cover the whole colony by 1896. Among the areas that
were declared as game reserves in 1896 was the west of Kilimanjaro.

Conservation measures in the colonies took the form of creation of
forest and game reserves and later national parks. A conference of Afri-
can colonial powers signed a non-operational Convention for the Preser-
vation of Animals, Birds and Fish in Africa in 1900. An International
Union of the Protection of Nature was to be launched in 1949. It changed
its name to become the International Union of the Conservation of Nature
in 1956. This Organization was very instrumental in the declaration of

several national parks in the 1940s and 1950s in Africa, including Nairobi and Tsavo National Parks in Kenya (1948); Serengeti National Park in Tanganyika (1951); and Muchison Falls in Uganda (1951). Tsavo National Park, Amboseli National Park and the Masai Mara Game Reserve were situated in the heart of Maasailands. Since their creation, national parks have always been closed to Maasai, with the occasional exception of access to watering holes and forage in times of severe drought.

There were about eight reserves in Tanzania, which were demarcated by 1908 as reserves. Their number reached 11 by the end of World War I. Germans had introduced licences for Africans and Europeans and prohibited certain types of hunting technology (nets, fire and other forms of driving game), as a way of excluding hunter-gatherers Maasai related people from their traditional areas. Regulations were introduced in 1898, which excluded African hunters, since Europeans were blaming Africans for the destruction of game. In Kenya, the British colonial power had also brought conservation early. This was besides the fact that land alienation for agriculture was taking place. Hunting without a license became illegal shortly after the turn of the century, as a result of the rules created by the Society for the Preservation of the Fauna of the Empire. Most of the lands that were being affected were those that belonged to the Wamaasai. Most land now protected was designated between 1945 and 1960. These were areas that belonged to the Wamaasai and other related groups—in areas deemed low in economic potential. National Parks came under the authority of the National Parks Service. The National Parks Ordinance of Kenya was passed in 1945 and the National Parks Ordinance of Tanganyika was passed in 1948.With such policies, the Waliangulu people of around the Tsavo National Park, who were dependent on elephant hunting, were almost destroyed through jailing and killing, since they were now considered to be poachers, given the new laws. It was the 1945 Ordinance that resulted in the establishment of Nairobi National Park in 1947.

Tanganyika (Tanzania after the 1964 union with Zanzibar) had fallen under British rule in 1917 as a protectorate. The British took over the reserves that were established by the Germans and extended them to 13 (16,300 sq. miles) in early 1920s. It was during the British colonial period that land alienation in the centre of Tanganyika Maasailand intensified. This land was being taken by settlers and indigenous cash crops farmers. Within this context, traditional Maasaai lands were being turned into beef ranches, wheat schemes and smallholder farmers (Århem 1986: 242). At the same time, game reserves such as Ngorongoro, Serengeti and others were to be confirmed under the Game Preservation Ordinance of

1921. Serengeti and Ngorongoro were to be further extended in 1936. In the 1920s, the Tanganyika government decided to place all the Wamaasai in the Maasai Reserve, west of the Ruvu River, with temporary concessions for grazing east of the river during hard times.

The measures were a result of the influence of the Colonial Office (Shivji and Kapinga 1998). They were also a response to the pressures of the Society for the Preservation of the Wild Fauna of the Empire. There were already intense debates on the question of Wild Life Policy in the East African territories by 1930s. There were some Europeans who were not in favour of game reserves since these were in conflict with the settler interests as far as land issues were concerned. Such opposition also came from Africans whose land and natural resources rights were being infringed upon. Some of the European sections voiced the view that such policies merely served the wealthy and privileged. Accordingly, they introduced vindictive sentences and repressive measures on poachers, while granting land use for sport to a few, instead of allowing land to be employed usefully or for the pleasure and health for all (meaning all whites) (Huxley 1932: 226).

These debates had coincided with the new developments in tourism, whereby game viewing was increasingly becoming an important aspect. The government was making some money out of game licences, and private firms and individual hunters were making even greater sums of money by outfitting game safaris and advising and guiding sportsmen. This was the government's view. But according to it, these sums were trifling in comparison to what the countries 'could make by exploiting [...] humanity's interest in living wild animals, in grand and strange scenery, and in unfamiliar and exciting holidays, instead of merely capitalizing its atavistic hunting propensities. East Africa is unique in the variety of large animals which can be easily seen there' (ibid.: 231). It was in the 1930s that regulations for setting up national parks were introduced. It had become clear that game-viewing tourism promised more revenue for the East African governments than sport hunting.

Although the fauna and flora of the East African countries were not yet adequately protected in the 1920s, there were already holidaying visitors by this time. There were also scientific expeditions, but game-hunting expeditions remained the most dominant. These were years when the hunting and safari industry was mainly concentrated in Nairobi with a few in Tanganyika and Kampala, as the industry grew as an East African one. Some of the companies (all European) which existed by then were genuine, but there were also impostors, with no experience, who simply

cashed in because of the profits of the industry. While white hunters in Rhodesia charged STG 50 per month to lead six or twelve month safaris, 'in East Africa "white hunters" not fit to be gun bearers extorted STG 200-300 per month to secure trophies...' (MacKenzie 1988: 161).

It was noted that in the East African British territories, besides the professional hunters, game wardens were responsible in the destruction of most animals under the pretext of 'control operations' ('good farming and safety of human life') Poaching started in this way. Colonial officials and the hunters were doing it themselves, although it was mostly Africans who were blamed for it. Taxes and licences, instead of slowing down the rate to kill, had simply made ivory and other trophies a more important source of revenue of the colonial government and its officials. The rangers had become hunters rather than keepers. The Game Department in Tanganyika shot 602 elephants in 1932, 2,000 in 1933 and 2,594 in 1935 officially. The latter figure was to be maintained as the average throughout the later 1930s. According to MacKenzie, 'The ivory resulting from these kills produced a great deal of revenue. Between 1926 and 1935 government sales of ivory in the three East African colonies (...) raised £665,400, while expenditure on game departments totalled £292,290. The surplus of £ 373,000 was no mean sum for struggling colonial economies" (253). In these years:

> ...the sale of ivory by East African administrators had become a not inconsiderable part of their exiguous income. In the 1930s, when culling had become necessary, ivory sales helped to tide colonial revenues, particularly those of Uganda and Tanganyika, through the difficulties of the depression period. Thus the ivory subsidy was important to chartered companies, the campaigns of 'pacification', the personal finances of the *conquistadores* who became imperial officials, and the revenues of relatively impecunious colonies (152).

The 1930s was the period when the hunting elite was expanding into a tourist elite. The concept of national parks became even more popular in the post World War II period. Although the 1940 Tanganyika Game Reserve Ordinance provided a provision for the proclamation of national parks, moves towards this direction started in Kenya, which already had a National Parks Ordinance by 1945. There were plans by 1947 to turn Serengeti National Park (including Ngorongoro Crater) into a national park. The boundaries for this national park were not agreed upon until 1950, and it was in 1951 that Serengeti National Park and Mkomazi Game Reserve were proclaimed. This was after the passing of the 1951 Fauna Preservation Ordinance.

Serengeti was to remain the only national park at the time of inde-
pendence in 1961. The number of national parks increased to 7 by 1970.
Up to the time of independence, game hunting was unfettered, although
game viewing was also on the offer. By this time, game reserves and
controlled areas covered 70,000 sq. miles or 19.6 per cent of Tanganyi-
ka's total land area. The creation of more national parks after independ-
ence was in response to 1960 U.N. Visiting Mission which recommended
development and maintenance of extensive game reserves and national
parks. The same mission had also recommended further development of
tourist facilities so as to develop the industry as one of the possible big
foreign exchange earners in the future. Extension of the conservation
policies was to gain momentum after independence. Four new national
parks were proclaimed immediately after independence, namely, Lake
Manyara, Ngurdoto Crater (now called Arusha National Park), Ruaha
and Mikumi. The number of national parks rose to 12 by 1995. By this
time, there were 69 game conservation areas (12 national parks, 17 game
reserves and 40 game controlled areas). The total area under game con-
servation was 239,065 sq. km or 26 per cent of the total area of the coun-
try—945,166 sq. km. In Kenya, there were 24 National Parks, 27 Na-
tional Reserves and three Game Sanctuaries by mid-1990s. There were a
total of 3,504,000 hectares or 6.0 per cent of Kenya's land area under
protection. At the same time, an estimated 80 per cent of Kenya's wildlife
requires area outside the parks for dispersal and migration (Western 1969).

The Wamaasai who had lived with wildlife for their entire history with-
out threatening the existence of wildlife species, increasingly found them-
selves in conflicts with the colonial and post-colonial governments, whose
conservation policies were based on European models. For the European
colonialist, the value of wildlife could only be preserved if human rights
were excluded from the protected areas. This despite the fact that the
Wamaasai had maintained these areas because their mode of life excluded
hunting activities or conversion of land to agriculture. With changing socio-
economic conditions, Wamaasai increasingly came into direct conflict with
wildlife and with western institutions designed to preserve wildlife and their
ecosystems. Despite the existence of an international boundary between
Kenya and Tanganyika, the Wamaasai continued to cross the border.
Brockington (2002) noted, for example, during the inter-war period:

> The annual transhumance of the Toloha herders crossed the international
> boundary because the only access point to Lake Jipe was on the Kenyan
> side, at the place called Vilima Viwili....Herders took this opportunity to
> make extensive use of Kenyan grazing. In the wet season they would move

east, watering in temporary pools along the border with Kenya and its areas that were to become Tsavo National Park and Mkomazi Game Reserve. Some went as far north as the Taita Reserve.

Officials found the presence of the 'Toloha Maasai' increasingly troublesome after the Second World War. There were some concern that the stock would bring livestock diseases out of the Maasai steppe....Kenyan officials frequently complained that the Toloha Maasai really wanted grazing, not just water, and would be found miles to the north of the lake, encroaching Kenyan soil. To their chagrin they found that Maasai and Chagga herders were moving as far north as Bura in the Taita Reserve, where they established links with resident herders and gained access to grazin.The government wanted to preserve the land for Kenyan subjects, Africans and settlers, and prevent encroachment on the newly formed Tsavo National Park. To this end they resolved to withdraw permission for Tanganyikan herders to use Lake Jipe (Brockington 2002: 34).

Colonel Grogan, mentioned above, tried to keep out the herders who were moving across the border, and with the creation of the Tsavo National Park, game rangers patrolled the border. Thus by 1951, the border was effectively closed. But then the herders found other means of coping with changes that were bringing more pressure on their grazing, by seeking pastures and water elsewhere. With the 1951 drought in northern Tanganyika, the herders resisted to move from Katamboi and Mnazi areas of Tsavo National Park between 1952 and 1954. They had pleaded to be 'allowed to remain, hired lawyers, tried to bribe officials, and fled the attentions of the veterinary guards sent to supervise the moves' (ibid.: 36). The drought of 1960-61 almost resulted in the collapse of the Maasai livestock sector. This was because they had no access to their former dry-season rangelands, with the further tightening of the border regulations as a result of the creation of the national parks and game reserves. Another severe drought, the worst in East Africa, occurred in 1974. The Wamaasai lost a lot of cattle on both sides of the border. The major factor behind this was the loss of their best pasture lands.

In the case of Tanganyika, while classification and distribution of gazetted national parks and game reserves started during German colonial period and were to be intensified during British colonial period, it was from 1959 that human rights were excluded from the national parks. It was different in the game reserves where classification, which had been introduced since 1948, had allowed human rights to exist only in the form of grazing rights. Such was initially the case with the Masaai area. It is reported that conflicts between people and game in the Serengeti plains

started in the 1920s. With the 1951 Ordinance, which also created
Serengeti National Park, the conflicts escalated:

> For whereas both in 1941 and 1951 the presence of the Masai and the
> Arusha-Masai within the national park was not deemed 'incompatible
> with the purposes of the park', whereas the said legislations had pre-
> served the rights of these people to graze and water their domestic stock
> within the Park, and whereas those legislations categorically outlawed
> all cultivation, controversies reached a new peak in 1953. Arusha-Masai
> cultivators were now fast infiltrating the park and diverting streams for
> irrigated cultivation; Masai and Asian traders complained about evic-
> tion; pastoral Masai advanced a cogent and laudable case on traditional
> transhumance... (Ouma 1970:45).

There were major conflicts in northern Tanzania areas in 1941–51, 1953,
1955–57, 1959 and 1969 to the present (sporadically). These have ex-
tended to other areas such as the Mkomazi game reserve which boulders
Arusha, Tanga and Kilimanjaro regions along the border with Kenya.

Many of the game reserves and sanctuaries in Tanganyika were often
built on human tragedy. In the process of proclaiming even the other re-
serves in the country, more or less the same methods were used. The Maasai
had populated the Ngorongoro crater for more than two centuries by the
time the area was being turned into a reserve. When the Maasai had to
move out of the crater temporarily due to rinderpest, a German planter took
almost half of the crater before World War I. After the War, a European
established a hunting lodge and a hunting estate and by the time the Maasai
were making efforts to return, a reserve was created in 1928. This com-
munity suffered a similar fate in Serengeti, where their area was re-
duced to less than one-sixth of their former land area (Århem 1986).

The wildlife preservation measures, as stated above, were premised
on the development of tourism industry. This remains the case until to-
day. Tanzania's tourist industry was smaller than that of Kenya because
up to the time of independence, all tourist facilities had been concen-
trated in Kenya. Tourism in general in Tanzania after 1920s had devel-
oped as part of East African industry. Even when touring began to de-
velop in the 1940s, it was mainly facilitated from Nairobi and Mombasa,
which had a more highly developed tourist infrastructure than Tangan-
yika. Tourism business interests were quite developed in Kenya by the
1930s, the result of which became the headquarters of the East African
Publicity Association, formed in 1938. It was later succeeded by the
East African Tourist Travel Association (EATTA) in 1948. As it turned

out, most tour and hunting companies were to be stationed in Nairobi and Mombasa. The majority of tourists visiting East Africa were to stay mostly in Kenya for its facilities, then finally come to Tanganyika. Seventy per cent of international tourists in East Africa entered through Kenya by 1956. It is estimated that by the same year, 79 per cent of tourist time and 75 per cent of tourist earnings were spent in Kenya (Ouma 1970: 11). Tanzania abandoned the East African base of tourism in the 1960s. EATTA was disbanded in 1965 and overseas promotion of tourism was to be fully organized on a national basis. Even during the formation of the East African Community in 1967, tourism was never part of the agreement.

The post-colonial policies in Kenya and Tanzania, as far as these communities were concerned, took different directions. In Kenya, there were attempts to continue with colonial land policies, which by 1950s were geared towards the privatization of land (Rutten 1992). These policies had entered the Maasai areas through a few educated 'progressive' Maasai, who were looking for a way to secure tenure against continual agricultural encroachment in the 1940s and 1950s. The colonial government had initially granted land as individual ranches, but quickly opted for a system of group ranches over individual ownership. This was in order to ensure that those who were being granted rights were not land speculators. For the colonial government, this system was aimed at dealing with those people whom it had had trouble with in the process of enforcing laws that prohibited settlement by non-Maasai in Maasai lands and the encroachment of the herders in protected areas or those that had been alienated for the settlers and farmers. The claim was, privatize, improve rangeland conditions and join the market economy through beef production.

Group ranching, through setting aside a certain piece of land which would be communally owned by a group of people who are recorded and registered as the legal owners, as far as the colonial officials were concerned, would restrict livestock movements within the group ranch boundaries, and non-members would be forbidden to bring and graze their animals. With group ranching, it was thought that it would be possible to provide the herders with loans for infrastructural development and radically transform the nomadic subsistence-oriented production of the Maasai pastoralists into a more commercial system. This market-oriented production was to de-stock the Maasai pastures while simultaneously providing meat for the national and international market. The World Bank encouraged titling of land as a basis for development credit. After independence, the Kenyan government opted for free market access to Maasai land. Thus, from the 1950's through 1960's, rapid expansion ranching left all Maasai

land designated into group or individual parcels. Later on, many Maasai who had land titles ended up selling land to Kikuyu agriculturists, when times were hard. By mid-1980s, with a sudden demand for wheat and barley by Kenya's new middle class, more Maasai land was converted to agriculture, making Narok District Kenya's leading producer of both wheat and barley by the mid-1980s (Rutten 1992).

By this time, the World Bank and international development agencies were pursuing privatization of Maasai land, with the aim to make the Maasai produce cattle for a market economy. Although some had taken up titles with the view that it was a more secure, given that the agricultural policies pursued by the government were pushing them further into the margins, many considered that it was not sufficient to support them. Among the common practices that emerged was the tendency for the younger Maasai to receive land title, sell the land and move to Nairobi, finding employment in low level jobs, particularly as night watchmen. Other options became self-employment through the tourist trade. Meanwhile, conflict as a result of increased grazing pressure on the immediate border of parks and reserves increased, since the system of ranching was aggravating soil erosion and environmental damage in general (Rutten 1992).

With Tanzania, the restrictions on resource use and the increasing dependence on external markets rather than older networks were the consequences of the policies after independence. The idea of introducing ranches was debated in the early days of independence, but never took off. Instead the policies pursued were geared towards the provision of infrastructure, such as cattle-dips, and attempt to settle them into villages. At the same time, the government continued to pursue policies of excluding them from protected areas. In 1975, village governments were introduced and empowered to control and distribute village lands. This meant it was the village council which took control of land matters. This consisted of young fellows, some of whom had attended school. But even then, any land allocation required the blessing from the village elders (*orupaiyani*).

However, difficulties as far as this system of land administration was concerned began to emerge in the mid-1980s. This was a direct consequence of the liberalization measures, as a result of the introduction of SAPs. Increasingly, it was becoming difficult to resolve land conflicts because the powers of the elders had been eroded further. While the youths who were wielding power in the village governments preferred disputes

to be resolved under statutory law, elders preferred to resolve disputes under 'customary' law. Meanwhile, tourism (hunting and viewing) was on the increase since the late 1980s. Consequently, there were more restrictions for the herders and hunter-gathers as far as the use of natural resources was concerned. By 1980, several large scale land leases had been granted at Oljoro, Loksale and Makuyuni areas. There was already pressure from agriculturalists from the neighboring areas.

Land pressures were increasing every where. The Wahadzabe, who inhabit the area near Lake Eyasi in the Arusha, Shinyanga and Singida regions, and who are primarily a hunting and gathering community whose livelihood depends on wildlife and other forest products, were at the verge of extinction by mid-1990s, because of denial of rights to own and use land in the area they occupy (*Majira* June 18, 1995). Their land had been divided into three blocks and granted to hunting companies. The government had displaced them and granted a hunting licence to Tanzania Game trackers (a company formerly owned by Mr Robin Hurt, a Kenyan British, with about twenty hunting blocks in various parts of the country under three companies). According to the 1974 Wildlife Conservation Act, the Wahadzabe, like all other people, could only hunt after obtaining a hunting permit and being allocated their quota. Therefore, for a fee of USD 7,500 per block (and trophy fees) per year to the government, a whole community was being sacrificed. Twenty people had been tortured, beaten persecuted and harassed by the company owners for trespassing or hunting in the area. There were others who had been jailed under the pressure of the company owners, and allegedly two had died in jail. Others were able to get out of jail after being assisted by an NGO. Under the same Act, other communities, which were being affected, were Wandorobo, Wabahi, Wasianzu and Wakimbu.

Ngorongoro Crater is a homeland of the Wamaasai as well as Watatoga and Wahadzabe. When the Ngorongoro Conservation Area (NCA) Ordinance (cap 413) came into effect in 1959, struggles (which continue to date) started between the Conservation Authority (NCAA) and the Wamaasai, who had been moved to this area from Serengeti National Park a decade after its formation in 1940. As a Conservation Area, the Wamaasai were allowed to remain in the area as pastoralists. While being moved from Serengeti, the government had promised them that they would be allowed to cultivate, since their diet (meat, blood and milk) had been greatly altered. About 70 per cent of the Wamaasai food requirements come from cereals. Cultivation was prohibited completely in the area with the amendment in The Game Parks Laws No 14 of 1975, which set the

area for conservation and pastoralism purposes only and NCA became
NCAA (a parastatal body with autonomous administrative powers). The
NCAA moved all those who were cultivating to Loliondo. At the same
time it promised to provide cheap foodstuffs to the inhabitants, but this
was only possible for a short while.

The Wamaasai in the Ngorongoro area had started taking up cultiva-
tion on a small scale because their purchasing power of foodstuffs from
other communities had diminished due to loss of cattle over the past few
years of drought, and also their inability to sell off their stock (for the few
who still possess cows). This drought had even made some of the Maasai
in Kenya start cultivating (Western 1997). The Wamaasai areas in gen-
eral, including Ngorongoro itself (with its 43,000 inhabitants), had be-
come starvation/ famine areas. It had become difficult for the Wamaasai
to depend on livestock for survival. They demanded that the areas of NCA
to be surveyed and demarcated together with residents be registered so
that migrations are avoided. They wanted only hand-hoe cultivation to be
allowed; and in case of steep hills, then terracing cultivation be intro-
duced. The Land Commission Report (Tanzania, United Republic 1994)
noted that, when 1987 the NCAA launched an 'anti-cultivation' opera-
tion (39). In August 1987, 666 people were arrested, of whom 9 were
jailed for three months and 549 fined a total of Tshs 515,600. These were
convicted on a non-existent offence.

While the indigenous people were not allowed to engage in agricul-
tural cultivation, the Legislation gave NCAA the mandate (among others,
such as conservation, etc.) to: construct roads, bridges, aerodromes, build-
ings, fences, provide water, and carry out any such work which may be
considered necessary by the Board of Directors for purposes of develop-
ment or conservation. It was also empowered to do anything and enter
into any transactions which were deemed by the Board to be aimed at
facilitating the proper and efficient exercise by the authority (including
acquisition of interests in companies and firms engaged in the activities
in which NCAA is engaged). By early 1990s, there was often overcrowd-
ing in the Crater, as there were 16 campsites in the area, a host of murram,
unmaintained tracks and off-road driving, which had become quite com-
mon (although prohibited officially since 1992). Moreover, there was also
overcrowding on the crater rim, given that there were six luxurious lodges
operating on the rim. There was even a camp near the Olduvai Gorge,
within the 5 km exclusion zone around the gorge despite the fact that the
1964 Antiquities Act (No 10 of 1964) prohibited this. National Environ-
mental Management Council (NEMC 1994) noted that there were clear

signs of air and water pollution and the disposal of solid wastes from the lodges and the motor vehicles. There were also clear signs of soil erosion in some areas, mainly because of off-road driving.

There are numerous examples of resources deprivation as a result of the liberalization policies. Some are such as the 1992 granting of a lease of over 4,000 sq. km of Loliondo game reserve (Arusha) secretly to an Arab Sheikh, Brigadier Mohammed Adulrahim Al-Ally of United Arab Emirates, for hunting purposes through Ortello (a Kenyan based hunting company—presumably with secret powerful interests locally). There was a public outcry against this action, the result of which the government was forced to defend the legitimacy of its action to no avail. In this case, 25 Wamaasai villages were being affected. Two years later (1994), the government attempted to grant 381,000 acres of land in Monduli and Kiteto Districts (Arusha) to a foreign investor, Mr. Hermanus Philip Steyn, who had been formerly declared a persona non grata in 1983. This land was being taken from the pastoralists and other communities. The land, which was being granted also, covered Simanjiro Game Controlled Area and Tarangire National Park wildlife migration routes. One would have expected that since a major part of the area falls within the Wildlife Department, the area should not have been granted. The investor was informed by the government that it expected him to abide by the Wildlife Conservation Act, but he could, of course, kill animals within the land under protection of life and property; surrender trophies to the government and expel any animal which would be found in or entering the land under the Right.

Mkomazi Game Reserve with its 3,736 sq km is in Kilimanjaro region. To the north, it shares a 100-km boundary with Kenya's Tsavo National Park into which herds of elephant, zebra, buffalo, onyx and lions migrate in some seasons. It borders over 30 villages in the western side, which are inhabited by the Wapare and Wamaasai. Some part of Mkomazi is also in Tanga Region. There has been a dispute over the boundary between these villages and the Wildlife Department, especially since 1990. The Reserve was established in 1951, when most of the villagers were already living there. There was no problem in the area until 1988, when the government embarked on a project to reclaim and protect wildlife and re-introduce the depleted species, mainly the rhinoceros and the African wild dogs (Brockington 1992).

The initial decision to pay attention to the Game Reserve was made in 1986. The Wamasai were permitted to continue using the land for pasturing. This agreement was rescinded in 1988, with the commencement of the

project. People who were within the reserve were directed to move out. The government had begun to demarcate the boundaries for purposes of control. This action angered the people who had settlements of long duration in the area. The villagers claimed that what was being done was to even incorporate in the reserve an open area which had previously been outside the reserve.[10] The government invited Tony Ftzjohn from the London based George Adamson Wildlife Preservation Trust to run the project. The Foundation was able to establish four airstrips in the area, for patrol purposes against smugglers and poachers.[11] While the Adamson Foundation project continued and efforts were made to start community assistance to the villages bordering the reserve in the form of schools, dispensaries and other services, Royal Frontiers Tanzania Ltd. was allocated two hunting blocks in Mkomazi. Among the company's directors were the brother of the former Minister of Natural Resources, Tourism and Environment Juma Hamad Omar and former Director of Wildlife Muhiddin Ndolanga's son.[12] There were convoys of hunters by 1994 hunting mainly lions, leopards, oryx and several other endangered species.

The removal of the Wamaasai has had an impact on their lives, since the reserve harbours the best grazing grounds, and the rest of the land is already settled by the Wapare agriculturists. The result was many of the Wamaasai moved to neighbouring Kenya and those who remained have become impoverished. There were some Wamaasai families with up to 1,500 heads of cattle in mid-1980s. Today, the richest among them has less than seventy. There are those who have been completely ruined. Some of these are moving to the urban areas to join the army of Wamaasai watchmen. Even the weekly markets, which used to flourish in the various villages around the reserve have become dull because of the absence of the Wamaasai who used to purchase agricultural products and sell their livestock products. Even the non-pastoralist communities feel the impact of the action.

The villagers have continued to protest against their removal. They have even filed a case in the court of law to demand for their rights, with the assistance of the Legal Aid Committee of the University of Dar es Salaam. But the government authorities (district, regional and national) involved in the decision-making have remained silent. Their simple view is the Wamaasai are the cause of poaching. The villagers are extremely bitter. They claim that they do not understand why they should be prevented from grazing their cattle in the reserve when some foreigners are allowed to indulge in hunting sprees in the area. What makes them even more furious is the fact that they are often arrested by the game wardens and

fined exorbitantly for trespassing in the reserve. When the game personnel impound cattle, the owner is compelled to pay Tshs 10,000.00 to view whether the cattle are his or not. If the cattle belong to him, then the fine is Tshs 100,000.00. The Wamaasai are threatened at times by use of guns.

The spirit of a unified East Africa in the early days of independence was very welcome by the Wamaasai on both sides of the international border. It was this spirit which made them abandon the idea of demanding for a separate Maasailand which would unify the people on both sides of the border. Even when the two countries were pursuing different ideologies (capitalist Kenya and socialist Tanzania), the Wamaasai tended to ignore these differences. They continued maintaining kinship relations and common rituals with their brothers across the Tanzania-Kenya border. Oldonyo Muruwak in Hai district (Kilimanjaro region), remained a sacred place for the Wamaasai of both sides across the border. At the same time, while some of them have taken up agriculture to some extent, because of the fact that most land is being taken by large scale farmers (foreign and indigenous), this new activity, rather than eroding their relations, has made them acquire a new meaning. When some of the Maasai of Amboseli took to farming in the 1970s, their tendency was to welcome the Waarusha from Tanzania to assist them as workers or share-croppers.

For example, in Lerangw'a (the village that was visited), where the Wamaasai have taken to farming—some of them now becoming large scale farmers—there are some of the Maasai members who hire land in Kenya. It is reported that about 7 per cent of the villagers hire land in Kenya and Rongai Forest (within Tanzania in the slopes of Mount Kilimanjaro). They pay rent in cash or in kind, by providing a certain amount of crops after harvest. Part of the reason for taking to agriculture is the fact that areas for grazing and watering are very limited. Thus, in this village, about 48 per cent of the land is natural forest, while 21 per cent is farmland and residential. Only 27 per cent of the land is demarcated as grazing area (Noe 2002: 61). Those who farm within the village lands use ploughs and hand-hoes. There are a few who hire tractors. The average acreage for a household—for those who farm in the village—is 5 hectares. They mainly grow wheat, maize, potatoes and beans for food and as cash crops. Land shortage is due to the fact that their village borders Kilimanjaro National Park and also the Kilimajaro-Amboseli wildlife corridor.

The people of this village have relatives across the border, and they do not consider the border something desirable. In fact, they wonder, 'Why is it that animals are allowed to move freely across the border while ef-

forts are being made to prevent people from doing so?' Currently, they are living in a difficult present and uncertain future. The most difficult time for them was when the border between Tanzania and Kenya was closed in 1977. This was just three years after the 1974 drought. But even then, they defied the official policies despite government threats. For them, the reunion with their kinsmen is more important than the pursuit of so-called national politics within identities that were created by colonialism. One of their adages goes: 'If a thing is truly yours, no one has the right to take it from you'.

These harsh conditions for the Wamaasai are not confined to border areas alone. In 2000, violence erupted between the Wamaasai pastoralists and farmers due to land pressure in Kilosa district (Morogoro region). The land pressure had been intensified as a result of the urbanites and the rich appropriating land in the areas. Thirty people died, many were injured and about 400 were reported to have fled from the clashes. This was besides the fact that a total of 77 houses of both pastoralists and farmers were burnt (*Daily News*, December 20, 2000). Over the years, there has been numerous reports in the press about such conflicts in other areas.

Besides these intercommunity conflicts, the Wamaasai have very often found themselves at loggerhead with the government. In a recent event, it was reported that the Wamaasai of Saunye plains, Handeni District, announced that they were not going to pay cattle levy until further details are given to them about the importance of levy. They said that they refuse to pay the levy because they do not get any services from the government. They even gave a warning that they would not deal with anyone approaching them to collect tax (*Business Times*, November 15–21, 2002). In another dramatic event, a Maasai woman, Harriet Lemoriet, from an NGO network in Arusha who was attending the Consultative Group meeting of the international financial institutions in Dar es Salaam refused to speak in Kiswahili or English. She insisted that she wanted to speak in Kimaasai, and therefore wanted someone else to translate. She had the following words to say: 'My understanding of this meeting is that it is supposed to discuss issues affecting peasants and livestock keepers, most of whom live in the rural areas, but how can we understand what is going on while we don't even understand the language used in discussing these issues?' (*The Guardian*, December 4, 2002).

According to her, in her own understanding the meeting was supposed to be participatory, but she was doubtful if the meeting was going to achieve the goals because the meeting did not involve the majority of the people—the poor peasants and livestock keepers 'who are in the fields unaware of what is

going on in this hall'. What was happening in the meeting, as far as she was concerned was quite unfair to the majority of poor Tanzanians in the rural areas. 'We have been hearing about good governance and participatory approaches in solving the poverty problem, but, she reiterated 'how can we understand what is going on while we don't even understand the language used in discussing these issues?' (*The Guardian*, December 4, 2002)) She knew that this was the fourth consultative meeting since the initiative was launched, and wondered why these meetings were taking place in areas so far away from those most affected. She argued that in the future, these meetings should take place in the rural areas. Moreover, she blamed the government policies as far as agriculture was concerned. In her opinion, there was no need for the government to import food when peasants were producing enough and a lot of it was rotting because of lack of markets. The Minister of Finance, Mr. Basil Mramba, responded that in the past, such meetings used to take place in Paris, but now there was an improvement, since they were taking place in Dar es Salaam (*The Guardian*, December 4, 2002)!

By Way of Conclusion

Simply, the Wamaasai have been involved in practical criticism of the whole question of citizenship by rejecting the colonial territorial identities and at the same time taking the question of rights and entitlements seriously. It is these aspects that need to be taken seriously in Africa today. In fact, it is the border communities, and especially those that were partitioned which form the actual basis of a meaningful unity, regionally and continentally. The so-called economic and financial links are false, and they are easily broken, as it has happened in the past. This is because these involve state-state relations, rather than those concerning the people themselves. With the people, what are involved are kinship and other social relations. In this regard, the concept of citizenship cannot be confined to the legal identity within a nation-state.

Clearly, in Africa, it is the historical contradiction of the nation-state and its attendant notion of citizenship—even when the latter is couched in terms of social citizenship (capitalism with a 'human face')—which is clearly manifesting itself in Africa. Welfare for certain members (whether at the local or territorial level) as it has been the case historically in Europe, translates itself into the politics of 'us' and 'them' on the ground. Social citizenship, now being popularized in both Europe and Africa, is an ideology that works hard to delegitimize and denigrate liberation and emancipation politics. It takes away the right of the exploited and op-

pressed people to wage their own struggles through their self-organiza-
tions and mass movements.

In other words, to stand against the destruction of the ideals associ-
ated with public services, equality of rights, rights to education, health,
culture, social justice as well as access to land and resources, and in
order to rehabilitate human emancipatory tendencies in the context of
Africa, it seems necessary to reconceptualize the state beyond the 1884
territorial boundaries and hence be in a position to be more responsive
to human needs.[13] A United States of Africa may be the answer, even to
those refugee problems, problems of exclusion, and an integrated eco-
nomic system that is responsive to ordinary and poor people's real needs.

Citizenship, religious and 'ethnic' issues in contemporary times are
more politicised than ever before, and in the process, some people or
communities are made scapegoats while real oppressors are left to go
scot-free with impunity. The result is reinforcement of discriminatory
tendencies. Wamba dia Wamba made the following observation in the
early 1990s:

> The absence of democratic politics inside the people themselves—a con-
> sequence of the statization of society—has made people become unable
> to restrain the state in its exclusivist or symmetrized treatment of differ-
> ence (whether of nationality, gender, intellectual/manual labour, levels
> of education, etc.). In the face of maltreatment of refugees, women and
> national minorities, for example, people have been made to watch this
> passively. Political refugees seeking asylum have been forcibly returned
> to their own state's butchers....Societies have been divided into two:
> those with guaranteed interest—no matter how insignificant—and those
> without interest or even rights. Any state treatment of differences (citi-
> zens/non-citizens, male/female, etc.) has been made socially acceptable
> and in quality has become accepted as a natural element: the right of the
> fittest. Even accountability has been redefined as a technical matter, as
> performance rather than a democratic issue. (Wamba dia Wamba 1994:
> 253)

While the state is ideally supposed to be an arbiter in resolving contra-
dictions in a society, in its current situation it tends to identify itself with
certain groups vis–a–vis others, thus representing sectional interests—
those of the powerful and wealthy. In our countries, these states were
born out of military conquest and occupation after 1884, and therefore,
they had no room for prescriptions from the people since they were based
on discriminatory and oppressive practices.

Notes

1. Others are: Communauté Economique des Etats de l'Afrique Centrale (CEEAC), Communauté Economique et Monétaire d'Afrique Centrale (CEMAC), Communauté Economique des Pays des Grands Lacs (CEPLG), Intergovernmental Authority for Development (IGAD), Indian Ocean Commission (IOC), Mano River Union (MRU), Southern African Customs Union (SACU), Union Economique et Monétaire Quest-Africaine (UEMOA) and Union de Maghreb Arab (UMA).

2. For all the above, see *Business Times*, November 8-14, 2002.

3. See Appendices in Colin Legum (1962).

4. Statement by Julius Nyerere to the Second Conference of Independent African States, 1961, quoted by Legum (1962), p.111.

5. See *Tanganyika Assembly Debates* (Hansard), thirty-sixth session, fifth meeting, September 17-18.

6. Somehow, the government took the position of integrating and supporting those who had run away from Uganda during the reign of Idd Amin. At the same time as the thawing of the relations between Tanzania and Kenya, the government handed to the government of Kenya some people who had run away from Kenya because thy were being persecuted in 1984!

7. Thomas Spear and Richard Waller's (eds) *Being a Maasai*, has valuable articles which have documented on the historical aspects of the Maasai. These articles have even countered those Hamitic myths replete in most colonial and racist literature. The best example of such racist literature is E. Huxley (1948: 89), who refers to the Wamaasai as the 'lost tribe of Israel', the 'lost legion of Romans'.

8. The Wamaasai's attitude is that all people in the world are one. Thus, even Ernest Hemingway (1935: 221), during his expedition in the early 1930s noted (although in a very patronizing manner) of the Maasai: 'They certainly were our friends though. They had that attitude that makes brothers, that unexpressed but instant acceptance that you must be Masai wherever it is you come from. That attitude you get from the best of the English; the best of the Hungarians and the very best of the Spaniards; the thing that used to be the most clear distinction of nobility when there was nobility. It is an ignorant attitude and the people who have it do not survive, but very few pleasanter things ever happen to you than the encountering it'.

9. This is a Swahili word used to describe the homesteads. A *boma* may have one or two openings through which stock enter and leave.

10. Villagers allege that the 'grabbing' of the open area or the complete removal of pastoralists was not for purposes of conservation, but for other purposes. They claim that Mkomazi Game Reserve, including the open area, which has been included, is rich with green and blue garnet and silicon, and that those in the project are engaged in mining.

11. The Wamasai and other villagers in Gonja, Ndungu, Kisiwani, etc. claim that the plane from the Reserve has often been seen crossing the border to Kenya without passing through Kilimanjaro International Airport, as per aviation requirements. This is what has reinforced their belief that beyond conservation, there are some other activities being conducted secretly.

12. *The Express* of March 12–15, 1995 reported the following: 'An American law firm has threatened President Ali Hassan Mwinyi that it will spill the beans in court of law if alleged injustice within the wildlife division continues'. The law firm stated, 'I know each of you will agree...that government officials in high places who can influence such things have...an interest in some companies that are for no good reason allocated the best blocks, or such officials have been paid to allocate the best blocks to certain companies'.

13. 'State building' and 'nation building', in their current form lead to balkanisation as witnessed currently in the form of attempts to come with a concept of citizenship which includes or excludes certain categories of people in attempts to please capital and concerted defeats in attempts to control and govern economies.

References

Århem, K., 1986, 'Pastoralism Under Pressure: The Ngorongoro Maasai,' In J. Boesen, K.J. Havnevik, J. Koponen and R. Odgaard, eds., *Tanzania: Crisis and Struggle for Survival,* Uppsala: Scandinavian Institute of African Studies.

Bagachwa, M.S.D., 1981, 'The Urban Informal Enterprise Sectors: The Case of Arusha Town', University of Dar es Salaam: Economic Research Bureau, Paper No 81.4.

Bates, R.H., 1983, *Essays on Political Economy of Rural Africa,* Cambridge: Cambridge University Press.

Brockington, D., 2002, *Fortress Conservation: The Preservation of the Mkomazi Game Reserve, Tanzania,* London: James Currey.

Casimati, N., 1986, *Guide to East Africa: Kenya, Tanzania and Seychelles,* London: Michael Haag.

Coulson, A., 1982, *Tanzania: A Political Economy,* Oxford: Clarendon Press.

Davidson, B. & Munslow, B., 1990, 'The Crisis of the Nation-state in Africa', *Review of African Political Economy,* 49.

Fanon, F., 1967, *The Wretched of the Earth,* Harmmondsworth: Penguin.

Grzimek, B. and Michael, 1965, Serengeti Shall not Die, London: Hamish Hamilton Ltd.

Hazlewood, A., 1975, *Economic Integration: The East African Experience,* London: Heinemann.

Hemingway, E, 1935, *The Green Hills of Africa,* New York: Charles Scribner and Sons.

Homewood, K.M. and Rodgers W.A., 1991, *Maasailand Ecology: Pastoralist Development and Wildlife Conservation in Ngorongoro,* Tanzania, Cambridge:

Cambridge University Press.

Huxley, E., 1948, *The Sorcerer's Apprentice*, London: Chattos and Windus.

Iliffe, J., 1979, *A Modern History of Tanganyika*, Cambridge: Cambridge University Press.

Huxley, J., 1932, *African View*, London: Chatto & Windus.

Kasfir, N., 1983, 'State, Magendo, and Urban Class Formation in Uganda,'In N. Kasfir, *State and Class in Africa*, London: Frank Cass.

Kjekshus, K., 1977, *Ecological Control and Economic Development in East African History*, London: Heinemann.

Legum, C., 1962, *Pan Africanism: A Short Political Guide,* New York: Frederick A. Praeger.

Leubuscher, C, 1944, *Tanganyika Territory: A Study of Economic Policy Under Mandate*, Oxford: Oxford University Press.

MacGaffey, J., 1983, 'How to Survive and Become Rich Amidst Devastation:

MacGaffey, J., 1983, 'How to Survive and Become Rich Amidst Devastation: The Second Economy in Zaire,' *Africa Affairs*, 82.

MacGaffey, J., 1987, *Entrepreneurs and Parasites: The Struggle for Indigenous Capitalism in Zaire*, Cambridge: Cambridge University Press.

MacGaffey, J., 1991, 'Initiative From Below: Zaire's "Other Path" to Social and Economic Restructuring,' In G. Hyden and M. Bratton, eds., *Governance and Politics in Africa: Perestroika without Glasnost*, Colorado: Lynne Rienner.

MacKenzie, J., 1988, *The Empire of Nature: Hunting, Conservation and British Imperialism*, Manchester: Manchester University Press.

Malyamkono, T.I.M. and Bagachwa, S.M.D., 1990, *The Second Economy in Tanzania*, London: James Currey.

NEMC, 1994, 'Environmental Evaluation of Lodges within Ngorongoro Conservation Area', report for NCAA, Dar es Salaam.

Noe, C., 2002, 'Impacts of Land Use Changes on Wildlife: A Case of Kilimanjaro-Amboseli Wildlife Corridor', Tanzania.

Nkrumah, K., 1971, *I Speak of Freedom*, London: PANAF Books.

Ouma, J.P.B.M., 1970, *Evolution of Tourism in East Africa 1900-2000*, Nairobi: East African Literature Bureau.

Ousmane, S., 1986, *Gods Bits of Wood,* Oxford: Heinemann.

Ranger, T.O., 1983, 'The Invention of Tradition in Colonial Africa', T.O. Ranger and E. Hobsbawm, eds., *The Invention of Tradition*, Cambridge: Cambridge University Press.

Rutten, M. M. E. M., 1992, *Selling Wealth to buy Poverty: The Process of the Individualization of Landownership Among the Maasai Pastoralists of Kajiado District, Kenya, 1890-1990*, Saarbrücken: Verlag Breitenbach Publishers.

Rothchild, D. and Chazan, N., 1988, The Precarious Balance: State and Civil Society in Africa, Boulder: Western Press.

Shivji, I.G. and Kapinga, W.B., 1998, *Maasai Rights in Ngorongoro, Tanzania*, London: International Institute for Environment and Development/ HAKIARDHI.

Smith, W.E., 1974, *Nyerere of Tanzania,* Nairobi: Trans Africa Publishers.

Spear, T., 1993, 'Introduction,' In T. Spear and R. Waller, eds., *Being a Maasai,* London: James Currey.

Spear, T. and Waller, R., eds, 1993, *Being a Maasai,* London: James Currey.

Tripp, A.M., 1989, 'Defending the Right to Subsist: The State versus the Urban Informal Economy in Tanzania', Helsinki: WIDER Working Paper, No 59.

United Republic of Tansania, 1994, *Report of the Presidential Commission of Enquiry into Land Matters,* Vol II, Ministry of Lands, Housing and Urban Development, Uppsala: SIAS.

Walker, R., 1993, 'Acceptees and Aliens,'In T. Spears and R. Waller, eds, *Being a Maasai,* London: James Currey.

Wamba dia Wamba, E., 1994, 'Africa in Search of New Modes of Politics', in U. Himmelstrand et al., eds., *African Perspectives on Development,* London: James Currey.

Western, D., 1997, *In the Dust of Kilimanjaro,* Washington D.C.: Shearwater.

Western, D., 1969, *Land Use in Maasai Amboseli Game Reserve: A Case Study for Interdisciplinary Cooperation, Institute for Development Studies Research Bulletin,* No. 40, Nairobi: University of Nairobi, Institute for Development Studies.

Wright, H.M., ed., 1976, *The 'New Imperialism', Analysis of Late Nineteenth Expansion,* Lexington: Heath and Company.

Narrating National Identity. Fiction, Citizenship and the Asian Experience in East Africa*

Danson Kahyana

Abstract

The paper examines the crucial question of postcolonial identity in East African nation states, with particular reference to the Asian experience in East Africa. It attempts an examination of the conflict between citizenship and descent, particularly as regards the identity of East African Asians. It argues that descent and race are considered more important identity markers than citizenship in postcolonial East Africa, a distinction that has continued to frustrate attempts at building a multi-racial/multi-cultural society. Among other factors, the paper traces British colonial practices, for instance, the construction of a three-tiered society where Whites occupied the top seats, the Indians the middle ones and the Africans the lowest, as furthering a complex social structure and exacerbating conflict situations. The paper explores the various ways through which citizenship and descent conflict has affected and influenced, policies and pronouncements on Asian identity in East Africa.

Résumé

Cette contribution se penche sur le thème majeur de l'identité post coloniale des nations de l'Afrique de l'Est, et porte particulièrement sur l'expérience asiatique dans cette parie de l'Afrique. Elle tente d'étudier la dichotomie entre les notions de citoyenneté et d'origine (identitaire), en ce quiconcerne les Asiatiques d'Afrique de l'Est. Cet article affirme que les notions d'origine et de race sont considérées comme des marqueurs identitaires plus importants que la citoyenneté, en Afrique de l'Est post coloniale. Ce fait continue de remettre en cause les

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tentatives de construction d'une société multiraciale/ multiculturelle. L'article décrit, entre autres, les pratiques coloniales britanniques, dont la construction d'une société à trois niveaux, au sein de laquelle les Blancs figuraient en première position, suivis des Indiens, et enfin, des Africains, qui occupaient une position subalterne; ceci ajoutait à la complexité de la structure sociale et exacerbait la situation conflictuelle. Cette contribution étudie les différentes manières dont les conflits autour de la citoyenneté et des origines ont influencé les politiques et déclarations sur l'identité asiatique en Afrique de l'Est.

Introduction

East African Asian fiction, like any other fiction concerning (im)migrants' experiences, centers on the special postcolonial crisis of identity and explores the various forms– racial, cultural, ethnic, national, etc.—in which this identity manifests itself. This exploration is done from the (im)migrants' point of view because the 'traditional' East African Asians—distinct from the contemporary 'investor Asians' who are making their (first) settlements in East Africa in the 1980s, 1990s and 2000s— are by and large an immigrant community, or to be more accurate, descendants of an immigrant Asian community, or communities, that settled in East Africa before, during and even after European colonization of Uganda, Kenya and Tanganyika.[1] The paper highlights national identity and attempts to analyze the way this identity is narrated in East African Asian fiction, particularly in the selected novels of M.G. Vassanji, Yusuf K. Dawood and Peter Nazareth.[2]

The choice of fiction as a critical and creative medium of producing knowledge is deliberate, for as Wa Thiongo (1997: 4-7) and Tolstoy (1960: 12) observe, literary art (of which fiction is a key component) embodies in word images the tensions, conflicts and contradictions at the heart of a community's being and becoming, and directly or indirectly affects the lives of the people who make or experience the events of a given epoch. In the East African context, these tensions, conflicts and contradictions basically arise from three things that hindered, in the colonial era, any possibility of a harmonious relationship between Asians and Africans: Asians' (alleged) racial and social exclusiveness; Asians' (alleged) economic exploitation and domination of Africans, and Asians' (alleged) identification and collaboration with the British and German empire builders. Suffice it to say—before we make an analysis of how these allegations relate to Asians' identification with East African nation-states— that this paper gives central attention to several specific markers of national identity. These include natality (place of birth), ancestry/descent,

place of residence, culture (names, languages, foods, etc.), and commit-
ment and contribution to a particular nation-state.[3]

Let us now highlight the various ways indigenous East Africans con-
struct East African Asians as partial, provisional, second–race citizens in
the fiction under study, bearing in mind the fact that this is one of the four
aims of this paper, the other three being: to locate this construction in the
political and economic history of East Africa; to deconstruct the con-
structions in order to show the weaknesses inherent in them; and finally,
to suggest key lessons that East African governments could learn from
the Asian writers' portrayal of citizenship so that the rejuvenation of the
East African community under way may herald concerted efforts towards
the creation of a multiracial, multiethnic and multicultural society, where
all citizens will be considered full citizens regardless of racial differences.

The Construction of Asians as Provisional, Partial Citizens

In East African Asian writing, two interpretations of citizenship are clearly
portrayed. The first limits citizenship to possession of a passport, the
magical book that demystifies territorial boundaries and internationalizes
travel. This tendency has its origin in the libertarian conception of citi-
zenship, which sees citizenship predominantly as a legal status and at-
tempts to give the individuals the maximum amount of freedom, and be-
lieves that self-interest is the basic motive upon which citizens act. This
self-interest is, of course, controlled by the laws of the state, which stipu-
late given rights and obligations for the citizens. As a trading immigrant
community, the Asians of East Africa adopted this libertarian conception
of citizenship mostly because their major concern was the security of
their families, their trade and savings (Vassanji 1989: 52).

The second interpretation of citizenship emphasizes social participa-
tion in public and community affairs and demands that the individual
citizen contribute to the common good of his or her community (read:
nation). This interpretation, which Voet (1998: 10) calls the communitarian
conception of citizenship, appealed to the indigenous Africans who wanted
to see the Asians contribute more and more to the economic, social and
political development of the post-colonial East African nation-states of
Uganda, Kenya and Tanzania. The aspects the Africans wanted to see in
their relationship with the Asians were primarily three: unity in the strug-
gle against British colonialists; racial tolerance and social inclusivity;
and fairness in business and trade. These aspects coalesced to create the
Africans' view of a good Asian citizen: a person who worked towards
harmony between Africans and Asians, and this harmony basically en-

tailed uplifting the living standards of the Africans, which in turn meant heavy sacrifices on the part of the Asians whose major concern, as we have mentioned before, was the security of their families, their trade and savings. This inevitably led to a clash of interest–the libertarian self-interest (favoured by Asians) and the communitarian 'common good' interest (favoured by the Africans). This clash of interest was inevitably racialized with the unfortunate result that the Asian citizen was considered a harmful element, prejudicial to the interests of East African nation-states. And as a harmful citizen, the Asian was considered a provisional and partial citizen whose citizen status could be erased. This is what former president of Uganda, General Idi Amin, did when he expelled both citizen and non-citizen Asians from his country in 1972.

One reason to explain this provisionality of the Asians' citizenship is that some Asians did not fully identify themselves with the post-colonial East African nation-states, for they either did not apply for Ugandan, Kenyan and Tanzanian citizenship, choosing to remain British passport holders, or if they did, they still identified themselves not as Ugandans, Kenyans and Tanzanians, but as Goans, Pathans and Indians despite the fact that the passports they were holding were Ugandan not Goan, Kenyan not Pathan, and Tanzanian not Indian. As for those who held British passports or any other countries' passports, they were technically aliens in their countries of adoption (Gupta 1975: 125). In fact, 80,000 of the Asians Idi Amin expelled from Uganda held British passports and were therefore British citizens, which is why the General asked Britain to make arrangements and receive them (*Uganda Argus*, August 7, 1972). In the fiction we are studying, there are examples of such Asians. *In Return to Paradise* we have Masood Khan and his family who pass for Ugandan citizens but hold British passports; in *In A Brown Mantle* we have Bernie Rodrigues and the narrator's father. Our concern in this paper is not these 'British Asians', but the East African citizen Asians.

We have already mentioned that some East African Asians did not fully identify themselves with East African nation-states, but with Goa, Peshawar and India, even when the passports they bore were Ugandan, Kenyan or Tanzanian. This shows that these Asians privileged their countries of descent and marginalized their countries of adoption, to the dissatisfaction of East African nationalists who seized upon this opportunity to condemn 'Asian ingratitude' and 'lack of commitment to the destiny of Africa'. Theroux (1967) gives examples of condemnatory statements made by the first President of Independent Kenya Jomo Kenyatta and his Vice President Daniel Arap Moi, who bluntly demanded, on several occasions

that Asians leave Kenya if they refuse to subordinate their social, cultural and economic interests to those of black Africans, sometimes called 'African Africans' to emphasize the descent and racial issues at stake. This condemnation was fuelled by other factors including Asians' (alleged) racial intolerance, economic exploitation, and middlemanship between the Africans and the British during the colonial era. It is for this reason that this paper argues that in order to understand the Africans' construction of Asians as provisional, partial citizens, we need to take a look at the political and economic history of East Africa.

Colonial History and Asians' Postcolonial Predicament

Colonial East Africa was a racially stratified society, with the whites constituting the upper class, the Asians the middle class and the Africans the bottom class, hewing wood, fetching water and baby-sitting white and brown babies. In this three-tiered racial structure, the British used the Asians to serve the imperial interests by acting as the intermediary between the white colonizers and the black Africans. Being the individuals who put colonial exploitative policies into effect, they came to assume the blame for an exploitative colonial system while the real authors of the system, operating invisibly behind the buffer, remained relatively free from black African hatred (Ocaya-Lakidi 1975: 82) It is for this reason that Robert Kyeyune, the agitator for Damibian (Ugandan) independence, observes thus:

> The British are clever. They placed a middleman of another race between them selves and Africans so that they could rake in the profits undisturbed. Do you know the story of Cleopatra and Antony? When the messenger brought news to Cleopatra that Antony had been defeated, Cleopatra executed the messenger! It is the one who deals directly with the African who is hated most. The British remain aloof and are neither loved nor hated (Nazareth 1972: 45-46).

In fact, the British did not remain aloof as Kyeyune suggests; fearing a potential Asian–African political alliance, they propagated the view that the Asians were the merciless exploiters of the Africans, and a monolithic trading community that had come to East Africa at the turn of the nineteenth century to grab what they could and leave. They also gave the Asians the epithet 'Jews of Africa', which contained the same negative assumptions about the Asians as were to be found concerning Jewish merchants in Europe (Seidenberg 1983: 14). Other adjectives describing the Asians abounded—crafty, money-making, cunning, someone with his soul bound to his body by the one laudable and religious concern to turn

his coin to better advantage; the user of false weights and measures and a
receiver of stolen goods, among others (Ocaya-Lakidi 1975: 85). An ex-
tract from a colonial Kenya newspaper, *Sunday Post*, summarizes the
colonial project of setting the Asian against the African:

> In the future Kenya will have to suffer to an extent never contemplated in
> the past from the most evil influence of oriental feudalism. Thousands of
> years of autocracy have made the Indian people what they are today: a
> race of usurers and gamblers. Usury and gambling are in the pigmentation
> of their blood. They can no more resist the temptation to exploit their
> fellow men than a drunkard can resist the taste of liquor. Land, food, liv-
> ing space, the means to live, are the counters with which most love to
> gamble (quoted in Seidenberg 1983: 33).

Now, we should note that the above adjectives describing the Asians are
the same adjectives postcolonial black Africans used in cataloging the
'evils' of the Asian race in East Africa. In *In A Brown Mantle*, Mr. Gombe-
Kukwaya, an influential Damibian (Ugandan) politician of the pioneer-
ing post-colonial generation tells a crowd of his supporters at a politically
rally:

> [I]t is not only the white people who have exploited us—we have within
> our midst the Brown people, the Muindi, who continue to exploit us to this
> day! We have only tolerated the Muindi, because we thought they would
> change and become part of us, but we know now, after bitter experience,
> that they continue to exploit us as though we are cattle. Will we continue
> to tolerate this enemy within our midst for much longer, my brothers and
> sisters? (Nazareth 1972: 74).

A similar speech is made by Dr. Musozi Ebongo (Singh 1973: 45).

These fictional leaders, needless to mention, prefigure actual leaders
like President Milton Obote, who told the Ugandan parliament on April
20, 1970 that his government wanted non-citizen Asians to leave Uganda
because 'they have never shown any commitment to the cause of Uganda
or even to Africa,' for 'their interest is to make money, which money they
exported to various capitals of the world on the eve of our independence'
(Pain 1975: 188). Better still, the leaders prefigure President Idi Amin,
who expelt the Asians from Uganda in 1972.

The racial stratification of the colonial East African society also af-
fected the Asians in another way: coming second to the British, the Asians
considered themselves superior to the Africans whom they regarded mem-
bers of the lowest caste, and atavistic remnants of the Neolithic Age
(Seidenberg 1983:7). Simatei (2001) suggests that this feeling of racial

superiority on the part of Asians, together with the notion of exclusion, which is so ingrained in their caste-centered social organisation that it comes to them almost naturally, militated against social (and sexual) intercourse between them and the Africans (Simatei 2001:74). No wonder then that Asian social clubs, for instance the Goan institutes in Kampala, were until independence, racially exclusive (Nazareth 1972:133). And little wonder that the Asians discouraged intermarriage with Africans so much that Karim Hussein, a Ugandan Asian in the play, *Sweet Scum of Freedom,* beats up his wife when his daughter marries an African. The wife is beaten up because she did not teach her daughter proper manners, that is, she ought to have impressed upon the girl day and night that marrying an African was the least an Asian could know not to do. How do other Indians react to Hussein's 'tragedy'? One of them sends all his daughters to India to get married lest they get seduced—mark the word seduced—by African men (Singh 1973:47).

Because of this exclusiveness, the return of the Asian to India for a marriage partner is a recurrent motif in East African Asian fiction. In *In A Brown Mantle,* the narrator's father goes to Goa for a wife (1972: 6); in *Water under the Bridge,* the Desai family does the same, which is why Kanti's wife, Rheka, is referred to as an 'imported bride'(Dawood 1991: 54). *In Return to Paradise,* Masood Khan has to leave Uganda for Khyber pass that he may get a real Pathan woman, with unalloyed and unspoilt Pathan blood (Dawood 2000:11-12). The irony is that in all the novels the Asian runs to the African women for casual sex, giving the impression that he considers prostitution the African woman's calling. When an African prostitute asks an Asian client why Asians do not want to marry Africans, he answers thus:

> They are so pure and clean—must say their prayers and wash their bodies every day. And they are so rich—most of them and they have such big cars and you don't—so they will never marry you (Singh 1973: 46).

What is implied here is that the African is dirty and irreligious, a thing that parallels the racial arrogance of the whites who construct(ed) Africans as lazy, unintelligent, immoral, ignorant, dirty and irreligious. This attitude was bound to cause inter-racial tension between Africans and Asians—a tension that in one respect climaxed in the 1972 expulsion of the latter from Uganda on the grounds that they were not committed to the social, economic and political development of the country. Let us now examine how Asian economic practices enhanced the view that Asians

were get-rich-quick immigrants-in-transit who did not care about the future of their countries of adoption.

Asian Economic Practices and the Get-Rich-Quick Immigrants-in-Transit Image

By and large, Asian economic practices have, from the colonial period to the present, bordered on exploitation and dishonesty. In *Water under the Bridge*, an Asian businessman and Kenyan national, Jaffer, admits that the Asians exploit Kenya through 'unfair competition, price rises, siphoning of foreign exchange [and] embezzlement' (Dawood 1991: 308). The unfair competition Jaffer is talking about had its origin in the prices the Asian traders charged for commodities, especially to African retailers; these retailers were sold at a high price, forcing them to sell to their consumers at an even higher price. Because of this, the Africans ended up buying from Asian shops, where commodities were relatively cheaper, a dynamic that forced the Africans out of business. Wa Thiongo (1964) puts this concern thus:

> Black people too bought things from the Indians. But they also bought in the African shops which stood alone on one side of the town near the post office. The Africans had not many things in their store and they generally charged higher prices so that although the Indians were not liked and they abused women, using dirty words they had learnt in Swahili, people found it wiser and more convenient to buy from them (7–8).

Besides, the Asians were experienced bargainers to the detriment of the Africans. When Jaffer leaves young Oloo in charge of his fish business to join his sick wife in Canada, this is the instruction he gives him:

> You know our suppliers. Pay them from the float we keep in the till. Never pay them what they ask for. You know what I mean. You have seen me haggling. If they ask for ten shillings for their load, you start with an offer of one, and finish at three or four. Only on the day when you find the fish in short supply, you go up to five (Dawood 1991:31).

This extract makes it clear that the African fish seller is cheated for the difference between what he and the Indian got was so big that for the latter, 'even with the packing and transport costs added, there was a huge profit margin, *which ran into two to three hundred percent* (emphasis added) (26).

The Africans were not only cheated through selling, but also through buying. 'These people', a black Ugandan pointed out in 1972, 'have and are still exploiting the sons and daughters of Uganda in many ways, e.g,

when one goes to buy a dress you find there written a price of 140/=. As
you go on bargaining you will surprisingly find that you have bought the
dress at 100/=, which means that they are never straightforward to us at
all' (Ocaya-Lakidi 1974: 93–4).

The most painful form of exploitation was probably the siphoning of
forex from East African countries. There were several ways through which
this was done. One of these was direct smuggling of the forex and jewelry.
When the Desai family in *Water Under the Bridge* (1991) decide to invest
in Canada, one source of capital available to them is the jewelry , travelers'
cheques and foreign currency to be smuggled out of Kenya by Rajoo.
This is how Rajoo is to do it:

> Fill your suitcase with them. You are allowed thirty kilos, because you
> travel first class. No label on the suitcase, no clues about the owner any-
> where. You check in at the counter where the airline staff is only worried
> about the weight. Nobody from the customs checks the outward bound
> suitcase which accompanies a passenger. At Geneva Airport enroute to
> Canada, you pickup the suitcase. Nobody cares there what you are bring-
> ing, as long as you don't carry drugs or arms (139).

Every thing works out well, and the Desai family begins a business in
Canada. Tribe (1975) gives us other ways through which capital was ex-
ported from East African countries by Asians: over-invoicing of imports,
under-invoicing of exports, false declaration of factor incomes such as
profits and rents and improper use of personal transfers (144–153). For
an Asian businessman with, for example, imported goods worth ten mil-
lion shillings, he would send double the amount so that the balance is put
on his London or Swiss account. If he exported goods worth twenty mil-
lion shillings, he would under-invoice them and declare that they were
worth five million. The fifteen million, again, would find itself on the
London or Swiss account. Besides, the Asians involved in the tourism
industry were paid in London banks, meaning that the post-colonial East
African governments were sidelined. Even the taxes levied by the au-
thorities were evaded by the Asians, who kept two books – one for them-
selves and the other for the income tax department (Dawood 1991: 43).
This second book understated, of course, all the transactions conducted
so that as little money as possible could be taken by the government in the
form of taxes. Consequently, the image of the Asians, earlier constructed
by the British as crafty, money-making, cunning, unscrupulous, etc., was
upheld by African nationalists – Presidents Milton Obote and Idi Amin in
real life, and Musozi Ebongo and Gombe-Kukwaya in the fictional world.

An Attempt at Deconstruction

What is at stake here really is not so much the question of contribution versus commitment, but that of ancestry. The citizen status of the Asian exploiter is questioned not just because he is sabotaging the progress of East Africa, but because he is perceived as a foreigner, a stranger who has no right to plunder his adopted country. This is why no one questions the citizen status of the black exploiter. And so, when Mr. Gombe- Kukwaya, a minister in a Ugandan post-colonial regime in *In A Brown Mantle* buys a golden bed for his wife, he is accused of mismanaging government funds, not of being a 'bloody foreigner'.

In fact, there are several examples in the fiction under study that show the black African as an active and enthusiastic participant in the exploitation of East Africa. Listen to the thoughts of a black character in *Water Under the Bridge* on the power of a member of parliament and the benefits that accompany this position:

> A member of parliament was a powerful figure and if [I] ever became a minister or even an assistant minister, [I] would be considered a demi-god. [My] patronage would attract wealth like a magnet. To wield power and amass wealth, one had to climb the political ladder and the first rung of that ladder was a seat in parliament. The returns were so great, no price was too high (Dawood 1991:146).

Notice the absence of the voters' welfare in this meditation: no mention of health centers, schools, income-generating projects, rural electrification. What matters to this politician is not the economic and social progress of his country, but his personal welfare:

> What appeals to me most is that as a minister you don't have to wait anywhere–not for lifts, not at the airport—no waiting in offices, everywhere you are received and your path made smooth and easy. All the drudgery of life is taken out. Everyone gives you preferential treatment; foreign travel is no longer an ideal—it is a luxury. You are received and looked after like a lord. You know, on my last visit to England with his Excellency, we were invited to stay at Buckingham palace (Dawood 1991: 232–33).

The question that comes to mind is: What kind of commitment to the East African nation—states is this kind of leader capable of? What kind of contribution is he likely to make in developing his country? The answer is simple: nil. The primary interest of such leaders is not the pursuit of development strategies, but staying in power and using the state as an instrument for predatory ostentatious consumption. Believing that cun-

ning (read: theft, robbery) is more profitable than hard work, these lead-
ers pray:

> Cunning, be my guide,
> And lead me all the time,
> Waking and sleeping.
> And wherever I go,
> I would like you to give me
> The food I eat,
> The water I drink,
> Even the clothes that I wear (Wa Thiongo 1982:103).

And whoever stands in the road of this cunning must be crushed. This is
what happens to Pius Cota, the 'bloody Mugoa' in *In a Brown Mantle*
who is assassinated for unearthing a scandal in which a minister steals a
consignment of prefabricated houses from a foreign country meant to
mitigate the housing problem in Azingwe (Kenya). This is the irony of
the commitment/contribution argument: the Asian who is interested in
the social and economic development of his country of adoption is referred
to as a 'bloody Mugoa' and a 'pain in the neck' (Nazareth 1972: 147). The
reference to Cota's Goanness is, of course, an attempt to estrange him
from Kenyan citizenship, to make him a foreigner in a country he fully
identifies with and dearly loves, a country whose independence from the
British he fought for. What the assassins are telling him is that as an
Asian, he has no business in 'meddling' in the affairs of Kenya, a Black
Country for Black Africans, and that as an immigrant his only business is
trade, not politics. Thus Cota, who feels it his duty to fight corruption in
order to contribute to the common good, is frustrated by the Africans.
themselves.

Even Deogratius D'Souza, the narrator of the novel, is discriminated
against: he is called a Mugoa meddler and asked to return to his country,
even though he was born in Uganda. 'Hey Mugoa', the golden-bed-min-
ister, Gombe-Kukwaya asks:

> When are you going back to your country?. . .if I were in power, I would
> chase all these brown people into the sea. They kept aloof from us until we
> won our independence and now that we are the bosses, they are trying to
> be friendly (ibid.:114).

True, some Asians collaborate with British colonialists. But others like
Deogratius D'Souza and Pius Cota (in the world of fiction) fully partici-
pate in the fight for East Africa's independence. D'Souza, for instance,
serves as personal Assistant to Mr. Robert Kyeyune, the leading national-

ist fighting British colonialism in Damibia, which is the pseudonym for Uganda. He even encourages the Goan community in Damibia to identify itself with the country by taking its citizenship—a call hearkened to by the younger generation Goans like Joaquim D'costa. He is honest enough to admit that at independence, there was a need to reorganize the economy that was visibly in the hands of the Asians (who owned land in towns, held most of the jobs and owned almost every shop) and invisibly in the hands of the British and other Europeans (who owned banks, import and export houses, motor vehicle agencies, and the insurance companies) so that the Africans move to the center of controlling their resources (ibid.: 110). That D'Souza makes such an observation sets him apart as a genuine African nationalist.

Pius Cota, who is modeled on the Kenyan Goan journalist, Pio Gama Pinto, goes even a step further to fully identify himself with the well-being of both Damibia and Azingwe (Kenya). He dedicates his life to fighting colonialism, and when independence is achieved he continues fighting the injustices meted out on the poor peasants by the leaders of newly independent Kenya. This fight, as we have already seen, costs him his life, for he is assassinated by his former comrades who have betrayed the cause of independence by using their positions to amass wealth to the detriment of the poor peasants in shacks, and the under-employed and unemployed Africans who are starving to death. In fact, D'Souza describes Pius Cota as a man who spent all his time being a dedicated nationalist, pan Africanist, and socialist (ibid.:69). And Father Van Santen compares him with Jesus Christ, for both give up their lives for their people (ibid.: 71). This is in the world of fiction.

In the real world, we get more examples of East African Asians dedicated to the liberation of East Africa from colonial rule. Isher Dass, as a member of the Legislative Council from 1933 to 1942, made frequent representations on behalf of Africans, especially in respect of their demands for more land, political representation and the removal of restrictions on the growing of economic crops. Other Indian representatives on the LEGCO helped him in this task—B.S. Varma and U.K. Oze—by opposing further alienation of land to non-Africans (Mangat 1969:168).

Logistically, the Asians helped in the printing of African nationalist newspapers from 1942-1952 (and even earlier in the 1920s when Harry Thuku was agitating for freedom from colonial rule). Examples of these newspapers are the Kikuyu daily *Inooria Gikuyu* (Gikuyu sharpener), a Swahili weekly, *Afrika Mpya* (New Africa), *Mwiguithania* (Conciliator), *Sauti ya Mwafrika* (Africa Voice), *Hindi Ya Gikuyu* (Gikuyu Times) and

Habari Za Dunia (News of the World) (Seidenberg 1983:76) The contribution of these newspapers (and therefore of the Asians who financed their printing), to the achievement of Kenya's independence in 1963 cannot be underestimated.

Besides, East African lawyers helped defend African nationalists like Jomo Kenyatta and other Mau Mau detainees. In 1954, for instance, A.R.Kapila (who, together with F.R.S. De Souza, S.N. Pritt, Chaman Lall and Jaswant Singh had defended Jomo Kenyatta) defended General China, a renowned leader of the Mau Mau. From 1953 to 1957, De Souza defended over 200 Mau Mau suspects. Other East African Asian lawyers—E.K. Nowrjee, A.H. Malik, S.M. Akram, S.P. Handa, Sheikh Amin, M.K. Bhandar', K.D. Travadi and Arvind Jamidah—worked behind the scenes defending Mau Mau suspects (Seidenberg 1983:116). Asian journalists, for instance, Harun Ahmed, Pranlal Sheth, D.K. Sharda and Pio Gama Pinto—on whom, we have already observed, Peter Nazareth modeled his African–Goan Politician, Pius Cota—also threw in their lot to support the African cause, What these examples show is that not all East African Asians were anti-African independence/progress. There were fingers that brought oil, but these did not soil the entire hand. Thus, labeling all the Asians as traitors, opportunists and exploiters is erroneous, just like it is to label all Africans as true nationalists.

Conclusion

What the above discussion makes clear is that the most important marker of national identity in East Africa is ancestry/descent, not commitment/contribution to the nation- state, and not natality. This point becomes more clear when the question of distribution of resources and opportunities arises. Where the Asian citizen amasses wealth, it is expected by the indigenous citizens that he uses part of this wealth for the development of the country, lest he is labeled an ingrate or a bloody foreigner fit for deportation, irrespective of whether he was born in East Africa or in India/Pakistan. In other words, the brown citizen is expected to negotiate his citizenship through being good, which really means being charitable and apolitical. The black citizen, on the other hand, remains a citizen whether he is a thief or a rebel. He can only become a bad citizen, never a 'bloody foreigner'.

It is for this reason that East African leaders, who are tirelessly struggling to fully rejuvenate the East African community, should seriously address the possibility of a multiracial and multicultural East African society. They should work towards the elimination of racial discrimination in their countries, and should strengthen links between East African gov-

ernments and Asian countries like Pakistan and India, where descendants of East African Asians have emigrated. The leaders should demonstrate that true multiculturalism is possible. The indigenous Ugandans' voting of Jay Tana, a Ugandan Asian, to the sixth parliament as the representative of the youths from the Eastern region of the country shows that it is possible to iron out racial prejudices, and for different races to become accommodative. I am singling out Uganda because this is the country that experienced the worst form of racial friction after the country's independence in 1962, a friction that climaxed in the expulsion of Asians from Uganda in 1972 and the consequent confiscation of their properties.

In my view, the success of the East African community should be judged, in one respect, from its commitment to social integration across ethnicity and race so that the three countries face the challenges of poverty and economic stagnation in an environment of ethnic and racial harmony. An ideal, some people will say. But who said ideals are unattainable? Doesn't Shakespeare tell us, in *Measure for Measure*, not to think impossible what seems improbable?

Notes

1. The immigration of these 'traditional' East African Asians into East Africa did not stem entirely from the building of the Kenya-Uganda railway at the turn of the nineteenth century as empire-building historians sometimes argue. In fact, small numbers of Indians have lived in the coastal regions of East Africa for centuries, arriving long before the days of European settlement. See George Delf (1963), Asians in East Africa.

2. These novels are *The Gunny Sack*, Vassanji; *Water under the Bridge* and *Return to Paradise*, Dawood; and *In a Brown Mantle*, Nazareth.

3. For a more engaging discussion of these markers of identity, see Frank Bechhofer, et al., 2001, 'The Framing of Scottish National Identity', in N. Abercrombie and A. Warde, eds., The Contemporary British Society Reader, Cambridge: Polity Press.

References

Dawood, Y.K., 1991, *Water under the Bridge*, Nairobi: Longhorn.

Dawood, Y.K., 2000, *Return to Paradise*, Nairobi: East African Educational Publications.

Gupta, A., 1975, 'India and the Asians in East Africa,' In M. Twaddle, ed., *Expulsion of A Minority: Essays on Ugandan Asians*, London: The Anthlone Press.

Mangat, J.S., 1969, *A History of Asians in East Africa*, Oxford: The Clarendon Press.

Nazareth, P., 1972, *In A Brown Mantle*, Nairobi: Kenya Literature Bureau.

Ocaya-Lakidi, D., 1975, 'Black Attitudes to the Brown and White Colonizers of East Africa,' In M. Twaddle, ed., *Expulsion of a Minority: Essays on Ugandan Asians*, London: The Anthlone Press.

Pain, D., 1975, 'The Nubians: their perceived stratification system and its relation to the Asian issue,' In M. Twaddle, ed., *Expulsion of a Minority: Essays on Ugandan Asians*, London: The Anthlone Press.

Seidenberg, D.A., 1983, *Uhuru and the Kenya Indians: The Role of a Minority Community in Kenya 1939–1963*, New Delhi and Nairobi: Vikas Publishing House.

Simatei, T., 2001, *The Novel and the Politics of Nation Building in East Africa*, Bayreuth: Beyreuth University.

Singh, J., 1973, 'Sweet Scum of Freedom,' In G. Henderson, ed., *African Theatre*, London: Heinemann.

Theroux, P., 1967, Hating the Asians,' *Transition*, 33 (7).

Tribe, M.A., 1975, 'Economic Aspects of the Expulsion of Asians from Uganda,' In M. Twaddle, ed., *Expulsion of A Minority: Essays on Ugandan Asians*, London: The Anthlone Press.

Trotsky, L., 1960, *Literature and Revolution*, translated by R. Strunsky, Ann Arbor, Michigan: University of Michigan Press.

Voet, R., 1998, *Feminism and Citizenship*, London: Sage.

Vassanji, M.G., 1989, *The Gunny Sack*, Portsmouth, NH: Heinemann.

Wa Thiongo, Ngugi, 1964, *Weep Not, Child*, Nairobi: Heinemann.

Wa Thiongo, Ngugi, 1982, *Devil on the Cross*, Nairobi: Heinemann

Wa Thiongo, Ngugi, 1997, 'Literature and Society: The Politics of the Canon!', In N. Wa Thiongo, ed., *Writers in Politics: A Re-engagement with Issues of Literature and Society*, Second Edition, Oxford: James Currey.

Globalizing Ethnicity, Localizing Citizenship: Globalization, Identity Politics and Violence in Kenya's Tana River Region

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Abstract

This paper is about the ways in which forces of globalization have impacted on, and shaped the construction of, citizenship in Africa generally and Kenya in particular. It is also about globalization and violence associated with the resurgence of ethnic nationalism. The empirical part of the paper focuses on Tana River region, a marginalized, poor and bandit-prone multi-ethnic region on the delta of Kenya's largest river. The region's proximity to Somalia, where the state has collapsed and warlords hold sway, has also exposed the region to the effects of cross-border flows of firearms, 'mercenaries' and bandits. Moreover, the World Bank has funded several projects in Tana River, but its funding, management policies and the overall impact of the investments have accentuated ethnic conflict within and between herders and farmers over water-points, pasture and farmlands. These conflicts have engendered the reconstruction of new ethnic identities and alliances, and the selective use of historical memories and cultural institutions to buttress exclusive claims to territorial citizenship. These localized processes are linked to ethnic contests at the civic realm by intense politicization of citizenship as a logical consequence of liberal majoritarian democracy in ethnically divided polities. The paper maps the contours of the historical process through which globalization has undermined social citizenship and the nationalist project in post-colonial Africa, thus everywhere animating ethnicity and localizing citizenship.

Résumé

Cette contribution étudie l'impact des forces de la mondialisation sur le concept de citoyenneté, et sur sa construction sur le continent africain, en général, et plus particulièrement au Kenya. Elle porte également sur les principes de

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mondialisation et de violence, associés à la résurgence du nationalisme ethnique. La partie empirique de cet article étudie la zone de la rivière Tana, une région marginalisée, multiethnique, pauvre, regorgeant de bandits, qui est située sur le delta de la plus grande rivière kenyane. La proximité de cette région d'avec la Somalie, où l'État a échoué dans sa mission et où les seigneurs de guerre dictent leur loi, a favorisé dans cette région l'apparition de phénomènes, tels que le flux transfrontalier d'armes et la circulation de mercenaires et de bandits. De plus, la Banque Mondiale a financé un grand nombre de projets de la rivière Tana, mais ces financements et politiques de gestion, ainsi que l'impact global de ces investissements, ont aggravé les conflits ethniques entre pasteurs et agriculteurs, portant sur les points d'eau, les zones de pâturage et les zones agricoles. Ces conflits ont provoqué la re-formation de nouvelles identités et alliances ethniques, ainsi que l'exploitation exclusive des mémoires collectives et des institutions culturelles, dans le but de justifier les revendications exclusives de citoyenneté territoriale. Ces processus localisés sont liés aux luttes ethniques, sur le plan civique, par une forte politisation de la notion de citoyenneté, qui découle logiquement de la démocratie libérale majoritaire au niveau des États divisés sur le plan ethnique. Cette contribution définit les contours du processus historique, par l'intermédiaire duquel la mondialisation a porté atteinte à la citoyenneté sociale et au projet nationaliste en Afrique post-coloniale, favorisant ainsi un peu partout des phénomènes d'ethnicité et de localisation de la citoyenneté.

Introduction

> My father was a Ghanaian patriot...But he also loved Asante, the region of Ghana where he and I both grew up, a kingdom absorbed within a British colony and then a region in a new multiethnic republic...And like so many African nationalists of his class and generation, he always loved an enchanting abstraction they called Africa. When he died, my sisters and I found a note he had drafted... After a summary reminder of our double ancestry—in Ghana and in England—he wrote, 'Remember that you are citizens of the world.

So writes Kwame Appiah, celebrating the amity between his 'global citizenship' and a heritage of congeries of ethnic, national, racial and pan-Africa identities (1998:91). The idea of globalization—that the Internet and unfettered flow of capital are homogenizing cultures, transforming markets, creating new economic linkages and inter-dependence, compressing time and distance, and erasing boundaries—has inspired blissful imaginations of a planetary citizenship in Marshall McLuhan's 'Global Village' (1989). This luscious intellectual excursion into cosmopolitanism has enabled us to imagine and plot citizenship along the entire local-global continuum. However, the rights, privileges and duties of citizens are still defined by, and exercised within, the state.

In spite of theoretical forays into 'post-national citizenship' (Tambini 2001) and the recent double-barrelled assault on the nation-state by local-ized forces of ethnicity and globalized currents of liberalism, the state is still the domain of citizenship and the nodal-point of our international system (Wallerstein 1995). Globalization has simultaneously undermined the welfare state and eroded 'social citizenship' in Africa and promoted 'market citizenship' which is assumed to be driven by economic interests and civil society. In promoting 'market citizenship' in Africa, globaliza-tion has proceeded against the backdrop of the collapse of the welfare state in the West, the nationalist project in the Third World, and Sovietism in the Eastern bloc (Amin 1997:34).

While globalization's most ubiquitous symbols are the 'Mac compu-ter and the Big Mac' (code names for technology and multinationals), its indelible birthmark is violent conflict—evocatively captured by Barber's title: *Jihad Versus MacWorld* (1995). The theory of globalization has a long pedigree in Rosa Luxemburg's Marxist notion of the world market and imperialism. However, globalization has substituted struggles along market-based identities such as worker and capitalist or landlord and ten-ant for struggles based on cultural, ethnic or religious identities (Amselle 2002:214). Fukuyama's *End of History*, the emblematic *oeuvre* of liberal triumphalism in the twenty-first century, envisioned a blissful post-Cold War world where culture, ethnicity and religion are the only residual is-sues. However, in Huntington's (1996) *Clash of Civilizations*, these is-sues loom even larger and are imagined as the focal points of a cultural clash on the global stage between the 'West and the Rest' (meaning the Western civilization versus the whole mass of Islamic and Confucian worlds). Viewed in this context, globalization emerges as the legitimate heir to the paradoxical and centrifugal twentieth century, which the histo-rian, Eric Hobsbawm, dubs the 'Age of Extremes' (1994). However, Hunt-ington's binary framework of global identity conflict leaves out Africa and other parts of the world where violent ethnic conflicts everywhere are undermining civic citizenship and emboldening parochial and local-ized claims.

Intellectuals and publics have increasingly used the term 'national-ism' to describe the sensibilities and violence linked to culture, ethnicity, religion and other negative antinomies of society (Anderson 1991). Na-tionalism in the contemporary period, Hobsbawm (1990) argues, has ac-quired a quite different, and reactionary, form to that of the emancipatory nationalism of the nineteenth century which was strongly associated with the struggle for national democratization. This form of nationalism, which

Berman (1998) characterizes as 'uncivil-nationalism', is about identity politics or claim to power on the basis of identity labels—Croat, Serb, Hindu, Maasai or Tutsi. It has also produced what Mary Kaldor (1999) has christened 'new wars': new because they lack 'the geo-political or ideological goals of earlier wars' and are largely internal or 'civil wars'. The form of violence this nationalism generates is theorized as 'non-revolutionary,' a deviation from Fanon's (1962) emancipatory and humanizing violence associated with anti-colonial liberation and akin to the senseless and dehumanizing violence that underpinned Nazi Holocaust (Arendt 1975).

Faced with this violence, some researchers treat it as a legacy of the colonial strategy of divide-and-rule that invented and politicized the ethnic identity. This colonial manipulation of ethnicity, it is argued, bequeathed post-colonial societies with the ethnic polarities of settler (or migrants) and native (indigenous) as the axis about which claims to rights and citizenship rotate (Mamdani 1996:2001). However, the political identity analysis illuminates and historicizes ethnicity and colonialism, but fails to animate ethnic violence in the light of a globalizing world. Other analysts have perceived the logic of this violence as a new phenomenon of 'informal repression', a strategy by the ruling elite of the one-party vintage to covertly employ violence to undermine political opposition, counter multi-party democracy and regain political initiative (Kirschke 2000).

However, nationalism flowing from 'communal' forces is not always venal, reactionary or illegitimate; for ethnic nationalism is a Janus-faced phenomenon. John Lonsdale's (1994) dichotomous categories of 'moral ethnicity' and 'political tribalism' aptly describe its benign and disruptive faces. In a similar vein, theorists have stressed the key point that ethnic-based movements have served as counter-hegemonic forces to the centralizing and hegemonic ambitions of the modern territorial secular nation-state. They have everywhere localized the struggle for citizenship in ways that create moral communities, mobilize social capital, and broaden the space for cultural citizenship in post-colonial Africa (Eyo 1999). Finally, ethnic identities have provided social safety-nets that have cushioned many Africans from poverty, disease and illiteracy in the face of the debilitating effects of Structural Adjustment Programs and other policy excesses of globalization.

This paper is about globalization and citizenship, the ways in which forces of globalization have impacted on, and shaped the construction of, citizenship in Africa generally and Kenya in particular. It is also about globalization and violence associated with the resurgence of ethnic nationalism.

In this regard, Appadurai has argued that globalization fosters uncertainties and inequalities that have reinforced primordial sensibilities and recidivist ideologies, and inspired the atomization of political processes (1998, 2000). Forces of globalization, including the predatory activities of multinationals and negative effects of cross-border contraband have stoked the embers of violence within and between ethnic groups, which has killed off and maimed thousands, destroyed communities and created millions of refugees. After all, Kaldor's 'new wars' are not just 'internal' or 'civil wars.' They are part of ubiquitous 'regional conflict formations' that link the 'local' and the 'global' and expose the dark under-belly of globalization. Bandits, militias and other local combatants are connected to, and largely thrive on, 'economies of war' that connect globalized illegal trade networks in firearms, drugs, precious metals and gemstones across Africa's porous borders with local theatres of war (Raimo 1984; Rubin 2001).

The empirical part of the paper focuses on Tana River, a marginalized, poor and bandit-prone multi-ethnic region on the delta of Kenya's largest river. The region's proximity to Somalia, where the state has collapsed and warlords hold sway, has also exposed the region to the effects of cross-border flows of firearms, 'mercenaries' and bandits. Moreover, the World Bank has funded several projects in Tana River, but its funding, management policies and the overall impact of the investments have accentuated ethnic conflict within and between herders and farmers over water-points, pasture and farmlands. These conflicts have engendered the reconstruction of new ethnic identities and alliances, and the selective use of historical memories and cultural institutions to buttress exclusive claims to territorial citizenship. These localized processes are linked to ethnic contests at the civic realm by intense politicization of citizenship as a logical consequence of liberal majoritarian democracy in ethnically divided polities. This paper maps the contours of the historical process through which globalization has undermined social citizenship and the nationalist project in post-colonial Africa, thus everywhere animating ethnicity and localizing citizenship.

Historicizing Globalization, Citizenship and Violence

Globalization is linked to the complex processes that are undermining citizenship based on the nation-state and localizing citizenship in ways that have reinforced 'communal' violence everywhere in Africa. This centrifugal and paradoxical aspect of globalization is rooted in the history of the equally contradictory twentieth century, with its monumental economic and technological progress on the one hand and cataclysmic vio-

lence, on the other. In order to come to terms with this centrifugal streak of globalization and to understand how it is wrecking civic citizenship in favour of localized, primordial derivatives of citizenship, it is imperative to confront the discursive trope that casts globalization as a 'new' phenomenon now permeating the entire globe.

In the early 1990s, globalization was launched as a 'new' epoch in world history embodied in the international system that replaced the Cold War system after the fall of the Berlin Wall (Friedman 1990). The 'newness' of globalization, indeed, its ahistorical stance, has been a bone of contention. The historian, Fred Cooper, rightly argues that the 'global' and the 'ization' in globalization pose serious conceptual problems: 'The implication of the first is that a single system of connection—notably through capital and commodity markets, information flows, and imagined landscapes—has penetrated the entire globe; and the implications of the second is that it is doing so now, that this is a global age' (2001:189). Cooper's is a sagacious invitation to intellectuals to problematize globalization by historicizing it. It is no longer in dispute that globalization did not start 'the other day with CNN or yesterday with the Internet.' In fact, 'the world has been globalizing for a long time, that the intensity and extent of international interactions across the continents, countries, communities and cultures have been growing for centuries, although they have progressively accelerated in the twentieth century' (Zeleza 2002: 10). Less flattering versions of this interpretation equate globalization with the logic of exploitation, culminating in the westernization of non-Western societies and capital's final conquest of all corners of the globe (Waters 1995; Tandon 1987).

Over the last half millennium, Africa has been integrated, and indeed, has contributed to the economic, political, cultural, and even discursive processes that have led to our modern world and its systems. Yet, 'Africa's engagement with, and contributions to, globalization have [not] necessarily been beneficial to its people.' The stark reality is that the continent's people 'have paid a high price over the last 500 years in the construction of a more integrated world through the European slave trade, colonialism, and structural adjustment' (Zeleza 2002:10).

Commenting on capitalist globalization in the age of slave trade, Thomas Paine found it surprising that civilized, nay, Christianized 'traders in men' would steal and enslave men and women through violence, and turn them into a commodities, thus taking away their rights, citizenship and humanity (Paine 1775).

The crisis of citizenship came to a head in Africa during the phase of colonial globalization. Fanon's (1963) analysis of the separate regimes of rights, between the 'settler' imbued with citizenship and with full civic rights and the colonized 'native' with no rights, revealed the colonial crisis of citizenship that gave rise to wars of liberation (1963). Colonial violence on the colonized natives rested on the modernist notion that is clearly articulated by John Stuart Mill: 'Barbarians have no rights as a nation' (Mazrui 1967:38). To that end, 'the Law of Nations came to mean in effect the 'Law of Civilized Nations.' This was to apply to the uncivilized (barbarian) world unilaterally and with all the moral fibre of social Darwinism and the self-righteousness known as the White Man's Burden (Ayele 1998:108). When he came face to face with colonial violence, pillage of indigenous peoples and systems, forced labour, corporal punishment, police brutality and the denial of citizenship and rights, Fanon arrived at his famous thesis: 'de-colonization is always a violent phenomenon' (Fanon 1963:35). Convinced that 'the colonized man finds his freedom in and through violence,' Fanon hardly concealed his contempt for African variants of Mahatma Ghandhi's epistle of non-violence, *Satyagraha,* soul force. 'Non-violence,' he wrote, 'is an attempt to settle the colonial problem around a green baize table...' (Fanon 1963:61).

However, Fanon earmarked, as the most urgent agendum...for the post-colonial African intellectual, the 'building up his nation,' leading the nascent nation to play its part on the stage of history, and making it part of 'the international consciousness' (Ishay 1997:314–7). By prioritizing nation-building as the foremost agenda in post-colonial Africa, Fanon, like many African nationalists, was simultaneously problematizing colonialism's legacy on the concept and practice of citizenship in Africa. Post-colonial Africa inherited from colonialism, not nation-states of the Wesphalian mould, but balkanized and multi-ethnic units demarcated by arbitrary boundaries that cut across ethnic groups, and which perhaps only made sense to the cartographers and underwriters of the 1884 Berlin Conference.

Right from the outset, the nation-state project was perpetually haunted by fear of instability, disintegration and anarchy. Some African leaders, among them, Tanzania's Julius Nyerere, went as far as arguing against the armament of African states as they would only use these arms against one another (Mazrui 1969:89–105). Ghana's Kwame Nkrumah, a Pan-Africanist par excellent, argued that if it is to escape the legacy of balkanization and the prospects of cataclysmic wars, 'Africa Must Unite.' Nkrumah's greatness lay in the tenacity and vigour with which he de-

fended the vision of a 'United States of Africa,' to which all Africans would be citizens. And for a while, Accra became 'the Mecca' of African nationalists and Ghana 'home' to Africa's siblings in the diaspora. Some actually relocated to Ghana after independence in 1957. Among them was the Pan-African sage, W. E. B. Dubois who died in Africa, finally resolving the 'two-ness' that for decades tortured his view of citizenship (Abrahams 2000:11). By the time Nkrumah fell to a military coup in 1966, he was already canonized as 'a great African'—a defender of supra-national citizenship similar to pan-slavism or pan-Arabism. He was also demonized as an icon of the authoritarian post-colonial African political elite that preyed on the rights of fellow citizens.

With Nkrumah's exit, the pan-African vision dimmed. It also flung wide open the gates of afro-pessimism regarding the future of the postcolonial nation-state project and of civic citizenship. A bird's eye view of the Africanist writings reveals an array of epithets that began mourning the African nation-state even before it was pronounced clinically dead. Written off as an aberration from the Weberian ideal-type, the African nation-state entered the Africanist discourse simultaneously as 'dysfunctional,' 'lame leviathan,' 'soft,' 'weak,' and 'vacuous,' and as 'strong', 'authoritarian' and 'patrimonial' (Chabal and Daloz 1999). Finally, Ali Mazrui (1995) took away its own citizenship and declared it 'a political refugee' in search of asylum.

Paradoxically, the African State made monumental gains on the frontier of social citizenship and social economic rights. It provided a modicum of social services such as health and education, housing and food subsidies to its citizens. However, these gains on the front of social citizenship came via the developmentalist ideology, specifically the now discredited 'full-belly thesis.' In a nutshell, the 'full-belly thesis' posits that civil and political liberties, especially the freedoms of speech, assembly and press, are incompatible with economic progress. It, therefore, called for the suspension of, or trade-off between, civil and political rights and social-economic or development rights. The imposition of SAPs took away these hard-won social economic rights, thus plunging Africa into a situation of no-rights at all. The 'second liberation' (a reference to the struggle for pluralist democracy) that got under way in the 1990s was, therefore, a two-pronged struggle for civil and political rights and to defend and deepen the gains made on the social citizenship front.

Globalization's Assault on the Civic Nation

The 'second liberation' witnessed an extraordinary alliance between the forces of capital and forces of African nationalism, especially social movements. Like the alliance between liberalism and Communism against Fascism in the 1940s, the *détente* between revitalized African nationalism and refurbished neo-liberalism was a marriage of convenience destined to fall apart. Against the background of the euphoric celebration concerning 'the winds of change,' African academics warned of a contradictory trajectory of the reform process, the impending clash of 'reforms from above' and agitation 'from below' (Mkandawire 1995). The World Bank, IMF and other forces of globalization had tactically adopted the liberal rhetoric of democracy, human rights and good governance as a strategic and programmatic ploy of loosening the grip of the welfare state on the economy. This strategy struck a familiar chord with African nationalists whose goals were fairly mundane. They sought to dismantle the infrastructure of authoritarianism, restore basic freedoms taken away by the elite, rebuild the economic basis of social citizenship, but never to destroy the nation-state. Indeed, their main economic grievances were at the same time a critique of the effects of economic globalization and an indictment of the hegemonic elite for lack of sinew and moral fibre to resist the ruinous SAPs. The result of this fallout is a crisis of citizenship and violent conflict across the continent linked to the forces of globalization. Eloquent accounts by African scholars have exposed the dreadful impacts of SAPs on the social sphere, and indeed social citizenship in Africa (Mkandawire and Olukoshi 1995). Suffice it to observe that SAPs have completed the 'dirty job' of destabilizing the nation-state that began with largely externally sponsored military coups, 'low intensity warfare' in countries like Angola and Mozambique, and underwriting of dictators throughout the Cold War epoch.

In the face of globalization, two divergent views emerged regarding the future of the nation-state. The more radical view is that nation-states are on their way out. A more realistic view is that nation-states are adapting to the new pressures by changing their styles of management and functions. Globalization's assault on the post-colonial nation-state project gathered a new momentum after 1989. This onslaught has proceeded against the backdrop of liberalism's triumph over the three subsystems that anchored the postwar political economy: the national welfare state in the West, Sovietism in Eastern Europe, and the national project of Bandung in the Third World (Amin 1997:34). During the Cold war, globalization was converted to the utility of the social sphere and welfarism as a strate-

gic response to the 'threat' of communism, especially in a Europe that was devastated by war. In a similar vein, development in Africa, as in other parts of the Third World, was made possible by the success of national liberation movements, the post-colonial nationalist coalitions and the opportunities created by Cold war realities. However, after the collapse of communism in 1991, dominant capital went for the jugular, seizing every opportunity to undermine the nation-state project and social citizenship.

The idea of citizenship that globalization has sponsored is conceptually hedged on a one-sided reading of Alexis de Tocqueville's theory of democracy and social citizenship. This is interpreted as a rejection of the welfare state, elimination of public assistance and relief, which in Africa is still needed by the poor and marginal groups. Proceeding from this, globalization has drawn a Manichean separation between 'social citizenship' and 'market citizenship.' It has rejected social citizenship defined by the state's involvement in the regulation and provision of services and in social policies and investments aimed at poverty alleviation. Instead, globalization pushes for what is theorized as 'market citizenship,' a congerie of myriad individuals located at different levels of government, civil society, the corporate world, and 'communities', which will result from the refashioning of state institutions along neo-liberal lines (Schild 2000:275–305).

So devastating has been the social impact of economic globalization that some analysts have likened it to a global 'economic genocide.' One analyst has made this trenchant critique:

> Structural Adjustment is conducive to a form of 'economic genocide', which is carried out through the deliberate manipulation of market forces. When compared to various periods of colonial history, its impact is devastating. Structural Adjustment Programmes directly affected the livelihood of more than 4 billion people' (Quoted in Thomas 1998:171).

Globalization has undermined a whole range of rights in Africa, including the rights to food, education, employment, shelter, health, clean environment, the security of the person and to democratic choices. It has undermined the state's capacity to guarantee the right to development. In line with this, the UN Commission on Human Rights Special Rapporteur, Danilo Turk, notes that increasing integration of world economy undermines the states' ability to fulfil the economic, social and cultural rights of their citizens (Thomas 1998:171).

The configuration of power engendered by globalization impaired the capacity of some social groups such as women to advance their democratic participation and rights. Seidman (1999) has argued that in South Africa, the drawn-out democratic transition, often influenced by international feminist discussions, addressed questions of gendered citizenship and worked to consider 'women's interests in the democratic process. Yet this case cannot be generalized'. As Nkiwane (2000) rightly argues, over and above the negative effects of globalization, the rights of women with respect to citizenship are manipulated by the state while this discrimination is often couched in the language of African 'culture' or 'tradition' and buttressed by patriarchal courts and justice structures.

Globalization has also reinforced racial tensions especially against well-placed and wealthy racial minorities such as Asians in East Africa. Asians have tended to benefit from economic liberalization because of their strategic economic positions. In Kenya and Tanzania, for example, indigenous entrepreneurs have lobbied the governments to return to the indigenization or Africanization policies of the early post-colonial period. As Heilman (1998) observes in the case of Tanzania in the 1990s, a populist faction within the African business community has challenged the non-African domination of the economy's private sector and questioned the citizenship regime that gives equal rights to prosperous Asian communities and African Tanzanians. Although the government has stood firmly behind a notion of citizenship that guarantees all Tanzanians equal rights and equal application of the law, the widening gap between the poor Africans and rich Asians is not only a potential for conflict, but is gradually alienating the state from its poor citizens. The breach between the state and its subjects is exacerbated by state's inability to guarantee social economic rights, especially the right to work, to food, to adequate housing, to health, to education and to development. This tension is exemplified by the continent-wide escalation of strikes by students, professionals and workers in recent years, signifying the widening rift between the state and the largely donor-dependent civil society. Finally, while some states have collapsed, others are too weak to assert that authority throughout their territory or to mediate between warring groups on the periphery. Eventually, these centrifugal forces of ethnicity are coming home to roost and challenge the efficacy of the state.

The New Wars: Globalization or Return to Barbarism?

Africa has become a cesspool of all genres of 'communal' violence, exemplified by the civil war and implosion of the state in Somalia, the geno-

cide in Rwanda (and its ripples in the Great Lakes region) and the complex of violent conflict that has engulfed Liberia, Sierra Leone and Guinea. Three arguments have emerged to explain this kind of violence. First, 'communal' violence is seen in liberal circles as senseless violence, a 'return to barbarism.' Second, violence is viewed as a ploy by the incumbents to undermine democracy through 'informal repression' or a strategy by which they undermine political opposition, win multi-party elections and put democracy in cold storage (Kirschke 2000; Kagwanja 2001). Mohamed Salih (1989) brazed the trail in this line of analysis by clearly demonstrating that the Sudanese State has contributed to the 'retribalization' of politics by recruiting tribal militias to terrorize and rob the civilian population.[1] The third strand stresses the legacy of colonial manipulation of ethnicity as the root of violence in Africa (Mamdani 2001). This analysis has not connected globalization with the violent conflicts in Africa. The present discussion advances this analysis by bring globalization into discussions about the 'new wars' in Africa.

Mary Kaldor (1999) has tried to make sense of this wave of violence. She argues that these conflicts are not wars in the modernist sense between states or organized political groups for political motives. Rather, they are a complex mishmash of "organized crime" or violence by private groups for private purposes, usually financial gain. They are strongly connected to the resurgence of identity politics in the Post-Cold War era in contrast to the geo-political or ideological goals of earlier wars. Identities appear in the battlefront armour-plated to wage claims to power within the arena of the nation-state on the basis of their identity labels—Hutu, Tutsi, Kalenjin, Hausa-Fulani or Zulu. However, far from being internal conflicts, these are 'globalized' wars. As Appadurai (1998) notes, ethnic violence is deeply rooted in the uncertainties, anxieties, disillusions and chaotic environments created by economic globalization. The wars:

> Involve the fragmentation of the state. Participation is low relative to the population both because of lack of pay and lack of legitimacy on the part of the warring parties. There is very little domestic production, so the war effort is heavily dependent on local predation and external support. Battles are rare, most violence is directed against civilians, and cooperation between warring factions is common (Kaldor 1999).

Ironically, efforts by forces of globalization to tap from markets within the theatres of war have produced new dynamics that escalate and sustain violent conflicts. A recent report by New York University's Center for

International Corporation on the global and regional linkages of these
violent conflict wars in the Great Lakes region has concluded that:

> Linkages between international corporations and the region have exacer-
> bated conflict on a number of levels: not only do they provide financial
> incentives for contenders for power, but they have also employed merce-
> naries to provide security for commercial extractive ventures... In addi-
> tion, international regulation regimes and other legal restrictions often make
> the black market more profitable. These restrictions provide financial in-
> centives for corporations to engage in business ventures with whoever
> controls and delivers state resources, regardless of the impact on local
> population or the political repercussions for the state (CIC 2001).

The direct and indirect involvement of the forces of globalization in these
wars has transformed them into 'wars for business'. In the theatres of
ethnic violence one now finds the increasing participation of globalized
mercenary companies, invoking the eerie memories of pillage and vio-
lence of chartered European Companies such as the British East African
Company during colonialism. Andy Storey reveals that the Sandline In-
ternational and Executive Outcomes aided local militias in Sierra Leone
to secure access to mineral-producing areas in return for direct payment
and commercial concessions.[2] Following upon the Sandline story, Francis
demonstrated that the British government knew of and supported the ac-
tivities of the Sandline International in 1997 and 1998 (Francis 1999).

The flourishing commerce in 'blood diamonds' in West Africa seems
to give credence to the claim that 'markets are capable of flourishing
without states at all' (Duffield 2001). In fact we are reminded that the
area of Liberia and Sierra Leone controlled by Charles Taylor in the 1990s
was the third largest supplier of tropical hardwood to France (Storey 1999:
46). Even local classes are benefiting from the ruins of the state in Africa.
In Somalia, internationally connected Somali businessmen have devel-
oped lucrative global trading links without the inconvenience of state
regulation (such as taxation). Without state support in the form of a national
telephone or banking network, Somali traders have perfected the system of
'paperless banking' based on 'customary' trust. Through the system they are
able to transfer money across borders, and to tap resources of an extensive
diaspora, which helps them contribute to the warlords embroiled in the
inter-clan war (Fahy 1999). In a strange twist of irony, after the terrorist
attack on America on September 11, 2001, this paperless banking was
targeted, leading to the closure of one point of transaction in Yemen. With

the spectacular success of markets amidst chaos, globalization has no tears to shed in mourning the disintegration of African nation-state.

There is a military logic to this, though. To the forces of globalization and Western Governments in particular, such companies are excellent proxies for the conduct of foreign policy. They are performing the role akin to that played by tyrants like Mobutu in the Democratic Republic of Congo or Jonas Savimbi in Angola during the Cold War. Not only are they fulfilling economic-strategic interests such as the protection of mining companies, they are actually doing so with no risk of Western troops being killed in the field—or with no 'Somali syndrome' as far as the US is concerned (Fahy 1999). Thus violence has tended to aid the course of globalization in Africa in subtly cruel and barbarous ways that take away not only citizenship but the very humanity of Africans involved. If the tusk is the curse of the elephant, the presence of mineral resources seems to be rapidly becoming the curse of Africa. By the same token, the activities of international mercenaries mirror those of, and sometimes reinforce the new phenomenon of warlords in Africa. The invisible hand of the 'market' is now stretched into unstable areas. Companies are able to secure degree of privilege and protection through negotiating private deals with warlord-type rulers such as Taylor in Liberia (Duffield 2001).

The endemic corporate corruption in the West also reared its ugly head in Africa's theatres of war. The preponderance of an economy outside the paradigm of governments has created new opportunities for transnational corporate crime across national borders for purposes of economic gain (Russell 2002). This calls for new laws capable of holding the corporate world criminally liable for their activities outside their home base.

Implications for Citizenship
The areas affected by ethnic violence and warlord politics are increasingly falling out of the purview of law and norms governing modern states and the international system. Globalization is increasingly producing a global system bifurcated into a 'zone of stability or compliance' and 'zone of instability,' to borrow McGrew's classification (1998:195). In the former, modern laws and international norms governing human rights and defining the contours of citizenship are upheld while in the 'zone of instability' violent conflict linked to economies of war and authoritarianism creates poverty, undermine human rights and challenge citizenship based on nation-state.

The fizzling authority of the state and its role in providing services in Africa has widened the global/local divide. There are, on the one hand,

those members of a global class who can speak globalized languages such
as English and French who also have access to faxes, email and satellite
television, who use dollars, euros or credit cards, and who can travel freely.
These are within the realm of modern citizenship and human rights. On the
other hand, there are those 'who are excluded from global processes, who
live off what they can sell or barter or what they receive in humanitarian
aid, whose movement is restricted by roadblocks, visas and the cost of
travel, and who are prey to sieges, forced famines, landmines.'

This local/global divide signals the preponderance of the 'outlaw,' the
bandit, the mercenary, and the 'warlord' who now stalk and dominate the
'customary sphere.' The Somalia experience with warlords calls for a
critique of the modernist discourse on citizenship. The modernist dis-
course accounts for the crisis of social and economic rights, civil and
political liberties, indeed, the problem of citizenship, facing the Somali
people by arguing that 'they have warlords instead of a government.' The
warlord, perceived as the Other of the nation-state, is a scapegoat for the
levelling of citizenship. In short, by undermining the nation-state in Af-
rica, forces of globalization are gradually pushing Africa to the world of
the warlord, the Hobbesian past of brute force and disorder where claims
to citizenship and human rights are rendered obsolete.

War for the Tana Delta: Globalization and the Politics of Citizenship in a Marginal District

It has been noted that with the onset of globalization, even the world's
most isolated societies have become constituent, permeable parts of a
wider world (Amselle 2002:213). This is true of the Tana River region.
Tana River exists on the extreme margins of the Kenya coast, which Ali
Mazrui (2000) has characterized as an area 'between globalization and
marginalization.' For decades, the Tana River District has been a hotbed
of banditry. However, it was only after the onset of globalization and the
subsequent economic and political liberalization in the 1990s that vio-
lence in the Tana delta became distinctly tied to the question of citizen-
ship.

In the nineteenth century, during the scramble for Africa, Germany
declared a protectorate over the Tana delta (by then a part of the Witu
Sultanate of Zanzibar). However, with the Anglo-German Agreement of
1890 it renounced the claim, and the region was annexed to the British
East African protectorate (Ghai and McAuslan 1970:10). After
independence, the area became the Tana River District of Kenya's Coast
province. Here, both the inhabitants and public workers speak of 'Kenya'

as 'abroad' and the Kenyan state in past tense, stressing its marginality and isolation. When I tried to secure an appointment with the area District Officer, a security officer manning the gate told me, pitiably unaware of the contradiction in his explanation, that '*Bwana* (Mr.) DO went to Kenya.'

In spite of this apparent marginality and remoteness, the communities of Tana River have not been shielded from the wind of globalization. Located on the fertile delta of Kenya's largest river and home to unique and fabulous flora and fauna, Tana River has not only experienced the nationwide effects of the IMF-SAPs, but the World Bank has also funded energy, agricultural and conservation projects in the area. The region has also felt the negative ripple effect of the adoption of liberal (majoritarian) democracy in ethnically divided Kenya. Even its biggest defenders concede that:

> Liberal democracy may be more functional for a society that has already achieved a high degree of social equality and consensus concerning certain basic values. But for societies that are highly polarized along lines social class, nationality, or religion, democracy can be a formula for stalemate and stagnation [a euphemism for chaos and anarchy] (Fukuyama 1992:118).

Tana River has also become an axis of regional contraband and illegal trade, especially in firearms, and cross-border movements of refugees, bandits and mercenaries. These factors have variously contributed to the citizenship crisis and violent conflict between the communities living there. The unfolding events in Tana River reflect what is taking place at the national level and in other parts of the country. It is, therefore, imperative, to begin by examining the effects of globalization at the realm of civic nation, which we argue are trickling down to Tana River and other areas.

The National Context of Globalization and Citizenship

The question of citizenship, especially civic citizenship, in the initial years of post-colonial Kenya was dominated by racial antagonism between Africans and non-Africans, especially former European settlers and Indians. Donald Rothchild (1968) has argued that Europeans were unhappy with the decision of the post-colonial government to legislate against dual citizenship. Europeans and Indians who opted to retain their British citizenship were either to leave the country or to stay on as expatriates with little chance of local integration. The second point of tension was the conflicting interpretations of citizenship by both the Europeans and Africans. While the new African government highlighted the concept of citizenship as a total

commitment, non-Africans viewed citizenship as a mere legal status. However, underlying these tensions and fears was the perceived instability and uncertainty surrounding the post-colonial state, particularly in the turbulent 1960s and 1970s (Rothchild 1970).

Beyond the issue of race, citizenship has been characterized by two trends. The first is the duality of citizenship of individuals at the ethnic and civic levels. In fact, the *raison d'être* of the post-colonial nation-state project has been to balance the demands of ethnic and civic citizenship and to attenuate any potential violent conflict between them. Economic globalization has complicated this role by undermining the authority of the state (Ndegwa 1998).

The process of disintegration of the nationalist coalition that began in the late 1960s reached its nadir in the 1990s. This was as a result of two reasons: the first is the ethnicization of politics and citizenship under multi-party system. The second is the erosion of welfare state and social citizenship through economic globalization. Kenya's return to political pluralism in 1991 brought the collision of civic and ethnic citizenship to a head. The political space has become ethnicized, political parties are organized around ethnic loyalties, and people adhere to ethnic criteria when fighting for electoral positions, or electing their national and civic leaders.

Kenya adopted SAPs in the early 1990s. The issue of SAPs was a subject of serious debate and acrimony during the transition to political pluralism. For instance, during the 1992 election campaigns, opposition groups accused the government of corruption and mismanagement, in the process articulating and internalizing the discourse of international donors. On their part, the incumbents accused the opposition of not being nationalistic, arguing that SAPs were instituted at the instigation of opposition parties (Kanyinga and Ibutu 1994). Initially, the Kenyan public was amenable to external pressure on the state, including aid conditionalities, as a way of breaking the backbone of authoritarianism. However, opinion shifted with the realization that SAPs were responsible for the plummeting standard of living of workers, women, pastoralists and other marginalized social groups.

The anti-globalization backlash in Kenya found eloquent expression in the language used in public discourse. The World Bank and the IMF were viewed in the same light as the authoritarian government of the one-party era. At the height of one-party dictatorship, in the 1980s, the elite in the Kenya African National Union (KANU) had the slogan: *KANU ni mama na baba* (KANU is the mother and father). During the struggle for

pluralism the slogan was widely employed by pro-democracy activists to parody KANU's tyranny and to make the statement that they were now of age and need no father and mother. With the presence of the World Bank and the IMF becoming visible and their effects being widely felt, the KANU slogan was quickly turned on the IMF which was now parodied as the 'International Father and Mother,' a critique of the dependency of the state on external donors.

The widening gap between the rich and the poor also found articulation in the social discourse on citizenship. The public discourse distinguished became *wananchi* (Kiswahili for the ordinary citizens) and *wenyenchi* (owners of the nation). With the endemic corruption, a new category was introduced, the *walanchi* ('eaters' of the nation). This distinction has been especially used to express popular disillusionment with the elite who continue to live luxuriously, in spite of the dire economic conditions of ordinary citizens. It is also a commentary on the scandalous and cynical corruption and crude accumulation by the elite, which has take a toll on the lives of ordinary citizens (*wananchi*).

A popular, and highly politicized tune, '*Nchi ya Kitu Kidogo*' (nation of 'eating' or corruption) has become an effective tool of redefining and re-introducing morality into the notion of citizenship. The tune satirized those associated with looting state coffers, especially in the wake of the privatization of public enterprises. However, the language of 'eating' has found expression in ethnic claims to power. When I suggested that I would support one presidential candidate from another ethnic community and praised him as a just and uncorrupt Kenyan, a colleague reminded me of the rule of the game: 'The tree must move with its fruits, and only legitimate children will eat the fruits.' The language of 'eating' is an idiom of ethnic exclusivity in regard to rights and citizenship. During general elections it has become common for ethnic communities to declare that it is their turn 'to eat'—a code for ascension to power—and to exhorted others to cool their heels and wait for their turn. This is an acknowledgement that the state is still axial in the mobilization and distribution of resources for development.

Authorities have argued that the incumbents whipped ethnic sentiments to mobilize their ethnic constituency and to defend and retain power. As political pluralism got under way, the one-party elite warned that the introduction of a multiparty system would trigger cataclysmic 'tribal' violence that would destroy the nation. Politicians from President Moi's Kalenjin group publicly demanded the return of *majimbo*,[2] a federal system based on the notion of ethnic purity which required the expulsion of all other ethnic groups from land occupied by the Kalenjin and the Maasai

before colonialism. The Kalenjin elite mobilized the smaller and inde-
pendent ethnic groups in the Rift Valley around a new multi-ethnic con-
glomeration called KAMATUSA, an acronym for Kalenjin, Maasai,
Turkana and Samburu. These groups clustered round the idea that they
were pastoralists and Nilotes, a linguistic formation consisting of many
indigenous groups found in Southern Sudan and Eastern Africa. They
organized their claim to exclusive ownership of land and citizenship in
the Rift Valley province around this new identity primarily to ensure that
rival ethnic groups did not win elective seats in the Rift valley. They
declared themselves the 'indigenous' people of the former 'white high-
lands' and, therefore, the bona fide 'citizens' of the territory. They classi-
fied the non-KAMATUSA communities in the Rift Valley as 'migrants'
or 'settlers' and, therefore, non-citizens, and ordered them to leave and
return to their 'homelands' before voting began.

Ahead of the 1992 general elections, 'communal' bands consisting of
mysterious 'Kalenjin warriors' and 'Maasai *morans*' clad in traditional
attire and faces painted with red ochre, descended on non-Kalenjin
populations in parts of the Rift Valley, Nyanza and Western Kenya. 'Com-
munal' violence that occurred during the 1992 and 1997 general elec-
tions, killed an estimated 1,500 people, displaced nearly half a million
others and ensured the victory of the elite of the one-party vintage, and
effectively confined Kenya's embryonic democracy to cold storage
(Kagwanja 2001). The cut-throat struggle for state power by ethnic elite
and the atomization of the political process in Kenya reflect the uncer-
tainty that has resulted from globalization. In Tana River this anxiety and
inter-ethnic rivalry over land, water and pasture occurring within the con-
text of globalization exploded into open conflict.

Globalization and the Politics of Citizenship in the Tana Delta
There are three major ethnic communities living in Tana River: the
Pokomo, the Orma (formally referred to as the Galla) and two Somali[3]
sub-clans, the Wardei and the Galje'el. Anthropological studies of ethnic
relations in the area have stressed the differences between Tana River
communities in regard to their descent, morphology, language, religion,
culture and social formations (agriculture versus pastoralism). The Pokomo
Bantu-speakers, overwhelmingly Christians and sedentary farmers, are
starkly contrasted to the Orma and Somali 'Cushitic-speakers,' nomadic
pastoralists, and largely Muslims (Townsend 1978; Turton 1978; Holway
1970). In the process, this has offered a tailor-made 'internal' explanation
for the endemic violent conflict between them. This rigid classification

obscures many aspects of the interactive and integrative history of the
Tana River communities, and makes it difficult to account for inter-eth-
nic alliances as well as serious cases of violence within ethnic clusters.

Suffice it to observe that raids, rustling, feuds, skirmishes and even
protracted clan and ethnic wars within and between herding and farming
communities are not uncommon in the semi-arid zones in Kenya. The
Pokomo, Orma, and Somali of Tana River are no exception. What is new
is the protracted, politicized and large-scale character of rec⬥t ethnic
wars. With the adoption of economic reforms and inception of political
pluralism in 1991, uncertainty and insecurity increased in Tana River,
and cases of banditry and criminality became bolder and rampant. Vio-
lence in Tana River escalated against the background of ethnic tension in
Kenya's Coast province. A wave of ethnic attacks in Mombasa and its
environs claimed nearly 100 lives and displaced an estimated 100,000
people, mostly immigrants from up-country Kenya, and raised the stakes
of citizenship claims to dangerous levels (Kagwanja 2001; Africa Rights
1997). Two waves of this violence occurred in Tana River in the 1997–
2002 interlude.

The first wave of violence occurred in 1999 within the 'Muslim-
Cushitic' cluster. It pitted the Orma against one of the Somali sub-clans,
the Galje'el. The narrative of the Orma-Galje'el conflict begins on January
2, 1999 when a senior government officer, an Orma, in a convoy of three
vehicles was attacked by bandits along the Malindi-Lamu road that passes
through Tana River (*Daily Nation* 1999). Although Kenyans travelling
through the road have encountered bandit attacks, this particular attack
had dire implications for national security and ethnic relations in Tana
River. Bandits threatened the life of a senior Orma, Hussein Dado, and a
government officer in charge of President Moi's home district (not a
particularly high ranking officer in the government hierarchy).[4] This
unveils a powerful streak of identity politics: achievements and
appointments of individuals to positions in the central government trigger
in the imaginations of ethnic groups a collective sense of accomplishment
and representation in the nation state. In the ensuing hunt for the culprits,
there was a convergence of state and ethnic interests: the Orma's desire to
avenge their kith and kin and the government's eagerness to reassert and
dramatize its authority by punishing those who ambushed its officer.

The Government and the Orma held the Galje'el collectively
responsible for harbouring bandits who attacked the Orma. This fact was
given weight by the Galje'el's 'suspect' citizenship. The Orma and the
Government also accused the Galje'el of possessing firearms and refusing

to surrender them voluntarily to the provincial administration. This linked
them to a wider national problem of insecurity where the state was losing
its monopoly over violence to armed militias in rural areas and vigilantes
in urban centres. The Orma-Galje'el conflict entered the public sphere,
becoming what Mamdani rightly calls "pornography of violence' (a naked,
provocative and non-conciliatory coverage) by African media.[6] Kenya's
leading newspaper, the *Daily Nation,* reported that:

> [A] confrontation was anticipated between the GorGor [sic] and Orma
> clans, with the latter arguing that the [bandit] attack was intended to 'finish'
> their senior people in the government. Hundreds of armed Orma clansmen
> reportedly entered the bushes in Garsen and were assisting security forces
> to comb the area in search of bandits who attacked the administrator...
> Reports indicate that following the accusations by the Orma, the GorGor
> community had started preparing for war (*Daily Nation,* January 6, 1999).

The government 'revoked' the citizenship of the Galje'el and the area DC
gave them notice to leave Tana River and return to their homeland, perhaps
a reference to the Somali-dominated North-eastern province or, worse
still, to Somalia. According to oral sources, the Galje'el are said to have
migrated to Tana River in 1960 but moved to Danisa, the settlement from
which they were being evicted, sometime in the 1990s. The Galje'el sought
the protection of the law and filed a court order in the High Court of
Kenya to restrain the government from forcibly evicting their community.[7]
Contrary to the perception of this conflict as a 'primitive' war, the Orma
made attempts to use modern ways of mobilizing and shaping opinion in
the public sphere in favour of their position in the impending war. On
February 12, 1999, nearly two hundred Orma demonstrators marched
through the streets of the small Bura town protesting against increasing
incidence of banditry in the area. They completed the protest by giving
members of the Galje'el community one week to leave the district (*Daily
Nation* 1999).

A few days latter, Orma youths, armed with heavy guns, attacked and
drove out of Tana River the estimated 2,400 members of the Galje'el
community in blatant disregard of the law (*Daily Nation* 1999a; *Daily
Nation* 1999b). Many were killed while scores were eaten by crocodiles
as they tried to escape across the Tana River. Among those who met their
gristly end in the jaws of crocodiles was a young Galje'el women, Rukia
Barre Abdi. Rukia has been memorialized as the symbol of the plight of
her people who were caught between the smouldering rock of banditry
and ethnic violence and the heavy hammer of the state that stripped them

of their citizenship and took away their rights (Muhuri 1999:1-2). The post-colonial state has routinely resorted to collective punishment in its response to violence in the Somali-inhabited areas rather than enforcing the law, signifying its perception of ethnic violence in this area as barbaric violence outside the domain of modern law (M'Inoti 1992:7). This time, the government provided impunity to the Orma to mete out collective retribution upon the Galje'el and to expel them.

Confronted by human rights organizations on the question of Galje'el rights as citizens, the Orma asserted their exclusive ownership to the territory and citizenship rights in Tana River: 'This is not the [government's] land. This is our land, Orma territory. And here, we do as we please.' As one human rights group ruefully conclude, 'Tana River left one with the impression that 'the law' has no significant place in the lives of the people' (Muhuri 1999:11). The tragic case of the Galje'el illuminates the fluidity of citizenship of cross-border and diasporic communities, from the Somali of the Horn to the Banyamulenge of the Great Lakes region of Africa.

The second wave of violence occurred in 2001–2002. It involved the Pokomo against a loose ethnic alliance of the Orma and another Somali clan, the Wardei. This spate of violence erupted on March 7, 2001 when Orma/Wardei youth vigilantes attacked the Pokomo after a *baraza* (public meeting), killing 10 people and injuring many others. A low intensity warfare where 'every day a person is killed, women frequently raped, and animals raided' in an orgy of ethnic attacks and counter-attacks ensued (Interviews 2001). By January 2002, an estimated 100 people had died, thousands injured and displaced and homes and property destroyed in the fighting.

It turned out that this was not a straight ethnic war between the Pokomo and the Orma/wardei. Pokomo residents alleged that Muslim groups, especially Arabs and Somalis in the neighbouring Hola and Garsen towns were supplying arms to their fellow Muslims, the Orma/Wardei. And although Government officials and Orma informants refuted this claim, it was widely voiced by civil society and political parties throughout the Coast. In a press statement issued on October 3, 2001, the Coast-based Federal Party of Kenya appealed 'to the Arab community in Hola Town and Garsen not to take sides and support the Orma/Wardei communities or else we shall mistake them for being partisan.' The regional, national and even 'global' context of the violence was eclipsed by the 'communitarian' discourse on banditry and the modernist discourse on 'barbaric' or 'primitive violence.' It is imperative, therefore, to de-bank

banditry of this conceptual baggage and to locate it within the larger con-
text of the emerging economies of war in the age of globalization.

Banditry and the Economy of War
The post-colonial state in Kenya has consistently dismissed insecurity in
Northern and Coastal belt as the work of 'bandits and thugs.' Eric
Hobsbawm's seminal study, *Primitive Rebels*, eulogized banditry as an
archaic form of social movement and 'caught the richness of the bandit
and of his meaning for protest and resistance' (Hobsbawm 1959). He iden-
tified two bandits: the outright criminal and venal bandit, who preys 'on
the productive and industrious.' The other is the 'social bandit'—the Robin
Hood—who often acts as protector, the distributor and the avenger of the
oppressed. The social bandit reaches his 'most glorious career in the mo-
ment of great social upheavals' (Crummey 1986:6). Bringing Hobsbawm
to African studies, Donald Crummey and others have animated banditry
as a phenomenon which is intricately interwoven with the long history of
nationalism, of resistance, rebellion and social protest in Africa (ibid).

Perhaps in no other part of Africa is banditry as deeply ingrained in
the social struggles for power and ethnic configuration of citizenship as
in the Horn. In addition to Hobsbawm's *criminal banditry*, 'social ban-
ditry' in the Horn appears in two forms: One form is *cultural banditry*, a
phenomenon manifest in the traditional practice of raiding and cattle rus-
tling among the Maasai, Turkana, Somali, Borana and other pastoral com-
munities in the Horn. The significant point is that this practice has been
viewed as apolitical and detached from the struggles for power at the
ethnic and civil realms. This myth would burst wide open in the multi-
party era when violence linked to banditry, rustling and other cultural
institutions became a determinant force in the politics of citizenship in
Tana River and beyond (Muhuri 1999).

The second form of banditry conflates with Hobsbawm's characteri-
zation of 'social banditry' and has a much more recent origin, is histori-
cally specific and has a local name to boot: *Shifta* (Somali for bandit). It
is linked to the so-called *Shifta* War of 1963–1967 between the nascent
Kenyan State and sections of its ethnic Somali who, with the supported of
Mogadishu, tried to secede to join the hypothetical 'Greater Somalia'
(M'Inoti 1992). In the post-*Shifta* war, banditry has become ethnicized
and appears in the official imagination as indelibly ingrained in Somali
politics, indeed their bane, as the camel is in their social fabric and physi-
cal environment in North Eastern Kenya. Not surprisingly, the official

tendency is to attribute banditry in Tana River to Somali nomads, refu-
gees and illegal migrants.

However, banditry is noticeable in virtually all parts of Kenya and has
become a metaphor for spiralling insecurity (EAS 1999a; EAS 1999b). It
is also a supreme feature of globalization: a flourishing 'economy of war.'
In Tana River, banditry is a multi-ethnic enterprise 'with the Orma, the
Wardei, the Gikuyu from Mpeketoni and members of other ethnic groups
joining the exercise' (Muhuri 1999:28). Underpaid and corrupt govern-
ment officials in the area 'are either directly involved or give tacit sup-
port to bandits with the understanding that they would get a cut of the
loot' (ibid.). Liberal democracy, introduced against the backdrop of the
uncertainties and tempests of identity politics, has extended the lease of
life of banditry. Like other forms of violence, banditry is widely used in
marginal parts of Kenya for electoral ends. One commentator on banditry
in northern and coastal belt noted that politicians have not only exten-
sively and insidiously used bandits for political ends, some have actually
recruited their own bandits:

> They use them mostly during election time to fight the supporters of their
> rivals. In the last [1997] general elections...villagers were attacked by
> bandits armed with AK 47 rifles. The thugs were not normal. They robbed
> people of their voter's cards instead of money and other
> valuables...Candidates in the election unleashed the bandits on strong-
> holds of their rivals to disenfranchise voters there. Some criminal politi-
> cians gave the stolen cards to refugees to vote for them in the polls (Charo
> 1998:26; Muhuri 1999:29).

During the 1992 and 1997 multi-party elections, both Pokomo and Orma/
Wardei politicians enlisted the services of bandits for electoral purposes.
The Federal Party of Kenya mentioned the existence in Tana River of a
Blue Army, a band of mercenaries allegedly hired by the Orma/Wardei,
some from outside Kenya and 'others dressed in the military fatigue used
by the Kenya army' (FPK 2001; Interview 2002). These mercenaries re-
inforced ethnic youth vigilantes. The issue of citizenship, defined in terms
of right to land and water points especially in the fertile Garsen and Kipini
divisions, underpins the preponderance of banditry in Tana River.

The official discourse depicts citizens as victims without agency or
responsibility. The government portrays banditry as the work of, indeed a
conspiracy by, foreigners, illegal migrants and refugees, particularly from
Somalia. Echoing this position, one newspaper, headlined one of its issues:
'Somali Men Now Roaming Kenyan Territory.' It claimed that 'remnant
soldiers of former Somali dictator, Mohamed Siad Barre, are behind the

upsurge of banditry attacks which have left many dead and injured in Tana River (*The Star* 1999). It has also been argued that: 'many refugees and former fighters immigrating from neighbouring war-torn countries carry with them all manner of firearms' which they sell for subsistence (HRW 2002). Defeated or fleeing militias from Somalia, deserters from the Sudanese People Liberation Army (SPLA) and regional gun-runners have been a source of arms which have turned ethnic conflict brutal and bloody (HRW 2002). This has produced a widespread xenophobia and resentment against non-citizens and refugees in Kenya.

However, the problem is larger than a wholesale condemnation of the Somali and non-citizens. It is firmly embedded upon another feature of globalization: the proliferation of cross-border trade networks in illegal goods such as firearms, drug, precious stones and minerals. Smugglers and contraband thrive on the porous and thinly populated border, corrupt officials in charge of the few custom checkpoints at the main entry points, and lack of capacity on the part of the government to patrol the border and the coastline. In the Horn, banditry feeds on the ripples of civil wars and warlordism which has taken roots in Somalia, Sudan and Ethiopia, and which is linked to as far-flung sources of arms as the Middle East.

The government has responded to the expansion of banditry and ethnic violence by creating community-based police reservists and home guards. While reservists and home guards have managed to counter bandits, to reduce the level of violence and to save many lives, they are equipped with inferior weapons compared to those of bandits and ethnic raiders, who sometimes wield M50 and M16 guns. Because reservists and home-guards have ethnic loyalties, firearms supplied to them by the government have often found their way into the hands of bandits and vigilantes who have used them in inter-ethnic wars (Interview 2001b). The locals have also blamed government laxity and complicity for the proliferation of illegal arms. According to one informant, 'a lorry full of arms was arrested and taken to Tarasa police station. Later on we saw the lorry leave the station. They said they had done their work' (Interview, 2002a). A fact finding mission by a coalition of civil society and Christian churches at the Coast, the Coast Peace Initiative, confirmed the temporary seizure and release of the said lorry by the local police officer (Interview 2001a). This became a point of dispute between the clergy and the Kenya government with the latter demanding an explanation from the relevant state authorities for the release of a lorry full of firearms by its personnel (Interview 2001b).

Ethnic relations became so volatile that genuine development activities were viewed through the prism of ethnicity. For example, at the height of the conflict in November 2001, Orma leaders invited a government minister to conduct a *harambee* (fund-raiser) for youth groups in Tana River, where nearly 4.5 million Kenya shillings (US$ 60,000) was raised. Pokomo elders alleged that this fund, which was fully controlled by Orma youth, would be used to purchase firearms. 'They have nothing to say which they are doing with it. It is raised in the name of the youth but used for another purpose' (Interview 2002b). Whatever the veracity of this claim, it underscores the fact that ethnic wars are total wars; they involve all citizens and mobilize social capital from all sectors of society.

Globalization and Conflict

In spite of their evident isolation, marginality, insecurity and lack of modern infrastructure (good roads, telephone, Internet and technology), globalization has rapidly transforming the communities of Tana River into constituent parts of a wider world and shaped their worldview of rights and citizenship. It is clear from the work of the anthropologist, Jean Ensminger (1991), who studied the impact of SAPs on Orma women, that the communities of Tana River have experienced the effects of economic globalization since the early 1980s. Ensminger (1991) concluded, on an optimistic note, that, on average, the rescheduling of agricultural and meat prices and decentralization of the government bureaucracy in the 1980s, improved the agricultural and pastoral economy of Tana River. This argument corroborated the official verdict of World Bank and IMF in the 1980s that SAPs were a stirring success in Africa, which critics of the entire adjustment endeavour have satirized as *Dark Victory* (Bello 1994). Evidence from subsequent studies does not only pale this glossy picture, but also link economic globalization to the escalation of communal tension and citizenship crisis in Tana River.

The World Bank has made determined forays into the development arena of Tana River. By and large, these development initiatives contributed to the frightful herd of Kenya 'white elephant' projects in the 1980s and 1990s. The first was an energy project, the Kiambere dam, began up the river in the 1980s and completed in 1993 to create 140 megawatts of electric power. The project was a great technological success that increased the electric output for consumption by Kenya's expanding urban population and small industries. However, reviews of the project's resettlement and social aspects have made the damning critique that the energy project was completed and has operated at heavy social costs, turning it into a

monumental travesty of social justice (Horta 1994). It displaced 6,000 people without any significant compensation while the displaced fami- lies lost 82 percent of their money-equivalent income. This plunged the World Bank into a serious conflict with the displaced over the question of territorial citizenship.

A second project is the Bura irrigation scheme, which the World Bank funded in the 1980s to irrigate about 35,000 acres of cotton and maize. Launched at an estimated cost of $98 million, the Bura agricultural scheme grounded to a disastrous halt in the 1990s as a result of corruption, poor planning. While the project benefited few local inhabitants, it exposed the farmers and their families to abject poverty and increased their vul- nerability to drought and famine. Leichenko and O'Brien (2000) have shown, in their study of South Africa, that ecological vagaries occurring in the context of globalization have exposed farmers to new and unfamil- iar conditions and increased their vulnerability. Not surprisingly, the vio- lence in Tana River got underway against the backdrop of globalization and serious drought and famine in the 1999–2001.

The third in the series of World Bank projects in the Tana delta is the Tana River Primate Reserve project. This was funded in 1992 with a grant from the Global Environment Facility (GEF) to protect the Tana River Crested Mangabey and the Red Colobus, two rare primate species, under the World Bank's biodiversity protection project. Besides the Red Colobus monkey and the Crested Mangabey, Tana River is home to five other primate species, 262 recorded bird species, at least 57 species of mam- mals, several endemic species of trees and a range of other animals and plants. The US$ 7.14 million Primate Preservation project is based on a conservationist logic that conceives Africa as 'a large zoo' to be preserved at all cost for the purpose of foreign tourists and researchers. This form of consumer 'environmentalism' insists on a total separation of the native peoples from their environment, including wildlife. To that end, the World Bank insisted that the conservation of the forest ecosystem where the monkeys live is not compatible with the continued presence of local peo- ple in the area. It, therefore, made it a precondition for the project that access of Pokomo villagers to the fields and trees in the area be curtailed (World Bank 2001).

In contrast, many people in rural Africa grew up in an environment where there are no electric fences between humans and the wild. There- fore, the Pokomo villagers believe that they have co-existed for centuries with the monkeys, and indeed, they were part of their life. According to their oral history, the Pokomo themselves brought the Mangabey and Red

Colobus to the banks of the Tana River when they migrated there from
Central Africa more than 600 years ago. Indeed, the primates are actually
more numerous near their villages than in abandoned forestlands and it
was the local people who called the attention of researchers to the mon-
keys in the first place! (Horta 1994). The World Bank conservation poli-
cies have not only estranged the Pokomo and induced conflict between
them and their neighbours over diminished farming and grazing land,
water resources and citizenship in the territory. It has also created a rift
between the Pokomo and their wildlife. Said a Pokomo elder:

> 'We will be reduced to beggars if they interfere with our farming. We
> Pokomo are farmers. We have never killed wildlife, but if you beat me
> because of wildlife, then I will kill the wildlife, because it has become my
> problem.'

So acrimonious has the relationship between the Bank and its implement-
ing partners and the Pokomo become that foreign researchers are strictly
warned to stay away from the recently abandoned research station at project
site. And the Kenya Wildlife Service, the parastatal agency in charge of
implementing the GEF project, visits the area with heavily armed guards,
although poaching is not a problem in the area (Horta 1994). Globaliza-
tion has encroached upon the natural environment of the Pokomo and the
Orma of Tana River and is rapidly incorporating it into the global con-
sumer culture that underpins tourism. However, economic globalization
has not commercialized the Pokomo or Orma culture, unlike the Maasai,
whose culture is globally advertised as a tourist attraction, over and above
their scenic land rich in wildlife. Because their culture is produced and
consumed as an authentic relic of the modernist 'noble savagery,' the
Maasai (and their neighbours) operates a thriving trade in art while their
dances are a staple in the tourist entertainment menu in Kenyan hotels
(Brunner 2001). While modernization in Tana River may have been meant
to improve the life of the people, it has had the (un)intended effects of
restricting opportunities open to them and has become part of the wider
conflict in the area.

Localizing Citizenship
Ethnic struggles in Tana River have set in motion an intricate process of
identity formation. Although the process of identity formation in Tana
River may have started earlier, it intensified from the late 1990s. In fact,
it became a dominant aspect of Kenya's political life with the eruption of
the so-called 'land clashes' (a euphemism for ethnic violence) in parts of
the multi-ethnic Rift Valley, Western and Nyanza provinces in 1991–1998

(Africa Rights 1997; Mazrui 1997; Kagwanja 2001). Towards the end of 1998, the government established the Land Review Commission, under the chairmanship of a former Attorney-General, Charles Njonjo. The Commission's mandate was to collate views of Kenyans on the thorny issue of land and to make policy recommendations aimed at stabilizing and streamline land tenure across the country.

The Commission visited Tana River on March 7, 2001. The debate that ensued brought the Pokomo-Orma/Wardei differences on the land question to the open. Worse still, it sparked off the 2001–2002 spate of violence. From the outset, the Commission adopted liberal land policy that favoured a tenure system based on individual land ownership. This policy created a sharp split between the Pokomo and the Orma/Wardei. The Orma/Wardei virulently resisted the idea of land demarcation based on individual freehold. They accused the Government of fuelling ethnic conflict by imposing a liberal land tenure system on an area where land is communally owned without adequate consultation. 'This problem,' said an Orma civic leader, 'has been started by the government.' He continued to argue that:

> 'The Pokomo, Wardei and Orma elected me in 1997 and our ancestors lived together harmoniously. It is this idea of land adjudication and the failure of the government to educate us on what it means which has caused this problem. They should tell us how many acres a herder with 3,000 heads of cattle will be given' (Interview 2002a).

The Orma and Somali nomads argued that land adjudication would deprive them of access to water-points and grazing fields that are traditionally owned by the Pokomo. They insisted that the government should not interfere with the existing communal land regime. insisting that these should continue to be in the hands of elders who understand the traditional tenure system. The ethnic bleach over land in the Tana delta came as a much needed grist for the mill of local political elite keen on consolidating their electoral clout within their respective ethnic groups in the run up to the multi-party elections due later in 2002. For example, the legislator for the Garsen constituency, an Orma, is widely quoted to have told a political gathering of the Orma/Wardei that: 'If the land is demarcated in Tana River, the Government will govern trees and monkeys. If they [government] do not go to the Wazee [elders], they will run' (interview 2002).

The Orma were making reference to the communal land system that regulated not just land ownership, but also land use by both the Pokomo and the Orma. This communal system provided two sets of rights: On the

one hand was the *right of ownership* that the Pokomo were entitled to, as the 'indigenous' people to the area by the virtue of having been there before the arrival of the Orma. On the other hand, there was the *right of access* which the Orma were entitled to, and which the Pokomo guaranteed and defended. Traditionally, the Pokomo and Orma observed specific customary rituals and practices that allowed the Orma herders to gain access to water-points and pasture on the banks of the Tana River, especially during dry season. After elders from the two communities performed these rituals the latter set of rights became accessible to the Orma. These customary practices defining these rights emerged over the years, revealing a long interactive and integrative history of the two communities.

On their part, the Pokomo supported lock stock and barrel land adju-dication on the basis of the liberal idea of individual free hold. This was a way of dealing with what they viewed as manipulations of land owner-ship by the Orma. They also claimed that as the oldest inhabitants of the area, they were entitled to the land. To be sure, even before the Commis-sion visited Tana River, the Pokomo had registered their displeasure with what they viewed as the Orma elite's manipulation of land ownership. They charged that high-ranking Orma elite were exploiting their posi-tions in the Moi State to legalize the Orma claims to, and settlement on, the land in the riverine areas of Garsen and Kipini, thus excluding the Pokomo.[7] The Pokomo also claimed that the Orma had not only acted arrogantly and armed themselves against their hosts, they had also in-vited such Somali clans as the Wardei and Galje'el without consulting with Pokomo elders. This, they argued, contributed to population pres-sure, ethnic competition and conflict over land.

It is worth reiterating that the debate over land ownership took within the framework of declining pasture, water and land in the Tana Delta as a result of ecological calamities especially famine and drought. Uncertain-ties, inequalities and social stress that forces of globalization precipitated, strained inter-ethnic relations and created fertile grounds for conflict. In fact, the 2001–2002 violence erupted against the background of a pro-longed dry spell in the 2000–2001, which forced the pastoral Orma and Wardei to migrate to and overstay in dry season grazing areas on the Tana River banks. This put pressure on Pokomo farmers. At the same time, both wild and domestic animals were grazing on the dry period grazing areas of Garsen and Kipini.[8]

The exigencies of liberal democracy and liberal land policies in Tana River set in motion an intense process of identity formation as rival eth-

nic groups asserted exclusive rights and citizenship in the area. The Orma
embarked on forming an ethnic conglomeration, reminiscent of the
KAMATUSA cluster discussed earlier, by forming alliances with Somali
sub-clans. When I asked one Orma civic leader the difference between
the Orma and Wardei, he quickly replied: 'We are one people, the Orma
and Wardei are one inseparable group' (Interview 2001b). In forging this
new ethnic cluster the Orma appealed to a common linguistic identity
(Cushitic), a common religion (Islam) and a common social formation
(nomadism).

After the state collapsed in Somalia, the government of Kenya intro-
duced very stringent measures of ensuring that the non-Kenyan Somalis
did not acquire identity cards. There were complaints that the policy also
hurt bona fide Kenyan Somalis. In this context, the Orma, whose citizen-
ship was not in question, moved to help Somali ethnic allies to acquire
Kenyan Identity cards. This becomes clear from a petition to the Kenya
Government entitled 'Plea of Orma and Wardei Elders to the Central
Screening Committee, and Our Esteemed Government' dated March 10,
1990. The Orma claimed that:

> 'We, the elders, assure the Government [of Kenya] that we and out sib-
> lings, the Galjaal, have been living together since 1960…We and the Wardei
> and the Galjaal are one people. We would like our government to know
> that whenever we apply for national identity cards we are asked about our
> ethnic origin. When one says (s)he is Wardei, (s)he is asked to identify her
> or his specific lineage. And that is how we have come to be dived and told
> we are the offspring of Galgal, Abdu Wako, Mohamed Suber and Abdalla.'[9]

Some commentators have argued that the Orma forged unity with the
Wardei and Galje'el in order to out-number the Pokomo and win multi-
party elections. Ethnic victory in the election was crucial in dealing with
the issues of citizenship and distribution of resources. It has, therefore,
been alleged that Orma politicians 'assisted in the registration of those
members of the Galje'el community who did not have identity cards pre-
cisely with the understanding that they would join forces with fellow
pastoral Ormas to cast their vote in [their] favor' (Muhuri 1999:24).

However, from the earlier discussion it is clear that the Orma-Galje'el
alliance fall apart after the elections. The Orma used the question of
citizenship to maintain their position as patrons in the 'Cushitic' cluster.
And they never hesitated to 'revoke' or manipulate the issue of citizenship
whenever their interests came under threat. Thus in 1999, after the
December 1997 elections they turn the tables on the Galje'el and expelled

them from Tana River. One commentary on this link between the
manipulative use of citizenship and the imperatives of pluralist democracy
noted trenchantly that:

> 'One morning...at election time, the Galje'el are legitimate citizens who
> deserve Kenyan ID cards—secured with the assistance of prospective
> members of parliament, and the next morning, after the elections, they are
> asked to justify their citizenship' (Muhuri 1999: 24).

It is a hilarious paradox that the Pokomo also hedge their claim to exclu-
sive rights and citizenship in Tana River on the Orma's 'dubious' citizen-
ship in the territory because they are not 'natives.' To proof this point has
engendered selective use of historical memory, construction of new his-
torical identities and categories and reordering and reinvention of oral
histories migrations and settlements of the communities involved. The
Pokomo argue that the Orma were moved from Somalia where they were
fighting for the British during the Second World War and settled in Tana
River. The import of this history is that they are recent migrants to, or
settlers in, the territory, and therefore, when land is being adjudicated,
they have no claim in the fertile Tana delta.

Orma informants never discounted this argument, but claimed that over
seven decades latter, they are as 'indigenous' to the area as the Pokomo.
They refer to the law of Kenya when provide 12 years as the time to prove
residency in an area. They have also highlighted their common identity
with the Oromo of Ethiopia and Borana of Kenya. They have animated
the fact that they are the southernmost representatives of the once power-
ful Oromo (Galla) nation of Ethiopia and Northern Kenya. This is a way
of proving not only their indigeneity, but also their numerical prowess in
the Horn. In line with this, the Orma of Tana River have reordered their
oral histories of migrations to fit the oral and written accounts of the mi-
grations of their Borana kith and kin in Nothern Kenya. The latter are said
to have reached Kenya from the Borana Province of Ethiopia between
1,400 and 1,500. At the national level, Orma leaders have joint the forums
of pastoralists like the Maasai, Kalenjins and Turkana who have been
forging a common front based on their 'indigeneity' in larger part of Kenya
to counter the politically and numerically power of the 'Bantu' farmers.
The struggle for the Tana delta is both local and global.

Conclusion

Globalization has made it possible for us to imagine citizenship along the
particularism–cosmopolitanism continuum. In reality, forces and policies

of globalization have reinforced primordial sensibilities and identities that have increasingly given rise to ethnic violence and localized claims to resources, rights and citizenship. Economic globalization has assaulted the post-colonial welfare state and, indeed, the nation-state project. In the process it has undermined the foundation of social citizenship, and with it, the authority and legitimacy of the state. Thus the nation-state has been caught between the depredations of globalization from above and the centrifugal forces of ethnicity from below. The factions and fractions of the national elite have responded to the challenge of atomization of political processes and the uncertainties resulting from the introduction of liberal democracy by resorting to ethnic mobilization and, as the case of Kenya reveals, using underhand violence in defence of power at the level of civic nation. This has also accentuated the localization of claims to resources, rights and citizenship within and between ethnic groups and other local actors. Yet, localized struggles have also led to the formation of supra-ethnic but sub-nation identities, based on cross-cutting identities such as religion and social and linguistic formations, which are competing for power at the civic national arena. The unintended consequences of globalization, including the proliferation of cross-border contraband and illegal trafficking in arms, drugs, metals and even human beings, have stoked localized conflicts and given them a regional, even global, connections. Ethnic wars are regional wars that are thriving on regional economies of war with global linkages. In Tana River, the proximity to Somalia where the state has collapsed has linked an isolated region to the negative forces of globalized crime and violence. It is clear from this analysis that while no part of the world has escaped the influence of globalization, the negative effects of this influence have made it difficult to homogenize cultures, create prosperity, integrate economies and create interdependence. To globalize citizenship and the rights involved, theorists of globalization have to address the dynamics within it that undermine citizenship at the civic and ethnic levels and localizing it in a brutal way.

Notes

1. Andy Storey (1999).
2. A Kiswahili term that is loosely translated as 'Federalism' or 'regionalism', Majimbo allows for multi-ethnic federalism, but when used in a narrow sense it has insisted on ethnic purity and exclusivity in regard to access to resources and citizenship rights within ethnic territories, often leading to ethnic cleansing.

3. The Somali are divided into six major clan-families: Hawiye, the Issaq, the Dir, the Dagil, the Darod, and the Rehawayn. They are further split into many sub-clans.

4. Kenya is divided into eight administrative units called provinces and headed by a Provincial Commissioner (PC). Below the PC are nearly fifty districts headed by District Commissioners (DC); hundreds of Divisions under District Officers (DO) and at the bottom are locations and sub-locations headed by Chiefs and Assistant Chiefs, respectively. This is called the provincial administration, a distinct legacy of colonialism that is directly subordinated to an equally complex bureaucracy in the office of the President. It is the supreme symbol of authoritarianism in Kenya.

5. Mahmood Mamdani, 'Making Sense of Non-Revolutionary Violence: The Genocide in Rwanda,' Public Lecture, Center for African Studies, University of Illinois, November 1, 2002.

6. Miscellaneous Civil Application No. 28 of 1999 in Mombasa High Court 'For Leave to Apply for Orders of Prohibition and Certiorari and Matter of Operation Against the Galjeel Community of Tana River District of the Republic of Kenya.'

7. Local Politicians point accusing fingers at Hussein Dado, the former District Commissioner of Baringo District, President Moi's home district, who did everything possible to establish the Orma settlements when, in fact, there were no Ormas beside the river before, so as to control the water points and grazing land. See remarks by Amara O. Kalasigha, Shirikisho Party candi'date in 1997 cited in *Banditry and the Politics of Citizenship* p. 33.

8. Peace Net, 'Fast Update Security Situation Tana River District', August 9, 2001, email correspondence.

9. Galgal, Abdu Wako, Mohamed Suber and Abdalla are the principal nomadic Somali sub-clans that grazw their animals between Tana River and Garissa and often into Somalia. The memoradum cited here is available in the files of The Mombasa-based Muslim for Human Rights (Kenya), an affiliate of the Kenya Human Rights Commission.

References

Abrahams, Peter, 2000, *The Coyaba Chronicles: Reflections on the Black Experience in the Twentieth Century*. Cape Town: David Philip.

Africa Rights, 1997, *Violence at the Coast: The Human Consequences of Kenya's Crumbling Political Institutions*. London: African Rights.

Aina, Tade Akin, 1997, *Globalization and Social Policy in Africa: Issues and Research Directions*. Dakar: CODESRIA Working Paper Series 6/96.

Akokpari, John K. , 2000, 'Globalization and migration in Africa,' *African Sociological Review*, 4(2): 72–92.

Amselle, Jean-Loup, 2002, 'Globalization and the Future of Anthropology.' *African Affairs*, 101 (403, April): 213-229).

Anderson, Benedict, 1991, *Imagined Communities: Reflections on the Origins and Spread of Nationalism*, Revised edition, London: Verso.

Anderson, Benedict, 1992, *Long-Distant Nationalism: World Capitalism and the Rise of Identity Politics*, Wertheim Lecture, Amsterdam: Center for Asian Studies.

Appadurai, A. , 1998, 'Dead Certainty: Ethnic Violence in the Era of Globalization.' *Public Culture*, 10(2): 225-247.

Appadurai, A., 2000, 'The Grounds of the Nation-State: Identity, Violence and Territory', in K. Goldman, U. Hannerz & C. Westin, eds., *Nationalism and Internationalism in the Post-Cold War Era*. London: Routledge.

Appiah, Kwame Anthony, 1998, 'Cosmopolitan Patriots,' In Cheah Pheng and Bruce Robbins, eds., *Cosmopolitics: Thinking and Feeling Beyond the Nation*, Minneapolis: University of Minnesota Press.

Ayele, Negussay, 1998, 'Mazruiana on Conflict and Violence in Africa' in Omari Kokole, ed, *The Global African: A Portrait of Ali A Mazrui*, Trenton, NJ.: Africa World Press.

Barber, Benjamin, 1995, *Jihad Versus McWorld*. New York, Times Books.

Berman, Bruce J., 1998, 'Ethnicity, Patronage and the African State: the Politics of Uncivil Nationalism.' *African Affairs*, 97(388): 305-41.

Bruner, Edward M., 2001, 'The Maasai and the Lion King: Authenticity, Nationalism, and globalization in African tourism,' *American Ethnologist*, 28 (4): 881-908.

Bunger, Robert Louis, 1973, *Islamization Among the Upper Pokomo*,. Syracuse, N.Y.: Program of Eastern African Studies, Syracuse University.

Bussemaker, J. and Voet, R., 1998, 'Citizenship and gender: theoretical approaches and historical legacies,' *Critical Social Policy*, 18(3): 277-307.

Center for International Cooperation, 'Regional Conflict Formation in the Great Lakes Region of Africa: Structure, Dynamics and Challenges for Policy,' Report of a Conference organized by the Center for International Cooperation, New York University, November 2001, pp. 9-10.

Charo, Tshuma, 1998, 'Bandits and Gangs for Hire,' *Expression Today: The Journal of Democracy, Human Rights and the Media*, 5: 26.

Cooper, Frederick, 2001, 'What is the Concept of Globalization Good For?' An African Historian's Perspective.' *African Affairs*, 100 (389): 189–213.

Crummey, Donald, ed., 1986, *Banditry, Rebellion and Social Protest in Africa*, London: James Currey.

Dallmayr, F. R., 2002, 'Globalization and Inequality: A Plea for Global Justice,' *International Studies Review*, 4(2): 137-156.

Dilley, Roy, 2002, 'Global Connections, Local Ruptures: The Case of Islam in Senegal,' Paper Prepared for an International Conference held at the University of Leiden, The Netherlands, April 26-27.

Duffield, M., 2001, *Global Governance and the New Wars: The Merging of Development and Security,* London: Zed Press.

Embong, A. Rahman, 2000, 'Globalization and Transnational Class Relations: Some Problems of Conceptualization,' *Third World Quarterly,* 21(6): 989-1000.

Ensminger, Jean, 1991, 'Structural Adjustment and its Consequences for Orma Women Pastoralists,' In *Structural Adjustment and African Women Farmers,* ed, Christina H. Gladwin, Gainesville, Fla.: University of Florida Press.

Eyoh, Dickson, 1999, 'Community, Citizenship, and the Politics of Ethnicity in Post-colonial Africa,' In *Sacred Spaces and Public Quarrels: African Cultural and Economic Landscapes,* Paul Tiyambe Zeleza and Ezekiel Kalipeni, eds., Trenton, N.J.: Africa World Press: 271-300.

Fahy, Kathlene, 1999, 'Post-Governance Somalia Beyond 2000: Prospects for a Nation Without a State?' *Trocaire Development Review.*

Fanon, Frantz, 1963, *The Wretched of the Earth,* New York: Grove Press.

Fanthorpe, Richard, 2001, 'Neither Citizen Nor Subject: "Lumpen" Agency and the Legacy of Native Administration in Sierra Leone,' *African Affairs,* 100(400): 363-386.

Fardon, Richard, van Binsbergen, Wim and van Dijk, Rijk , 1999, *Modernity on a Shoestring: Dimensions of Globalization, Consumption and Development in Africa and Beyond,* Leiden, EIDOS.

Francis, D., 1999 'Mercenary Interventions in Sierra Leone: Providing National Security or International Exploitation.' *Third World Quarterly,* 20 (2): 319-38.

Friedman, Jonathan, 1990, 'Being in the World: Globalization and Localization', In M. Featherstone, ed., *Global Culture: Nationalism, Globalization and Modernity,* London: Sage Publications.

Gewald, Jan-Bart, 2002, 'Globalization and Violence in Africa', Paper prepared for an International Conference to be Held at Leiden, April 26-27.

Ghai, Y. P. and McAuslan, J. P. ,1970, *Public Law and Political Change in Kenya: A Study of the Legal Framework of Government from Colonial Times to the Present,* Nairobi and London: Oxford University Press.

Gibbon, P., 1995, *Markets, Civil Society And Democracy In Kenya.* Uppsala: Nordiska Africainstitutet.

Gidden, A., 1990, *The Consequences of Modernity,* Cambridge: Polity Press.

Gidden, A., 1996, 'Globalization—A Keynote Address', *UNRISD News.* 15:4-5.

Gill, S., 2002 'Constitutionalizing Inequality and the Clash of Globalizations,' *International Studies Review,* 4 (2): 47-65.

Goldberg, C. A. (2001),'Social Citizenship and a Reconstructed Tocqueville.' *American Sociological Review,* 66 (2): 289-315.

Groelsema, Robert J., 1998, 'The Dialectics of Citizenship and Ethnicity in Guinea.' *Africa Today* 45 (3/4): 411-421.

Gupta, Akhil, and James Ferguson. 1992, 'Beyond "Culture": Space, Identity, and the Politics of Difference.' *Cultural Anthropology,* 7(1): 6-23.

Heilman, Bruce, 1998, 'Who are the Indigenous Tanzanians? Competing Conceptions of Tanzanian Citizenship in the Business Community.' In *Africa Today*, 45(3/4): 369-387.

Hobsbawm, Eric, 1990, *Nations and Nationalism Since 1780: Programme, Myth, Reality*, Cambridge: Press Syndicate of the University of Cambridge.

Hobsbawm, Eric, 1994, *The Age of Extremes: A History of the World, 1914-1991*.New York: Vintage Books.

Hobsbawm, Eric (1959), *Primitive Rebel: Studies in Archaic Forms of Social Movement in the 19th and 20th Centuries*, Manchester: Manchester University Press.

Hoorweg, Jan, Foerken, Dick and Obudho, eds., 2000, *Kenya Coast Handbook: Culture, Resources and Development in the East African Littoral*, Hamburg and London: Lit Verlag Munster, African Studies Center.

Holmquist F. Ford M., 1994, 'Kenya: State and Civil Society: The First Year After The Election, *Africa Today*, 41(4):5-25.

Holway J. D., 1970, 'The Religious Composition of the Population of the Coast Province of Kenya,' *Journal of Religion in Africa*, 3 (3): 228-239.

Horta, Korinna, 1994, 'Troubled Waters: World Bank Disasters Along Kenya's Tana River,' http://multinationalmonitor.org/hyper/issues/1994/08/mm0894_08.html.

HRW, 1993, *Divide and Rule: State-Sponsored Ethnic Violence in Kenya*, Washington: Human Rights Watch.

HRW, 2002, *Playing With Fire: Proliferation of Firearms and Human Rights in Kenya*. New York: Human Rights Watch.

Hunt, A., 2000, 'Citizenship: care of the self, character and personality,' *Citizenship Studies*, 4 (2): 93-116.

Huntington, Samuel , 1996, *The Clash of Civilizations and the Remaking of World Order*. New York: Simon and Schuster.

Ishay, Micheline R. , 1997, *The Human Rights Reader: Major Political Essays, Speeches and Documents from the Bible to the Present*, New York: Routledge.

Kagwanja, Peter Mwangi, 2001, 'Politics of Marionettes: Extra-Legal Violence and the 1997 Elections in Kenya,' In Marcel Rutten, Alamin Mazrui and Francois Grignon, eds. *Out for the Count: The 1997 General Elections and Prospects for Democracy in Kenya*, Kampala: Fountain Publishers.

Kaldor, Mary, '"Civilizing" Globalization? The Implications of the 'Battle in Seattle.' *Millennium: Journal of International Studies*, 29 (1): 105-114.

Kaldor, Mary, 1999, *New Wars and Old Wars: Organized Violence in a Global Era*, Cambridge: Polity Press.

Kanyinga, Karuti and Susie Ibutu, 1994, *Structural Adjustment Programs (SAPs) in Kenya: Implications on Lives of Women*, Nairobi: National Council of Churches of Kenya (NCCK), Workshop Report.

Kenya, Government of, 1988, *Tana River District Development Plan, 1989-1993*, Nairobi: Ministry of Planning and National Development, Department of Rural Planning.

Kirschke Linda, 2000, 'Informal Repression: Zero-Sum Politics and the Later Third Wave Transitions,' *The Journal of Modern African Studies*, 38 (3): 383-405.

Kokole, Omari, 1998, ed. *The Global African: A Portrait of Ali A. Mazrui*, Trenton, NJ.: Africa World Press, 1998

Leichenko, R. M. and O'Brien, K. L., 2000, 'The Dynamics of Rural Vulnerability to Global Change: The Case of southern Africa,' *Migration and Adaptation Strategies for Global Change*, 7(1): 1-18.

Lonsdale, John, 1994, 'Moral Ethnicity and Political Tribalism,' In *Inventions and Boundaries: Historical and Anthropological Approaches to the study of Ethnicity and Nationalism* Preben Kaarsholm and Jan Hultin eds. Roskilde University.

Makoa, Francis K., 2001, 'Globalization and democracy with reference to eastern and Southern Africa.' *Journal of Social Development in Africa*, 16(1): 125–141.

Mamdani, Mahmood, 1996, *Citizen and Subject: Contemporary Africa and the Legacy of Late Colonialism*, Princeton, NJ.: Princeton University Press.

Mamdani, Mahmood, 2001, *When Victims Become Killers: Colonialism, Nativism and the Genocide in Rwanda*, Princeton, NJ.: Princeton University Press.

Mazrui, Alamin, 1997, *Kayas of Deprivation, Kayas of Blood: Violence, Ethnicity and the State in Coastal Kenya*. Nairobi: Kenya Human Rights Commission.

Mazrui, Ali, 2000, 'The Kenya Coast: Between Globalization and Marginalization,' In *Kenya Coast Handbook: Culture, Resources and Development in the East African Littoral*, Jan Hoorweg, Dick Foerken and Obudho, (ed.), Hamburg and London: Lit Verlag Munster, African Studies Center.

Mazrui, Ali, 1969, 'Violent Contiguity and the Politics of Retribalization in Africa,' *Journal of International Affairs*, 23 (1): 89-105.

Mazrui, Ali, 1967, *On Heroes and Uhuru Worship: Essays on Independent Africa*, London: Longman.

Mazrui, Ali, 1995, 'The African State as a Political Refugee: Institutional Collapse and Human Displacement,' *Journal of International Refugee Law*, Special Issue: 21-36.

McCormick, Dorothy, 1999, *Globalization and Regionalization of Kenya's Foreign Trade and Production*, Centre for Development Research.

McGrew, A, 1998, 'Human Rights in a Global Age: Coming to Terms with Globalization,." In Tony Evans ed., *Human Rights Fifty Years On: An Appraisal*, Manchester: Manchester University Press.

McLuhan, Marshall, 1989, *The Global Village: Transformations in World Life and Media in the 21st Century*, New York: Oxford University Press.

McMurtry, J. , 2002, 'Why the Protestors are Against Corporate Globalization.' *Journal of Business Ethics*, 40(3): 201-205.

M'Inoti, Kathurima, 1992, 'Beyond Emergency in the North-Eastern Province: An Analysis of the Use and Misuse of Emergency Powers.' *Nairobi Law Monthly*, 14: 7

Mkandawire, T. and Olukoshi, A. eds., 1995, *Between Liberalization and Oppression: The Politics of Structural Adjustment in Africa,* Dakar: CODESRIA Book Series.

Morton, Adam David, 2001, '*La Resurrección del Maíz*: Globalization, Resistance and the Zapatistas', *Millennium: Journal of International Studies,* 31(1): 27–54.

Moodie, T. Dunbar, 1992, 'Ethnic Violence on South African Gold Mines.' *Journal of Southern African Studies,* 18(3): 584-613.

MUHURI, 1999, *Banditry and the Politics of Citizenship: The Case of the Galje 'el Somali of Tana River,* Mombasa, Kenya: Muslims for Human Rights (MUHURI).

Ndegwa, S. N., 1998, 'Citizenship Amid Economic and Political Change in Kenya,' *Africa Today,* 45(3/4): 351-367.

Ndegwa S. N., 1997, 'Citizenship and Ethnicity: An Examination of Two Transition Moments in Kenyan Politics,' *American Political Science Review,* 91(3):599-616.

Ndegwa, S. N. , 1994, 'Civil Society and Political Change in Africa: The Case Of Non-Governmental Organizations in Kenya.' *International Journal Of Comparative Sociology,* 35(1-2): 19-36.

Ninsin, Kwame A., 2000, *Globalization and the Future of Africa,* Occasional paper series; 4(1), Harare: AAPS.

Nkiwane, T. C. , 2000 'Gender, Citizenship, and Constitutionalism in Zimbabwe: the fight against amendment 14.' *Citizenship Studies,* 4(3): 325-338.

Nsouli, Sale M., and Gall, Francois, 2001, 'Globalization and Africa: Overview of the Main Issues.' *Finance and Development,* 38(4): 2-3.

Lieber, R. J. and Weisberg R.E 2002, 'Globalization, Culture, and Identities in Crisis,' *International Journal of Politics, Culture and Society,* 16(2): 273-296.

Leichenko, R. M. and O'Brien, K. L. , 2002 'The Dynamics of Rural Vulnerability to Global Change: The Case of southern Africa,' *Migration and Adaptation Strategies for Global Change,* 7(1): 1-18.

Onwudiwe, Ihekwoaba D., 2001, *The Globalisation of Terrorism,* Interdisciplinary Research Series in Ethnic, Gender and Class Relations, Aldershot: Ashgate.

Paine, Thomas, 1775, 'African Slavery in America,' *Pennsylvania Journal and Weekly Advertiser,* March 8, 1775 reprinted in Micheline R. Ishay ed. , *The Human Rights Reader: Major Political Essays, Speeches and Documents from the Bible to the Present,* New York: Routledge, 1997.

Pieterse, Jan Nederveen, 1993, 'Globalization as Hybridization,' The Hague: Working Paper, Institute of Social Studies Series.

Prins, A H J., 1952, *The Coastal Tribes of the North-Eastern Bantu* (Pokomo, Nyika and Teita), International African Institute.

Raimo, Väyrynen, 1984, 'Regional Conflict Formations: An Intractable Problem of International Relations,' *Journal of Peace Research,* 21(4): 337-359.

Riggs, Fred W. , 2002, 'Globalization, Ethnic Diversity, and Nationalism: The Challenge for Democracies.' *Annals of the American Academy of Political and Social Sciences*, 581: 35–48.

Rostow, Stephen J., 2002 'Globalization as Democratic Theory,' *Millennium: Journal of International Studies*, 29 (1): 27 – 45.

Rothchild, D. S., 1970, *Citizenship and National Integration: The Non-African Crisis in Kenya*, Denver: University of Denver, Studies in Race and Nations, 1(3).

Rothchild, D., 1967/68, 'Kenya's Minorities and the African Crisis over Citizenship.' *Race*, 9(4): 421-437.

Rubin, Barnett R., 2001, Regional Approaches to Conflict Management in Africa." Paper Presented at meeting for the UN Security Council, Center on International Cooperation, New York University, 8 August.

Russell, Gilbert M.J. S. , 2002, 'Globalization of criminal justice in the corporate context,' *Crime, Law and Social Change*, 38(3, October): 211-238.

Salih, M. A. Mohamed, 1989, '"New Wine in Old Bottles": Tribal Militias and the Sudanese State,' *Review of African Political Economy*, 45/46: 168-174.

Schild, S. (2000), 'Neo-liberalism's New Gendered Market Citizens: The "civilizing" dimension of Social Programmes in Chile,' *Citizenship Studies*, 4 (3): 275-305.

Seidman, Gay W., 1999, 'Gendered Citizenship South Africa's Democratic Transition and the Construction of a Gendered State,' *Gender and Society*, 13 (3): 287-307.

Sheth, V.S., 1998, 'Globalization and Indian Ocean Rim,' *African Currents*, 15(26): 1–13.

Small, N J., 1977, 'Citizenship, Imperialism and Independence: British Colonial Ideals and Independent African States.' *Civilizations*, 27(1/2): 17-43.

Spivak, Gayatri, 1998, 'Cultural Talks in the Hot Peace,' in Pheng Cheah, and Bruce Robbins, eds., *Cosmopolitics: Thinking and Feeling Beyond the Nation*. Minneapolis: University of Minnesota Press.

Storey, Andy, 1999, 'Globalization and the African State,' *Trocaire Development Review*, pp. 39-56.

Tambini, D., 2001, 'Post-National Citizenship.' Ethnic and Racial Studies, 24(2): 195-217.

Tandon, Yash, 1997, 'Globalization and the South: the Logic of Exploitation,' *Internationale Politik Und Gesellschaft*, nr. 4: 389–98.

Thomas, Caroline, 1998, 'International Financial Institutions and Social and Economic Human Rights: An Exploration,' In Tony Evans eds., *Human Rights Fifty Years on: An Appraisal*. Manchester: Manchester University Press.

Townsend, Norman, 1977, 'Age, Descent and Elders Among the Pokomo,' *Africa*: 47 (4): 386-397.

Townsend, N., 1978, 'Biased Symbiosis on the Tana River,' In W. Weissleder eds. *The Nomadic Alternative: Modes and Models on Interaction in the African-Asian Deserts and Steppes*, Den Haag/ Mouton.

Turton, E. R., 1975, 'Bantu, Galla and Somali Migrations in the Horn of Africa: A Reassessment of the Juba/Tana Area,' *The Journal of African History*, 16 (4): 519–537.

Vondoepp, P., 1996, 'Political Transition and Civil Society: The Case of Kenya and Zambia,' *Comparative International Development*, 31(1): 24–47.

Walle, Nicolas van de., 1999, 'Globalisation and African democracy', In *State, Conflict, and Democracy in Africa*. Richard Joseph, ed., Boulder, Co.: Rienner Publishers.

Waters, Malcolm, 1995, *Globalization*, London and New York: Routledge.

Werbner, Richard and Ranger, Terence, eds, 1996, *Postcolonial Identities in Africa*, London: Zed books.

World Bank, 2001, *Tana River National Primate Reserve Project, 1996–2001*, World Bank, http://www.gefweb.org/Outreach/outreach-Publications/ Project_factsheet/Kenya-tana-2-bd-wb-eng-ld.pdf

Zeleza, P. T. and Kalipeni, E. , 1999, *Sacred Spaces and Public Quarrels: African Cultural and Economic Landscapes*. Trenton, N.J.: Africa World Press.

Zeleza, P. T. , 2002, 'Globalization, Development and African Peasantries,' Paper presented at The Yale Agrarian Program, September 10, 1999.

Zeleza, P. T., 2002, 'The Politics of Historical and Social Science Research in Africa,' *Journal of Southern African Studies*, 28(1): 9–23.

Zeleza, P. T., 2002, *Rethinking Africa's Future Under Globalization*, Trenton, NJ.: Africa World Press.

Citizenship and Rights:
The Failures of the Post-colonial
State in Africa

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Abstract

Throughout Africa, economic and political reforms introduced to resuscitate 'development' have failed to facilitate growth. Inequalities and poverty have continued to deepen and there is unprecedented reproduction of parochial identities and local social conflicts. Social citizenship itself is in a crisis: there is mass-disempowerment and dispossession of ordinary citizens through loss of means of livelihood. The reforms have generally failed to promote and safeguard citizens' interests. This article examines how popular struggles for social citizenship and in particular struggles for protection of social-economic rights are organized and sustained and the challenges they experience in this regard. The new forms of inter-action between the state, the peasants and the markets are also discussed. The article is based on findings of a study on Mwea rice irrigation scheme in Kenya.

The discussion concludes that the state remains an important actor in the local social-political and development space notwithstanding the reforms that have taken place. Politically and economically influential elites have control over local structures for development as well as popular organizations. This makes it difficult for consolidation of social citizenship. The crisis facing social citizenship therefore is bound to deepen if the reforms do not seek to democratize local level power structures simultaneous with democratization at the broader national level.

Résumé

En Afrique, les réformes économiques et politiques mises en place, afin de susciter le «développement», ne sont pas parvenues à faciliter la croissance. Les inégalités et la pauvreté ne cessent de s'aggraver, et on assiste à une reproduction de

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particularismes identitaires et de conflits sociaux locaux. La citoyenneté sociale elle-même est en crise: l'on note une certaine dés-autonomisation des masses, ainsi qu'un appauvrissement du citoyen lambda, du fait du manque de ressources. Globalement, les réformes ne sont pas parvenues à promouvoir et défendre les intérêts des citoyens. Cet article analyse la manière dont les luttes populaires pour la citoyenneté sociale, et plus particulièrement, celles pour la protection des droits socio-économiques, sont organisées et soutenues, ainsi que les défis qui se posent à elles. Les nouvelles formes d'interaction entre l'État, les paysans et le marché sont également étudiées. Cette contribution est basée sur les résultats d'une étude portant sur un plan d'irrigation du riz Mwea, au Kenya.

Pour finir, l'article soutient que l'État demeure un secteur crucial dans le développement local et l'espace socio-politique malgré les réformes qui ont eu lieu. Les élites exerçant une certaine influence sur le plan politique et économique contrôlent les structures locales de développement, ainsi que les organisations populaires, ce qui rend difficile la consolidation de la citoyenneté sociale. La crise de citoyenneté sociale risque donc de s'aggraver, si les réformes n'engagent pas une démocratisation des structures locales de pouvoir, en même temps qu'une démocratisation nationale.

Introduction

The wave of democratization that swept the continent in the early 1990s, and the economic policy reforms that made adopted as the most important institutions for resource allocation, encouraged a commitment to the themes of 'citizenship' and 'governance' in Afrian social and political discourses. However, political liberalization has taken place without adequate democratization. Political space has expanded but conditions for the enactment of justiciable social-economic and cultural rights have not improved. This change has not facilitated consolidation of the social justice and equality on which democracy and ideals of citizenship are built.[1] All the same, one may argue that both political and economic liberalization have eroded the state's domination and monopolization of social-economic and political activities thereby raising new questions on citizen rights and obligations and new roles for state and its institutions in promoting and protecting citizenship and rights. Questions such as 'who are members and who are not members of a given society' and 'what are the rights, entitlements and obligations of the members'– questions which are fundamental to the meaning of citizenship (Barbalet 1988) – have enjoyed a major revival in political discourse. This discourse, however, centers on the 'political-legal' aspects of citizenship: rights and obligations of citizens and the state. Less attention is given to 'social citizen-

ship', which concerns fulfillment of livelihood and provision of economic
security for individuals and social groups.

Resolving the question of citizenship has become a major challenge to
the nation-state project in Africa. It has led to tensions in ethnic relations
(Osaghae 1996; Idowu 1999) and to arresting of the democratization pro-
cesses (Kanyinga 1998a; Chege 1994; Ogachi 1999). Citizenship thus
has obvious consequences for the nation-state project because the 'Na-
tional Question' is also about 'how the global form of social existence,
characterizing the relationship of society to its environment, is histori-
cally or politically arrived at (Wamba-dia-Wamba 1991, 1996). Accord-
ingly, citizenship and its attendant rights, entitlements, obligations for
individuals, and the relationship of these to the state, are a major concern
in the constitutional reform debate currently taking place in Africa. Ques-
tions about majority versus minority rights and race, ethnicity, class and
property rights, and identities constructed around them, arguably, are be-
hind some of the main political events in the region.[2]

Although neo-liberalism heralds political liberalization as a threshold
to democratization, multi-partyism has not fostered citizenship in any sig-
nificant or sustained manner. Political liberalization has been: implanting
of a multi-party form of democracy from above without reconstructing
state power. This shortcoming has limited attempts to address the crisis
of citizenship–neglect of citizen rights and their exclusion from the gov-
ernance process. In some instances, these changes have caused more
marginalization and disempowerment of ordinary citizens. Economic lib-
eralization, for instance, has significantly eroded the potential of citizens
to procure means of livelihood.

Ordinary citizens have expressed disillusionment with these changes
in different ways. In some instances, they have organized against repres-
sion and dispossession by the state. They have assembled to demand eco-
nomic and political rights. On the other hand, the state without exception
and in spite if not because of political changes, has responded with the
repression and torture of organized opposition. Generally, the trend is
towards contracting both the political and economic space on which the
citizens can organize for the enjoyment of economic and political rights.
The changes unfolding in the region and their contradictions, raise the
need to discuss how to redress the imbalance between citizen rights and
obligations on the one hand, and state obligations to society on the other
hand. Moreover, these changes have reproduced the state in a variety of
ways. The state remains an important political force and an institution for
governance and cannot be wished away. It nonetheless remains alienated

from the society and continues to prefect both the social-political and the economic space.

This paper analyzes the social-political and economic changes in the region and their implications for the articulation of rights of citizenship. The discussion observes that consolidation of good governance depends, to a large extent, on the transformation of state power and the re-configuration of state and society relations in order to make the state receptive to citizens' aspirations.

Citenzenship: Conceptual and Methodological Approaches

'Citizenship' denotes membership in a community of common interests and the right to participate in the affairs of that community on an equal basis; citizens are thus carriers of equal rights and obligations. Citizenship also provides identity and builds a sense of 'belonging' and 'security' among a people. The concept is associated with T. H. Marshal (1963), who observed that citizenship as a status provides access to rights and powers in a society. The rights include civil and political rights as well as social economic rights. These attributes have certain important historical origins that make citizenship a controversial and, therefore, intensely contested concept.

In the pre-industrialized European society in which the conception of 'citizen' assumed its modern form, the term applied to very few members of society.[3] Only male property owners qualified to be citizens. The mass of the population such as women, children and men without property were denied citizenship. They were consequently 'excluded' from the means of managing public affairs. Their inclusion came in tandem with the process of nation-state building. This process involved protracted political struggles over the rules governing 'inclusion' into the membership of the society and over the rules governing the exercise of political power within the evolving nation-states.

The historical origins of the concept of citizenship have had one important consequence to the understanding of citizenship. The dominant paradigm has been the Western perception of the duties and responsibilities of citizens and the state. In this view, the 'citizen' is a product of centuries of building nation-states. From these struggles, citizenship came to be understood as membership in one or even more communities to which individuals owed their loyalty and from which they expecte protection and preservation. Common identity, rights and protection became the hallmark of citizenship. .

The nation-state, as the main level of common identity and interests, did not grant citizenship. Individuals and social groups claimed citizenship through political struggles. The struggles resulted in the state becoming the only agent for protecting and promoting individual and group rights. Political struggles simply re-defined the relations between the state and the society. Consequently, civic rights such as basic freedoms and equality before the law; political rights such as the right to organize for common good; and the right to economic welfare and security evolved as the important attributes of citizenship. This focus on rights elevated citizenship to a 'political-legal' status. It emphasized access to an array of civil and political as well as social-economic and cultural rights. In general the political-legal status enables individuals to be equally treated and to treat others equally in the public realm. To some extent, it provides for social justice by providing all members with rights that make everyone equal. In this regard, individuals and social groups have an obligation to treat others equally and to have equal opportunities in the governance process. It involves an obligation of the state to be accountable and accessible to all members of the society by placing the individual at the center of the governance process.

Relations between the state and the citizens especially in the light of the unfolding changes have brought to fore the question of social citizenship. Alienation of the state from the society and the inability of citizens to access the state have place the social contract under increased scruting The failure of the state to protect social citizenship has meant increased demands for citizens to re-negotiate the social contract by way of constitutional reforms. These demands center on realization of social-economic component of the 'contract' and pursuance of survival in an environment of freedoms. Social citizenship entails claiming and protecting rights, entitlements and obligations of individuals and how to ensure that the state abides by the obligation to be accountable to the society especially by promoting access to social livelihoods. Social citizenship captures and expresses, concretely, the relationship between the individual, social groups and the state. Mass dis-empowerment in both economic and political terms has brought social citizenship into a crisis particularly because individuals are not guaranteed economic security.

The crisis of citizenship in post-colonial Africa has been brought about by the failure of the state to meet its obligations and to create an enabling environment for the economic and social welfare of individuals. The shift in economic policymaking and adjustment policies in particular, has led to the rise in numbers of the impoverished.[4] More and more people are

being tossed out of the formal economy into the informal sector. The numbers of street children in all urban areas are rapidly increasing amidst declining school enrolment rates. Many people are also unable to access proper health care. The livelihood of many citizens is in crisis. At the same time, economic and political power is concentrated in the hands of a few propertied individuals–the new elite. Even where the civil and political rights have been extended to the membership of the political society, the rights enjoyed are incomplete. They do not include the social-economic rights, which concretizes citizenship, and the absence of which constitutes negation of citizenship. Exclusive governance processes and economic dis-empowerment have contributed to the inability of citizens to demand their rights and to demand fulfillment of state obligations to the society.

Struggles for political-legal citizenship, no matter how deep and intense they are, cannot adequately foster full democratization if they are not waged within the broad framework of reconstructing the social contract. Promoting legal and political rights needs to go hand in hand with the promotion of social-economic and cultural rights in order for democracy to be realized. Further, reconnecting citizens to the processes of governance does not merely require the simple articulation of political-legal status. It also requires renegotiating the rights, entitlements and obligations both of the individuals, social groups, and of the state itself. It requires laying down the basis for equality and social justice both of which, again, cannot be acquired without fundamental changes in the structures that promote and protect economic, social and cultural rights.

A point to note is that the Western conceptualization of the nation-state as the only level of elaborating citizenship is inadequate in terms of explaining problems around citizenship in contemporary Africa. As argued by Ndegwa (1997, 1998), it does not help in providing a full understanding of the concept of citizenship in the context of Africa's social-economic and political conditions. It assumes that the nation-state is the only 'level' of enacting and elaborating citizenship and that citizenship is coterminous with the state. This conceptualization also assumes that the history of citizenship is the history of nation-states. But Africa comprises mixed identities and therefore competing citizenships. Moreover, the nation-state boundaries are porous. Those living around the nation-state boundaries rarely recognize them. The Maasai of East Africa graze their cattle across the boundaries without reference to the existence of a border. This also applies to the Basarwa of the Southern Africa region, the

Somali in the horn of Africa, the Tuareg in West Africa and other 'borderless' communities.[5]

Competing Values and identities

One thing that is clear from political theory and history is that rights are not granted; citizenship is not a privilege. It is claimed and acquired through political struggles for inclusion into the governance process. Ndegwa (1998) citing Foweraker and Landman (1997) notes:

> Bequeathed rights are precarious and that citizen rights cannot be defined by normative expectations, but can only be imagined as a struggle which either achieves rights against the state or extend the protection and guarantees of the state... that rights of citizenship that are bequeathed rather than acquired through struggle are easily revoked echoes the edict that a social contract is valid when concluded not between individuals and a sovereign but between and among individuals to create a sovereign.

Ndegwa also notes that 'when a sovereign invents and dispenses rights to subjects, such a sovereign can equally take them away; but when citizens assert their rights and assign these to the sovereign to safeguard, these rights are difficult to withdraw' (Ndegwa 1998:3).

How to claim citizenship and anchor citizenship on the institutions of governance brings to the fore two opposing principles and conceptualizations of citizenship. Both Ndegwa (1997) and Osaghae (Forthcoming) have elaborated on this.[6] Ndegwa identifies the liberal and civic republican view as the dual and competing values of citizenship, which make citizenship a major challenge to the nation-state projects. The liberal view 'bestows on a person the status of a citizen as an individual member of a modern state ... such a status does not demand that the citizen perfom any duties to retain these rights or membership in the political community'. On the other hand, 'the civic-republican view of citizenship is based on the understanding that individuals gain rights and deserve defense only as active members of a community'. Such rights are secured by obligations and participation that is necessary to sustain the political community (Ndegwa 1997: 603).

Osaghae (forthcoming), quoting from Bendix (1969), identifies two other opposing principles: plebiscitarian and functional representation. While the plebiscitarian is about how individuals relate directly to the state, the functional representation is about how relations between the individual and the state are mediated by groups to which the individual belong – the civil society. Plebiscitarian promotes universality of citizenship in which all citizens are formerly equal and enjoy equal rights and duties. Functional

representation promotes unequal and contested citizenship, as the status of citizens and the rights they enjoy are more or less tied to the status of hierarchical groups to which they belong (Osaghae, forthcoming).

These two notions of competing values of citizenship clearly show that the nation-state is not the only level of elaborating citizenship in Africa. Ethnic group to which individuals belong by ascription is as important as the nation-state. Eke (1978) observes that Africa comprises two opposing publics: amoral civic realm or the state level; and a moral primordial realm or the 'native' sector (Eke 1978:317–19). Citizens expect rights from the state but owe no duties to the state. On the other hand, citizens pay their duty to their ethnic group but expect no rights from the group. These two publics create different attitudes on citizenship thereby giving rise to political conflicts. It is the nation-state identity, which exacerbates the political contestations over 'national identity' because 'construction of a national identity has been mostly at the behest of authoritarian states whose power holders suppress rival claims' (Osaghae, forthcoming).

Ethnic Identity and Citizenship

Citizenship is an integral part of nation-building process. Since nation building is a process under continuous construction and negotiation[7], citizenship has also become a process of continued construction and negotiation by claiming it through political struggles. Both processes are under the control of the state whose powerful elite seeks to exclude rival groups particularly because control of state power also means control of economic and social resources. Citizens whose groups fall outside of the power elites, are often regarded as 'outsiders': they are excluded from state power; they do not enjoy the rights of citizenship.[8] Unequal access to resources and the inequitable distribution of these resources that are characteristic of 'exclusive modes of rule', closes down the possibility of the 'national' being of any meaning to them. But the duality offers them an alternative. Ifidon (1996) writing on citizenship and the problems of democratization in Nigeria notes the failures of the Nigerian identity to assist the youth in their hopes and dreams: to them they get only shattered hopes and battered dreams. However they community they belong to is their heritage to which they hold on to in the wake of failed hopes. There is no doubt that this is the voice of citizens from elsewhere in Africa. Citizens are either citizens without duties or citizens without rights. In many instances, rights and duties have been dissociated from the concept of citizenship with obvious consequences: those excluded dis-engage from

the state and troop back into an identity that gives meaning to their 'illusion' of rights and entitlements – ethnic identity. This becomes the most important 'status level' of elaborating their citizenship. They seek protection and promotion of rights within the confines of ethnicity. These 'exclusionary moments' sometimes erupt into violent confrontations and resistance.

Why the ruling political elite mobilize ethnicity for political support is one subject that has been extensively written about and need not detain this discussion (for an elaborate discussion see Osaghae 1996; Mafeje 1999).[9] Suffice to note that ethnic conflict is directly related to centralization of power and to the competition that it engenders (Mafeje 1999). Responsible for this has been the absence of what Mafeje calls 'an emancipatory national ideology' to keep alive the spirit of democratization that attended the de-colonization struggles. Such a national ideology would have meant the continued liberation of the oppressed. These could be victims of post-colonial authoritarianism such as the politically oppressed and economically disposed nationalities.

Political liberalization in the region has not fostered citizenship. In some instances, it has constructed new forms of identities that tend to compete and undermine the foundations of the nation state. The focus on political-legal rights has meant glossing over social-economic and cultural rights. However, neo-liberalism focus on political-rights is for obvious reasons. Its conceptualization of citizenship in terms of rights has tended to underline voluntary performance of duties by an individual, which in turn leads to shift of welfare responsibilities from the state to the individual members of the society irrespective of their abilities. In doing so, it makes the 'market' an important site for enacting citizenship: those who fail to source from the state can source from the markets. The neo-liberal thinking reduces individual claims to the state without creating substantive obligations of the state to the individual. The implication of this is that it undermines the social-economic basis of citizenship. Only those with ability to compete can procure fundamental economic rights for themselves. Those without the abilities have to remain under the mercy of others—they become subjects of the society. They have to depend on 'social philanthropy,' which has also been increasingly constrained by the economic difficulties attending economic liberalization.

One important component neglected so far has been how social livelihood can be promoted. Threats to social citizenship are also threats to democratization because democracy entails enabling individuals to have meaningful lives and to enjoy both material security and access to basic

needs and political rights. Enjoyment of full rights of citizenship there-
fore requires fulfillment of individual's basic needs and basic rights. Un-
fortunately, there has been no connection between struggles for political
rights and struggles for basic service needs. In Africa, the process to con-
struct social citizenship, based on both types of struggles, stalled imme-
diately after de-colonization and particularly when the state elite embarked
on nation-building project. Popular organizations were demobilized and the
political space contracted in the name of development and nation building.

Citizenship and Governance in Post-Colonial Africa

There is one observation worth noting at this stage. The post-colonial
state is an extension, in some ways, of the particular form of rule that
dominated colonial Africa. It was during the colonial period that central
features of the contemporary state in Africa formed. Some of these fea-
tures have a bearing on the question of citizenship in contemporary Af-
rica. The colonial state was forged by use of force: a 'regime of compul-
sion' preceded the formation of the colonial state. As argued by Mamdani
(1996), it was founded on the coercion of indigenous people. Central to
its organization and re-organization was the 'native question'. How the
colonial state was forged had effects on relations of production: power
relations were increasingly redefined. The state integrated the customary
bases of power and traditional authorities into the evolving mode of rule.
For instance, the colonial state made appropriation and expropriation of
land an instrument of control. Land administration was integrated into
the structures of indirect rule to flush out labor and to ensure political and
economic security of the colonial administration and its ancillary
(Neocosmos 1992; Kanyinga 1998). The colonial state also attempted to
provide political and economic security to the settlers by creating the
native reserves. This created the rationale for a dualized and segregated
land use system: native reserves for occupation by resident ethnic groups;
and 'scheduled areas' for the settler community. The settler area was cre-
ated through the 'armed might of the state' and administered by sets of
laws, which had one thing in common: expropriation to buttress the colo-
nial mode of rule.[10] The native reserves remained distinct and separate
identities in the colony--distinct from the settler areas.

Creation of the native reserves set up a stage for the construction of
ethnic identities and therefore ethnicization of the society. Each ethnic
group had control over a specified territory. A clear demarcation of ethnic
identities began in earnest. Each reserve (see below) was governed by
customs specific to that ethnic community.

It is this phenomenon of a segregated mode of rule that is responsible for the contemporary crisis of discontinuity between the state and society. As argued by Mamdani (1996) how the colonial state approached the 'native question' reproduced a 'bifurcated state'–a state for the citizens (the colons living in scheduled areas) and a state for the subjects or the natives who were confined to the reserves. The citizen state was organized on the principle of a clear separation of powers between and among the judicial, legislative, executive and administrative organs of the state. Abuse of power could therefore be checked through a balance of power between the state organs.

In the native reserves, a customarily organized tribal authority ruled the subjects. Customary power was transformed to act as an agent of the colonial state. The chief as the head of the new customary authority had the powers to pass rules; execute laws; administer the territory; and settle disputes among subjects. The chief's authority thus was like 'a clenched fist' without limit of power (Mamdani 1994:23). A regime of extra-economic coercion characterized especially by forced labor and forced contributions lay behind this separate authority.

The subjects were starved of civil and political rights. They could only gain these rights if they graduated into citizens through assimilation of citizen values and culture.[11] They were not allowed to organize outside the confines of the native reserves. This prevented connectivity between and among the different struggles that emerged to against de-colonization. It also ethnicized political struggles. The struggles became increasingly identifiable with the native reserves of their leaders. Oppression and detentions of leaders impeded attempts to make these struggles 'national' (Mamdani 1990).

The colonial state was a state of 'exclusion': it divided the society between those who had rights of citizenship and those who did not – the urban and the rural respectively. 'The rights of free association and free publicity, and eventually of political representation, were rights of citizens under direct rule, not subjects indirectly ruled by customarily organized tribal authority' (Mamdani 1990:19). Those who did not have rights became 'subjects of the state'. They were citizens of their respective native reserves in the rural Africa. The native reserves did not have rights to grant to the citizens. These were already acquired by virtue of having been born in the clans that comprised the ethnic group.

The post-colonial state did not reform the 'bifurcated state'. It adopted some of the colonial structures with little alterations. Sometimes these were re-defined to suit the purpose and to exact the particular form of

control that the post-colonial elite adopted to consolidate political leadership. A class question immediately evolved to shape and define these relations. The poor came to get a better sense of ethnic citizenship than did the rich. The poor depended on ethnic citizenship, for instance, to acquire land through customary right. The rich used their wealth.

In addition to the entry of the class question, the civic sphere was de-racialized. Everyone whether native or settler was recognized as a citizen in the civic realm. However, 'the distinction between the civic and the ethnic remained, since only the native was acknowledged as an ethnic citizen. Civic rights continued to be defined as individual rights in the civil and the political sphere' (Mamdani 1998:3). The main contradiction here again was that individual rights were acknowledged as universal while the native was supposed to have group rights.

The post-colonial state 'de-racialized without democratizing' the state and its institutions. The state was de-racialized through "Africanization". The state was not transformed and therefore the boundaries between the citizen and the subject remain as it were but without a substantive race or color character. The native or ethnic citizenship was not detribalized: the state only made an attempt to 're-organize decentralized power' in the name of nation building which resulted in increased centralization of authority. In the process of de-tribalizing the state reproduced a despotic form of authoritarianism characteristic of the colonial situation. Rural Africa remained a subject of the state—with very little connection to the state except by participating in elections that had no meaning to their problems of livelihood. Substantive citizens became the new African middle class and others residing in the urban areas where there existed a separation of powers.

Rights Versus Local Power Structures

The problems facing citizenship in post-colonial Africa cannot be blamed on state politics alone. At the local level and in rural Africa in particular citizens experience the same forms of authoritarianism they experience at the level of the state. Local structures for development and popular organizations are under the control of state elites and/or local power elites either acting for the state or on their own. In this regard, the system of patron–client relations mediates local power relations and acts as the avenue through which the citizens at the local level can relate to the state. The local power structures that have been established through the state framework are the main avenues for dispossession of the peasants and demobilization of popular organization. In the meanwhile, political parties and civil society

organizations have evolved as avenues, which both the local and the national elite use to bargain for a share of political power at the state level. Service provision by the state has also emerged as an important patronage resource for mobilizing political support and/or loyalty of the local elite to the state.

One major limitation of political liberalization in the region and in regard to rural Africa is that it has failed to create a viable mechanism for citizens' participation in public affairs. Political liberalization was implanted on unreconstructed state form. Ordinary citizens did not negotiate with the state on what changes were necessary to make the state receptive to their needs. Neither was there a negotiation of the social contract. A comprehensive review of constitution should have preceded these changes. However, the change was controlled and pursued from above. This meant little change in the institutions of the state. How this change was pursued has remained the an important limitation to the struggle for democratization. Peasants and workers in urban areas are being dispossessed and oppressed every day if media reports are anything to go by. Demonstrations against the state's inability to insulate ordinary citizens against economic hardships occasioned by IMF/World Bank reforms are a common feature in the region. Survival strategies of all social groups are in a precarious balance.

Citizenship and Political Liberalization

Although there is disagreement on the positive effects of political reforms underway in Africa today, there is consensus that re-configuration of state-society relations is one important change to have occurred in the continent. Again this may not be seen as a fundamental change given the trends towards authoritarianism that have evolved through multi-partyism and given the continued marginalization and dis-empowerment of citizens as well as a deepening of civil strife in several regions of the continent. However, many countries have now adopted multi-party forms of democracy and have experienced, no matter how limited, expansion of political space. Multi-party elections helped in sweeping away the 'old guards' such as Kenneth Kaunda in Zambia in 1991, Kamuzu Banda in Malawi in 1994, and more recently, Daniel Arap Moi in Kenya in 2002. One contradiction in this development, however, is that it did not evolve meaningful democratization. It evolved and/or resuscitated certain forms of identities that immediately began to challenge institutions of governance. Julius Nyang'oro (1999) has captured this contradiction by pointing out that:

> Zambia is quickly becoming an example of how the "good guys" can
> quickly turn into less desirable characters in the contradictory develop-
> ment towards democracy. In eight short years, the Movement for Multi-
> Party Democracy (MMD), the ruling party in Zambia, has been largely
> discredited because of what most observers see as the declining commit-
> ment to political liberalism on the part of MMD government.

This is true of several other countries. In Kenya, contradiction that at-
tended political liberalization provided an opportunity for Moi and the
then one party, Kenya African National Union (KANU), to win the multi-
party election of 1992 and 1997. Repeal of the constitution to allow for
competitive multi-party elections before undertaking a comprehensive
constitutional reform, which would have comprised a reform of the state
form, provided an opportunity for Moi and KANU to win. It resuscitated
ethno-regional political rivalries such that the election results reproduced
a pattern of ethnic relations and geo-political distribution of ethnic groups
in the country. Access to state power and to state resources for individual
benefits and for distribution to the 'included' ethnic communities was a
major factor shaping the outcome of that election and the subsequent one
held in 1997. The fear to lose again to Moi and demands by ethnic con-
stituencies to have a collective access to state power contributed to the
opposition uniting against KANU and subsequently winning the 2002
general elections.

In 1993, Tanzania did away with socialism and embraced multi-
partyism. A national multi-party election was held in both Zanzibar and
mainland Tanzania in 1995 and the ruling Chama Cha Mapinduzi (CCM)
won thereby locking out the opposition political parties. As noted by
Luanda (1996) among others, multi-partyism in Tanzania occasioned ten-
sions in the society. It caused resurgence of religious identities and their
struggle for impact on the secular state: the Muslims are questioning the
secular basis of the nation-state project while Christians are skeptical
about the state's inability to maintain and protect a secular constitution.
This is in addition to tension over the Union question—Zanzibar and the
mainland (Luanda 1996).

Uganda has resisted pressure towards a multi-party form of democ-
racy. This has to be understood in the context of the process of re-
configuring state power that began in earnest with the consolidation of
the National Resistance Movement (NRM) in the late 1980s. NRM re-
viewed the constitution in 1988 and held a general election for its con-
stituent assembly in 1994 with a view to establishing a new framework
for negotiating a new constitutional dispensation. A new constitution was

put in place in 1995 and another Constitutional Review Committee was established in 1998. A national referendum was held this year subsequent to these phases, to resolve whether or not multi-partyism should be re-introduced. In spite of whatever disagreements one may pose, Uganda has been a case of continued dialogue with citizens—and inclusion of citizens in the governance process—even though the NRM government has been setting the agenda for the dialogue and even though the state has excluded political parties from the process.

Zimbabwe also remains one country under the leadership of the 'old guards'. The quest to sustain President Mugabe and ZANU-PF in politi-cal power amidst growing opposition from the Movement for Democratic Change (MDC), which after the June 2000 national election became Zim-babwe's first viable opposition political party, has reproduced authoritar-ian tendencies leading to poor governance and economic dis-empower-ment. This has in turn meant a shaky base for state legitimacy. As a result of this, the state elite have resuscitated the notion of citizens' economic rights on which they have anchored the land question. While this strata-gem seeks to promote rights of access to land for the landless it has un-dermined the rights of the minority white citizens.

The region also has had a bountiful share of political and economic problems. Civil conflicts have occupied much of the post-colonial life of Mozambique and Angola, and in recent years, Somalia, Siera Leone and Liberia. Conflicts between the military and the political society and to some extent the traditional authority have been an important feature of the Southern Africa states and Lesotho in particular. Elections under po-litical liberalization have not helped to arrest these conflicts. In some cases they have exacerbated state and society tensions. Political change has generally not resulted in bringing fundamental changes in the social-economic context. Moyo (1999) observes that there is a lot of skepticism about the real significance of such elections particularly because the 'link between the outcome of multi-party elections and the determination of who governs has remained tenuous'. Secondly, the elections have 're-sulted neither in new leadership nor new power relations' (Moyo 1999). In some cases, this has resulted in marginalization of minority groups or groups that did not provide political support to the elite who accede to political leadership under multi-party elections. In other cases, the change has aroused questions about identities and their relations to economic power. As already mentioned, the state in Zimbabwe has mobilized the 'racial component' of citizenship to address the land question with a view to gaining political support amidst a growing opposition. In the Eastern

Africa region, the Asian question also reflects on political discourses on account of their control of the economy in the region. What are the rights, entitlements and obligations of certain racial groups–the minority - are issues that the debate on rights has aroused all over the region.

Notwithstanding the above, political liberalization has expanded the space for citizens struggles. Civil society in the entire region has been re-invigorated and its role in the democratization process cannot be deni-grated. It is the civil society, including religious organizations, that has provided opportunities for individuals to exert themselves in the govern-ance debate (see Nyang'oro 1999). The limitations of political liberaliza-tion especially in regard to fostering citizenship have revived a debate that was abandoned in the early 1960s when most countries in the region became independent. Constitutional debate has become another impor-tant component of the struggle for good governance and democratization. The content of the debate and protagonists continue to differ over the choices to make. This owes much to the fact that given that political lib-eralization, in almost all instances, occurred without settling the constitu-tional questions. Accordingly, the debate focuses on conventional basic human rights—civil and political rights of individuals and social groups— which statism stifled. The debate continues to gloss over economic, so-cial and cultural rights and social livelihoods, which are the fundamen-tals of social citizenship. The context of the debate is not shaped by issues such as what rights should be provided to the citizens. It is shaped by disagreements over how to pursue the process. Whose interests will the constitutional reform and choice serve is undoubtedly a major preoccu-pation among all the protagonists in the constitutional debate. Civil con-flicts in Lesotho; Siera Leone, Liberia and Somalia, Democratic Repub-lic of Congo (DRC) and conflicts in Angola, no matter how one looks at them, are simply constitutional conflicts and, therefore, conflicts over citizens' rights and the obligations of the state to the society.

Conclusion: Transcending the Dualism

Studies on citizenship in Africa tend to privilege the notion of dualism and competing forms of citizenship. These studies also concern what lim-its the construction of national citizenship and its political-legal aspects in particular. Some of them have attempted to show the character and substance of ethnic citizenship where demands for promotion of commu-nity interests are played out (Ndegwa 1997: 613). Solutions offered in regard to the crisis of citizenship, especially the irreconcilability of the two forms of citizenship, are less appealing—they are reared on a West-

ern conceptualization of citizenship and therefore seem inappropriate for Africa's competing identities.

Political liberalization has also not helped in reducing the tensions between competing forms of citizenship. Neither has it created opportunities for citizens to exact themselves in the economic and political arena in a meaningful way. Economic reforms and globalization have not fostered citizenship in any manner, instead they have eroded the basis for the enjoyment of economic right and contracted the space for enjoyment of these entitlements. Furthermore, the heightened market reforms have become hostile to citizenship—they have limited the space on which citizens can organize for their livelihood. The poor and vulnerable groups are the main culprits in this regard. Institutions to insulate them from the vagaries of the market, given the failure and/or withdrawal of the state from service provision, have not been put in place.

These observations imply a deepening crisis of citizenship. They imply a gulf between the current forms of the state and the ordinary people. They are indicative also of a widening disconnection between civil and political rights on one hand, and economic rights on the other. This disconnection is a major challenge to the process of good governance and democratization because civil and political rights cannot be sufficiently protected and promoted outside of social-economic and cultural rights.

There is need for studies to address two issues in this regard. The first one concerns analysis of viable institutional mechanisms for effective relationship between the state and the citizens and between citizens and the local power structures. The second one concerns the vulnerability of local struggles and citizen organizations. The ease with which the state and local elites captures these organizations require attention in order to out how best citizens can be insulated from state and elite infiltration. Significantly, the discussion has pointed out the existence of different struggles for rights. Some of these have consolidated into social movements but the broad economic and political context in which they operate makes their sustainability a difficult challenge. Some of these movements die out because of internal contradictions. Their internal character and conditions for sustainability should be studied because an answer on how they are organized and how they can be sustained amidst poor political and economic conditions can shed some light on how to consolidate good governance and democratization in the region.

Studies on competing citizenship have demonstrated tension in the nation-state project. These studies also assume that there is less tension in ethnic citizenship. However, ethnic citizenship is animated by differ-

entiations that limit full enjoyment of citizenship even at the local level. A thorough understanding of internal features—and nature of coherence— of all forms of identities that have accompanied political liberalization and economic decline in the region need to be carried out in order to fully understand what limits or facilitates the process of good governance. Moreover, there is need to fully understand how evolving identities can be mobilized constructively for the good of the society.

Notes

1. Political liberalization concerns opening up of a previously closed political system while democratization is about 'making justiciable economic, social and cultural rights' (Moyo 1999). Democratization therefore concerns a deepening of citizenship by expanding rights and entitlements. Political liberalization is one avenue through which these rights are granted and/or protected.

2. The land question in Zimbabwe and Kenya; ethnic conflicts in the Greater Lakes region; re-configuration of state-society relations in Uganda; and the reproduction of authoritarianism through political liberalization in many countries, among other events

3. Historically, in the ancient and medieval times, membership to the political society, and the state for that matter, was not extended to all members. The history of political thought indeed devotes attention to the question of exclusion of certain segments of the population from the class of citizens.

4. Studies on adjustment reforms in Africa continuously show that state cut backs have affected the survival of many people both in rural and urban areas. Social welfare has gone into decay or collapsed altogether. The ranks of street children has significantly grown in urban areas while the numbers of people engaged in informal economy continue to grow.

5. A story is told about a Kenyan from the interior who was unaware about the exact location of the boundary between Kenya and Tanzania. He asked a Maasai herdsman whether the place he was standing was Kenya or Tanzania. The herdsman replied, "Where would you like to be?"

6. Eke (1978) has also formulated a framework based on two competing puplics. Although the work focused on Nigeria it is relevant to the rest of Africa.

7. The ethnic conflicts that dot the African map are about construction political communities or nation-state. The conflicts, as Wamba-dia-Wamba (1996) argues are about settling the Nation-question: who is and who is not a member of that society? Who is an outsider? How has the social membership changed? Does every member enjoy the same rights as those of every other member? How are these rights recognized and protected? How is the commonality founded? (Wamba-dia-Wamba 1996: 154).

8. For an elaborate discussion on Ethnicity and Citizenship in Kenya see Ndegwa (1997; 1998). See also Halisi et al (1997).

9. Mafeje (1999) offers the most elaborate critique on class and ideology of ethnicity in Africa. He notes that for lack of an emancipatory national ideology, African national leaders knowingly use ethnicity as a strategem for gaining or clinging to personal power (Mafeje 1999:23)

10. Elsewhere, I have attempted to trace the origins of the land question in Kenya and argued that it has roots that reach into the colonial period. The post-colonial state land policies are simply an extension of what the colonial government did (Kanyinga 1998).

11. Exactly when did the settler become a citizen is a question that has revoked a lot of controversy because Mamdani locates the answer on rights (see Mamdani 1998; Thornton 1998; Neocosmos 2000).

References

Ake, Claude, 1996, *Democracy and Development in Africa,* Washington D.C: Brookings.

Barbalet, J. M., 1988, Citizenship, Minneapolis, MN: University of Minnesota Press.

Chege, Michael, 1994, 'Return of Multi-Party Politics' In Barkan, Joel D. , ed., *Beyond Capitalism vs. Socialism in Kenya and Tanzania,* Nairobi: East African Education Publishers.

Eke, P.P, 1978, 'Colonialism and the Development of Citizenship in Africa: A study of Ideologies of Legitimation' In O. Otite, ed., *Themes in African Social Political Thought.* Enogu: Fourth Dimension.

Gibbon, Peter, ed., 1995a, Markets, *Civil Society and Democracy in Kenya,* Uppsala: Nordic African Institute.

Gibbon, Peter, 1995b, 'Civil Society, Political Change and the Developmentalist State in Africa,' Mimeo.

Halisi, C.R.D; Kaiser, Paul, J. and Ndegwa, Stephen, 1997, Guest Editors' Introduction: the Multiple Meanings of Citizenship—Rights, Identity, and Social Justice in Africa, *Africa Today,* . 45 (3-4).

Idowu, William, O.O., 1999, 'Citizenship, Alienation and Conflict in Nigeria' *Africa Development,* XXIV (1&2).

Ifidon, Ehimika, A, 1996, 'Citizenship, Statehood and the Problem of Democratization in Nigeria' *Africa Development,* XXI (4).

Kanyinga, Karuti, 1998a, Contestation over Political Space: The State and Demobilization of Opposition Politics in Kenya, In Adebayo Olukoshi, ed., *The Politics of Opposition in Contemporary Africa,* Uppsala: Nordic African Institute.

Kanyinga, Karuti, 1998b, The Land Question in Kenya: Struggles, Accumulation and Changing Politics. Unpublished Dissertation, International Development Studies, Roskilde University.

Kanyinga, Karuti and Cleophas Torori, 1999, 'Into the New Millennium in Kenya: Reconstructing Civil Society from below,' A study commissioned by the Commonwealth Foundation and done for and on behalf of the National Council of NGOs in Kenya, Nairobi: NGOs Council.

Mafeje, Archie, 1999, *Class and Ideology of Ethnicity in Africa: A proposal for a new Paradigm,* CODESRIA: Mimeo.

Mamdani, Mahmood, 1996, *Citizen and Subject: Contemporary Africa and the Legacy of the Late Colonialism,* Princeton: Princeton University Press.

Mamdani, Mahmood, 1998, 'When Does a Subject Become a Native? Reflections on the Colonial Roots of Citizenship in Equatorial Africa and South Africa' Inaugural Lecture as AC Jordan Professor of African Studies, University of Cape Town, New Series No. 208, May 13.

Mamdani Mahmood, 2000, 'Indirect Rule and the Struggle for Democracy: A Response to Bridget O'Laughlin' in *African Affairs,* 99 (394).

Mkandawire, Thandika, 1998, *Thinking about Developmental States in Africa,* Mimeo.

Mkandawire, Thandika and Soludo, Charles, C., 1999, *Our Continent, Our Future: African Perspectives on Structural Adjustment.* Dakar: CODESRIA.

Moyo, Jonathan, 1999, Govenance and Civil Society in Eastern and Southern Africa: Challenges for the Donor Community, A paper presented in a workshop on 'What Works for Development', Organized by IDRC, Nairobi, Safaripark Hotel, February.

Ndegwa, Stephen, N., 1997, Citizenship and Ethnicity: An Examination of Two Transition Moments in Kenyan Politics' In *American Political Science Review,* vol. 91, No. 3.

Ndegwa, Stephen, N., 1998, *Citizenship Amidst Economic and Political Change in Kenya.* Mimeo.

Neocosmos, Michael., 1993, *The Agrarian Question in Southern Africa and 'Accumulation from Below',* Uppsala: Nordic African institute.

Neocosmos, Michael., 2000, *The State and Civil Society in Africa: Forms of Politics and Political prescriptions.* Mimeo

Nyang'oro, Julius, ed., 1999, *Civil Society and Democracy in Eastern and Southern Africa,* Harare: MWENGO.

Ogachi, Oganda, 1999, Economic Reform, Political Liberalization and Economic Ethnic Conflict in Kenya,' *Africa Development,* XXIV (1&2).

Olukoshi, Adebayo, 1998, *The Politics of Opposition in Contemporary Africa.* Uppsala: Nordic African Institute.

Olukoshi, Adebayo. ed., Forthcoming, *Constitutionalism and Citizenship in Contemporary Africa.* Uppsala: Nordic African Institute.

Osaghae, Eghosa, 1995, *Structural Adjustment and Ethnicity in Nigeria.* Research Report No. 98. Uppsala: Nordic African Institute.

Osaghae, Eghosa, Forthcoming, 'Competing Ethnicities and Contested Citizenship in Contemporary Africa'.

The Economist, 2000, London: May 13.

Wamba-dia-Wamba, Ernest, 1996,' The National Question in Zaire: Challenges to the Nation-State Project' In Adebayo Olukoshi and Liisa Laakso, eds., *Challenges to the Nation-State in Africa,* Helsinki:Institute of Development Studies.

Book Reviews/ Revues de livres

Michel Ben Arrous, 2003, *Coalition, Dispersion. Un moment démocratique en Afrique de l'Ouest « francophone», 1988–1998*, CODESRIA, Dakar.

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La marche chaotique des Etats africains post-coloniaux vers la démocratie ne finit pas de provoquer la curiosité intellectuelle des observateurs et analystes africanistes. L'ouvrage de Michel Ben Arrons apporte un éclairage de plus sur ce pan de l'histoire politique et nous replonge, plus exactement dans les méandres de la démocratisation de « l'Afrique de l'Ouest francophone ». L'objectif de l'auteur est de dégager et de scruter les linéaments, les péripéties, les aléas, les paradigmes structurants, les forces et les faiblesses, les temporalités tangibles et les espaces de ruptures qui caractérisent ce « moment démocratique ». D'entrée de jeu, l'auteur souligne que « l'idée centrale de cet essai est que les années 1988 à 1996 ont constitué un moment politique comparable au moment anticolonial des années 1950. Dans l'entre-deux, l'avènement des parti- Etats paraissait avoir brisé l'expression politique du plus grand nombre. Après trois décennies de monopole des parti-Etats sur la construction nationale et sur le développement économique et social s'est opéré un vaste mouvement de re- participation à la conduite des affaires publiques » (p.12).

L'auteur a choisi de circonscrire l'étude à l'Afrique de l'Ouest « francophone » De fait, dans cette région de l'Afrique, les trajectoires des transitions démocratiques ne sont pas, loin s'en faut ni monolithiques ni homogènes d'une entité étatique à une autre, tout comme les causalités et les forces qui les activent. La pluralité d'enjeux, la pluralisation des espaces et les acteurs dans un contexte socio- politique, foncièrement, informé par la crise du monolithisme ou de la monocratie participent et identifient simultanément la multiplicité des régimes des régimes de changements socio-politiques qui donnent sens et figure aux mouvements de démocratisation. La dynamique de braconnage des anciens systèmes

est l'œuvre d'une multiplicité des forces sociales qui tiennent à marquer les mutations en cours.

Le temps démocratique invoque la «crise», identifie la déliquescence des légitimités de régimes politiques monocratiques, postule la réinstauration d'un espace social de participation et de contradiction. Le contexte de libéralisation politique, mouvement complexe par ailleurs, voit émerger une catégorie d'acteurs politiques et sociaux qui revendiquent une nouvelle grammaire d'agencements sociaux, impose de nouvelles conduites qui autorisent à une re-formulation de l'ordre politique jadis à l'œuvre.

Incontestablement les années d'indépendances se sont caractérisées par la violation des libertés politiques et sociales, la dynamique de totalisation des espaces politiques, l'embrigadement des groupes sociaux dans les appareils politiques de sujétion que sont entre autres parti unique, syndicat unique, presse unique. L'Etat–théologien revendiquait alors le monopole de la vérité et le contrôle quasi- systématique de la production, de la circulation et la redistribution sélective des régimes discursifs et symboliques.

La mise en scène démocratique avec ses formules inédites d'action politique a, à travers les conférences nationales, les larges débats et les tripartites organisés dans certaines pays d'Afrique révélé la dimension «cathartique» de la « démocratie » en tant que variable référentielle de la libération et de l'éclosion de la parole, vecteur de la participation populaire massive, facteur d'autonomisation des « cadets sociaux » et donnée structurante de l'institutionnalisation d'une force politique oppositionnelle, véritable contre-pouvoir à des régimes politiques monopolistiques et concentrationnaires. Toutes choses qui étaient prohibées, interdites, frappées d'ostracisme par l'idéologie «nationalitaire» des années 70.

Par ailleurs, les contentieux démocratiques en Afrique de l'Ouest ont lourdement amplifié, dramatisé et exacerbé les cadres d'action collective d'ordre ethnique ou identitaire. Les groupes sociaux longtemps enserrés dans les arcanes des partis- Etats se reconstituent et se ré- ajustent sous des formules qui épousent dans la pratique, le visage de la communauté de ressemblance ou de parenté. La dynamique démocratique n'a pas, loin s'en faut, contribué ou activé la construction d'un espace national de convergence ou de consensus. Dans l'écrasante majorité des pays africains, le pluralisme politique s'apparente à une reconduction dans l'espace politique du pluralisme socio-culturel des sociétés en interaction.

Ainsi, la théâtralisation des jeux de coalition, d'alliances éphémères, de dispersion, de rupture ou de fracture entre les groupes d'acteurs au

devant de la scène politique en mutation traduit que le contexte du chan-
gement politique constitue désormais le lieu, par excellence des transac-
tions ou des alliances factices.Dans ce contexte les acteurs et les leaders
politiques en particulier évoluent et changent de postures au gré des inté-
rêts baroques, des options flottantes et volatiles.

Après trois décennies du monolithisme institutionnel et du noyautage
ethnique, les entités sociales se découvrent et se forgent de nouvelles
identités, de nouvelles modalités d'action politique, d'agencements autres
qui viennent à bousculer les équilibres sociaux précaires et fragiles. Cet
ensemble des procédures tactiques, labiles, volatiles, ambiguës, par mo-
ment diffuses mais toujours inintelligibles caractérisent le mouvement de
complexification des alliances et des interactions sociales qu'institue le
«moment démocratique».

Le marquage de la «conscience de rupture» et la logique de «disper-
sion » qui structurent et habitent les acteurs politiques pluriels dans la
zone Ouest africaine inscrite sur la longue durée de démocratisation té-
moignent de la crise du monolithisme politique des années 60 et relève
du à plus d'un titre de la capacité, sinon à tout de la volonté des acteurs à
ré-inventer, à re-constituer un nouvel ordre politique dans la sous- région
qui s'enracine dans un contexte d'ouverture démocratique.

La dynamique de démocratisation telle que problématisée par Ben
Arrous, participe, fondamentalement de la construction, de l'édification
et de la mise en chantier d'une société de participation, de contradiction,
plus ouverte, plus ancrée et mieux informée de la civilité des mœurs po-
litiques cractéristiques des mutations en cours et indicateur identificatoire
des sociétés démocratiques contemporaines. Du coup, l'enjeu démocra-
tique va au-delà de la quincaillerie institutionnelle pour s'enraciner dans
le corps social. Le texte de Ben Arrons n'est pas, on le découvre au fil des
lignes une leçon magistrale du « moment démocratique» encore moins
une lecture élogieuse de la «démocratie» telle qu'inscrite dans l'agenda
politique des sociétés Ouest–africaines.

Au demeurant, l'argumentaire de Ben Arrous se construit et se con-
centre, largement et presque exlusivement sur le jeu d'acteurs politiques
de premier plan, l'élite, catégorie d'acteurs au sommet de la pyramide
sociale, qui n'exprime pas toujours les mêmes aspirations et les mêmes
projets que les «ordinaires» ou le «bas peuple». La posture analytique de
facture constructiviste et interactionniste du fait politique aura permis de
moduler le poids des « sans importance » dans la formulation et la codi-
fication de cette société démocratique en émergence.

Le processus de démocratisation tel que modulé et articulé par les entités sociales longtemps tenues en marge du champ politique ne participe-t-il pas de la délégitimation du contrat social mis en place par la « bourgeoisie compradore» des années d'indépendance? L'irruption des « cadets sociaux » au détour de la décennie 90 ne sonne t-elle pas le glas des autoritarismes africains? De fait, les demandes sociales de la base se sont prioritairement construites autour d'un ensemble de vertus : re-formulation de méthode de gouvernance, transparence dans la gestion des fortunes publiques, assainissement de l'administration publique et ré-instauration de la moralité publique, redistribution équitable des ressources nationales, respect de la dignité humaine en institutionnalisant la pratique des droits de l'homme, codification d'un corps social indépendant du champ politique à l'instar de la société civile, pluralisation des espaces d'action politique...

Au regard des «ratés» sans cesse récurrents (conflagration sociale, luttes d'identité, violation permanente de la souveraineté populaire, retour en force de l'unanimisme politique, braconnage et pillage des fortunes publiques, déni de la dignité humaine...) du processus de mutations politiques des régimes post- coloniaux africains, ne faut-il pas désormais re-questionner le patrimoine politique traditionnel des sociétés longtemps colonisés afin d'y soustraire quelque chose de positif, de constructif et de dynamisant. Si non que signifierait, plus concrètement, pour les sociétés en situation dépendante démocratiser la démocratie?

En somme, le texte de Ben Arrous porte sur un sujet d'actualité et est d'une facture intelligible. Il édifie l'observateur sur les tendances fortes et les variables lourdes des transitions démocratiques en Afrique au Sud du Sahara, spécialement la région de l'Afrique de l'Ouest francophone. Dans la chevauchée de l'argumentaire ; la mise en scène dramatique, le procès de théâtralisation et le jeu des acteurs, les contextes et les moments de coalition, de dispersion et de dissémination, bref le phénomène politique dans ce qu'il a de banal et de ludique, de rituel et de factuel sont de bout en bout évoqués. Ce qui permet de suivre le parcours erratique, labile, volatile et mouvementé du processus démocratique en cours.

Lydie Moudileno, 2003, *Littérature francophones des années 1980 et 1990*, Dakar, CODESRIA, 94p.

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L'essai de Moudileno se consacre seulement à la production littéraire de l'Afrique Subsaharienne francophone d'aujourd'hui. D'un point de vue historique, l'auteur cerne la « troisième période de la littérature africaine » (p.4) à partir de quatre axes marqués du sceau de la créativité et de la diversité; d'où la pluralité qui autorise à parler plutôt des littératures.

La première piste de réflexion se focalise sur les circuits de production dont l'édition: son évolution se dénote par des politiques favorables aux Africains à Paris et par son dynamisme sur le continent. Ainsi, l'émergence de la littérature féminine est largement tributaire de l'action décisive des Nouvelles Editions Africaines en sa faveur. Au plan théorique, les considérations idéologiques ont suscité chez les éditeurs le débat pour ou contre une visibilité des Africains à travers des collections spécifiques. A l'analyse, il semble plutôt une diversion savamment entretenue aux fins d'occulter l'appât du gain.

Le deuxième axe prend en compte les auteurs. Il y a d'abord ceux «issus de l'immigration» (p.20): Mabanckou, Njami, Biyaoula, Waberi, Effa, Couao-Zotti, Kossi Efoui, Bessora et autres. Il y a ensuite les femmes en pleine envolée à la faveur d'une littérature qui, malgré sa diversité, a acquis son canon en termes de témoignage avec Bâ, Bugul, Sow Fall, Rawiri, Adiaffi, Boni, Tadjo, Liking et Beyala. Il y a enfin les nationaux, c'est à dire l'ensemble des écrivains originaires d'un même pays si l'on s'en tient à la définition du concept de «littérature nationale» (p.31).

Evidemment, le chevauchement entre ces trois catégories ne permet pas de situer les auteurs avec exactitude sur un réseau identitaire toujours plus complexe. En effet, «qu'est-ce qu'un écrivain africain» aujourd'hui? L'africanité est-elle encore un facteur de poids pour une production littéraire en expansion croissante vers la mondialisation?

En tout état de cause, les critères de l'africanité tout comme ceux de la nationalité restent à réajuster. On pourrait dire de même des «enfants

de la post-colonie» ou «nouvelle génération post-coloniale» ou encore mouvement parisianiste». Ce sont autant d'étiquettes collées aux auteurs «issus de l'immigration», mais dont les délimitations demeurent obstiné- ment diffuses, voire poreuses (p.23). Dorénavant, le défi pour le critique est de «théoriser à partir des apories» (p.25)

La troisième piste de réflexion se ramène aux «voies thématiques de mutation», mutation due à «la réécriture» en tant que refonte d'un texte préexistant par un nouveau. Pour ne prendre qu'un aspect, l'examen du rapport à l'histoire dévoile que les écrivains se détournent du passé loin- tain pour scruter la période contemporaine. A l'occasion, ils opposent un «contre– récit» au récit de la tyrannie post-coloniale dont le lieu commun se ramène au type du dictateur incapable que le discours officiel fait pas- ser pour l'homme «providentiel». La préférence va à la multiplicité des perspectives pour dire un réel fragmenté. Du coup, le roman de la période ciblée surclasse la linéarité classique des pionniers. Tels sont les traits caractéristiques «d'une écriture moderniste» (p.45)

La vision post- moderne pousse plutôt l'écrivain à tout mêler dans une œuvre où tout est acteur de l'histoire et qui s'offre un panier à crabes. Seul le lecteur pourra en faire un tri. D'autres réécritures plus sophisti- quées se lient dans le rapport des auteurs à l'espace, au corps et à la langue. Ces aspects sont abordés dans une optique iconoclaste dont la «créolisation» (p. 66) se veut le symbole le plus significatif.

Le dernier axe analyse l'émergence d'une littérature populaire qui n'est pas en reste. A son tableau, figurent le roman policier, le roman sentimen- tal, le roman-photo, la bande dessinée et la littérature pour les jeunes. Destinée à des publics plus ou moins spécifiques, la littérature populaire modifie fatalement la «mission de l'écrivain» et de situe au-delà de l'épi- phénomène pour ainsi ouvrir de nouveaux champs à la critique. Juste- ment, on regrettera que les littératures africaines francophones des an- nées 1980 et 1990 soient à leur Zénith tandis que la critique, elle, se trouve à son nadir, exception faite des travaux de Bidima, Mbembé et Moura (p.79).

Au total, l'étude de Moudileno est un gros plan sur les problématiques et tendances contemporaines des littératures africaines. Elle prolonge celle de Sewanou Dabla (1986) dont elle se démarque aussitôt par son ambi- tion de totalité et l'accent mis sur les années 1990. L'approche synthéti- que par des «coupes franches» et «transversales» à travers les genres (p.6) lui garantit la gaieté d'une progression alerte et stimulante avec des sug- gestions fort à propos face aux apories qui attendent le chercheur. En cela, l'ouvrage constitue un document de ce travail fécond.