

MKURABITA: The Future or the End of Pastoralism in Tanzania?

THE Property and Business Formalization programme (MKURABITA) intends to change the mode of land ownership in Tanzania from traditional and communal property ownership to more formal ('modern') and private and individual ownership. Formalization is said to be essential for economic growth and prosperity through use of land to get credit and create capital. These aspirations locate themselves in a comfortable socio-political space in the country, oriented to market and private Capita. However this article focuses not on the various pro's and con's of this high profile programme but on the possible impacts of land formalization on pastoral land tenure systems.

Pastoral land tenure systems are a response to the challenges posed by the natural environment. Pastoralists in Tanzania live in an arid and semi-arid environment. Pastoralists in Tanzania live mostly in arid and semi-arid lands whose resources are heterogeneous and dispersed, varying spatially and temporarily. Climatic patterns are erratic and highly unpredictable. To survive under these conditions requires creativity and mastery of the environment. Crucial for the many survival mechanisms is the practice of mobility, which enables pastoralists to access these spatially and temporally varying resources and avoids overgrazing.

The way land is held, owned, used, and managed is essential in sustaining the practices of pastoralism and especially mobility. Land is mostly owned communally but also individually for particular resources. These systems allow for reciprocity and flexibility in accessing resources. The systems rely on community norms and complex but orderly traditional institutions mandated over the protection and management of pastoral resources. The above characteristics of a pastoral land use system are often ignored by policy makers. MKURABITA should take them to be the first point of reference.

What possible advantage does the formalization programme offer to pastoralists? Pastoralist lands have been easy to alienate and encroach upon because of their very way of owning land. Communal lands have been taken to belong to nobody specifically, to be idle and waiting for occupation and 'effective' use. Titling and formalization in some form has the potential of securing these lands from has the potential of securing these lands from encroachment. With title, pastoralist would have paper evidence of owning land.

What of possible disadvantages? A lot depends on how titling is carried out. Any individualization of land has several disadvantages to the survival of pastoralism. One private property is exclusionary by nature. In a system such as pastoralism which banks on resources that vary in space and time, individualization of land risks destroying the flexibility and reciprocity required for accessing these resources. Third, formalizations increase the marketability and transferability of land which in turn decreases common tenure which is a prerequisite for pastoral sustainability. Fourth formalization can create classes of land owner's among pastoralist. Titling schemes among pastoralists in Kenya have benefited mostly the elites and the well- to-do marginalizing the poor and illiterate.

What can be recommended? Whether formalization is bad or good to pastoralism is very much a question of how it will be implemented. The modus operandi for implementation is also a political choice. There is no clear political will sustain pastoralism in its present form. The strategic plan for Implementation of the Land Laws (SPILL) states the opinion that mobile pastoralism is against

civilization. For the Draft Livestock Policy (2005) communal ownership of land is a disincentive to rational and productive utilization of the rangelands. The trademark policy stance is to modernize and sedentary pastoralists, private and individual ownership of land are a common denominator.

However the framework laws for land the land and village Land Acts (1999) do recognize and support pastoral land use systems. The laws give opportunity for pastoralists to own lands collectively by group titling and joint land use agreements among their villages. This legal opening for collective titling should be explored.

Thus the following recommendations can be given for MKURABITA and pastoralism.

- (1) Research should be commissioned on the possible impacts and proposed methodology of formalization among pastoralists. This should document previous experiences in and outside Tanzania. The performance of group ranches in Kenya and Tanzania is a possible area to begin with.
- (2) The true colours of formalization among pastoralists should be tested in reality. This can be done initially on a pilot replicated in other pastoral areas.

Finally a formalization program that is not counterproductive to pastoralist is possible only when there is political will to sustain the central tenets of the system like mobility and attendant common ownership of resources and to harness the power of pastoral production on the remaining rangelands instead of allowing the alienation of common land that pushes pastoralists into conflict with other land users. When political will is not there formalization risks bringing pastoralism to an end.